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Funding Task Force,
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Equal Justice
Coalition website
www.ejc.org

Washington Office
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Justice in Jeopardy Bulletin

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Justice in Jeopardy Proposals Gaining Support, Moving Forward in Legislature

Justice in Jeopardy proposals to alleviate the court funding crisis in trial court operations, indigent defense services, and civil legal aid are gaining support from key organizations and moving forward in the Washington State Legislature.

Key Support Shoring Up

Over the past several months, the Court Funding Implementation Committee has worked to secure support from several organizations for key legislation.

To date, Senate Bill 5454 regarding Trial Court Funding is supported by the Board for Judicial Administration (BJA), Superior Court Judges Association (SCJA), District and Municipal Court Judges Association (DMCJA), Washington State Bar Association (WSBA), Washington State Association of Cities (WSAC), Washington State Association of County Officials (WACO), Washington Association of Collectors (WAC), and the Association of Washington Business (AWB).

Senate Bill 5531 and House Bill 1542 relating to Indigent Defense have been endorsed by the BJA, WSBA,

AWC, WSAC, American Civil Liberties Union (ACLU), Washington Defender's Association (WDA), and the Washington Association of Criminal Defense Lawyers (WACDL).

Senate Bill 5685 and House Bill 1747 relating to the administration of

state-funded civil legal aid and shifting oversight to the judicial branch in the Office of Civil Legal Aid have the endorsement of the BJA, WSBA, Equal Justice Coalition (EJC) and the Access to Justice Board (ATJ).

In addition, the EJC is looking to

establish an increase in funding for civil legal aid by \$7-10 million in this biennium as a meaningful step toward closing the existing funding gap for civil legal aid services. The budget request has the support of more than twenty organizations throughout Washington.

Legislative Activity Heating Up

By the end of February, all bills had hearings in their respective committees with several advancing to the fiscal committees of each house.

According to Jeff Hall, Executive Director of the BJA, all public hearings were well



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Chief Justice Presents State of the Judiciary Address to the Legislature

Washington Supreme Court Chief Justice Gerry Alexander unveiled the first phase of the Court Funding Task Force's plan to reform funding of Washington's trial courts, public defense, and civil legal services during the 2005 State of the Judiciary Address on January 18.

The address was held before a joint session of the Washington State Legislature; and televised live into nearly 1.5 million households via Washington's Public Affairs Network, TVW.

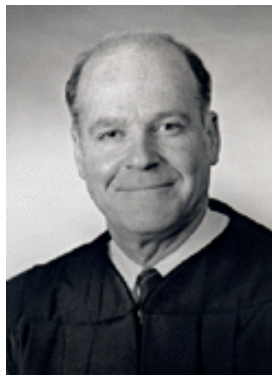
Alexander discussed the findings of the Court Funding Task Force and the first phase of a long-range plan for stabilizing court funding in Washington.

"A core finding of the task force is that there must be a rebalancing of responsibility for the funding of trial courts so that the state government, as opposed to local government,

contributes in a more equitable way to the operations of the superior courts and the district and municipal courts," said Alexander.

"...Let me close by saying that we know that this Legislature will receive a myriad of requests to increase funding for a variety of governmental functions—for our common schools and universities, for public employee salaries, for corrections, and for public assistance, and on and on. All of these proponents, I am sure, will have a legitimate case to make. I don't mean to tell you how to sort out all of these competing requests, other than to say that the provision of justice, on both the criminal and civil side, is a core function of government that should be adequately supported by all taxpayers, not just users of the system..."

Full text of the address can be found online at www.courts.wa.gov.



Chief Justice Gerry Alexander

Justice in Jeopardy Proposals, cont'd

received and well attended.

"While encouraged by the reception in the policy committees, the fiscal committees undoubtedly will present us with budget realities and force us to make difficult choices. The real work is about to begin," said Hall.

While much work is ahead, the first hearings started in mid-January, with work sessions before the House and Senate Judiciary Committees.

At that time, members of the Court Funding Task Force, WSBA Blue Ribbon Panel on Indigent Defense and Equal Justice Coalition

all joined forces to educate the committees on the efforts that led to the Justice in Jeopardy proposal.

QUICK REFERENCE GUIDE TO JUSTICE IN JEOPARDY BILLS

Trial Court Funding	SB 5454	
Indigent Defense	SB 5531	HB1542
Civil Legal Aid	SB 5685	HB 1747
OPD Dependency	SB 5093	HB 2029

Tracking Legislation

To keep updated on the progress of the Justice in Jeopardy proposals, visit the Washington State Legislative website at www.leg.wa.gov for the latest bill information, bill reports, and the status of each piece of legislation.

Click on "Bill Information" in the left page column under "Inside the Legislature."

