

BOARD FOR JUDICIAL ADMINISTRATION



**WASHINGTON
COURTS**

MEETING PACKET

**FRIDAY, SEPTEMBER 16, 2016
9:00 A.M.**

**AOC SEATAC OFFICE
18000 INTERNATIONAL BOULEVARD, SUITE 1106
SEATAC, WASHINGTON**

Board for Judicial Administration Membership

VOTING MEMBERS:

Chief Justice Barbara Madsen, Chair
Supreme Court

Judge Scott Sparks, Member Chair
Superior Court Judges' Association
Kittitas County Superior Court

Judge Bryan Chushcoff
Superior Court Judges' Association
Pierce County Superior Court

Judge Scott Collier
Superior Court Judges' Association
Clark County Superior Court

Judge Michael Downes, President
Superior Court Judges' Association
Snohomish County Superior Court

Judge George Fearing
Court of Appeals, Division III

Judge Janet Garrow
District and Municipal Court Judges' Association
King County District Court

Judge Judy Rae Jasprica
District and Municipal Court Judges' Association
Pierce County District Court

Judge Mary Logan
District and Municipal Court Judges' Association
Spokane Municipal Court

Judge G. Scott Marinella, President
District and Municipal Court Judges' Association
Columbia County District Court

Judge Bradley Maxa
Court of Appeals, Division II

Justice Susan Owens
Supreme Court

Judge Kevin Ringus
District and Municipal Court Judges' Association
Fife Municipal Court

Judge James E. Rogers
Superior Court Judges' Association
King County Superior Court

Judge Ann Schindler
Court of Appeals, Division I

NON-VOTING MEMBERS:

Judge Scott Ahlf, President-Elect
District and Municipal Court Judges' Association
Olympia Municipal Court

Ms. Callie Dietz
State Court Administrator

Mr. William Hyslop, President
Washington State Bar Association

Ms. Paula Littlewood, Executive Director
Washington State Bar Association

Judge Sean Patrick O'Donnell, President-Elect
Superior Court Judges' Association
King County Superior Court

Judge Lisa Worswick, Presiding Chief Judge
Court of Appeals, Division II



Board for Judicial Administration (BJA)

Friday, September 16, 2016 (9:00 a.m. – 12:00 p.m.)

AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

AGENDA

1. Call to Order	Chief Justice Barbara Madsen Judge Scott Sparks	9:00 a.m.
2. Welcome and Introductions	Chief Justice Barbara Madsen Judge Scott Sparks	9:00 a.m.
3. June 17, 2016 Meeting Minutes <i>Action: Motion to approve the minutes of the August 19, 2016 meeting</i>	Chief Justice Barbara Madsen Judge Scott Sparks	9:05 a.m. Tab 1
4. Committee Appointments <i>Action: Motion to appoint Judge John Fairgrieve, Ms. Emily McCartan, Ms. Judy Ly, and Ms. Linda Myhre Enlow; and to reappoint Commissioner Paul Wohl to the BJA Public Trust and Confidence Committee</i>	Chief Justice Barbara Madsen Judge Scott Sparks	9:10 a.m. Tab 2
5. 2017 Meeting Schedule <i>Action: Approve 2017 BJA Meeting Schedule</i>	Chief Justice Barbara Madsen Judge Scott Sparks	9:20 a.m. Tab 3
6. Courts of Limited Jurisdiction Case Management System	Ms. Vicky Cullinane	9:30 a.m. Tab 4
7. Standing Committee Reports Court Education Committee Legislative Committee Policy and Planning Committee	Judge Scott Collier Judge Kevin Ringus Judge Scott Sparks	9:50 a.m. Tab 5
8. Annual Picture		10:10 a.m.
Break		10:25 a.m.
9. Budget Request Update	Mr. Ramsey Radwan	10:45 a.m. Tab 6
10. Potential Budget Reduction Process	Judge Ann Schindler Mr. Ramsey Radwan	10:55 a.m. Tab 7
11. Trial Court Improvement Account Report	Ms. Misty Butler	11:20 a.m. Tab 8
12. Salary Commission Report	Ms. Misty Butler	11:35 a.m. Tab 9
13. Other Business <ul style="list-style-type: none"> • Next meeting: November 18, 2016 AOC SeaTac Office • Agenda Items for Next Meeting? 	Chief Justice Barbara Madsen Judge Scott Sparks	11:50 a.m.

14. Adjourn		12:00 p.m.
<p>Persons with a disability, who require accommodation, should notify Beth Flynn at 360-357-2121 or beth.flynn@courts.wa.gov to request or discuss accommodations. While notice five days prior to the event is preferred, every effort will be made to provide accommodations, when requested.</p>		

Tab 1



Board for Judicial Administration (BJA) Meeting

Friday, August 19, 2016 (9 a.m. – Noon)

AOC SeaTac Office, 18000 International Blvd, Suite 1106, SeaTac

MEETING MINUTES

BJA Members Present:

Chief Justice Barbara Madsen, Chair
Judge Scott Sparks, Member Chair
Judge Scott Ahlf
Judge Bryan Chushcoff
Judge Scott Collier
Ms. Callie Dietz
Judge Janet Garrow
Mr. William Hyslop (by phone)
Judge Mary Logan (by phone and in person)
Judge G. Scott Marinella
Judge Bradley Maxa
Judge Sean Patrick O'Donnell
Judge Kevin Ringus
Judge Ann Schindler
Judge Lisa Worswick

Guests Present:

Ms. Barbara Christensen
Ms. Cynthia Marr
Mr. Dennis Rabidou
Mr. Paul Sherfey (by phone)

Public Present:

Dr. Page Carter

AOC Staff Present:

Ms. Misty Butler
Ms. Beth Flynn
Mr. Steve Henley
Mr. Dirk Marler

Judge Sparks called the meeting to order.

June 17, 2016 Meeting Minutes

It was moved by Judge Garrow and seconded by Judge Marinella to approve the June 17, 2016 BJA meeting minutes. The motion carried.

Committee Appointments

It was moved by Judge Ringus and seconded by Judge Chushcoff to reappoint Judge Greg Tripp to the Civil Legal Aid Oversight Committee. The motion carried.

It was moved by Judge Ringus and seconded by Judge Schindler to reappoint Judge Brad Maxa to the BJA Public Trust and confidence Committee. The motion carried and Judge Maxa abstained.

Standing Committee Reports

Court Education Committee (CEC): Judge Collier stated that the next meeting with Dr. Martin is scheduled for August 29. The CEC had their first meeting with him on June 10. The CEC report was distributed in the meeting materials. The CEC is continuing to work with Dr. Martin, developing a judicial education plan, working on funding, and working on an in-state Judicial Education Leadership Institute.

Budget and Funding Committee (BFC): Judge Schindler stated that the BFC analyzes and makes recommendations regarding funding proposals to the BJA. During the current budget process, the BFC prioritized the budget proposals and the BJA approved and adopted criteria for those budget proposals. At the last BJA meeting, the BJA agreed to send all of the budget priorities to the Supreme Court and the BJA's funding priorities were listed on page 4 of the June BJA meeting minutes.

This is the first time the BFC has been responsible for analyzing and prioritizing the budget proposals and Judge Schindler thinks some changes should be made to the process. The Supreme Court met on August 4 to review all of the judicial branch budget proposals. Presentations were made during the meeting that related to the BJA funding proposals and the Court of Appeals and Supreme Court budget proposals. Judge Schindler attended the Supreme Court meeting as Chair of the BFC and also represented the BJA since Judge Sparks was unable to attend. The Supreme Court did not have the BJA priorities but they had the BFC priorities. Also, the BJA did not have the opportunity to listen to the presentations that the Supreme Court listened to. Judge Schindler suggested that in the next round of budget recommendations that presentations be made to the BJA. This is an ongoing effort to refine and do a good job making budget decisions because all the budget requests are important.

Chief Justice Madsen reported that the Supreme Court Budget Committee used their budget philosophy and criteria to prioritize the budget requests. They need to prioritize the budget requests because a huge increase in the AOC budget would be difficult to lobby considering the anticipated budget reductions during the next legislative session. The prioritizations will go to the full court.

There was discussion regarding if the BJA should have a budget strategy, if the Supreme Court should report their budget decisions to the public, and if the Supreme Court budget criteria align with the BFC budget criteria.

Legislative Committee (LC): Judge Ringus became the Chair of the Legislative Committee in June. Ms. Butler is currently filling in for Ms. McAleenan and Ms. Machulsky while those positions are being filled. Judge Ringus was on both interview panels for Ms. McAleenan's position which is still being vetted.

The Legislative Committee update included in the meeting materials contains information about the 2017 Legislative Agenda. The Interpreter Commission and WINGS both requested some language changes, there are suggested changes to the judicial needs assessment to resolve some issues, and the budget request to the Supreme Court are some of the requests the LC has received for the Legislative Agenda. The LC will meet on September 23 and again in October and will present their recommended Legislative Agenda in November for BJA approval.

Policy and Planning Committee (PPC): Judge Garrow stated that the Policy and Planning Committee enhanced their committee from six to ten members. They will hold their committee orientation next month following the BJA meeting. They had five groups determining strategic initiatives to work on. A lot of volunteers worked on determining the initiatives. Trying to plan in a loosely coupled organization can be challenging. The PPC will critique the process that was used this year. Two of the initiatives concerned juvenile initiatives and the PPC would like to make sure the initiatives are moving forward. The public defense initiative had the most

groundswell and that one will probably go ahead. The other two will receive some BJA staff support.

The PPC will be reaching out to other BJA committees for the development of those items and will be bringing information back to BJA to determine how they want to move forward.

Courtroom Security Resolution

Judge O'Donnell stated that in 2012 the BJA passed a resolution regarding courtroom security. It is scheduled to expire in the spring of 2017. He asked that this be placed on the BJA agenda for renewal. Nothing has changed regarding the importance of this issue and court security was discussed during a judicial leadership meeting about a month ago at the Temple of Justice. His hope is that the BJA will renew this resolution.

Ms. Butler reported that she discussed the process of renewing resolutions with the BJA Co-chairs and they decided that if there are no changes in the content of the resolution, it can be voted on by the BJA but if there are changes in the content, it would become a new resolution and need to go through the BJA resolution process.

It was moved by Judge Chushcoff and seconded by Judge Marinella to approve the re-adoption of the BJA Court Security resolution. The motion carried with Judge Garrow opposed.

During discussion there was a concern about the resolution possibly conflicting with the court security rule pending before the Supreme Court. It was stated that the resolution is broad and flexible and the rule is a reporting rule so there shouldn't be any conflicts. It was also pointed out that the resolution can be revised after the rule is passed if necessary.

BJA Orientation

The BJA Member Guide was included in the meeting materials. It can be used to quickly identify the things that are important to the BJA.

Chief Justice Madsen stated that the BJA has a pretty long history which was included in the BJA Member Guide. The BJA helps the judicial branch to self-govern. It can be challenging to try to govern together in a loosely coupled organization. When she came in as Chief she thought the BJA could do better. At the time, she felt the BJA was a place that interests could be protected more than finding a good way forward for the judicial branch of government. The changes that have been made over the past few years give the BJA the opportunity to act as a branch of government, to come together at all levels of courts with specific needs and views, and to forge common ground. Good progress has been made and one of the great strides forward is giving an orientation when a lot of new members have just started on the BJA.

Judge Sparks said that the purpose of this meeting is to refocus and help bring the new people onboard and get them thinking about what their role is and what they hope to accomplish. He also stated that his loyalties are to the Kittitas County Superior Court, the Superior Court Judges' Association (SCJA) and the BJA. As a member of the BJA he is supposed to set aside what is just good for Kittitas County, what is good for the SCJA and think about what is good for the judicial system as a whole. Judicial members are tasked with becoming stewards of the

entire system instead of just their own court or court level. If all BJA members can all do that, the BJA will make better recommendations, better decisions and be more transparent.

Judge Ringus briefly reviewed the history of the BJA (see pages 5 and 6 of the BJA Member Guide). Judge Sparks added that where the BJA goes from here, is up to the BJA members. What should the judiciary in the state of Washington be? How does the judiciary get there?

There was discussion about keeping the judiciary informed of what the BJA is working on and opening up two-way communication so the BJA can find out what problems/concerns need to be addressed.

There was also discussion about speaking with one voice, strengthening the voices, and educating the branches of government as to how the judicial branch is the same as the others and how it is different. It was suggested that the BJA develop one-page handouts to promote the BJA and their issues. Other suggestions were to report back to associations regarding what the BJA is working on, provide information about the BJA during Judicial College, and include articles about the BJA in *Full Court Press*.

Chief Justice Madsen noted that the BJA's 2015-2016 accomplishments are listed on page 7 of the BJA Member Guide. The accomplishments indicate an effort to hone the ability to speak with one voice: budget priorities, legislative agenda, etc. They give the BJA the structural foundation to speak with one voice. The BJA built a lot of infrastructure this last year and it will enable the BJA to speak with one voice. Pages 8-12 of the Member Guide include the rules and bylaws of the BJA. Eight members are needed for a quorum and there needs to be buy-in from all levels of court (at least one vote from each level). That strengthens the idea that the BJA will speak with one voice.

Other Business

The next meeting is September 16 and that will be BJA picture day. If BJA members have anything to add to the September BJA meeting agenda, let Ms. Butler or Judge Sparks know.

Chief Justice Madsen requested that BJA members bring their BJA Member Guides to the BJA meetings.

There being no further business, the BJA meeting was adjourned.

Recap of Motions from the August 19, 2016 Meeting

Motion Summary	Status
Approve the June 17, 2016 BJA meeting minutes.	Passed
Reappoint Judge Greg Tripp to the Civil Legal Aid Oversight Committee.	Passed
Reappoint Judge Brad Maxa to the BJA Public Trust and confidence Committee.	Passed with Judge Maxa abstaining
Approve the re-adoption of the BJA Court Security resolution.	Passed with Judge Garrow opposed

Action Items from the August 19, 2016 Meeting

Action Item	Status
<u>June 17, 2016 BJA Meeting Minutes</u> <ul style="list-style-type: none">• Post the minutes online• Send minutes to the Supreme Court for inclusion in the En Banc meeting materials	Done Done
<u>Committee Appointments</u> <ul style="list-style-type: none">• Draft and mail reappointment letter to Judge Tripp for the Civil Legal Aid Oversight Committee• Draft and mail reappointment letter to Judge Maxa for the Public Trust and Confidence Committee	Done Done
<u>Budget Priorities</u> <ul style="list-style-type: none">• Budget presentations should be made to the BJA during the budget prioritization process in the future	
<u>BJA Court Security Resolution</u> <ul style="list-style-type: none">• Update the end date and post online	Done
<u>BJA Orientation</u> <ul style="list-style-type: none">• Place BJA article in State of the Judiciary and/or Full Court Press	In Progress
<u>Miscellaneous</u> <ul style="list-style-type: none">• Add the BJA Member Guide to the BJA Web site• E-mail NCSC survey results to BJA members	Done Done

Tab 2

**Board for Judicial Administration
Nomination Form for BJA Committee Appointment
Two-Year Appointment**

BJA Committee: Public Trust & Confidence
(i.e. Best Practices, Court Security, Justice in Jeopardy, Long-Range Planning, and Public Trust and Confidence)

Nominee Name: Judge John Fairgrieve

Nominated By: SCJA
(i.e. SCJA, DMCJA, BCE, etc.)

Term Begin Date: January 1, 2017

Term End Date: December 31, 2018

Has the nominee served on this subcommittee in the past? Yes No

If yes, how many terms have been served and dates of terms: _____

Additional information you would like the BJA to be aware of regarding the nominee:

This nomination is to fill the vacancy left by Judge Bowman, who will complete his second term as of December 31, 2016.

Please send completed form to:

Beth Flynn
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170
beth.flynn@courts.wa.gov

**Board for Judicial Administration
Nomination Form for BJA Committee Appointment
Two-Year Appointment**

BJA Committee: Public Trust & Confidence
(i.e. Best Practices, Court Security, Justice in Jeopardy, Long-Range Planning, and Public Trust and Confidence)

Nominee Name: Emily McCartan

Nominated By: PTC
(i.e. SCJA, DMCJA, BCE, etc.)

Term Begin Date: January 1, 2017

Term End Date: December 31, 2018

Has the nominee served on this subcommittee in the past? Yes No

If yes, how many terms have been served and dates of terms: _____

Additional information you would like the BJA to be aware of regarding the nominee:

Emily McCartan works at the state legislature and she is very involved in one of our projects, Legislative Scholars program. She would be replacing Paula Rehwaldt who works on the same Legislative Scholars program that Paula Rehwaldt does.

Please send completed form to:

Beth Flynn
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170
beth.flynn@courts.wa.gov

**Board for Judicial Administration
Nomination Form for BJA Committee Appointment
Two-Year Appointment**

BJA Committee: Public Trust & Confidence
(i.e. Best Practices, Court Security, Justice in Jeopardy, Long-Range Planning, and Public Trust and Confidence)

Nominee Name: Linda Myhre Enlow

Nominated By: WSACC
(i.e. SCJA, DMCJA, BCE, etc.)

Term Begin Date: 01/01/2017

Term End Date: 12/31/2018

Has the nominee served on this subcommittee in the past? Yes No

If yes, how many terms have been served and dates of terms: _____

Additional information you would like the BJA to be aware of regarding the nominee:

Please send completed form to:

Beth Flynn
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170
beth.flynn@courts.wa.gov

Misty Butler
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170
misty.butler@courts.wa.gov

**Board for Judicial Administration
Nomination Form for BJA Committee Appointment**

BJA Committee: Public Trust & Confidence Committee
(i.e. Best Practices, Court Security, Justice in Jeopardy, Long-Range Planning, and Public Trust and Confidence)

Nominee Name: Paul Wohl

Nominated By: DMCJA
(i.e. SCJA, DMCJA, etc.)

Term Begin Date: January 1, 2017

Term End Date: December 31, 2018

Has the nominee served on this subcommittee in the past? Yes No

If yes, how many terms have been served and dates of terms: Commissioner Wohl served one prior term.

Additional information you would like the BJA to be aware of regarding the nominee:

Please send completed form to:

Beth Flynn
Administrative Office of the Courts
PO Box 41174
Olympia, WA 98504-1174
beth.flynn@courts.wa.gov

**Board for Judicial Administration
Nomination Form for BJA Committee Appointment
Two-Year Appointment**

BJA Committee: Public Trust & Confidence
(i.e. Best Practices, Court Security, Justice in Jeopardy, Long-Range Planning, and Public Trust and Confidence)

Nominee Name: Judy Ly

Nominated By: DMCMA
(i.e. SCJA, DMCJA, BCE, etc.)

Term Begin Date: January 1, 2017

Term End Date: December 31, 2018

Has the nominee served on this subcommittee in the past? Yes No

If yes, how many terms have been served and dates of terms: _____

Additional information you would like the BJA to be aware of regarding the nominee:

Please send completed form to:

Beth Flynn
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170
beth.flynn@courts.wa.gov

Misty Butler
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170
misty.butler@courts.wa.gov

Tab 3



September 10, 2016

TO: Board for Judicial Administration (BJA) Co-Chairs
FROM: Misty Butler, BJA Administrative Manager
RE: 2017 BJA Meeting Schedule

The following is a proposed BJA meeting schedule for the 2017 calendar year. The BJA meets on a two-month on/one-month off schedule. This proposed schedule includes slight variations to that recommendation.

- January*
- February 17
- March 17
- April (Off)
- May 19
- June 16
- July (Off)
- August (Off)
- September 15
- October 20
- November 17
- December (Off)

August is typically a month when many members are on vacation. It is proposed that the August meeting be moved to the open October time slot and that the December meeting be cancelled. This will result in the first official meeting of the new board being in September and that the member orientation will be better attended.

All meetings will be held from 9 a.m. - noon at the AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac.

*If the Chief Justice is invited to give the State of the Judiciary Address then the BJA will be invited to attend in person and a BJA meeting will be held after the address.

Tab 4

A MODERN SYSTEM FOR TODAY'S CLJ COURTS



CLJ-CMS

**COURTS OF LIMITED JURISDICTION
CASE MANAGEMENT SYSTEM**



THE NEED TO MODERNIZE

Courts of limited jurisdiction process 18 million transactions a month — approximately 87% of the state's caseload. They also collect the infraction revenue for the JIS Fund, which is dedicated to the information systems that support the daily operations of all court levels. The aging CLJ case management system does not meet the needs of the courts and is in dire need of modernization.



