

Senate budget undermines our constitutional directive for the courts

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We cannot afford to strip operational funding from our state's courts and expect fair and swift justice for the Washington citizens we serve.

While we have three branches of government to serve as checks and balances of our democracy, we have one branch — the Legislature — responsible for ensuring the judicial branch is appropriately funded.

The state Senate budget proposes \$11 million in sweeping cuts to Washington's Supreme Court, Court of Appeals and Administrative Office of the Courts. While the courts account for less than one-half of 1 percent of the entire state budget, the stakes tied to Washington's court funding are high. More than 75 percent of the funding for the Administrative Office of the Courts is passed down to courts serving local communities.

Our state's most vulnerable populations or those disproportionately affected by the legal system are often at the mercy of our courts. Stripping the courts of operational dollars will create a preventable backlog to our human services that rely on our courts to ensure at-risk children are placed in safe homes and our mentally ill receive timely care.

The Senate budget ignores the role of technology in providing efficiency, accountability and transparency to our courts. It cuts technology upgrades for the Judicial Information System (JIS) — a critical resource for state agencies, law enforcement, the legal community and media who all rely on it to serve and inform our communities.

A broad spectrum of agencies and professionals leverage the JIS to do their jobs: judicial officers, court managers, the Washington State Patrol, the Department of Corrections, the secretary of state, the Sentencing Guidelines Commission, the Department of Licensing along with prosecutors, defense attorneys, civil attorneys and journalists. When we downgrade and limit access to this information system, we undermine our justice system and the taxpayers we serve.

We cannot meet the demands on our court system without an upgraded technology system that is current. Many of Washington's courts are still stuck operating with antiquated technology systems from the 1980s.

An updated judicial information system will provide:

- Stronger transparency and reliability of data on which judicial decisions are based.

- Better communication within and between the courts.
- Up-to-date information on prior convictions and case histories.
- Efficient maintenance and retrieval of court records.
- Better access for the public, attorneys, media and partner agencies.

The appearance of fairness is crucial to the performance of the justice system. The Senate's budget proposal takes the unprecedented step of carving out court dollars to fund the state's Office of Public Defense. The Legislature specifically created this as an independent agency of the judicial branch. Its paramount duty is to ensure the state funds indigent defense — a constitutional right.

Regardless of stature or money, every citizen has the fundamental right to legal counsel. But it is no more appropriate for the Supreme Court to fund public defense agencies than it would be to fund the offices of prosecuting attorneys.

Our courts are ultimately charged with ensuring a fair balance of power. We cannot deliver on that charge without a budget that honestly underwrites this fundamental doctrine of our Constitution.

Faith Ireland served on the Washington Supreme Court from 1999 to 2005.