Newspaper Editorial Endorsements

Newspaper editorial boards throughout Washington State have endorsed recommendations made by the Court Funding Task Force. Below are short summaries of editorial board commentaries regarding the Justice in Jeopardy Package.

SEATTLE POST-INTELLIGENCER

"We're shortchanging justice in Washington State, and any one of us could pay a terrible price... With the exception of the constitutionally mandated "paramount duty" to provide for public education, there is no function closer to the core of civil government or of greater priority of government than the assurance of justice to its citizens."

--"Justice in Jeopardy" January 23, 2005

WENATCHEE WORLD

"The courts are where society resolves its most critical disputes. They are where it arranges to protect itself, lay blame for wrongdoing, mete out punishment, and set compensation for the wronged. The administration of justice is fundamental to a democratic society, and in Washington State it is financed in such a haphazard and inadequate way that justice is constantly compromised..."

...this (Court Funding Task Force) study deserves serious attention from budget writers. It is not the first warning, but one in a series. The state cannot tolerate injustice solely to save money. The eventual cost is far too great."

--"Justice can't be shortchanged" December 16, 2004

SEATTLE TIMES EDITORIAL BOARD

"Washington ranks 50th among all states in its support of the court system. Most of the burden falls to counties where tax bases that support courts and other services vary widely. The result is what Supreme Court Chief Justice Gerry Alexander calls a "crazy quilt" of resources and standards that varies from county to county... The disparity in public-defense services is especially dramatic, as chronicled in April by a Seattle Times series, "The Empty Promise of an Equal Defense." ... Although the Legislature faces a budget deficit, the

Board for Judicial Administration's request should be considered among priorities for the state budget." --"With Equal Justice Comes the Bill" December 29, 2004

YAKIMA HERALD EDITORIAL BOARD

"The pressure is now on the state Legislature to do something about the abysmal track record for state funding of Washington's court system in general and the public-defense system in particular, with an eye toward taking some of the financial burden off local government... As a state we can, and must, do better."

--"State Funding of Courts is all Catawampus" May 30, 2004



KING COUNTY JOURNAL

"A new report on our state's court system paints a disturbing picture -- people here no longer are guaranteed justice in our trial courts. The Legislature must address that situation when it meets next month. While the issue is complex, equal justice is the foundation of our democratic society.

The report indicates the state should work toward paying 50 percent of the cost of trial court operations and public defense. That can't happen overnight, given the state's budget shortfall. However, the state should work to become more of a partner with counties and cities in making a justice system that's equal across the state.--"Our View: State Legislature Needs to Fix Court System" December 21, 2004

OLYMPIAN EDITORIAL BOARD

"In his State of the Judiciary speech to the Legislature last week, Supreme Court Chief Justice Gerry Alexander made a strong pitch for more money for the state's court system...It's a reasonable proposal. The fact that Alexander was willing to recommend a fee increase to pay for the improvements should sway legislators to support his proposal."

--"Judicial system needs attention" January 21, 2005

**WHO TO CONTACT
FOR FURTHER
INFORMATION
REGARDING THE COURT
FUNDING EFFORT:**

Judge Deborah Fleck,
Co-Chair, BJA Court Funding
Implementation Committee
206-296-9120
Deborah.fleck@metrokc.gov

M. Wayne Blair, Vice-Chair
BJA Court Funding
Implementation Committee
206-682-7090
mwblair@mpba.com

Janet McLane, State Court
Administrator, Administrative
Office of the Courts
360-357-2120
Janet.mclane@courts.wa.gov

Jeff Hall, Executive Director of
the Board for Judicial
Administration
360-357-2131
Jeff.hall@courts.wa.gov

Wendy Ferrell,
Communications Manager,
Administrative Office of the
Courts
360-705-5331
Wendy.ferrell@courts.wa.gov

Legislative Dinners Completed

Leaders on the Court Funding Task Force Implementation Committee met with legislators across the state in December to discuss the findings of the Court Funding Task Force and the proposed legislative agenda for 2005.

Six events were held in Seattle, Olympia, Spokane, Yakima, Vancouver, and the Tri-Cities, attended by 39 members of the

Washington State House of Representatives and the Washington State Senate.

The dinners provided a forum to preview legislators on the in-depth findings of the Task Force and to start a dialogue on the importance of improving funding for trial court operations, indigent defense, and civil legal aid.

Court Funding Statistics

Funding responsibility for judicial, indigent defense, and prosecution varies widely across the U.S., with Washington ranking 50th in percentage of costs paid by the state versus local governments (cities and counties).

States with the highest and lowest state percentages in 1999 include:

<u>State</u>	<u>State funding</u>	<u>Local funding</u>
Connecticut	92.2%	7.8%
Massachusetts	91.8%	8.2%
Delaware	91.2%	8.8%
Nevada	16.3%	83.7%
Michigan	15.4%	84.6%
Washington	14.7%	85.3%