ABOUT THE CLJ-CMS PROJECT

Court stakeholders worked together in 2014 and 2015 to identify the essential requirements for the new Courts of Limited Jurisdiction Case Management System (CLJ-CMS). Stakeholders and the Administrative Office of the Courts are now in the process of procuring a commercial off-the-shelf solution that can be configured to meet Washington courts' specific needs. Ideas, feedback, and suggestions are encouraged. You can send them to CLJCMSProject@courts.wa.gov.

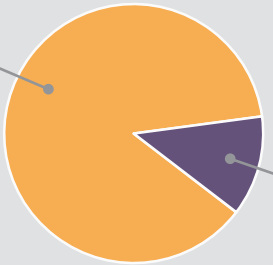
CLJ-CMS

COURTS OF LIMITED JURISDICTION CASE MANAGEMENT SYSTEM

THE FACTS

300

Approximate number of Washington's courts of limited jurisdiction.

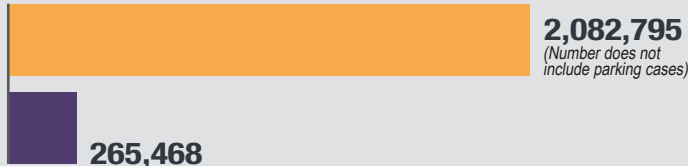


43

Approximate number of all other courts combined.

Over 2 million

Number of cases filed in 2015 in courts of limited jurisdiction vs. all other courts combined.



1987

Year in which the current system used by courts of limited jurisdiction was launched. It was completed in 1991 and has had no significant upgrade since then despite considerable growth in population and caseloads, and extensive changes in technology.

“The CLJ courts need and deserve a system that uses modern technology to help them with the enormous amount of work they do.”

CALLIE T. DIETZ
Washington State Court Administrator



THE BENEFITS

A commercial off-the-shelf solution will meet the vast majority of courts' business needs out of the box. Once installed, the system will be configured to meet the unique needs of Washington courts. This approach decreases the need for costly customizations.

The new, commercial case management system will provide improved:

- Transparency and reliability of information on which judicial decisions are based.
- Communications within and between the courts.
- Efficiency in resource management, case docketing, scheduling, case status and progression, and party information.
- Ability to quickly and efficiently maintain and retrieve court records.
- Information and accessibility for partner agencies, attorneys, the public, and the media.

Tab 5



September 9, 2016

TO: Board for Judicial Administration Members

FROM: Judge Judy Rae Jasprica, BJA Court Education Committee Chair
Judge Douglas J. Fair, BJA Court Education Committee Co-Chair

RE: Court Education Committee Report

I. Work in Progress

The CEC met with Dr. Martin on August 29, 2016 to continue working on the SJI grant. Dr. Martin asked the committee to work in small groups and discuss and identify the pros and cons of face-to-face education, webinars, mentor programs, and other education and training modalities. They discussed obstacles for each and what it would take to make them work more effectively.

Dr. Martin will synthesize the information from the small work groups as well as discussions and comments made during the meeting. He will meet with the committee on September 19, 2016 during their online meeting to review the information.

The Committee on the Education of Court Employees submitted their report and recommendations to the CEC. The committee identified the gaps in their education and also made recommendation on what could be done to fill those gaps with little or no cost and what would need additional resources (funding and personnel). Dr. Martin reviewed the report prior to the August meeting and had incorporated some of the information into the discussion.

The lack of a stable and adequate funding source for education and training remains the key obstacle.

The upcoming meetings are:

- CEC meetings:
 - September 19, 2016 – Online
 - November 4, 2016 – Sea-Tac with Dr. Martin

II. Short-term Goals

The CEC plans to:

- Adopt a communication plan to foster a holistic relationship between the other BJA standing committees.
- Develop a 3-5 year plan to increase the availability and access of education and training for all court personnel.

III. Long-term Goals

- Continue to plan and develop judicial branch education with consultant.
- Develop a stable and adequate funding source for court education.
- Develop an in-state Judicial Education Leadership Institute.

IV. SJI Tasks (tasks may be modified as needed and additional tasks identified)

- Form an assessment and planning team and conduct a needs assessment and visioning session.
- Identify effective court learning and education approaches.
- Formulate a comprehensive 3-5 year learning and education strategic agenda.
- Implement improved education function governance and align learning and education activities among court committees, associations, and commissions.
- Begin to implement reengineering learning and education function priorities.
- Prepare two versions of a roadmap for learning and education improvement in the Washington State Courts.



September 9, 2016

TO: Board for Judicial Administration (BJA) Members
FROM: Judge Kevin Ringus, Chair, BJA Legislative Committee
RE: BJA Legislative Committee Update

2017 BJA Legislative Agenda

The BJA Legislative Committee is meeting on September 26 to review submitted BJA request legislation. They are tasked with the role of vetting and making recommendations to the BJA on the 2017 BJA Legislative Agenda. The BJA is scheduled to vote on their recommendations during the November BJA meeting.

Legislative Request Cover Sheet

A legislative request cover sheet has been developed for entities to use when requesting legislation to be part of the BJA legislative agenda. The intent of the cover sheet is to be a quick reference of the request. It also provides uniformity to the requests and allows the legislative committee access to the same information.

Senior Administrative Assistant

The Office of Judicial and Legislative Relations has hired a new Senior Administrative Assistant. Jennifer Way will be joining the team September 16. Ms. Way is coming from the Lt. Governor's office where she contributed her skills in office and event coordination, speech drafting, and trade mission organization. She has also worked for the Secretary of State in an executive assistant capacity. Ms. Way attended Western Washington University and holds bachelor's degrees in both communications and German.

Salary Commission Report

The Washington Citizen's Commission on Salaries for Elected Officials (WCCSEO) is constitutionally charged with setting the salaries of the state's elected officials. WCCSEO uses national and in-state comparisons of public positions, studies and testimony by elected officials to make their decisions.

The judiciary is asked to prepare a report for the commission. This year's report is due on October 14. Before the report is submitted, the BJA Legislative Committee requests that the BJA offer feedback on its substance. This feedback opportunity will take place during the September 16 BJA meeting.

Trial Court Improvement Account Report

The Office of Judicial and Legislative Relations has produced the 2015 Trial Court Improvement Account (TCIA) Report. In 2005, the Washington State Legislature passed 2ESSB 5454 Revising Trial Court Funding Provisions (Chapter 457, Laws of 2005) which, in part, created local Trial Court Improvement Accounts. This report is intended to provide the judiciary, Legislature, and other interested parties with information regarding how the local Trial Court Improvement Accounts have been appropriated to improve the functioning of the judiciary and the provision of justice in Washington State.

Before the report is submitted, the BJA Legislative Committee requests that the BJA offer feedback on its substance. This feedback opportunity will take place during the September 16 BJA meeting.



September 8, 2016

TO: Board for Judicial Administration Members
FROM: Judge Janet Garrow, Policy and Planning Committee
RE: REPORT OF POLICY AND PLANNING COMMITTEE

The Policy and Planning Committee has not met since the last BJA meeting on August 19.

The Committee will meet immediately following the September 16 BJA meeting for an orientation of incoming members.

Tab 6

**2017-2019 Budget Requests That Impact AOC
Supreme Court Budget Committee Recommendation
September 2016**

Administrative Office of the Courts – General Fund State Requests ONLY					
Title	FTE	Amount	BFC Priority	BJA Priority	SCBC Recommendation Y/N
Trial Court Interpreter Services	FTE 0.5	\$4,192,000	1	1	Y
Funding is requested to expand the existing program statewide for civil and criminal cases at 100% reimbursement over 3 biennia. It is projected that 50% of all interpreter costs for civil and criminal will be reimbursed during 2017-2019, 75% will be reimbursed in 2019-2021 and 100% reimbursement in 2021-2023. Current funding level is \$610,000 per year. This request would add \$7.8 per year by FY 23 for a total anticipated reimbursement level of \$8.4 million per year. Funding to meet current needs (criminal) and new funding for new services (civil).					
Pattern Forms	FTE 1.5	\$371,000	Tied 2	3	Y
Funding is requested for additional staff necessary to meet the growing demand from the legislature and stakeholders. Staff currently maintain over 700 forms. Funds would be used to update forms into a fillable format, translate forms into other languages and into a plain language format and implement legislative and other changes in a timely manner. Current funding level is 1.25 FTE. Funding to meet current needs.					
Court Personnel Education	FTE 1.0	\$396,000	Tied 2	2	Y
Funding is requested for the development of online delivery models and timely training for judges and court personnel, including targeted training for presiding judges and court administrators. Funding would be used to develop efficient and cost-effective delivery systems for training all judicial officers and court personnel. Current funding includes AOC staff and \$312,500 per year for education and training programs. Funding to meet current needs.					
Courthouse Facilitator Training	FTE 1.0	\$268,000	4	5	Y
Funding is requested to provide regular education opportunities for courthouse facilitators. Funds would be used to immediately update the Courthouse Facilitator Training Manual, regularly update the manual, webinar trainings and periodic in-person training. There is no dedicated funding for this purpose at AOC. New funding.					
Web Services Support	FTE 2.0	\$487,000	5	4	Y
Funding is requested to modernize and maintain web services to serve the increasing needs of the public and stakeholders. The number and complexity of web applications has grown and will continue to grow at the public, courts, county clerks and other state agencies gather and transmit data and information through web applications. The AOC maintains over 180 web applications and has developed and must manage 7 new websites. Web services and applications must be changed as technology changes and as court and other state agency business processes change. Existing staff cannot meet the need to update, develop and maintain new applications resulting changes to legislation, technology changes, business process changes and impacts resulting from the 3 new case management systems. Current funding allows for three (3) staff. Funding to meet current needs.					

**2017-2019 Budget Requests That Impact AOC
Supreme Court Budget Committee Recommendation
September 2016**

Administrative Office of the Courts – General Fund State Requests ONLY					
Title	FTE	Amount	BFC Priority	BJA Priority	SCBC Recommendation Y/N
AOC Salary Adjustment	FTE 0.0	\$170,000	N/A	N/A	Y
Funding is requested to more closely align certain AOC position classification salaries with market conditions.					
Telephonic Interpreting Services	FTE 0.5	\$3,166,000	6	6	N
Funding is requested to offset 50% of the costs associated with on-demand telephonic interpretation. New services and funding.					
Guardian Monitoring	FTE 9.0	\$1,243,000	7	8	N
Funding is requested to create a statewide guardianship monitoring program. Funds would be used to implement a statewide guardianship monitoring program modeled after successful programs in Spokane, Wisconsin and Minnesota as well as best practices developed by AARP. Volunteers, volunteer coordinators and accounting experts would monitor approximately 1/3 of the open guardianship cases each year, conduct site visits and review case files. Currently there are no dedicated funds or staff at AOC to monitor guardianships. New services and funding.					
Therapeutic Courts Best Practice	FTE 0.5	\$136,000	8	7	N
Funding is requested to improve drug court functioning and adherence to research based best practices in 4 adult drug courts. Funds would be used to determine adherence to research and implementation of national best practices, through self-assessment and peer review in four adult drug courts. This request assumes the services would be expanded to other therapeutic courts over time. New funding and services.					
CASA Program Expansion	FTE 0.0	\$12,100,000	9	9	N
Funding is requested to increase the number of CASA volunteers and to provide regionally based CASA program attorneys. Funds would be used to fully fund CASA programs in order to meet CASA case standards and to provide services to approximately 10,000 children per year. Funds would also be used to support 10 full-time attorneys to provide legal representation and consultation for CASA programs. Current funding is approximately \$3 million per year for pass through to local CASA programs. This package would more than double the annual amount (increase by approximately \$4.6 million per year) and expand services to include attorney services. Expand existing program and funding for new services.					
Total-Non-IT State General Fund Proposed	FTE 16.0	\$22,529,000			
Supreme Court Budget Committee Recommendation	FTE 6.0	\$5,884,000			

2017-2019 JIS Budget Requests AOC
Supreme Court Budget Committee/JISC Recommendation
September 2016
Information Only

Administrative Office of the Courts - JIS Requests		
Title	FTE	Amount
Superior Court-CMS	FTE 15.0	\$1,792,000
Funding is requested to continue the statewide implementation of the Superior Court Case Management System (SC-CMS).		
Appellate Court-ECMS	FTE 0.0	\$347,000
Funding is requested for integration purposes.		
Courts of Limited Jurisdiction-CMS	FTE 36.0	\$13,182,000
Funding is requested to continue the implementation of the Courts of Limited Jurisdiction Case Management System (CLJ-CMS).		
Enterprise Data Repository	FTE 5.0	\$815,000
Funding is requested to build the data exchange that will allow the SC-CMS to send data to the Enterprise Data Repository.		
Equipment Replacement	FTE 0.0	\$4,089,000
Funding is requested to replace end of life equipment.		
Expedited Data Exchange On-Going	FTE 4.0	\$400,000
Funding is requested to provide on-going maintenance for the Information Networking Hub (after EDE). Funding source may change.		
Total Request-JIS	FTE 60.0	\$20,625,000

Tab 7

BJA BUDGET AND FUNDING COMMITTEE AOC BUDGET REDUCTION CRITERIA

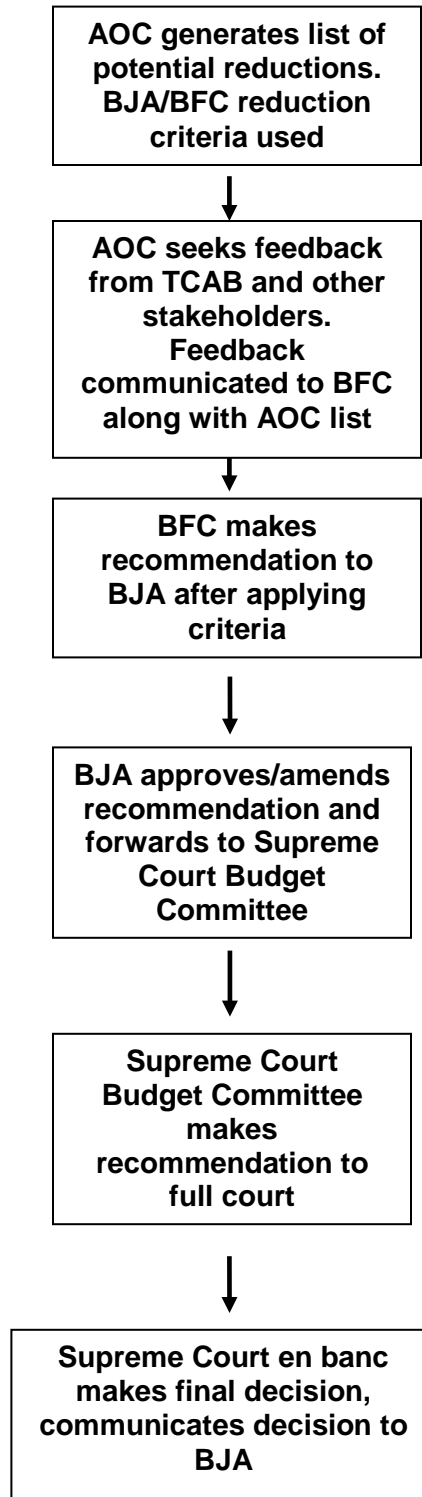
Preface:

A sizeable portion of the Administrative Office of the Courts' budget cannot be reduced due to several factors including, but not limited to, constitutional provisions, statutory provisions, statewide federal cost allocation rules and executed legal agreements. Funds allocated to superior court judges' salary and benefits, Becca/Truancy pass through funding, central service and revolving fund costs and lease payments are a few examples. The budget allocation for items exempted from reduction will be identified and removed from consideration prior to any reduction exercise.

- Will the reduction adversely impact an activity that meets a constitutional, statutory or court rule mandate?
- Will the reduction adversely impact the Principal Policy Goals?
- Will the reduction adversely impact a BJA resolution?
- Does the activity further AOC's mission, goals and/or objectives?
- What would be the programmatic consequences if the reduction were implemented?
 - Will the reduction impact the activity such that the remaining funding is insufficient to produce the intended outcome? Will remaining funding maintain an adequate level of service?
 - How will the reduction be perceived by the public? Legislature? Stakeholders?
 - Will the reduction shift costs to another organization(s) including local government?
- Have previous reductions been taken in this area?
- If the reduction were to occur are there funding or other alternatives?
- Is there research or data that supports reduction or exemption/exclusion from reduction?

Budget Reduction Flowchart/Process

Across-the-board reduction



This process can only be fully utilized if time permits. In the event that time is of the essence a streamlined approach will be taken.

Tab 8



WASHINGTON
COURTS

**Trial Court
Improvement Account
2015 Use Report**

*Board for Judicial Administration
Published August 2016*

**For more information, please contact
Office of Judicial & Legislative Relations
Administrative Office of the Courts
PO Box 41170
Olympia WA 98504
360-357-2112**

2015 Trial Court Improvement Account Use Report

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Introduction

In 2005, the Washington State Legislature passed 2ESSB 5454 Revising Trial Court Funding Provisions (Chapter 457, Laws of 2005) which, in part, created local Trial Court Improvement Accounts (TCIA). This report is intended to provide the Judiciary, Legislature, and other interested parties with information regarding how the local Trial Court Improvement Accounts have been appropriated to improve the functioning of the judiciary and the provision of justice in Washington State.

The legislation created an Equal Justice Sub-Account, provided for disbursement of funds in the account to local governments for partial reimbursement of district and qualifying municipal court¹ judges' salaries, and mandated that the counties and qualifying cities establish Trial Court Improvement Accounts funded by the local governments in amounts equivalent to the salary reimbursements. In 2009, the Legislature amended the original legislation to eliminate the Equal Justice Sub-Account, directing money into the state General Fund instead, and providing for the salary reimbursement from the General Fund.

The first disbursement of funds to local governments for partial reimbursement of district and qualifying municipal court judges' salaries, which triggered creation and funding of the TCIA's, was made in October 2005. Full year's disbursements have been made since 2006. This report covers the use, or intended use, of those funds distributed for 2015. Most jurisdictions also have plans in place for 2016, and a few are continuing to allow a fund balance to accrue until funds sufficient to undertake desired improvement projects have accumulated.

Beginning in the State's 2007–09 biennium, 50% of the Equal Justice Sub-Account was available. Calendar year 2008 was the first full year of funding at the 50% level that the legislation provides will be sustained. The 2015 disbursements to the counties and cities were \$3,151,661.

2ESSB 5454 (2005) Revising Trial Court Funding Provisions

In passing 2ESSB 5454, the Legislature stated the following intent:

"The legislature recognizes the state's obligation to provide adequate representation to criminal indigent defendants and to parents in dependency and termination cases. The legislature also recognizes that trial courts are critical to maintaining the rule of law in a free society and that they are essential to the protection of the rights and enforcement of obligations for all. Therefore, the legislature intends to create a dedicated revenue source for the purposes of meeting the

¹ A municipality qualifies for TCIA funds if the judge is serving in an elected position and is compensated at a rate equivalent to at least ninety-five percent, but not more than one hundred percent, of a district court judge salary or the same equivalent for a part-time judge on a pro rata basis.

state's commitment to improving trial courts in the state, providing adequate representation to criminal indigent defendants, providing for civil legal services for indigent persons, and ensuring equal justice for all citizens of the state.”

The legislation consisted of these major components:

- Increases to various court fees.
- Establishment of the Equal Justice Sub-Account within the Public Safety and Education Account funded with the State's portion of the increased filing fees.²
- Funds in the Equal Justice Sub- Account could only be appropriated for:
 - Criminal indigent defense assistance and enhancement at the trial court level, including a criminal indigent defense pilot program.
 - Representation of parents in dependency and termination proceedings.
 - Civil legal representation of indigent persons.
 - Contribution to district court judges' salaries and to eligible elected municipal court judges' salaries.
 - The creation of local Trial Court Improvement Accounts, to be funded in amounts equal to that received from the State for partial reimbursement of district and qualifying municipal court judges' salaries.

