



BOARD FOR JUDICIAL ADMINISTRATION

Court System Education Funding Task Force

Final Report

October 2020



Court System Education Funding Task Force

Judge Joe Burrows, Co-Chair, Benton County Superior Court

Judge Doug Fair, Co-Chair, Snohomish County District Court, South Division

Judge Gregory Gonzales, Clark County Superior Court

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Overview

Everyone entering a courthouse has the right to expect competent court personnel, accurate information, and equal access to justice. Over the past ten years, court education funding has remained the same while information and staffing have not. Judicial and court personnel turnover, changes to laws, and increasing numbers of self-represented litigants have impacted communities and courts. Better access to and additional kinds of training are needed for all court system personnel to address these issues.

In March 2017 the Board for Judicial Administration (BJA) established the [Court System Education Funding Task Force](#) (Task Force) to obtain adequate and sustainable funding for court system education. The Task Force collected information on funding levels, training costs, resource needs, and the impact of court education. The Task Force submitted a legislative funding proposal for the 2019–21 biennium and, while the Senate supported the online training system, there was no additional funding for court education in the 2019 legislative budget.

Please refer to the Task Force's [Mid-Term Report October 2019](#) for additional 2019 legislative and advocacy activities.

2020 Legislative Session

In the 2020 Legislative Session, the Task Force submitted a supplemental budget request to develop an online learning management system and hire staff to develop online curricula.

The Task Force developed and implemented a communication and advocacy campaign. The Task Force revised previously developed materials and disseminated them to key stakeholders. A web-based Legislative Communication Toolkit, including a one-page handout, talking points, and a question and answer resource document, was shared with stakeholders. The primary goals of the campaign were to convey the importance of timely, accessible, and sustainable court training and receive additional court education funding.

Funding Request 2020 Talking Points

- 1) The Washington Judiciary is requesting \$207,000 in 2020 and approximately \$550,000 in the next Biennium to ensure new judicial officers and court personnel get timely access to the training needed to effectively serve the public. Funding will ensure equal access for small and rural courts that struggle to afford sending judges and court staff to training opportunities.

Funds will be used to develop and implement a statewide online training system which can provide immediate and sustainable training opportunities to all courts. This system will reduce learning and development expenditures, ensure access to up-to-date information, target diverse learning audiences, and increase opportunities for required trainings.

- 2) The training needs of the judicial branch have increased due to a myriad of factors including new legislation, constant changes in the existing law, and the high turnover of judicial officers, county clerks, administrators, and staff. A recent survey revealed

that almost 50% of judicial officers and 63% of new administrators received no training during their first six months on the job.

- 3) New judges are typically highly experienced legal professionals in specialty practice areas. Judges are required to be proficient in all areas of the law. They need knowledge and training to preside over continuous changes in law, policy, and technology.
- 4) Well-trained judicial officers and court staff foster confidence in the judicial process. Better outcomes for the public means greater trust in state and local government. Research has shown that people tend to comply with court orders and the law if they perceive that court proceedings and the laws are fair.
- 5) Proper training is essential to making sure the intent of the legislature is carried out in the cases that come through the courts. Last year alone the Legislature passed more than 130 bills that impacted the court system, including protection orders, family law and parentage, guardianship, mental health, public records, and juvenile justice. That was a significant increase from the 150 bills that were passed 2016–2018 that impacted the court system.
- 6) The “age wave” is here and is creating huge turnover on the bench and among court staff. Nearly a third of the district and municipal court and superior court bench were replaced in the last few years. Court of Appeals judges are retiring in similar numbers. We need additional dollars to train these new judges.
- 7) Timely training is critical to informed and effective responses to increasing numbers of self-represented litigants and mental health, domestic violence, and drug addiction cases swamping the courts.

As part of the advocacy efforts, the Task Force conducted in person meetings with legislators on the House and Senate budget committees and law and justice committees, and with regional legislators from the Task Force member’s community. Task Force members, justices, and other stakeholders met with 23 Senators and 52 Representatives in person and contacted 18 legislators by letters or email. The legislators funded the online training package in the 2020 Supplemental budget.

Lessons Learned

The following are lessons learned from the 2020 Supplemental Request.

Data can help tell the story.

While most people generally agree education is important, the impact of court education can be challenging to quantify as it is difficult (and perhaps impossible) to directly correlate training with outcomes. The two data points that seemed to resonate with legislators were 1) the number of bills passed the previous session significantly increased in comparison to past bills; and 2) the judiciary has experienced a high amount of turnover.

Increased, broader stakeholder, and regional support is critical to success.

There was a team of judicial officers and other court personnel who met with legislators over a three week period. Furthermore, judges came from across the state (it was especially critical to have judges from Eastern Washington) and met with key committee legislators and other local legislators. The meetings helped to connect local community needs and challenges to the budget request.

Non-competing BJA funding priorities and a realistic budget request were helpful.

Advocating for one BJA priority at a time was helpful in messaging the need for additional funds. It was also useful that the funding priority was realistic and created sustainable educational opportunities with impact across the state.

Building relationships, coordinating efforts, and consistent messaging are necessary.

Developing the communication and advocacy campaign helped focus efforts and activities with key stakeholders. Additionally, meeting with legislators two years in a row helped build relationships and identification with court education needs. Having engaged and committed policy staff was critical in helping coordinate these efforts and will be an important factor for future efforts.

Next Steps

The Task Force decided not to submit another budget request for 2021–23 and explored alternative funding streams. Given the current state budget situation and difficulty in diverting existing revenue streams, the Task Force decided not to explore other legislative options for funding at this time.

The Court System Education Funding Task Force chairs and members recommend to the BJA to dissolve the Task Force.

The Task Force accomplished their goal in securing education funding for their top priority (online learning) and discussed other funding options even though these options are not feasible at this time. The AOC has also expressed interest in considering other educational options such as including court education funds with new legislation. The BJA Court Education Committee will continue exploring and implementing educational opportunities moving forward.



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