It is worth noting that the original request by the Board for Judicial Administration, based on the Justice in Jeopardy initiative and Court Funding Task Force recommendations was that the state should assume fifty percent of the cost of district and elected municipal court judges' salaries in the same way it does superior court judges' salaries. It was not until the final iteration of the bill, late in the 2005 legislative session, that the language was changed from fifty percent funding of salaries to a percentage of the Equal Justice Sub-Account, which is significantly less than fifty percent of a judge's salary. Additionally, since the 2007–2009 biennium, when the Equal Justice Sub-Account reached its full funding potential, the amount appropriated for judges' salaries/Trial Court Improvement Accounts has never increased.

In addition to creating a state revenue stream to fund the appropriations identified in 2ESSB 5454, the local share of the increases to the various court fees also resulted in significant revenue to local government general funds, particularly for counties.

Prior years' TCIA Use Reports indicate that local general fund revenue gains resulting from 2ESSB 5454 had a positive impact on local appropriations for the courts. Many jurisdictions reported general fund budget increases that could be at least partially tied to these revenue gains.

² In 2009 the Legislature passed ESSB 5073 (Chapter 479, Laws of 2009), which eliminated the Public Safety and Education Account and the Equal Justice Sub-Account, directing money going to these accounts into the state General Fund instead, and providing for the salary reimbursement from the General Fund.

2015 Trial Court Improvement Account Use

The Legislature appropriated \$2.4 million for the 2005–07 biennium for contribution to district and qualified elected municipal court judges' salaries. Since the 2007–09 biennium, the annual appropriation has been \$6.35 million, as the legislation provided for the share of the account allocated for this purpose to grow from 25% in the initial biennium to 50% in the succeeding biennia. These funds are distributed quarterly by the Administrative Office of the Courts on a proportional basis to all qualifying jurisdictions. (See Appendix A.)

Upon receipt of these funds, counties and participating cities are required to create and fund Trial Court Improvement Accounts in an amount equal to the funds received as partial reimbursement for judges' salaries. In essence, the state funds the TCIA's by providing partial reimbursement for judges' salaries, which frees up local general fund dollars to fund the local Trial Court Improvement Accounts in an equal amount.

Funds in the accounts are appropriated by the legislative authority of each county, city, or town and must be used to fund improvements to court staffing, programs, facilities, and services. Funds provided to counties may be used for district or superior courts. Funds may be expended each year or a fund balance may be allowed to accrue until funds sufficient to undertake desired improvement projects have accumulated.

In May 2016, the Board for Judicial Administration requested from the courts information regarding actual use in 2015 of the Trial Court Improvement Accounts. All 39 counties and 22 qualifying cities receiving partial reimbursement for district and qualifying municipal court judges' salaries reported on the use or intended use of funds received in 2015.

Actual and Planned Expenditures

The number of courts using TCIA funds continues to increase, growing from 29 of 54 qualifying jurisdictions in 2007 to 61 of 61 qualifying jurisdictions in 2015.

While many jurisdictions initially used the funds to start new services or programs or to continue services and programs established with TCIA funds, in the years following the recession the number of jurisdictions using the funds to restore de-funded programs grew substantially. Ideally, there will be a reversal of this trend that will lead to the creation of new services, programs, and improvements to the trial courts as the economy continues to improve.

In 2015, jurisdictions spent over 80% of the funds disbursed compared to one-half in 2007, two-thirds in 2008, and three-fourths in 2009. (See Figure 1.) A few jurisdictions continue to accrue fund balances until sufficient funds are available to undertake desired projects or have otherwise deferred decisions on how to spend the funds. (See Figure 2.)

Figure 1: 2015 TCIA Disbursements vs. Expenditures

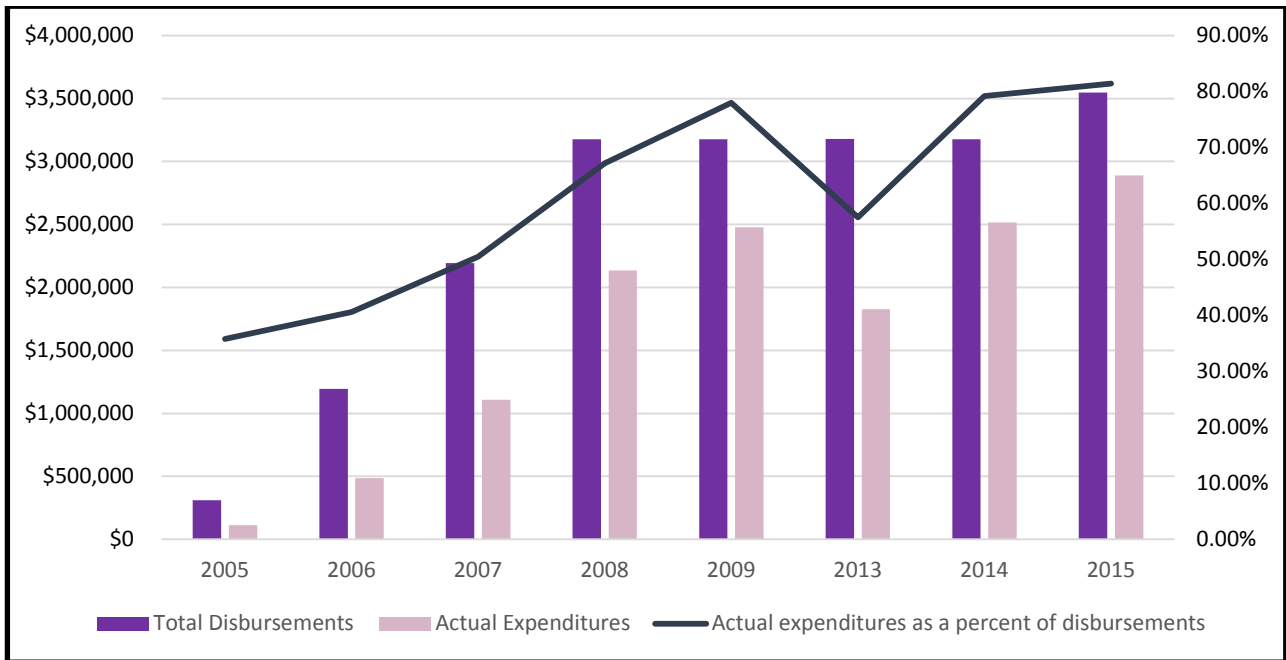
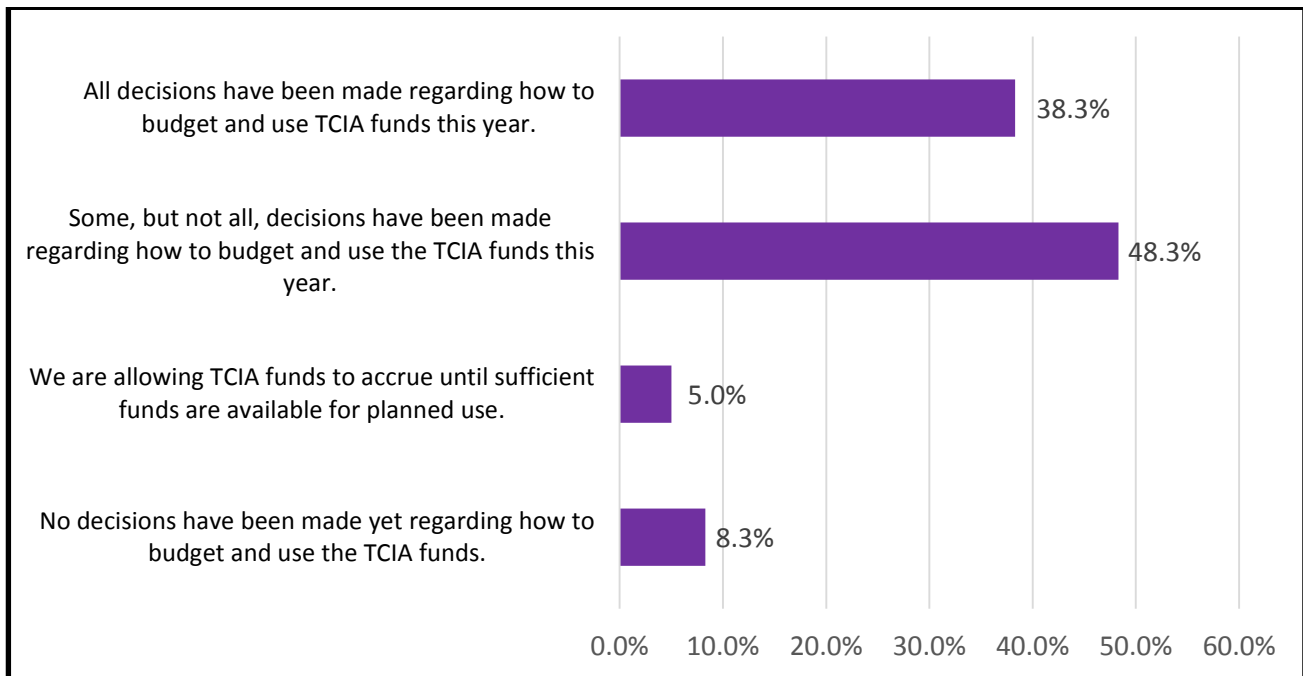


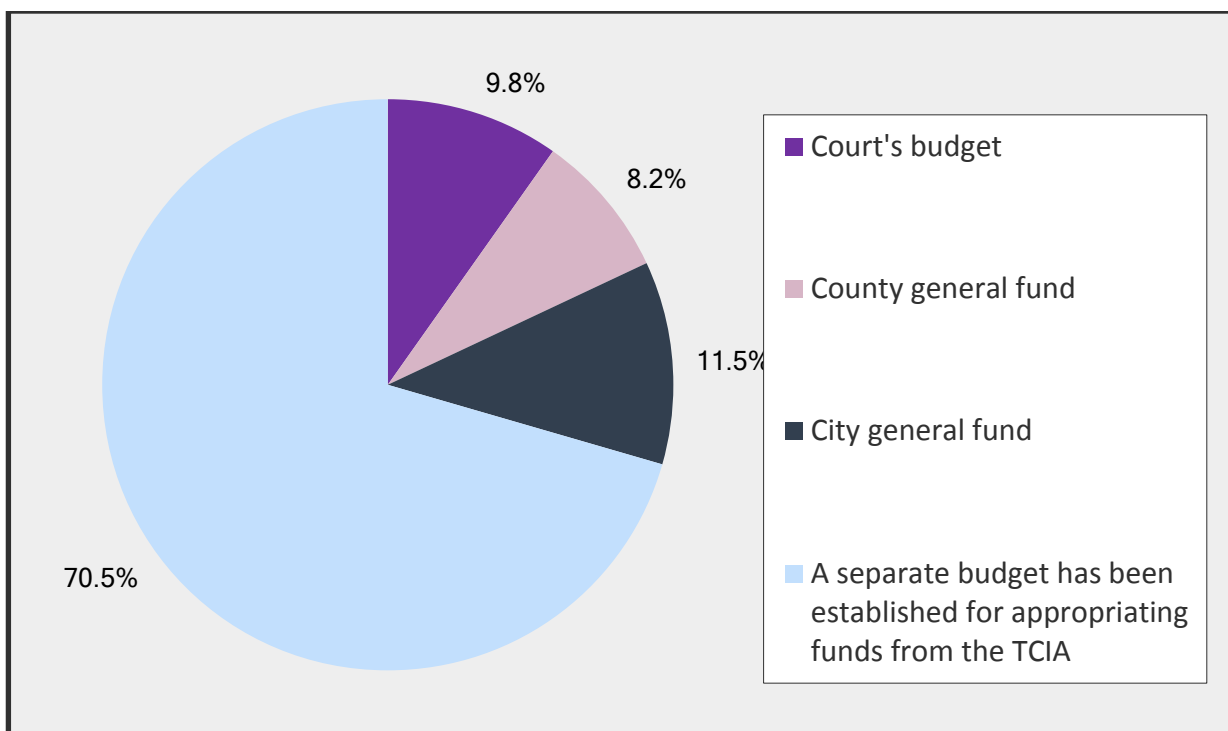
Figure 2: Budget Decision Status



Budget Allocation Decision Process

Jurisdictions also reported how the TCIA funds are maintained and appropriated within the jurisdiction's budget structure. In most cases, trial court improvement money is accounted for separately, but sometimes the funds are moved into the court's operating budget or some other budget when appropriated. Some jurisdictions indicated that the TCIA funds were allocated within the court's general operating budget and many jurisdictions had or would create a separate Trial Court Improvement Account expenditure budget from which to appropriate funds. (See Figure 3.)

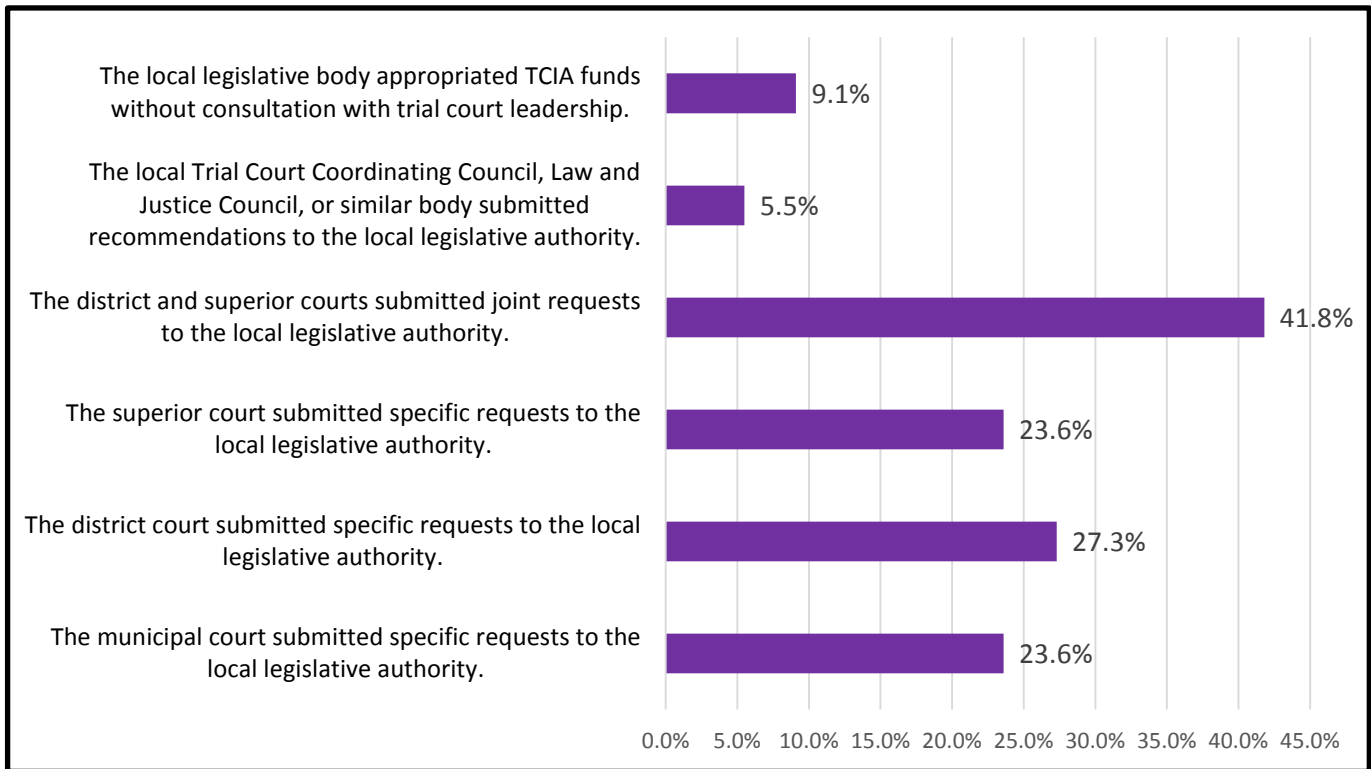
Figure 3: TCIA Funds Deposited



The separate Trial Court Improvement Account expenditure budget is the preferred model for courts to follow because it allows for a more direct accounting of how TCIA funds are allocated and expended over time.

Various approaches to the allocation decision process have been developed. While the authority to appropriate the funds falls within the sphere of the legislative authority, a more collaborative approach was envisioned by the judicial proponents of the enacting legislation. (See Figure 4.)

Figure 4: Decisions on the Use of TCIA Funds

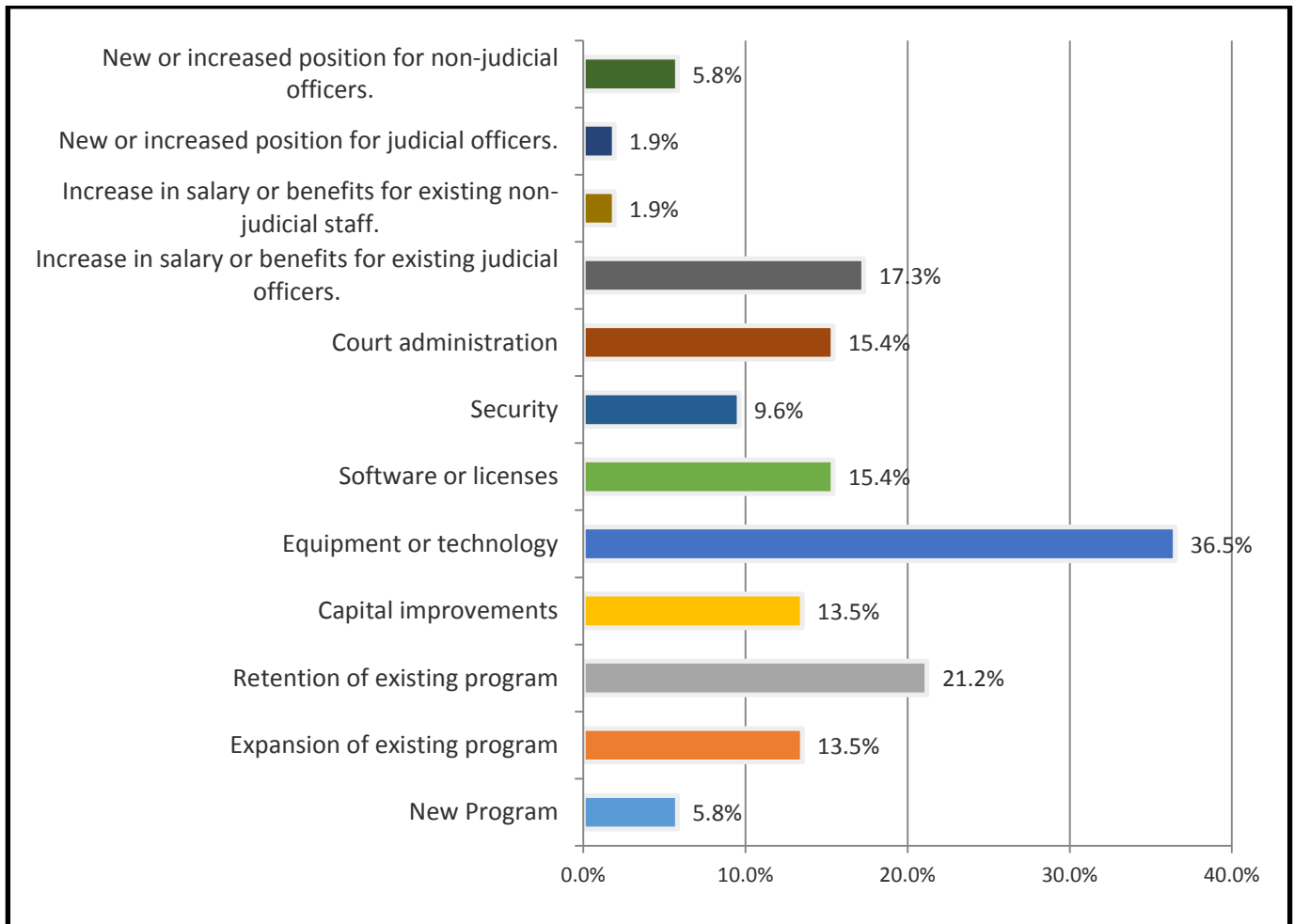


The 2015 expenditures continue to reflect the 2005 TCIA Use Report’s observation that:

“In categorizing how Trial Court Improvement Account funds have been or will be expended it is evident that local jurisdictions must make an initial and critical choice between funding one-time, limited duration expenses and funding on-going permanent personnel costs.”

It used to be that funding salaries and benefits, particularly for judicial officers, consumed the largest share of TCIA dollars. In prior years, most of the jurisdictions using the funds for this purpose have committed to this use for the long-term, thus limiting the availability of funds for other purposes. In 2013, there was a break in that trend, with “Information Technology” rising above “Salaries/Benefits.” This trend toward investing in tangible improvements to trial courts is now aligning more closely with the intent of the legislation. The data also shows a variety of other uses. (See Figure 5.)

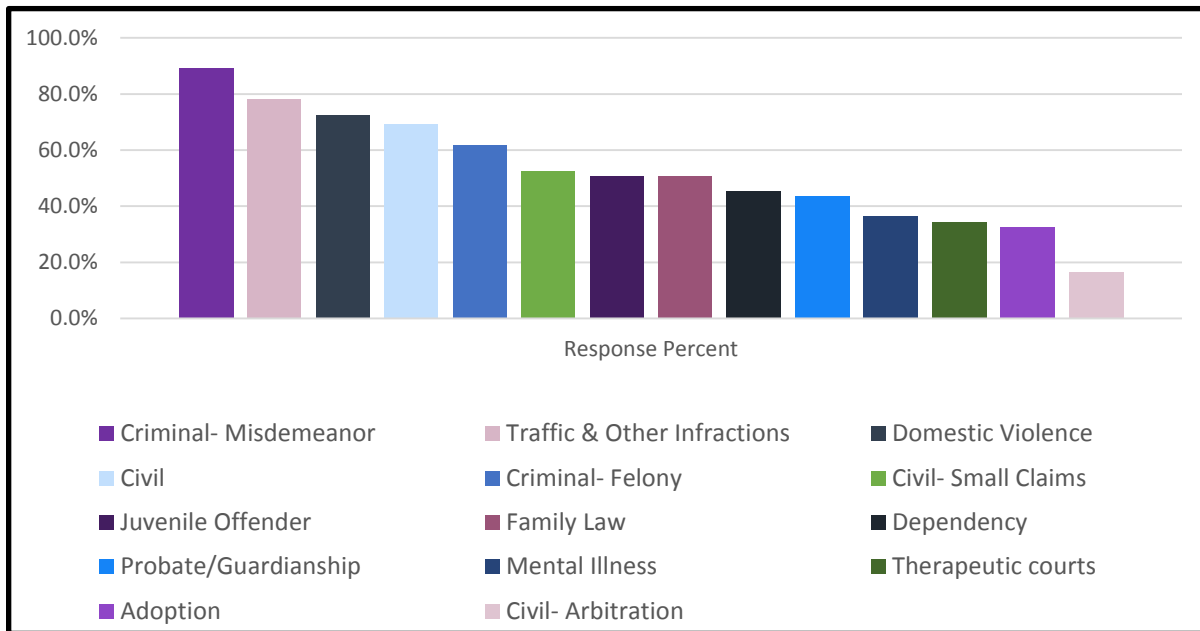
Figure 5: TCIA Funds by Use Types



Investment in information technology continues, particularly the acquisition and implementation of jury management systems and replacement and upgrading of software. Courts have invested funds in implementing security measures and upgrading electronic equipment, including courtroom audio and video equipment. Courtroom renovation and maintenance also represents a significant use of TCIA funds.

Expenditure data can also show which types of cases benefit most from the annual TCIA funds. (See Figure 6.)

Figure 6: TCIA Fund 2015 Allocations by Case type



Conclusion

In the aggregate, TCIA funds account for a very small percentage of a court’s total budget. While the overall amount of funds relative to a court’s total operating budget is minimal, it is evident that the Trial Court Improvement Account funds are being relied upon by the jurisdictions to develop new innovations, upgrade failing equipment, or maintain general operations.

A full list of actual 2015 TCIA uses, as reported by the individual jurisdictions, is attached as Appendix B.

Questions and Comments?

This is the eighth report on the use of Trial Court Improvement Accounts. From 2006 to 2009, reports were published annually. Due to previous budget cuts and unfilled staff positions, a formal report was not published from 2009–2013. However the Board for Judicial Administration, through the Administrative Office of the Courts, continued to collect the data each year for judicial branch decision making and legislative purposes. That data, and the previous reports, are available upon request.

AOC will continue to collect TCIA use data annually, and based on the availability of resources, will publish a report analyzing previous years’ data. Data collection methods have been revised based on feedback from jurisdictions. Further examination of collection processes will continue, and comments on this report are welcomed and will assist in the continued improvement of the data collection for future years. Please direct questions or comments about this report or the data collection methods to Jennifer Way at jennifer.way@courts.wa.gov or 360-357-2112.

Appendix A: Total Amount Disbursed by Jurisdiction in 2015

<u>Jurisdiction</u>	<u>TCIA 2015 Disbursement</u>	<u>Jurisdiction</u>	<u>TCIA 2015 Disbursement</u>
Adams County Treasurer	22,914.00	Kitsap Co Treasurer	91,654.00
Anacortes, City Of	3,085.76	Kittitas Co Treasurer	38,723.00
Asotin County Treasurer	20,621.00	Klickitat County Treasurer	28,183.00
Benton County Treasurer	114,567.00	Lewis County District Court	45,827.00
Bremerton, City Of	21,857.00	Lincoln County Trial Courts	16,954.00
Burlington, City Of	5,327.80	Marysville, City Of	43,617.00
Chelan County Treasurer	45,827.00	Mason County Treasurer	22,914.00
Clallam County Treasurer	36,661.00	Mount Vernon, City Of	10,017.37
Clark County Treasurer	137,481.00	Okanogan County Treasurer	36,661.00
Columbia County Treasurer	9,397.00	Olympia, City Of	21,882.00
Cowlitz County Treasurer	68,741.00	Pacific County Treasurer	24,060.00
Des Moines, City Of	19,438.00	Pend Oreille County Treasurer	13,748.00
Douglas County Treasurer	22,914.00	Pierce County Budget & Finance	183,451.00
Edmonds, City Of	16,375.00	Puyallup, City Of	21,882.00
Electric City, City Of	36.00	Renton, City Of	21,882.00
Ephrata City Of	174.00	San Juan County Treasurer	17,641.00
Everett, City Of	41,460.00	Seattle, City Of Treas Srvcs	152,018.00
Federal Way City Of	43,760.00	Skagit County Treasurer	27,396.07
Ferry County Treasurer	9,638.00	Skamania County Treasurer	11,455.00
Franklin County Treasurer	22,914.00	Snohomish County Treasurer	183,305.00
Garfield County Treasurer	5,729.00	Spokane, City Of	65,922.00
Grant County Treasurer	68,786.00	Spokane County Treasurer	183,305.00
Grays Harbor County Treasurer	45,827.00	Stevens County Treasurer	22,914.00
Moses Lake City Of	174.00	Tacoma, City Of	69,082.00
Royal City, City Of	174.00	Thurston County Treasurer	86,078.00
Island County Treasurer	22,914.00	Wahkiakum Co Treasurer	9,166.00
Jefferson County Treasurer	22,915.00	Walla Walla County Treasurer	28,651.00
Kent, City Of	43,764.00	Whatcom Co Executives Office	45,827.00
King County Treasury	573,323.00	Whitman County Treasurer	22,914.00
Kirkland City Of	21,887.00	Yakima, City Of	44,196.00
		Yakima County Treasurer	91,654.00
Total			3,151,661.00

Appendix B: 2015/2016 REPORTED EXPENDITURES

Adams County

- Wireless courtroom microphones
- Access program for District Court
- Jury program expenses for all courts
- Remodeling for District Court
- Air Conditioner and folding chairs for jury holding room
- Jury program

Asotin County

- Jury Management System
- Technology replacement of the recording system in both Courts, and continued annual maintenance costs

Benton County

- Conference/Training/Travel
- Infax Docket Call Software Annual Support Fee
- Equipment
- Telephone System Enhancement
- Family Soft Software
- Courtroom Technology
- Replacement of courtroom and office equipment and technology
- Upgrade Courthouse Technologies Jury Software

Chelan County

- Office remodel/purchase of new work stations
- Hiring of MRL Consulting
- REACH subscription costs
- Computer/software purchase for judicial officers
- Replace microphones in district court courtrooms
- District Court jury room upgrade

Clallam County

- Security

Clark County Superior

- No expenses reported

Clark County District

- Staff wage and benefits
- Retention of court staff

Columbia County

- Continue to provide better facilities for court operations for District and Municipal Court.

Cowlitz County

- Continued payments to Sheriff's office for security services at the Hall of Justice and Juvenile
- Continuation of existing security.

Douglas County

- Remodeling for a Superior Court courtroom, this room is used when a jury trial is going in the main courtroom

Ferry County

- Part time staff-district Court
- New court room equipment
- New equipment for alternate courtroom
- Staffing

Franklin County

- Judicial College-Superior Court
- Jury Scanning Software and Program
- Imagenet Document Scanning Service
- Scanner
- Department of Revenue Excise Tax
- IPAD Case
- Printing Services
- Jury System Installation and Training
- Superior Court Conference
- Jury Management System Conference
- Superior Court printers and signature pads

Garfield County

- RDS Server for remote Document Storage
- APC Backup

Grant County

- Turn Commissioner's Hearing Room into Courtroom for District Court
- Completion of Commissioner's Hearing Room to District Court Courtroom
- Superior Court FTR Gold upgrade and new phones
- New audio and video for Juvenile Courtroom

Grays Harbor County

- Digital records in District Court
- Parent/Teen Mediation
- Mandatory Mediation for Small Claims
- New audio recording system for Juvenile Court

Island County

- Funds have been earmarked for a new FTR recording machine in Island County District Court

Jefferson County Superior

- Small Tools and Minor Equipment
- Replacing obsolete audio/video system utilized for keeping the court record

Jefferson County District

- Bailiff
- JAVS maintenance
- Equipment -TVs

King County Superior

- Strategic Agenda
- Translation projects
- Court Information & Limited English Proficiency Kiosks
- Juvenile Justice 101 Classes
- Court Recording Equipment Upgrades
- Juvenile Drug Court Evaluation
- Commercially Sexually Exploited Children (CSEC) Outcome Evaluation
- Domestic Violence Training
- e-Order Expansion
- Dependency CASA Volunteers
- Key Card Access
- Domestic Violence Symposium
- Trauma Debriefing
- Community Outreach
- Update Courtroom Audio
- Staff Training
- Assisted Listening Equipment
- Becca Task Force

King County District

- IT maintenance, software and licenses and pro tem expenditures

Kitsap County

- Salary for 4th Judge
- Continued funding of Judicial Dept. 4

Kittitas County

- Adult Felony Drug Court
- Partial funding for clerk in the Lower Kittitas County District Court
- Installation of gallery rails in the Upper Kittitas County District Court
- Subscription for CaseLoad Pro (computer software) for Misdemeanant Probation Department.

Klickitat County

- EDC/WDC did not use funds in 2015
- Superior Court purchased a new computer for Clerks notes and a back-up hard drive. The remainder of the funds were kept in reserve for a planned remodel for safety.
- In 2016, the courtrooms are scheduled for security upgrades
- The Superior Court has been notified that we have an end of life issue with some of the recording system and it must be updated due to lack of replacement parts.

Lewis County

- Working toward paperless operation, partial payment of new jury system

Lincoln County Superior

- Superior Court-JMS Jury System
- Superior Court-Jury Box Update
- Superior Court-Liberty Access
- Superior Court-Fiber Optics

Lincoln County District

- Judicial and Administrative Dues
- Judicial Education
- Improved Ergonomics for Staff
- Copier Lease for District
- Repair and maintenance of the Courtroom and its equipment
- Jury and Witness Fees
- Expenses for new Judicial Officer

Mason County

- None reported

Okanogan County

- Jury Services Coordinator
- DC probation services support

Pacific County

- Court Capacity Enhancements

Pend Oreille County

- Monitor Amplifier for Sidebar
- Auditor Billing
- New Computers for Superior and District Court
- Jury management System
- Immigration to a new Imaging system in District Court and Superior Court

Pierce County

- Probation Officer Position - Pierce County District Court
- Judicial Officer (Partial) - Pierce County Superior Court

San Juan County

- Translation of Joint Use Court Forms
- Signage for Exterior Doors of Courthouse
- Audio/Visual System Troubleshooting
- Re-upholster counsel chairs in Superior Court

Skagit County

- Guardianship Facilitator Program
- Court Calendar Display
- Renovations to the bench and clerk's station, add jury box, update sound system and improve Plaintiff's and Defendant's desk area in the Anacortes Municipal Court.
- While the TCCC was under the impression that the City of Burlington was holding TCIA funds in a separate account and allowing those funds to accrue for use on a project, we recently learned that the City of Burlington has used all TCIA funds received for court operations. A letter of explanation from the City of Burlington to the Court dated April 8, 2016 is available upon request.

Skamania County

- District Court retains additional staff to assist with office & court efficiency
- Superior Court budgeted \$1,000 for replacement of video monitor/TV in courtroom but has not expended funds. Current monitor/TV is still working
- \$3,700 budgeted for District Court staff

Snohomish County Superior

- Mobile Devices – NetMotion
- Surface Pro
- SPSS Software Package used for Statistical Analysis
- Box.com
- Mobile Phones
- Detention Radios
- Dual Monitors for Juvenile Program Coordinators
- Superior Court Case Management System preparation: 1. Project Room 2. Judge Edition 3. Site Visits 4. Remote Document Server 5. Training
- Interactive Monitor
- Superior Court Odyssey Case Management System May 2016 Implementation

Snohomish County District

- WI-DI display units
- Office Equipment – Ergonomic Chair Replacement
- All Staff Training Day
- Judicial Conference Travel
- Pro-Tem Training
- Surface Pro 3 computers
- Upgrade Monitors

Spokane County Superior

- Staff Training and Development
- Courtroom Sound System Upgrades
- Remodel space for new Courtroom and Family Law/GMP Center
- Gap funding for FJCIP Coordinator; extra help positions
- Safety Enhancements
- New Copiers/Leases
- Technology Needs
- Judicial Officer Retreat
- Ergonomic Requests
- Electronic ON-Call Probable Cause Equipment
- Repair or Replace Courtroom/Chambers/Office area furniture and Equipment

Spokane County District

- Staff
- Dedicated Cell Phone & Wireless Access for Judges
- Transfer funding to District Court Operations Budgets
- Kiosk / Directory Sign Equipment
- Monitors
- Accounting Office & Reception Area Remodel - Judicial Operations
- Equipment
- Office Supplies
- JOINT COST – Cost Allocation (Actual/Planned)
- JOINT COST – Jury Assembly Room Folder/Sealer (Capital Lease)
- JOINT COST – Furniture Replacement in the Jury Assembly Room
- JOINT COST – Training

Stevens County

- TV upgrade for District Court courtroom to handle prisoners and use of evidence during trials and hearings
- Jacks and printer for District Court required upgrade
- Wall mount for TV in District Court courtroom
- Cyber lock for chambers door
- Yellow toner for color printer
- Backup batteries for District and Superior Court computers
- Battery backup replacement for courtroom
- "Grant" funding for guardianship facilitator program
- Replacement of two scanners in Superior Court Clerk's office

Thurston County Superior

- Remodel of front entry space, security related
- Update Website

Thurston County District

- improve security to court

Wahkiakum County

- Court Security

Walla Walla County

- expansion of existing programs, salary for probation assistant and new computer equipment for WWDC staff and Judges
- Salary for Probation Assistant and for new probation officer to monitor superior court cases

Whatcom County

- Jury coordination printing and postage
- Assists the courts in meeting the new statutory limits on jury service.
- Court recording system maintenance
- Benches for public use
- Probation case management software
- Jury system software maintenance

Whitman County

- District Court clerk's office remodel
- Replacement of Wireless Microphones - Pullman Branch
- New IT server for Superior Court clerk's office

Yakima County

- Family Court - The funds will assist with the operating expenses of the Family Court Facilitator Program, which operates under the Superior Court
 - Lower Valley District Court
-

City of Bremerton

- Upgrade of a failing video court system
- Purchase of the OCourt System and all related computer equipment.

City of Des Moines

- we will continue to use the money for the judge's salary and benefits

City of Everett

- Portion of Judges salaries
- Judges salary and updating recording equipment

City of Federal Way

- Increase in salary and benefits for existing judicial officers.
- Judicial salaries

City of Marysville

- Judicial salaries

City of Olympia

- Staffing

City of Puyallup

- Judge's salary
- In addition to the \$20,000 toward the judge's salary and \$7,500 for purchase of 5 SCRAM alcohol monitoring devices.

City of Renton

- OCourt programming costs - an e-doc program that routes court documents around the courtroom, capturing digital signatures and after judicial signature the form is routed into our digital document storage
- OCourt upgrades: Paperless Warrant project; Online Hearing Request (w/JIS interface) project
- Partial Reimbursement of judicial salary

City of Seattle

- This Electronic Case File (ECF4) covered Phase 4 of the Municipal Court Information System (MCIS) improvement project. This project delivers electronic versions of existing Bailiff forms including electronic signatures as well as consolidation of forms where possible

City of Spokane

- Court technology improvements
- Community Court
- Staff Development
- Supervisory Staff and Court Commissioner additions salary enhancements
- Court Technology Project (Planned)
- GR 31.1 Records Production
- Court Staff Civil Service Reclassification

City of Tacoma

- (1) Part time position was funded by TCIA. This person is a file clerk for the court. Her duties include pulling files and re-filing them for the court calendar
- Patty Gustafson - Part time Employee (same as 2015)
- Courtsmart Maintenance Agreement

City of Yakima

- The TCIA was used exclusively to raise the salary of the Municipal Court Judges

Tab 9



WASHINGTON
COURTS

**WASHINGTON JUDICIARY'S
PRESENTATION TO THE
WASHINGTON CITIZENS'
COMMISSION ON SALARIES
FOR ELECTED OFFICIALS**

2016

**WASHINGTON JUDICIARY’S PRESENTATION TO THE
WASHINGTON CITIZENS’ COMMISSION ON
SALARIES FOR ELECTED OFFICIALS**

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TAB 1

THE DUTIES OF JUDGES IN WASHINGTON COURTS ESTABLISHING APPROPRIATE JUDICIAL SALARIES

INTRODUCTION

In creating the Washington Citizens' Commission on Salaries for Elected Officials, the Legislature stated the policy of the state is to base salaries for judges and other elected officials on realistic standards: 1) according to the duties of their offices, and 2) to attract citizens of the highest quality to public service (RCW 43.03.300).

To attract high quality judicial candidates to the bench, and to retain these individuals, establishing *and maintaining* an adequate salary is essential. Having salaries that are sufficient to attract talented people is a common problem throughout government; however, it is especially difficult for the judiciary. When experienced lawyers consider trading private practice for public service on the bench they know that they will be prohibited from practicing law, and must forego all outside business and professional interests as a condition of holding office. Unlike other public servants, judges must curb most other financial endeavors in order to preserve their impartiality. At the same time, they know that the potential monetary benefits of private practice usually exceed that of public service in the judiciary. Therefore, adequate salaries, which do not erode with inflation, become crucial for attracting and retaining high quality candidates.

The most reasoned approach to judicial salary setting lies in ongoing regular increases which reflect the rising cost of living. This approach is viewed as one of the most important factors in attracting high quality candidates to judicial office. Consistent with the 2004 *Study on Salaries of Legislators and The Judiciary*, the salaries of judges in Washington State should move toward and maintain a degree of parity with the Federal Judiciary¹. Further, normalized salaries of judges in other states provide a useful point of reference for the maintenance of appropriate judicial salaries in Washington State. Judges do not expect to achieve parity with many of their colleagues in private practice. But, at a minimum, the expected economic sacrifices of a career on the bench must not be further compounded by a failure of judicial salaries to keep pace with inflation or fall substantially below that of the Federal Judiciary.

¹ Study on Salaries of Legislators and The Judiciary, Project Report, November 18, 2004. Owen-Pottier Human Resource Consultants for the Washington Citizens' Commission on Salaries for Elected Officials at Page 15.

TYPICAL RESPONSIBILITIES OF JUDGES

Judges are expected to preside at criminal trials, impose punishment for crimes, preside over civil cases, decide complex issues on appeal, manage growing caseloads, and see that the courts' orders are enforced. Our communities expect judges to resolve disputes that involve violence, family abuse, and juvenile crime, as well as settle civil conflicts among individuals, businesses and government agencies. The duties of judges require them to remain impartial and to make difficult, often unpopular decisions. Judges also have an administrative responsibility—they must make sure the courts run efficiently and safely, and that citizens have access to the justice system.

A typical day for a trial court judge involves a variety of different duties. For example, a judge will spend a portion of the day “in chambers,” which is the judge’s office, reviewing the files in preparation of cases to be heard. During this time, a judge may also hear brief motions and hold scheduling conferences outside the formal courtroom. Sometimes judges may be asked to interrupt other activities to hear an emergency matter, such as a request for emergency relief in a domestic law case. Trial court judges spend a large portion of their time on the bench presiding over trials, sentencing hearings and other proceedings. Judges may spend time responding to inquiries about court procedures and assisting research entities with data collection.

Each court has a presiding judge who assigns cases and manages the court’s calendar for other judges on the bench. Judges also hold “settlement conferences” in order to allow parties to resolve their disputes outside of the courtroom. Judges supervise their staff and attend meetings with other judges on their bench, often during lunchtime, in order to make policy decisions relating to court procedures. On a typical day, a judge may also leave the court to attend a committee meeting or to participate in a community activity such as attending a school event known as, *Judges in the Classroom*.

A typical day for a Court of Appeals judge also involves a variety of different duties. When Court of Appeals judges hear oral arguments in cases, they sit in panels of three judges. Before oral argument, the judges assigned to each three-judge panel review the pre-hearing memoranda and parties’ briefs for each case and do research on the law. The judges review this information along with the record from the trial court in order to prepare for oral argument. The judges hear oral argument on up to seven cases during each hearing day. During argument they ask questions in order to clarify or direct analysis and argument. Immediately following the arguments, the panel of judges meets to discuss the issues in the case and make an initial decision—whether to affirm, reverse, or remand the case back to the trial court for further action. The judges discuss the reasoning for their decision and assign a judge to write the opinion in the case. Court of Appeals judges also write dissenting and concurring opinions in cases, like the Supreme Court justices.

Court of Appeals opinions are made available on the Court's public website. The Court of Appeals judges also decide many cases without oral argument, in addition to issuing decisions on motions for reconsideration, motions to modify a commissioner's ruling, and other matters. Each judge supervises a personal staff consisting of a judicial administrative assistant and two law clerks.

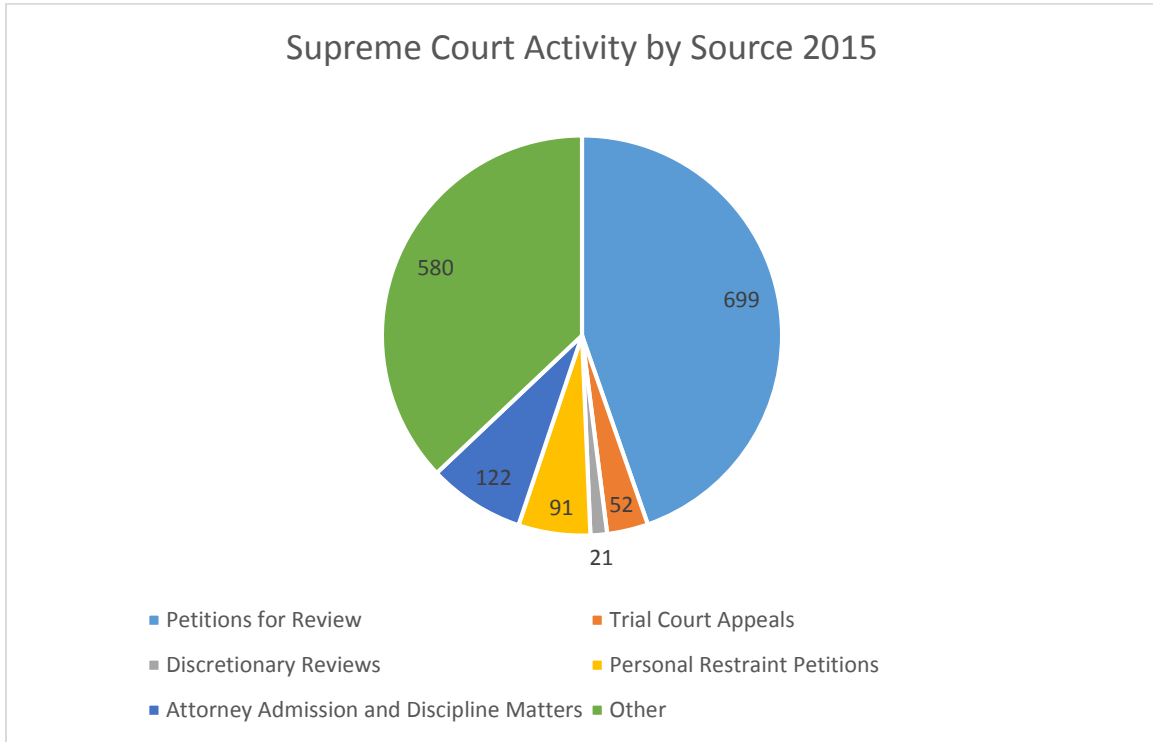
The Court of Appeals is an independent state agency and the judges participate in oversight of the Court's budget and personnel, direct the management and processing of cases, participate on statewide judicial administration committees, and in community or school activities. They may also sit as temporary judges in the trial courts to help with the caseload in those courts and on the Supreme Court when a justice is unavailable.

The Supreme Court is the state's highest court. Opinions of the Supreme Court become the law of the state, and set precedent for subsequent cases decided in Washington. All nine justices sit as a panel to hear oral arguments. Following oral arguments, the justices meet (conference) to discuss the case. Following the conference a justice is assigned to write the majority opinion and, if appropriate, another justice is tasked with writing the dissenting opinion. The justices also have supervisory responsibility over certain activities of the Washington State Bar Association including attorney admission and discipline matters. The justices have responsibility for adopting rules that govern court practices and processes statewide. As leaders of the state judicial branch, the justices frequently preside over efforts to improve the judicial system by serving as chairs or members of the Board for Judicial Administration, the Gender and Justice Commission, the Minority and Justice Commission, the Interpreter Commission, the Judicial Information System Committee, the Bench-Bar-Press Committee, and many others. The Supreme Court also governs the Pattern Forms Committee, the Pattern Jury Instruction Committee, and the Certified Professional Guardian Board (all of which are very important.) The Supreme Court governs the certification and discipline of professional guardians, and also hears cases involving the suspension or removal of a judge.

DUTIES OF JUDGES

Caseload Reports²

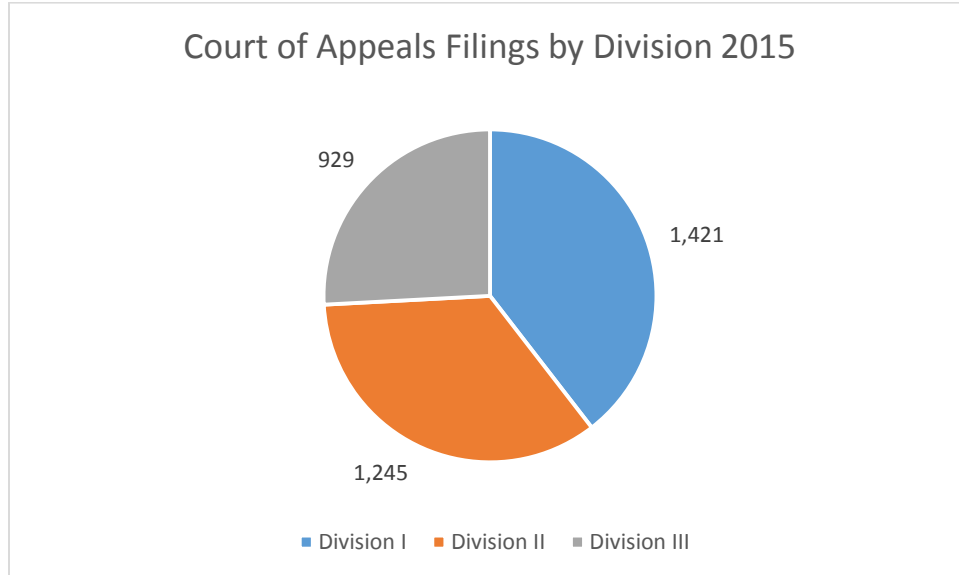
Supreme Court



The Supreme Court received 1,565 new case filings in 2015, including 699 (44.7%) petitions for review, 52 trial court appeals (3.7%), 21 (1.3%) discretionary reviews, 91 (5.8%) personal restraint petitions, 122 (7.8%) attorney admission and discipline matters, and 580 (37%) other reviews, including direct appeals from the trial courts, actions against state officers, and cases certified from federal court. Please note: Due to rounding, percentages may not add precisely to 100.

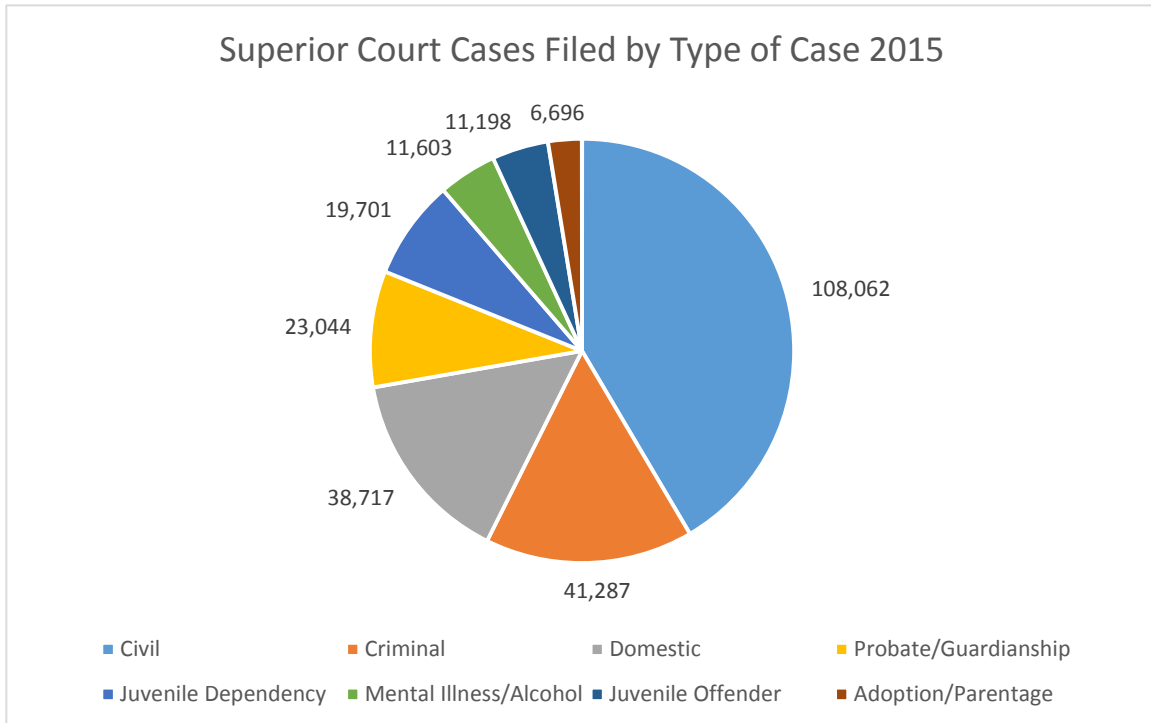
² <http://www.courts.wa.gov/caseload/>

Court of Appeals



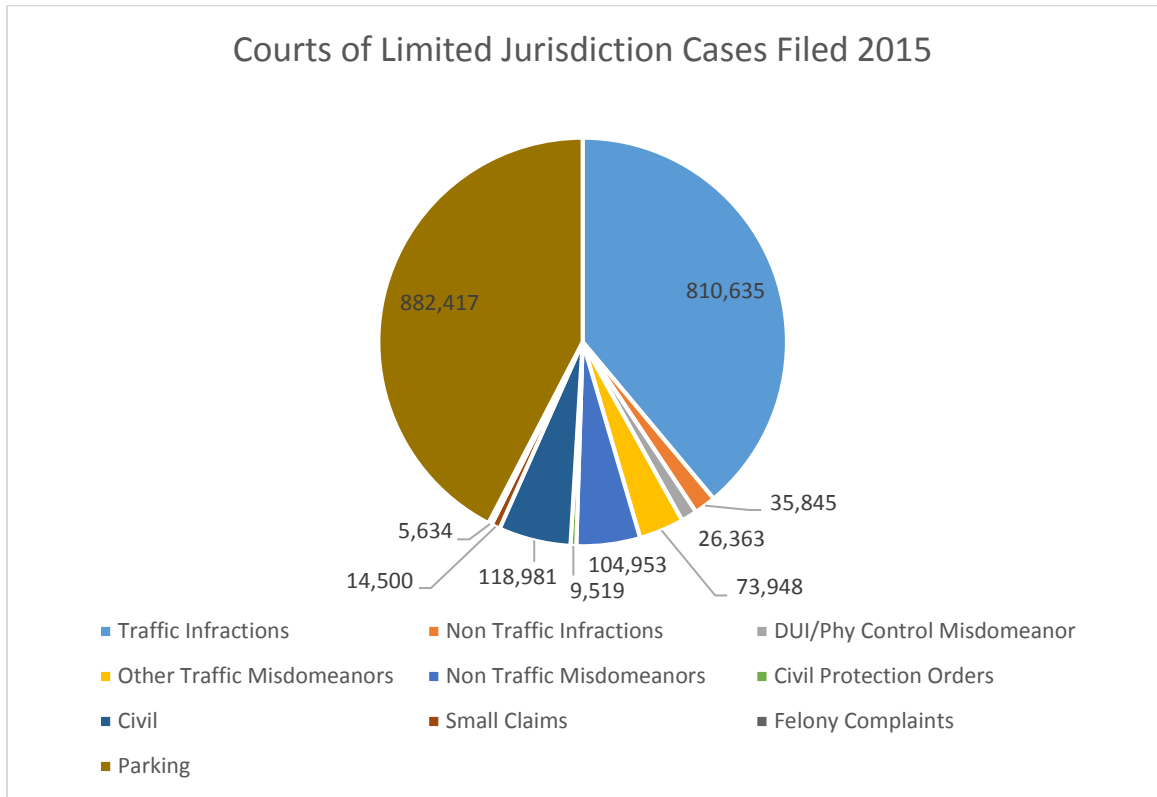
In 2015, 3,595 new cases were filed in the Washington Court of Appeals. Division I, which serves Northwest Washington, received 39.5%. Division II, which serves Southwest Washington, received 34.6%. Division III, which serves Eastern Washington, received 25.8%. Please note: Due to rounding, percentages may not add precisely to 100.

Superior Court



There were 260,308 cases filed in Washington's superior courts during calendar year 2015. Civil cases contributed to 41.5% of the filings, followed by criminal cases (15.9%) and domestic cases (14.9%). Please note: Due to rounding, percentages may not add precisely to 100.

District Courts



There were 2,082,795 cases filed in Washington's district courts during the calendar year 2015. Parking infractions contributed to 42.4% of this filings, followed closely by traffic infractions (38.9%). Please note: Due to rounding, percentages may not add precisely to 100.

Find Better Ways to Resolve Disputes

- Society demands new ways to handle old problems. Washington judges have initiated specialized therapeutic courts addressing drug or alcohol addiction, family recovery, domestic violence, and veterans' needs for adults. Similar courts exist for juvenile offenders including a juvenile gang court in Yakima. Therapeutic courts require judges to learn special skills, such as motivating defendants to make their own decision to move away from a lifestyle involving drugs. This requires judges to spend extra time building one-on-one relationships with defendants. Research shows these efforts by judges pay off in terms of fewer repeat offenders, lives put back on track, and families restored.
- Judges have created Mental Health courts in several jurisdictions to allow judges, lawyers, and treatment providers to work as a team to find ways to limit criminal behavior by identifying appropriate treatment or interventions.
- In 2008, the Board for Judicial Administration adopted the Washington State Family and Juvenile Court Improvement Plan (FJCIP). The Legislature provided start-up funds. The FJCIP set in motion a strategy to encourage and fund improvements to local court operations that are consistent with Unified Family Court (UFC) principles. The statewide plan promotes a system of local improvements that are incremental and measurable. The impetus for this project was the desire among judges, the Legislature, and stakeholders to improve court operations for children and families. The funding for 13 superior courts improved several measurements of court processes, notably a reduction in the time between a child entering the dependency system and exiting the system with a permanent placement. Judges continue working to reduce the length of this stressful time for children.
- District and municipal courts in many counties operate programs to help reinstate the driver licenses for people who have lost their license due to unpaid traffic tickets. These drivers may keep their licenses as long as they adhere to a payment schedule and address other behavior that leads to license revocation. This program started in the courts and helps break the cycle of suspended licensees reoffending in their daily lives.
- Yakima County allows drivers to contact the court by e-mail to explain why they received a traffic ticket, and to ask the court for a reduced fine. The number of in-person hearings in these cases has been reduced by half.
- Led by Clark County and Kitsap County, trial courts in many counties host centralized domestic violence courts to provide more coordinated services in these cases.
- All but four superior courts employ "courthouse facilitators" to help the growing number of litigants without attorneys. The facilitators work with "pro-se" litigants to understand his or her court case and the steps to resolve the

case. Courthouse facilitators work especially with litigants in marriage dissolution cases.

Ensure Courts Are Accessible When People Need Help

- Judges are increasingly called upon to perform their duties “after normal business hours.” For example, every weekend trial court judges are assigned to hear the “jail calendar” and make appropriate release decisions. Trial court judges are frequently called at night by law enforcement officers to consider issuance of “telephone search warrants” and domestic violence protection orders.
- Judges must make sure the court is accessible to all people—including those who are not represented by an attorney. Some estimates indicate that nearly 60% of all domestic relations cases feature at least one self-represented party. Litigants expect judges to simplify their procedures so that everyone, *not* just attorneys, can appear in court effectively.
- The number of non English-speaking litigants and witnesses appearing in Washington courts is increasing. In 2013, there were over 89 languages spoken in court cases. The variety includes Spanish, Chinese, Russian, Vietnamese, Korean, Albanian, Amharic, several dialects of Arabic, ASL, Tagalog, Bengali, Bosnian, Cham, Dinka, Farsi, Kanjobal, Khmer, Kurdi, Lao, Mam, Marshallese, Panjabi, Pohnpeian, Romanian, Samoan, Yap, and many others. Judges have a duty to make sure everyone who has a case before the court can communicate and understand the proceedings. The courts’ customers have changed, and judges change the way they conduct their business in order to serve their communities.
- Both the Americans with Disabilities Act and the Washington Law Against Discrimination require courts to make both their facilities and their programs and services accessible to persons with disabilities, including deaf and hard of hearing persons. General Rule 33 sets forth a process for requests for accommodation that courts and judges follow to ensure that court buildings, programs, and services are equally accessible by all.

Stay Current with Changes in the Law

- Judges must keep abreast of changes in state and federal statutes as well as developments in case law. Judges at all levels must maintain their personal proficiency and knowledge of the changes to statutes and recent case law.
- Court rule requires all judges and court commissioners to complete a minimum of 45 hours of continuing judicial education in each three-year period.

Keep Courthouses Safe

- Courts and courthouses are the location where difficult conflicts are resolved, and criminal acts receive punishment. The frequency of violent events in courthouses is increasing. This requires judges to spend time planning and implementing courtroom security precautions.
- Outside the courtroom, some judges have been required to take extra steps to protect themselves and their families against threats of violence from angry litigants. While judges accept it as their duty to do everything possible to keep court staff and the public safe, they do their work with an awareness of the increasing risk associated with their jobs.

Manage the Courts

- Trial court presiding judges assign and monitor the flow of cases, and ensure the training and orientation of new judges.
- Judges manage probation services and, in some locations, juvenile detention facilities.
- Judges are responsible for the administration of their court, including oversight of the court's budget and personnel. In larger courts, professional administrators and clerks assist judges.
- Judges adopt local court rules directing the management and processing of cases.
- Judges often chair or are members of local government councils or boards that address policy, practice and budget issues across local justice systems.
- Judges participate in many community and school activities such as "*Judges in the Classroom*," Mock Trial competitions, and neighborhood justice forums.

Manage the State Court System

The Washington court system is a decentralized, non-unified court system. Therefore, in addition to hearing and deciding cases and managing their local courts, judges ensure coordination of statewide policy and practice through the participation in judicial associations, boards, commissions, committees, and taskforces:

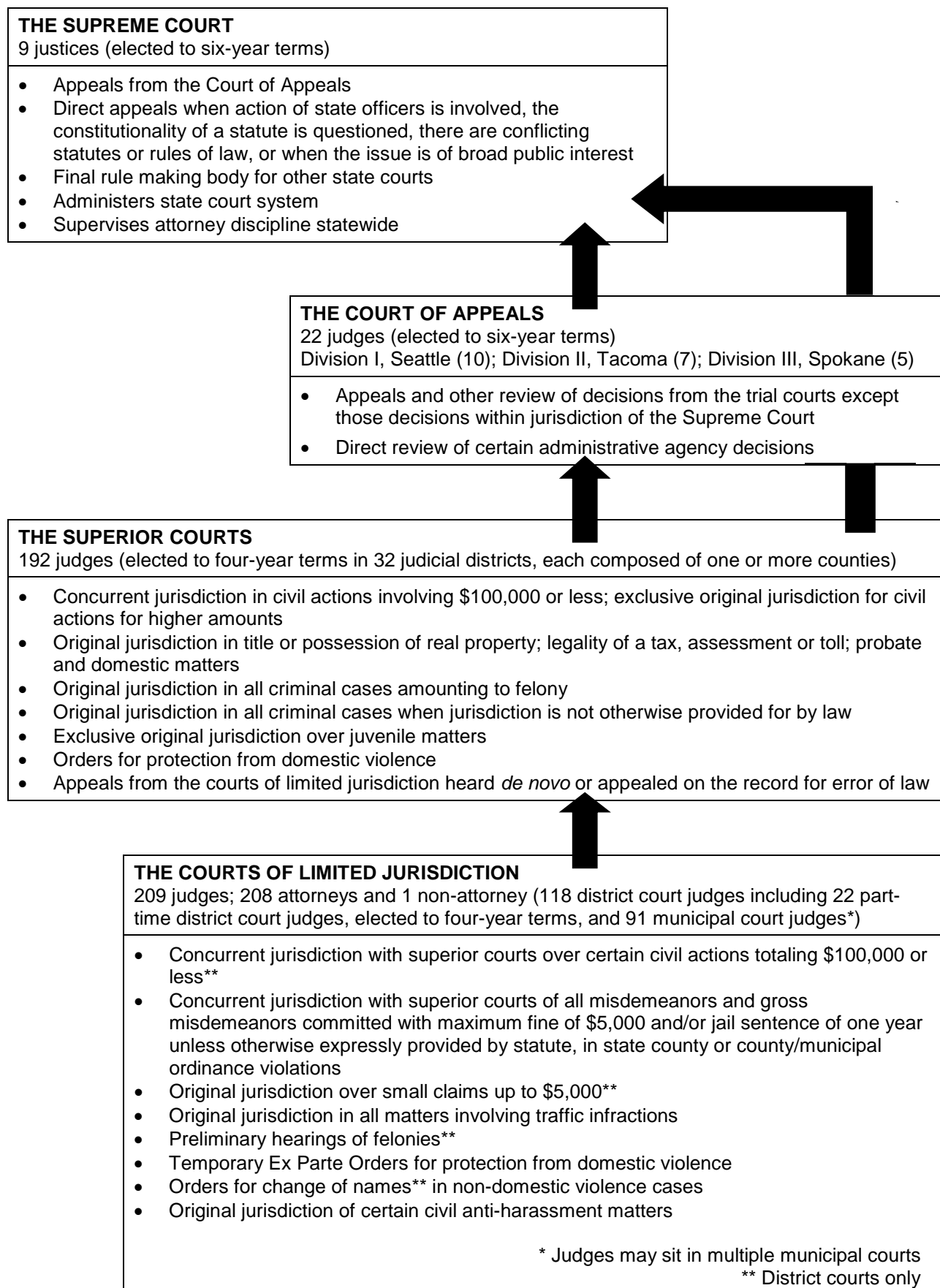
- Judges direct the development of the statewide court computer systems.
- Judges serve on commissions that explore ways to make the system better by addressing barriers to access and bias based on gender, race, ethnicity, age, physical and mental abilities, income, and other characteristics of people who interact with the courts and justice system.
- Judges work with state executive branch agencies on policy and practice issues where their work intersects. Examples include working with the

Department of Social and Health Services on services provided to families in dependency cases and with the Department of Licensing on records relating to drivers' licenses and traffic case dispositions.

- Judges work with the Legislature on legislation that affects the administration of justice.
- Judges develop the curriculum for educational programs for judicial officers regarding the administration of justice, the application of new laws, and social science research on the effectiveness of court programs. Many judges serve as faculty on education programs for judges, administrators, and other court personnel.
- Judges work on the development of proposed statewide court rules and the Supreme Court justices are responsible for final consideration, amendment, and adoption of proposed statewide court rules.
- Supreme Court justices are responsible for lawyer discipline and the final review of matters related to judicial discipline recommending suspension, removal, or retirement.
- Trial court judges are the chairpersons, and also serve as members, on the statewide committees that create the pattern court forms for use in all criminal, family law, juvenile law, protection order, guardianship, and civil commitment cases.
- Trial court judges are the chairpersons, and also serve as members, on the statewide committees that draft the pattern jury instructions used in every jury trial in the state.

TAB 2

Washington State Court System, 2016



**WASHINGTON STATE JUDICIARY
YEARS OF SERVICE AND AGE INFORMATION**

COURTS OF RECORD (Supreme Court, Court of Appeals, Superior Courts)

	Number	Percentage*
Number of judges with 20 or more years of service on the bench as of December 31, 2016	25	11.3%
Number of judges age 65 or older as of December 31, 2016	55	24.8%
Number of judges 50 years old or younger as of December 31, 2016	28	12.6%
Number of judges leaving the bench (mostly due to retirements) between June 23, 2014 and July 14, 2016	21	9.5%

COURTS OF LIMITED JURISDICTION (District and Municipal Courts)

	Number	Percentage**
Number of judges with 20 or more years of service on the bench as of December 31, 2016	41	19.6%
Number of judges age 65 or older as of December 31, 2016	53	25.4%
Number of judges 50 years old or younger as of December 31, 2016	45	21.5%
Number of judges leaving the bench (mostly due to retirements and a few moving to superior court) between April 2014 and June 2016	23	11%

* Based on 222 judges

** Based on 209 judges, with data missing from one judge

TAB 3

WASHINGTON STATE LAW SCHOOL DEANS SALARY INFORMATION

As of September 2016

University of Washington Law School Dean Salary	\$378,900
Median Annual Salary for Law School Dean in US*	\$275,708

*from <http://www1.salary.com/Dean-of-Law-Salaries.html>. Unable to get information from Seattle University and Gonzaga law schools about their salaries.

As of October 2014

University of Washington Law School Dean Salary	\$375,000
Seattle University Law School Dean Salary	Salary range for professors and entry-level deans: \$120,000 - \$250,000
Gonzaga University Law School Dean Salary	Gonzaga has a policy of not disclosing personnel information of this sort

As of October 2012

University of Washington Law School Dean Salary	\$352,008
Seattle University Law School Dean Salary	Salary range for professors and entry-level deans: \$120,000 - \$250,000
Gonzaga University Law School Dean Salary	Gonzaga has a policy of not disclosing personnel information of this sort

As of October 2010

University of Washington Law School Dean Salary	\$352,008
Seattle University Law School Dean Salary	Salary range for professors and entry-level deans: \$120,000 - \$250,000
Gonzaga University Law School Dean Salary	Gonzaga has a policy of not disclosing personnel

information of this sort

As of October 2008

University of Washington Law School Dean Salary	\$255,600
Seattle University Law School Dean Salary	Salary range for professors and entry-level deans: \$120,000 - \$250,000
Gonzaga University Law School Dean Salary	\$233,028

As of October 2006

University of Washington Law School Dean Salary	\$251,580
Seattle University Law School Dean Salary	\$241,114
Gonzaga University Law School Dean Salary	Salary Range: \$175,100 – \$236,900 Current salary being paid is close to the top of the range.

As of October 2004

University of Washington Law School Dean Salary	\$197,880
Seattle University Law School Dean Salary	\$220,830
Gonzaga University Law School Dean Salary	Salary Range: \$160,000 – \$190,000 Current salary being paid is close to the top of the range.

As of January 2003

University of Washington Law School Dean Salary	\$190,200
Seattle University Law School Dean Salary	\$210,038
Gonzaga University Law School Dean Salary	Confidential – per Director and Corporate Counsel

**COMPARISON OF WASHINGTON’S JUDICIAL SALARIES
WITH FEDERAL JUDICIAL SALARIES**

2016 STATE AND FEDERAL JUDICIAL SALARIES*

Washington	Salary	Federal	Current Salary
Supreme Court Chief Justice	\$185,661	U.S. Supreme Court Chief Justice	\$260,700
		U.S. Supreme Court Associate Justices	\$249,300
Supreme Court	\$183,021	U.S. Circuit Courts of Appeal	\$215,400
Court of Appeals	\$174,224		
Superior Court	\$165,870	U.S. District Court	\$203,100
District Court	\$157,933		
		U.S. Court of Federal Claims	\$203,100
		U.S. Court of International Trade	\$203,100
		U.S. Bankruptcy Court	\$186,852
		Magistrate Judges – U.S. District Court	\$186,852

The Federal Judicial salaries are provided as comparators. These positions draw from the same pool of attorneys as state judicial offices. There are federal courts in several locations in Washington including Seattle, Tacoma, Bellingham, Vancouver, Spokane, Yakima, and Richland.

Federal Supreme and Appellate courts are similar in function to Washington’s Supreme and Appellate courts. The Federal District Court is similar to Washington Superior court. The various specialty courts operate with less breadth of topic, however the Magistrate Judge is most similar to Washington District court, hearing misdemeanor cases, preliminary hearings and civil trials.

Notes:

1. According to the 2004 *Washington Citizens’ Commission on Salaries for Elected Officials Study on Salaries of Legislators and The Judiciary* by Owen-Pottier Human Resource Consultants:

“A reasonable course of action for the Commission to follow is to move *toward* a degree of parity with the federal bench over time. Such action can be justified in part by the fact that federal judges perform substantially similar work as our state judges but have significantly more job security since they are appointed for life, while state judges must run for reelection.

2. The American Bar Association in 1981 adopted the following policy: “Be it resolved that the American Bar Association recommends that salaries of justices of the highest courts of the states should be substantially equal to the salaries paid to judges of the United States

court of appeals, and the salaries of the state trial judges of courts of general jurisdiction should substantially equal the salaries paid to judges of the United States district courts.”

The judges of the state courts are called on to decide many more disputes than the judges of the federal courts. Their decisions affect the “life, liberty and property” of literally millions of citizens every year. While only on rare occasions do their decisions achieve the publicity accorded by the media to many decisions of the United States Supreme Court, the quality of justice accorded in state courts is in reality the quality of justice in the United States. (Annual Report of the American Bar Association, August 10-12, 1981 New Orleans, Louisiana)

*Washington salaries based on: <http://www.salaries.wa.gov/salary> Federal salaries, based on: <http://www.uscourts.gov/JudgesAndJudgeships/JudicialCompensation/judicial-salaries-since-1968.aspx> and http://www.fjc.gov/history/home.nsf/page/js_7.html

**FORMER WASHINGTON STATE JUDGES
CURRENTLY IN FEDERAL COURTS**

**U.S. District Court - Eastern and
Western Districts of Washington:**

U.S. District Judges

Judge Stanley A Bastian
*Senior Judge Robert J. Bryan
Senior Judge John C. Coughenour
*Senior Judge Carolyn R. Dimmick
*Judge Richard A. Jones
* Judge Robert S. Lasnik
Judge Ronald B. Leighton
*Chief Judge Ricardo S. Martinez
*Senior Judge Walter T. McGovern
*Judge Salvador Mendoza Jr.
Senior Judge William Fremming Nielsen
Senior Judge Marsha J. Pechman
Judge Rosanna Malouf Peterson
Senior Judge Justin L. Quackenbush
Chief Judge Thomas O. Rice
Senior Judge James L. Robart
*Senior Judge Barbara Jacobs Rothstein
Judge Benjamin H. Settle
Senior Judge Edward F. Shea
Senior Judge Lonny R. Suko
*Senior Judge Fred Van Sickle
*Senior Judge Robert H. Whaley
Senior Judge Thomas S. Zilly

Magistrate Judges

*Magistrate Judge J. Kelly Arnold (Recalled)
Magistrate Judge David W. Christel
Magistrate Judge J. Richard Creatura
Magistrate Judge Mary K. Dimke
Chief Magistrate Judge James P. Donohue
Magistrate Judge Paula McCandlis (Part-time)
Magistrate Judge John T. Rodgers
*Magistrate Judge Karen L. Strombom
Magistrate Judge Mary Alice Theiler
Magistrate Judge Brian A. Tsuchida
Magistrate Judge John L. Weinberg (Recalled)

**U.S. Bankruptcy Court - Eastern and
Western Districts of Washington:**

Judges

Judge Christopher Alston
Judge Marc Barreca
Chief Judge Frederick P. Corbit
Judge Timothy W. Dore
*Judge Frank L. Kurtz
Chief Judge Brian Lynch
Judge John Rossmeissl
Judge Paul B. Snyder

**FORMER WASHINGTON STATE JUDGES
CURRENTLY IN MEDIATION AND ARBITRATION SERVICES**

Judicial Dispute Resolution (JDR)

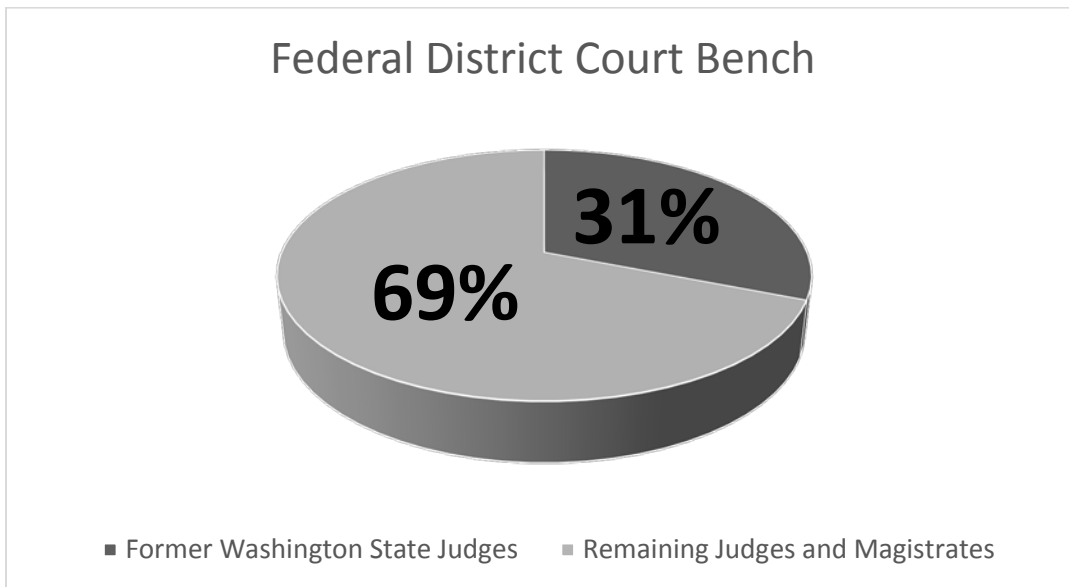
*Charles Burdell Jr.
*George Finkle
*Larry A. Jordan
*Paris Kallas
*Linda Lau
*Steve Scott

Judicial Arbitration and Mediation Services (JAMS)

*Sharon Armstrong
M. Wayne Blair
Fred R. Butterworth
William J. Cahill
*Paula Casey
Zela "Zee" G. Claiborne
*Anne L. Ellington
*Deborah D. Fleck
Daniel B. Garrie
Kenneth Gibbs
*J. Kathleen Learned
*Terry Lukens
*Thomas McPhee
Lawrence Mills
James Nagle
Randal J. Newsome
Douglas Oles
James Ware
James Warren
*Eric Watness
Catherine A. Yann

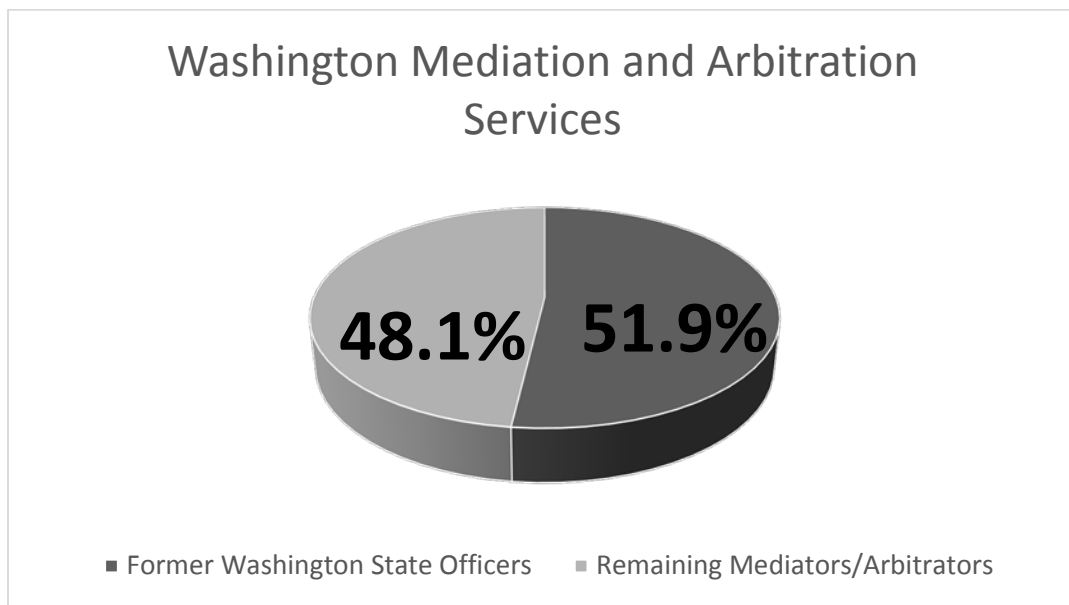
FORMER WASHINGTON STATE JUDGES ON FEDERAL DISTRICT COURT BENCH

Of the 42 federal judges and magistrates for the Eastern and Western Districts of Washington, 13 or 31% are former Washington State judges.



FORMER WASHINGTON STATE JUDGES IN ARBITRATION/MEDIATION

Of the 21 Washington members of Judicial Arbitration and Mediation Services, eight are former Washington State judges. Of the six members of Judicial Dispute Resolution, all of them are former Washington State judicial officers. Of the total 27 members of the two arbitration and mediation services, 14 or 51.9% are former Washington State judicial officers.



JUDICIAL SALARY NOTES

1987-1988

- The differential between superior and district court judges was reduced to 5% in 1988.
- The salaries established for 1987-88 were catch up increases because of the lapses in past years in adjustments to the elected officials' salaries.

1989-1991

- The 1989 salaries reflected a 4.8% COLA over 1988; based on the western states' CPI for September 1989.
- The 1990 salaries were increased by a 3% COLA.

1991-1992

- The standard benchmark set by the previous commission to tie the Supreme Court justices' salaries to the judges of the Federal Court of Appeals was maintained.
- Increased judges' salaries by the 10.2% COLA and 9.8% in equity in equal amounts over 2 years.
- Part-time district judges' salaries were proportionate to time worked.

1993-1994

- The Commission froze the salaries of elected officials for two years.

1995-1996

- All judges' salaries were increased by 2.5% in 1995; no adjustment was made for 1996

1997-1998

- Only minor adjustments were made in 1997. The position of Secretary of State was increased by \$4,700, the position of Attorney General was increased by \$1,000, and all judges received a 2% increase.
- No increases were made for 1998.

1999-2000

- Much of the 1999 adjustment was to catch up to the increases received by state employees since 1994.
- The elected officials received a 3% increase in September 2000; the same amount state employees received in July 2000.
- The historical 5% differential between each of the four court levels was retained.

2001-2002

- Members of the judicial branch were granted a \$5,000 increase in base salary. This increase was motivated by concern that good judges were leaving the bench

to work in private mediation and arbitration firms and to send a message about the importance of the judiciary's work.

- A 2.3% cost of living adjustment (COLA) for all positions was made for 2001 and 2002. Commissioners concluded that the implicit Price Deflator (IPD) data from the March 2001 forecast had not significantly changed from the November 2000 forecast which was used as the basis for the 2001-02 Proposed Salary Schedule.

2003-2004

- For 2003, no across-the-board increases were made. However, equity adjustments were made for the positions of Secretary of State and Insurance Commissioner to recognize increased responsibilities and to bring those positions into alignment with the positions of Treasurer and Auditor.
- For 2004, a 2.0% across-the-board increase was made for all positions.

2005-2006

- A 2% across-the-board cost-of-living (COLA) adjustment was granted to all positions effective September 1, 2005 and September 1, 2006.
- An additional 1% per year for positions in the Judiciary was granted.
- The 2005 Commission utilized Willis evaluations establish benchmarks for parity for state judges compared to the federal bench.

2007-2008

- A 3.2% general wage adjustment (GWA) effective September 1, 2007 and 2.0% effective September 1, 2008 was granted to all positions.
- Judicial Branch- 3.5% catch-up adjustment to the salary of all judges effective September 1, 2007 and 3.5% on September 1, 2008.

2009-2010

- No salary increase provided.

2011-2012

- A 2% salary increase for judicial branch.

2013-2014

- A 2% salary increase for the judicial branch in 2013
- A 3% salary increase for judicial branch in 2014

2015- 2016

- A 3% General Wage Adjustment to the Judicial Branch in 2015 and 1% in 2016
- A 1% in 2015 for the Judicial Branch and 1% in 2016, to maintain working toward the benchmark of federal court judges.
- A 1.5% increase to the Supreme Court Justice, to recognize additional responsibilities of that position.

TAB 4

**MEDIAN AND MEAN SALARIES OF IN-HOUSE NORTHWEST STAFF
ATTORNEYS
2016**

Position	Median	Mean
General Counsel (>1,000 employees)	\$232,000	\$241,600
General Counsel (<=1,000 employees)	\$187,001	\$197,985
Director of Legal Services	\$143,306	\$149,978
Attorney - Senior*	\$140,675	\$147,403
Attorney - Senior Specialized	\$177,632	\$169,202

Source: 2015 Milliman Northwest Management and Professional Salary Survey (2015)

*The difference between Senior level and Attorneys is Seniors had 5-8 years of experience and Attorneys had 2-4 years of experience.

**NATIONAL COMPENSATION SURVEY
Hourly Wage Percentiles
2015**

Position	50% (Median)	75%
Lawyer	\$115,835 (<small>\$55.69x 2080 hrs</small>)	\$174,283 (<small>\$83.79x 2080 hrs</small>)

Source: US Department of Labor; Bureau of Labor Statistics (May 2015) –

<http://www.bls.gov/oes/current/oes231011.htm>

**SALARIES OF ATTORNEYS IN WASHINGTON
2016**

Position	Average Wage	75%
Lawyer	\$110,032 (<small>\$52.90 x 2080 hrs</small>)	\$154,003 (<small>\$74.04 x 2080 hrs</small>)

Source: Washington State Employment Security Department 2016 Occupational Employment and Wage Estimates.

https://esdorchardstorage.blob.core.windows.net/esdwa/Default/ESDWAGOV/labor-market-info/Libraries/Occupational-reports/OES/2016%20OES%20Databook_Print.pdf

**SALARIES OF ATTORNEYS IN SEATTLE
2016**

Position	Average Wage	75%
Lawyer	\$122,116 (<small>\$58.71 x 2080 hrs</small>)	\$168,542 (<small>\$81.03 x 2080 hrs</small>)

Source: Washington State Employment Security Department 2016 Occupational Employment and Wage Estimates:

https://esdorchardstorage.blob.core.windows.net/esdwa/Default/ESDWAGOV/labor-market-info/Libraries/Occupational-reports/OES/2016%20OES%20Databook_Print.pdf

TAB 5

JUDICIAL SALARY COMPARISON
Rank of Washington versus Other States

Comparison Date	Court Level	Salary	Actual Ranking	Normalized Ranking ¹
October 2016	Supreme Court	183,021	Not Available ²	Not Available
	Court of Appeals	\$174,224	Not Available	Not Available
	Superior	\$165,870	Not Available	Not Available
	District	\$157,933	Not Available	Not Available
October 2015	Supreme	\$179,432	12/50	18/50
	Court of Appeals	\$170,808	12/39	15/39
	Superior	\$162,618	12/50	17/50
	District	\$154,836	Not Available ³	Not Available
October 2014	Supreme	\$172,531	13/50	21/50
	Court of Appeals	\$164,238	13/39	17/39
	Superior	\$156,363	13/50	17/50
	District	\$148,881	6/17	8/17
October 2013	Supreme	\$167,505	17/50	22/50
	Court of Appeals	\$159,455	13/39	18/39
	Superior	\$151,809	14/50	21/50
	District	\$144,544	7/17	9/17
October 2012	Supreme	\$164,221	14/50	16/50
	Court of Appeals	\$156,328	10/39	13/39
	Superior	\$148,832	12/50	12/50
	District	\$141,710	6/17	6/17
October 2010	Supreme	\$164,221	14/50	14/50
	Court of Appeals	\$156,328	11/39	13/39
	Superior	\$148,832	11/50	14/50
	District	\$141,710	1/17	2/17
October 2006	Supreme	\$145,636	14/50	13/48
	Court of Appeals	\$138,636	12/39	13/39
	Superior	\$131,988	11/50	12/48
	District	\$125,672	4/16	4/16

¹ Figures were calculated based on state's cost of living index.

² The WCCSEO set the salary schedule for 2016, but the National Center for State Courts has yet to pull and compare state salary data for 2016.

³ The National Center for State Courts no longer tracks district court salaries.

November 2004	Supreme	\$137,276	13/50	16/49
	Court of Appeals	\$130,678	10/39	12/39
	Superior	\$124,411	11/50	15/49
	District	\$118,458	4/17	4/16
October 2002	Supreme	\$134,584	12/50	16/47
	Court of Appeals	\$128,116	11/39	16/39
	Superior	\$121,972	10/50	19/47
	District	\$116,135	4/17	8/14

NORMALIZATION OF SALARIES

Comparing salaries between states can be misleading. States with a higher cost of living tend to have higher salary schedules. Each table includes a listing of the salaries adjusted for the differences in cost of living. The National Center for State Courts (NCSC) has derived an adjustment measure for most states using the Council for Community and Economic Research C2ER Cost-of-Living Index.

The C2ER cost of living factors come from looking at average costs of goods and services purchased by a typical professional and/or managerial household. The “basket” of goods and services includes items from within a reporting jurisdiction along with seven additional variables— grocery items, utilities, housing, transportation, health care, and other goods and services.

This factor is used here to “normalize” salaries across all states. The “normalization” formula is as follows:

$$\text{Normalized Salary} = \text{Actual Judicial Salary} / (\text{C2ER Factor}/100)$$

Prior to the October 2002 report, the Administrative Office of the Courts (AOC) used per capita income to normalize salaries. The technique described above is the same, only the adjustment factor differs. Thus, care should be exercised in comparing the normalized results to prior years’ reports.

Cost of Living Index source:

C2ER Cost-of-Living Index, National Center for State Courts, *Survey of Judicial Salaries*, Volume 39, Number 1, As of January 1, 2014.

Judicial Salary source:

National Center for State Courts, *Survey of Judicial Salaries*, Volume 39, Number 1, As of January 1, 2014.

JUDICIAL SALARY COMPARISON
Highest Appellate Court as of 2015

State		Actual Salary	State		Normalized Salary
1	California	\$ 230,750	1	California	\$ 246,321
2	Illinois	\$ 220,873	2	Delaware	\$ 216,671
3	Hawaii	\$ 214,524	3	Illinois	\$ 214,835
4	Alaska	\$ 205,176	4	Pennsylvania	\$ 206,015
5	Pennsylvania	\$ 203,409	5	Alabama	\$ 201,070
6	New York	\$ 192,500	6	Alaska	\$ 194,221
7	Virginia	\$ 192,458	7	Michigan	\$ 193,522
8	Delaware	\$ 192,360	8	Connecticut	\$ 191,065
9	Connecticut	\$ 185,610	9	Georgia	\$ 190,854
10	New Jersey	\$ 185,482	10	Florida	\$ 189,513
11	Tennessee	\$ 182,508	11	New Jersey	\$ 186,339
12	Washington	\$ 179,432	12	Virginia	\$ 181,788
13	Maryland	\$ 176,433	13	New York	\$ 177,757
14	Massachusetts	\$ 175,984	14	Tennessee	\$ 176,346
15	Rhode Island	\$ 175,870	15	Texas	\$ 176,346
16	Colorado	\$ 173,024	16	Rhode Island	\$ 173,953
17	Iowa	\$ 170,544	17	Massachusetts	\$ 171,625
18	Missouri	\$ 170,292	18	Washington	\$ 171,216
19	Nevada	\$ 170,000	19	Maryland	\$ 169,706
20	Utah	\$ 168,150	20	Iowa	\$ 169,292
21	Texas	\$ 168,000	21	Arizona	\$ 167,294
22	Alabama	\$ 167,685	22	Hawaii	\$ 164,266
23	Georgia	\$ 167,210	23	Nevada	\$ 163,649
24	Arkansas	\$ 166,500	24	Indiana	\$ 163,231
25	Nebraska	\$ 166,159	25	Ohio	\$ 161,945
26	Indiana	\$ 165,078	26	Minnesota	\$ 161,769
27	Wyoming	\$ 165,000	27	Arkansas	\$ 157,997
28	Michigan	\$ 164,610	28	Wisconsin	\$ 157,993
29	Louisiana	\$ 164,590	29	New Hampshire	\$ 157,012
30	Minnesota	\$ 162,630	30	Kentucky	\$ 155,669
31	Florida	\$ 162,200	31	South Carolina	\$ 155,018
32	New Hampshire	\$ 155,907	32	Oklahoma	\$ 154,126
33	Arizona	\$ 155,000	33	North Carolina	\$ 149,559
34	North Dakota	\$ 152,436	34	Nebraska	\$ 149,126
35	Ohio	\$ 148,700	35	Utah	\$ 147,954
36	Wisconsin	\$ 147,403	36	Vermont	\$ 145,779
37	Vermont	\$ 147,095	37	Louisiana	\$ 145,339
38	Oklahoma	\$ 145,914	38	Kansas	\$ 145,297
39	South Carolina	\$ 144,111	39	Missouri	\$ 144,604
40	Mississippi	\$ 142,320	40	Colorado	\$ 144,571
41	North Carolina	\$ 139,896	41	West Virginia	\$ 142,253
42	Montana	\$ 136,177	42	Wyoming	\$ 135,551
43	West Virginia	\$ 136,000	43	New Mexico	\$ 135,246
44	Kansas	\$ 135,905	44	Mississippi	\$ 132,295
45	Oregon	\$ 135,688	45	Maine	\$ 132,024
46	Kentucky	\$ 135,504	46	South Dakota	\$ 130,953
47	Idaho	\$ 135,000	47	Idaho	\$ 129,908
48	South Dakota	\$ 131,713	48	North Dakota	\$ 126,040
49	New Mexico	\$ 131,174	49	Oregon	\$ 123,677
50	Maine	\$ 129,626	50	Montana	\$ 118,603

JUDICIAL SALARY COMPARISON
Intermediate Appellate Court as of 2015

Thirty-nine states have intermediate appellate courts

	State	Actual Salary		State	Normalized Salary
1	California	\$ 216,330	1	California	\$ 230,929
2	Illinois	\$ 207,882	2	Illinois	\$ 202,200
3	Hawaii	\$ 198,624	3	Alabama	\$ 199,748
4	Alaska	\$ 193,386	4	Pennsylvania	\$ 194,383
5	Pennsylvania	\$ 191,926	5	Georgia	\$ 189,687
6	Alabama	\$ 178,878	6	Alaska	\$ 183,499
7	New York	\$ 177,900	7	Florida	\$ 180,038
8	Virginia	\$ 176,510	8	Connecticut	\$ 179,446
9	Tennessee	\$ 176,436	9	Michigan	\$ 178,040
10	New Jersey	\$ 175,534	10	New Jersey	\$ 176,346
11	Connecticut	\$ 174,323	11	Virginia	\$ 172,699
12	Washington	\$ 170,808	12	Tennessee	\$ 170,468
13	Georgia	\$ 166,186	13	New York	\$ 169,292
14	Colorado	\$ 166,170	14	Arizona	\$ 163,884
15	Massachusetts	\$ 165,087	15	Washington	\$ 162,986
16	Maryland	\$ 163,633	16	Texas	\$ 161,651
17	Arkansas	\$ 161,500	17	Massachusetts	\$ 158,814
18	Utah	\$ 160,500	18	Indiana	\$ 158,674
19	Indiana	\$ 160,468	19	Maryland	\$ 158,185
20	Texas	\$ 158,500	20	Iowa	\$ 157,606
21	Nebraska	\$ 157,851	21	Arkansas	\$ 153,131
22	Missouri	\$ 155,709	22	Minnesota	\$ 152,429
23	Iowa	\$ 154,556	23	Hawaii	\$ 152,099
24	Florida	\$ 154,140	24	South Carolina	\$ 151,142
25	Louisiana	\$ 154,059	25	Ohio	\$ 150,952
26	Minnesota	\$ 153,240	26	Kentucky	\$ 149,391
27	Michigan	\$ 151,441	27	Wisconsin	\$ 149,050
28	Arizona	\$ 150,000	28	Oklahoma	\$ 146,015
29	South Carolina	\$ 140,508	29	North Carolina	\$ 143,328
30	Wisconsin	\$ 139,059	30	Kansas	\$ 142,617
31	Ohio	\$ 138,600	31	Nebraska	\$ 141,670
32	Oklahoma	\$ 138,235	32	Utah	\$ 141,194
33	Mississippi	\$ 134,883	33	Colorado	\$ 138,844
34	North Carolina	\$ 134,109	34	Louisiana	\$ 137,779
35	Oregon	\$ 132,820	35	Missouri	\$ 135,199
36	Kansas	\$ 131,518	36	Idaho	\$ 128,733
37	Kentucky	\$ 130,044	37	New Mexico	\$ 128,483
38	Idaho	\$ 130,000	38	Mississippi	\$ 123,501
39	New Mexico	\$ 124,616	39	Oregon	\$ 120,856

JUDICIAL SALARY COMPARISON
Trial Court as of 2015

	State	Actual Salary		State	Normalized Salary
1	Hawaii	\$ 193,248	1	California	\$ 201,796
2	Illinois	\$ 190,758	2	Delaware	\$ 197,625
3	Alaska	\$ 189,720	3	Illinois	\$ 185,544
4	California	\$ 189,041	4	Alaska	\$ 179,591
5	Delaware	\$ 180,733	5	Pennsylvania	\$ 178,833
6	Pennsylvania	\$ 176,572	6	Connecticut	\$ 172,561
7	New York	\$ 174,000	7	Florida	\$ 170,562
8	Tennessee	\$ 170,352	8	Nevada	\$ 169,645
9	Connecticut	\$ 167,634	9	Virginia	\$ 168,762
10	Virginia	\$ 166,136	10	New Jersey	\$ 165,765
11	New Jersey	\$ 165,000	11	Tennessee	\$ 164,590
12	Washington	\$ 162,618	12	Michigan	\$ 164,494
13	Arkansas	\$ 160,000	13	New York	\$ 160,710
14	Nevada	\$ 160,000	14	Arizona	\$ 159,652
15	Massachusetts	\$ 159,694	15	Rhode Island	\$ 156,614
16	Colorado	\$ 159,320	16	Texas	\$ 155,772
17	Rhode Island	\$ 158,340	17	Washington	\$ 155,170
18	Georgia	\$ 156,252	18	Massachusetts	\$ 152,474
19	Maryland	\$ 154,433	19	Maryland	\$ 150,896
20	Nebraska	\$ 153,697	20	Arkansas	\$ 148,261
21	Utah	\$ 152,850	21	Iowa	\$ 148,154
22	Wyoming	\$ 150,000	22	Hawaii	\$ 147,961
23	Texas	\$ 149,000	23	South Carolina	\$ 147,267
24	Louisiana	\$ 148,108	24	New Hampshire	\$ 147,200
25	Missouri	\$ 146,803	25	Kentucky	\$ 143,127
26	New	\$ 146,236	26	Minnesota	\$ 143,090
27	Florida	\$ 146,080	27	Wisconsin	\$ 140,613
28	Arizona	\$ 145,000	28	Oklahoma	\$ 139,255
29	Iowa	\$ 143,897	29	Ohio	\$ 138,784
30	Minnesota	\$ 143,851	30	Vermont	\$ 138,586
31	Michigan	\$ 139,919	31	Nebraska	\$ 137,941
32	Vermont	\$ 139,837	32	Georgia	\$ 137,255
33	North Dakota	\$ 139,679	33	West Virginia	\$ 136,374
34	Indiana	\$ 137,062	34	North Carolina	\$ 135,538
35	South Carolina	\$ 136,905	35	Indiana	\$ 135,530
36	Alabama	\$ 134,943	36	Kansas	\$ 134,979
37	Oklahoma	\$ 131,835	37	Utah	\$ 134,493
38	Wisconsin	\$ 131,187	38	Colorado	\$ 133,120
39	Mississippi	\$ 128,042	39	Alabama	\$ 131,640
40	Ohio	\$ 127,450	40	Louisiana	\$ 130,454
41	North Carolina	\$ 126,875	41	Wyoming	\$ 129,085
42	Montana	\$ 126,131	42	Missouri	\$ 126,969
43	West Virginia	\$ 126,000	43	Maine	\$ 123,795
44	Kentucky	\$ 124,620	44	Mississippi	\$ 122,466
45	Oregon	\$ 124,468	45	South Dakota	\$ 122,315
46	Idaho	\$ 124,000	46	New Mexico	\$ 122,060
47	South Dakota	\$ 123,024	47	Idaho	\$ 121,796
48	Maine	\$ 121,472	48	North Dakota	\$ 115,295
49	Kansas	\$ 120,037	49	Oregon	\$ 112,626
50	New Mexico	\$ 118,384	50	Montana	\$ 110,620

JUDICIAL SALARY COMPARISON ACCRA Factor*

Alabama	95.71
Alaska	135.65
Arizona	108.25
Arkansas	95.08
California	139.89
Colorado	109.40
Connecticut	136.08
Delaware	108.29
Florida	105.83
Georgia	100.35
Hawaii	157.91
Idaho	96.96
Illinois	112.15
Indiana	97.32
Iowa	98.95
Kansas	100.27
Kentucky	93.87
Louisiana	99.56
Maine	122.49
Maryland	120.70
Massachusetts	133.26
Michigan	98.46
Minnesota	105.38
Mississippi	90.94
Missouri	98.77
Montana	104.11
Nebraska	100.21
Nevada	109.80
New Hampshire	126.50
New Jersey	125.68
New Mexico	104.88
New York	148.76
North Carolina	101.16
North Dakota	105.25
Ohio	97.97
Oklahoma	96.53
Oregon	114.29
Pennsylvania	112.89
Rhode Island	127.95
South Carolina	101.55
South Dakota	101.87
Tennessee	95.93
Texas	102.02
Utah	102.56
Vermont	124.51
Virginia	107.76
Washington	114.83
West Virginia	99.36
Wisconsin	103.07
Wyoming	107.58

* Rounded numbers, as reported by NCSC. The C2ER cost of living factors come from looking at average costs of goods and services purchased by a typical professional and/or managerial household. The "basket" of goods and services includes items from within a reporting jurisdiction along with seven additional variable- grocery items, utilities, housing, transportation, health care, and other goods or services.

The following is excerpted from the

NEWSLETTER OF THE CONFERENCE OF CHIEF JUSTICES' TASK FORCE ON POLITICS AND JUDICIAL SELECTION/COMPENSATION

This Newsletter provides Task Force members with updates on significant developments related to judicial selection and judicial compensation, as well as updates on Task Force Activity. It is prepared by National Center for State Center staff as a resource for the Task Force four times annually

October 2012 Edition

II. JUDICIAL COMPENSATION DEVELOPMENTS

A. News Articles Bring Attention to the Importance of Judicial Pay

A July 24 article in the Wall Street Journal Law Blog highlighted growing concerns about stagnant judicial pay: “Judiciaries have been losing judges to higher-paying jobs for years now, usually at private law firms which can pay well over \$1 million year.”¹ The article looked at data from a 2012 National Center for State Courts report on judicial salaries in all 50 states. The report found that 42 states have some form of salary freeze, with 13 having reduced salaries in order to cut costs. (Our own research identified an additional two states in which salary freezes have been imposed): “Judicial salary increases essentially flat-lined, increasing less than 1% nationwide compared with pre-recession pay rates between 2003 and 2007, which rose on average around 3.24% per year.”² Analysis of the report led an NCSC analyst to conclude that “if judicial salaries aren’t competitive, talented and diverse types of legal practitioners will turn to private practice over the bench.”³

Similarly, the ABA Journal’s “Law News Now” recently published an article bringing attention to the link between judicial salaries and retirement from the federal bench. The article discussed the findings of a new study on why federal judges retire, resign, or take senior status. “Financial concerns were paramount for judges who retired after senior status, as well as for judges who retired directly from active service.”⁴ The most popular reason cited for retirement by both

¹ Chelsea Phipps, *State Court Concerned about Losing Judges After No Salary Growth*, WALL STREET J. (July 24, 2012), <http://blogs.wsj.com/law/2012/07/24/state-courts-concerned-about-losing-judges-after-no-salary-growth/>.

² *Id.*

³ *Id.*

⁴ Debra Cassens Weiss, *Why Do Federal Judges Retire? More Income Is Top Answer*, A.B.A. J. (Aug. 5, 2012), http://www.abajournal.com/news/article/why_do_federal_judges_retire_more_income_is_top_answer/?utm_source=maestro&utm_medium=email&utm_campaign=weekly_email.

groups of judges was “I wanted more income.”⁵ An exodus of senior judges due to stagnant pay could be worrying. According to U.S. District Judge Sarah Evans Barker of the Southern District of Indiana, “senior judges provide a huge dollop of the work that gets done.” The findings of the study underscored this, as it found that the effect of the elimination of senior judge positions would be that “147 district court judgeships and 23 appellate judgeships would have to be created.”⁶

B. Judicial Compensation Legislation Focuses on Pensions and Retirement

The efforts to alter judicial compensation over the past year have taken a negative turn, seeking to reduce rather than enhance compensation. An analysis of legislative efforts shows that legislators are beginning to focus on judicial retirement and pensions as a means of affecting judicial compensation. The following efforts are a sample of legislation that has targeted judicial compensation through changes to pension and retirement provisions.

Several states are reducing employer contribution rates to pensions. **Alabama HB414**, for example, raised the contribution paid by justices and judges to their pensions. The bill, which was passed into law, increased the contribution rate for judges and justices from 6% of their salary to 8.5%. “Supporters of House Bill 414 said the state contribution to the TRS and ERS retirement systems has jumped \$450 million, 87 percent, in five years, and this year will total \$966.6 million.”⁷ They argued that making covered employees pay more will lower taxpayer’s costs.

Similarly, **New Jersey SCR 110**, which passed both houses and was filed with the Secretary of State on July 30, 2012, is an attempt to circumvent the state’s judicial salary protection clause. Last year, a bill a plan to increase the amount government employees would have to pay into the state’s retirement system was struck down under the clause. NJ SCR 110 would amend the constitutional provision to read “[judicial salaries] shall not be diminished . . . except for deductions from such salaries for contributions, established by law from time to time, for pensions.”

Cost of living modifications for retired judges have also been considered in 2012. **Illinois HB 1447**⁸ decreases cost of living increases for retired judges by changing the cost of living calculation to be at 3% or one-half the annual unadjusted percentage increase in the consumer price index

⁵ *Id.*

⁶ *Id.*

⁷ David White, *Alabama pension bill for state and public school employees could become law next week, begin May 1*, BIRMINGHAM NEWS (Apr. 21, 2012), http://blog.al.com/spotnews/2011/04/alabama_pension_bill_for_state.htmlhttp://blog.al.com/spotnews/2011/04/alabama_pension_bill_for_state.html.

⁸ Bill Raftery, JUDICIAL RETIREMENT PLANS/PENSIONS 2011: MIDWESTERN STATES, GAVEL TO GAVEL (Apr. 5, 2011), <http://gaveltogavel.us/site/2011/04/05/judicial-retirement-planspensions-2011-midwestern-states/>.

(whichever is less), rather than 3% or the annual unadjusted percentage increase, as it currently stands. The bill was re-referred to the House Rules Committee on July 27, 2012.

Another, more controversial approach sought to tie pension benefits to the content of judicial decisions. **Maryland HB1061**,⁹ which received an unfavorable report from committee, removed pension benefits for judges whose decisions fell within certain parameters. For example, judges would be penalized if a decision refuses to enforce applicable law, or is contrary to or disregards applicable law.

Last year, Michigan adopted yet another approach for saving money, which was to eliminate tax exemptions for pensions. **Michigan HB 4484**, which was signed into law, makes any distributions from employer contributions (and earnings on those contributions) under the Michigan Judges Retirement Act subject to state tax in 2012. Previously, they had been tax-exempt.

The National Center will continue to monitor and analyze this legislative trend.

Please Note: In early 2011 the Task Force on Politics and Judicial Compensation made available “*A Guide to Setting Judicial Compensation in the 21st Century*.” The *Guide* (a) evaluates alternative methods for setting judicial compensation, (b) proposes appropriate criteria for evaluating the adequacy of judicial compensation, and (c) reviews practices to use when advocating on behalf of increased judicial compensation. Copies of the *Guide* can be obtained by contacting David Rottman at drottman@ncsc.org.

⁹ Bill Raftery, MARYLAND: PUNISHING JUDGES FOR THEIR OPINIONS VIA THE COMMISSION ON JUDICIAL DISABILITIES; JUDGES ARE JUST EMPLOYEES, GAVEL TO GAVEL (Mar. 7, 2012), <http://gaveltogavel.us/site/2012/03/07/maryland-punishing-judges-for-their-opinions-via-the-commission-on-judicial-disabilities-judges-are-just-employees/>.

Tab 10

BOARD FOR JUDICIAL ADMINISTRATION RULES (BJAR)

TABLE OF RULES

Rule

Preamble

- 1 Board for Judicial Administration
- 2 Composition
- 3 Operation
- 4 Duties
- 5 Staff

BJAR
PREAMBLE

The power of the judiciary to make administrative policy governing its operations is an essential element of its constitutional status as an equal branch of government. The Board for Judicial Administration is established to adopt policies and provide strategic leadership for the courts at large, enabling the judiciary to speak with one voice.

[Adopted effective January 25, 2000.]

BJAR 1
BOARD FOR JUDICIAL ADMINISTRATION

The Board for Judicial Administration is created to provide effective leadership to the state courts and to develop policy to enhance the administration of the court system in Washington State. Judges serving on the Board for Judicial Administration shall pursue the best interests of the judiciary at large.

[Amended effective October 29, 1993; January 25, 2000.]

BJAR 2
COMPOSITION

- (a) Membership. The Board for Judicial Administration shall consist of judges from all levels of court selected for their demonstrated interest in and commitment to judicial administration and court improvement. The Board shall consist of five members from the appellate courts (two from the Supreme Court, one of whom shall be the Chief Justice, and one from each division of the Court of Appeals), five members from the superior courts, one of whom shall be the President of the Superior Court Judges' Association, five members of the courts of limited jurisdiction, one of whom shall be the President of the District and Municipal Court Judges' Association, two members of the Washington State Bar Association (non-voting) and the Administrator for the Courts (non-voting).
- (b) Selection. Members shall be selected based upon a process established by their respective associations or court level which considers demonstrated commitment to improving the courts, racial and gender diversity as well as geographic and caseload differences.
- (c) Terms of Office.
 - (1) Of the members first appointed, one justice of the Supreme Court shall be appointed for a two-year term; one judge from each of the other levels of court for a four-year term; one judge from each of the other levels of court and one Washington State Bar Association member for a three-year term; one judge from the other levels of court and one Washington State Bar Association member for a two-year term; and one judge from each level of trial court for a one-year term. Provided that the terms of the District and Municipal Court Judges' Association members whose terms begin on July 1, 2010 and July 1, 2011 shall be for two years and the terms of the Superior Court Judges' Association members whose terms begin on July 1, 2010 and July 1, 2013 shall be for two years each. Thereafter, voting members shall serve four-year terms and the Washington State Bar Association members for three-year terms commencing annually on June 1. The Chief Justice, the President Judges and the Administrator for the Courts shall serve during tenure.
 - (2) Members serving on the BJA shall be granted equivalent pro tempore time.

[Amended effective October 29, 1993; February 16, 1995; January 25, 2000; June 30, 2010.]

BJAR RULE 3
OPERATION

(a) Leadership. The Board for Judicial Administration shall be chaired by the Chief Justice of the Washington Supreme Court in conjunction with a Member Chair who shall be elected by the Board. The duties of the Chief Justice Chair and the Member Chair shall be clearly articulated in the by-laws. Meetings of the Board may be convened by either chair and held at least bimonthly. Any Board member may submit issues for the meeting agenda.

(b) Committees. Ad hoc and standing committees may be appointed for the purpose of facilitating the work of the Board. Non-judicial committee members shall participate in non-voting advisory capacity only.

(1) The Board shall appoint at least four standing committees: Policy and Planning, Budget and Funding, Education, and Legislative. Other committees may be convened as determined by the Board.

(2) The Chief Justice and the Member Chair shall nominate for the Board's approval the chairs and members of the committees. Committee membership may include citizens, experts from the private sector, members of the legal community, legislators, clerks and court administrators.

(c) Voting. All decisions of the Board shall be made by majority vote of those present and voting provided there is one affirmative vote from each level of court. Eight voting members will constitute a quorum provided at least one judge from each level of court is present. Telephonic or electronic attendance shall be permitted but no member shall be allowed to cast a vote by proxy.

[Adopted effective January 25, 2000; amended effective September 1, 2014.]

BJAR 4
DUTIES

(a) The Board shall establish a long-range plan for the judiciary;

(b) The Board shall continually review the core missions and best practices of the courts;

(c) The Board shall develop a funding strategy for the judiciary consistent with the long-range plan and RCW 43.135.060;

(d) The Board shall assess the adequacy of resources necessary for the operation of an independent judiciary;

(e) The Board shall speak on behalf of the judicial branch of government and develop statewide policy to enhance the operation of the state court system; and

(f) The Board shall have the authority to conduct research or create study groups for the purpose of improving the courts.

[Adopted effective January 25, 2000.]

BJAR 5
STAFF

Staff for the Board for Judicial Administration shall be provided by the Administrator for the Courts.

[Adopted effective January 25, 2000.]



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BOARD FOR JUDICIAL ADMINISTRATION BYLAWS

ARTICLE I

Purpose

The Board for Judicial Administration shall adopt policies and provide leadership for the administration of justice in Washington courts. Included in, but not limited to, that responsibility is: 1) establishing a judicial position on legislation; 2) providing direction to the Administrative Office of the Courts on legislative and other administrative matters affecting the administration of justice; 3) fostering the local administration of justice by improving communication within the judicial branch; and 4) providing leadership for the courts at large, enabling the judiciary to speak with one voice.

ARTICLE II

Membership

Membership in the Board for Judicial Administration shall consist of the Chief Justice and one other member of the Supreme Court, one member from each division of the Court of Appeals, five members from the Superior Court Judges' Association, one of whom shall be the President; five members from the District and Municipal Court Judges' Association, one of whom shall be the President. It shall also include as non-voting members two members of the Washington State Bar Association appointed by the Board of Governors; the Administrator for the Courts; and the Presiding Chief Judge of the Court of Appeals, the President-elect judge of the Superior Court Judges' Association and the President-elect judge of the District and Municipal Court Judges' Association.

ARTICLE III

Officers and Representatives

The Chief Justice of the Supreme Court shall chair the Board for Judicial Administration in conjunction with a Member chair. The Member chair shall be elected by the Board and shall serve a two year term. The Member chair position shall be filled alternately between a voting Board member who is a superior court judge and a voting Board member who is either a district or municipal court judge.

ARTICLE IV

Duties of Officers

The Chief Justice Chair shall preside at all meetings of the Board, performing the duties usually incident to such office, and shall be the official spokesperson for the Board. The Chief Justice chair and the Member chair shall nominate for the Board's approval the chairs of all committees. The Member chair shall perform the duties of the Chief Justice chair in the absence or incapacity of the Chief Justice chair.

ARTICLE V

Vacancies

If a vacancy occurs in any representative position, the bylaws of the governing groups shall determine how the vacancy will be filled.

ARTICLE VI **Committees**

Standing committees as well as ad hoc committees and task forces of the Board for Judicial Administration shall be established by majority vote.

Each committee shall have such authority as the Board deems appropriate.

The Board for Judicial Administration will designate the chair of all standing, ad hoc, and task force committees created by the Board. Membership on all committees and task forces will reflect representation from all court levels. Committees shall report in writing to the Board for Judicial Administration as appropriate to their charge. The Chair of each standing committee shall be asked to attend one BJA meeting per year, at a minimum, to report on the committee's work. The terms of standing committee members shall not exceed two years. The Board for Judicial Administration may reappoint members of standing committees to one additional term. The terms of ad hoc and task force committee members will have terms as determined by their charge.

ARTICLE VII **Executive Committee**

There shall be an Executive Committee composed of Board for Judicial Administration members, and consisting of the co-chairs, a Judge from the Court of Appeals selected by and from the Court of Appeals members of the Board, the President Judge of the Superior Court Judges' Association, the President Judge of the District Municipal Court Judges' Association, and non-voting members to include one Washington State Bar Association representative selected by the Chief Justice, President-elect judge of the Superior Court Judges' Association, President-elect judge of the District and Municipal Court Judges' Association and the Administrator for the Courts.

It is the purpose of this committee to consider and take action on emergency matters arising between Board meetings, subject to ratification of the Board.

The Executive Committee shall serve as the Legislative Committee as established under BJAR 3(b)(1). During legislative sessions, the Executive Committee is authorized to conduct telephone conferences for the purpose of reviewing legislative positions.

ARTICLE VIII **Regular Meetings**

There shall be regularly scheduled meetings of the Board for Judicial Administration at least bi-monthly. Reasonable notice of meetings shall be given each member.

ARTICLE IX **Special Meetings**

Special meetings may be called by any member of the Board. Reasonable notice of special meetings shall be given each member.

ARTICLE X **Quorum**

Eight voting members of the Board shall constitute a quorum provided each court level is represented.

ARTICLE XI **Voting**

Each judicial member of the Board for Judicial Administration shall have one vote. All decisions of the Board shall be made by majority vote of those present and voting provided there is one affirmative vote from each level of court. Telephonic or electronic attendance shall be permitted but no member shall be allowed to cast a vote by proxy.

ARTICLE XII **Amendments and Repeal of Bylaws**

These bylaws may be amended or modified at any regular or special meeting of the Board, at which a quorum is present, by majority vote. No motion or resolution for amendment may be considered at the meeting in which they are proposed.

Approved for Circulation--7/27/87
Amended 1/21/00
Amended 9/13/00
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Amended 5/16/03
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BOARD FOR JUDICIAL ADMINISTRATION

PROCESS AND GUIDELINES FOR RESOLUTION REQUESTS

The Board for Judicial Administration (Board) was established to adopt policies and provide strategic leadership for the courts at large, enabling the Washington State judiciary to speak with one voice. To fulfill these objectives, the BJA may consider adopting resolutions on substantive topics relating to the administration of justice.

Resolutions may be aspirational in nature, support a particular position, or serve as a call to action. Resolutions may support funding requests, but do not stand alone as a statement of funding priorities or indicate an intent by the Board to proactively seek funding. Resolutions are not long-term policy statements and their adoption does not establish the Board's work plan or priorities.

The absence of a Resolution on a particular subject does not indicate a lack of interest or concern by the Board in regard to a particular subject or issue.

In determining whether to adopt a proposed resolution, the Board shall give consideration to the following:

- Whether the Resolution advances the Principal Policy Objectives of the Judicial Branch.
- The relation of the Resolution to priorities delineated in existing strategic and long range plans.
- The availability of resources necessary to properly act upon the resolution.
- The need to ensure the importance of resolutions adopted by the Board is not diluted by the adoption of large numbers of resolutions.

In order to ensure timely and thorough consideration of proposed resolutions, the following guidelines regarding procedure, form and content are to be followed:

- Resolutions may be proposed by any Board member. The requestor shall submit the resolution, in writing, with a request form containing a brief statement of purpose and explanation, to the Associate Director of the Board for Judicial Administration.
- Resolutions should not be more than two pages in length. An appropriate balance must be struck between background information and a clear statement of action. Traditional resolution format should be followed. Resolutions should cover only a single subject unless there is a clear and specific reason to include more than one subject. Resolutions must be short-term and stated in precise language.

- Resolutions must include a specific expiration date or will automatically expire in five years. Resolutions will not be automatically reviewed upon expiration of their term, but may be reviewed upon request for reauthorization. Resolutions may be terminated prior to their expiration date as determined by the Board.
- The Associate Director shall refer properly submitted resolutions to appropriate staff, and/or to an appropriate standing committee (or committees) for review and recommendation, or directly to the Board's Executive Committee, as appropriate. Review by the Board's Executive Committee will precede review by the full Board membership. Such review may be done via e-mail communication rather than in-person discussion when practical. Resolutions may be reviewed for style and content. Suggestions and comments will be reported back to the initiating requestor as appropriate.
- The report and recommendation of the Executive Committee shall be presented to the BJA membership at the next reasonably available meeting, at which time the resolution may be considered. Action on the proposed resolution will be taken in accordance with the BJAR and bylaws. The Board may approve or reject proposed resolutions and may make substantive changes to the resolutions.
- Approved resolutions will be numbered, maintained on the Board for Judicial Administration section of the Washington Courts website, and disseminated as determined by the Board for Judicial Administration.

**PRINCIPAL POLICY OBJECTIVES
OF THE WASHINGTON STATE JUDICIAL BRANCH**

1. **Fair and Effective Administration of Justice in All Civil and Criminal Cases.** Washington courts will openly, fairly, efficiently and effectively administer justice in all criminal and civil cases, consistent with constitutional mandates and the judiciary's duty to maintain the highest level of public trust and confidence in the courts.
2. **Accessibility.** Washington courts, court facilities and court systems will be open and accessible to all participants regardless of cultural, linguistic, ability-based or other characteristics that serve as access barriers.
3. **Access to Necessary Representation.** Constitutional and statutory guarantees of the right to counsel shall be effectively implemented. Litigants with important interest at stake in civil judicial proceedings should have meaningful access to counsel.
4. **Commitment to Effective Court Management.** Washington courts will employ and maintain systems and practices that enhance effective court management.
5. **Appropriate Staffing and Support.** Washington courts will be appropriately staffed and effectively managed, and court personnel, court managers and court systems will be effectively supported.

BOARD FOR JUDICIAL ADMINISTRATION

RESOLUTION REQUEST COVER SHEET

(INSERT PROPOSED RESOLUTION TITLE HERE)

SUBMITTED BY: (INSERT NAME HERE)

(1) **Name(s) of Proponent(s):**

(2) **Spokesperson(s):** (List who will address the BJA and their contact information.)

(3) **Purpose:** (State succinctly what the resolution seeks to accomplish.)

(4) **Desired Result:** (Please state what action(s) would be taken as a result of this resolution and which party/-ies would be taking action.)

(5) **Expedited Consideration:** (Please state whether expedited consideration is requested and, if so, please explain the need to expedite consideration.)

(6) **Supporting Material:** (Please list and attach all supporting documents.)