

Washington State Judicial Branch 2024 Supplemental Budget Compensate Lived Experience Experts

Agency: Supreme Court

Decision Package Code/Title: AC – Compensate Lived Experience Experts

Agency Recommendation Summary Text:

The Supreme Court is requesting \$50,000 ongoing to compensate the community members who serve on Supreme Court boards and commissions for their time and efforts. Without this compensation, these entities will lose valuable members who bring their lived experience perspectives to the boards' and commissions' work. (General Fund-State)

Fiscal Summary:

	FY 2024	FY 2025	Biennial	FY 2026	FY 2027	Biennial
Staffing						
FTEs	0.00	0.00	0.00	0.00	0.00	0.00
Operating Expenditures						
Fund 001-1	\$0	\$50,000	\$50,000	\$50,000	\$50,000	\$100,000
Total Expenditures						
	\$0	\$50,000	\$50,000	\$50,000	\$50,000	\$100,000

Package Description:

In the Supreme Court's June 4, 2020, open letter to the legal community about the justice system in the wake of the George Floyd murder, the Court said:

As lawyers and members of the bar, we must recognize the harms that are caused when meritorious claims go unaddressed due to systemic inequities or the lack of financial, personal, or systemic support. And we must also recognize that this is not how a justice system must operate. Too often in the legal profession, we feel bound by tradition and the way things have "always" been.

One unfortunate tradition has been to not compensate individuals with lived experience for their time and expertise when serving on a board or commission. These individuals incur their own expense to participate and often, these individuals have limited means to do so, which reduces their participation and deprives the board or commission of their valuable perspective.

The problem at hand is how to keep these individuals and their perspectives on the Court's boards and commissions. Many members' participation is supported both financially and administratively by their employers, but without these supports, some community members have to forego valuable time to contribute to the Supreme Court's work. Only by compensating the individuals with lived experience for their participation will we truly be able to break this practice.

In 2022, Second Substitute Senate Bill 5793 passed, creating a path forward to compensate members of boards and commissions from communities that are most affected. The bill's intent says:

The legislature finds that equitable public policy discussions should include individuals directly impacted by that policy. In order to do so, the legislature supports removing barriers to that participation. The legislature finds that asking community members with lower financial means to volunteer their time and expertise while state

employees and representatives of advocacy organizations receive compensation from their respective agency or organization for their time and experience ultimately hinders full and open public participation. As a result, the legislature finds that removing financial barriers for those individuals fosters increased access to government and enriches public policy discussions and decisions, ultimately leading to more equitable and sustainable policy outcomes.

The exact same considerations apply here. To have full and open public participation on the Court's boards and commissions, we need to remove the financial barriers from those who do not have the resources to participate.

Fully describe and quantify expected impacts on state residents.

The impact on the state residents is invaluable. These community members bring with them their lived experiences and question the status quo. They show us that the legal framework of siloing issues is not consistent with how communities feel the impact of the law.

Explain what alternatives were explored by the agency and why this was the best option chosen.

There's no alternative to including the diverse voices we need to have on these boards and committees. The only consideration was how much of a funding pool to start with, and this request is just that – a starting point that begins to open the door to broader participation by community members impacted by the judicial system that may need additional supports to participate on our boards and commissions.

What are the consequences of not funding this request?

We will lose the voices and perspectives of these community members who may need to leave board service. Without the voices of those personally affected by the legal system, our work is superficial, and we don't consider those most impacted. To make it truly meaningful, we must have these voices present in our work.

Is this an expansion or alteration of a current program or service?

This is not an expansion or alteration. It is a natural outgrowth of our call to action and the racial reckoning that this country has recently experienced.

Decision Package expenditure, FTE and revenue assumptions:

The estimate is \$50,000 to compensate the community members serving on Supreme Court boards and commissions.

How does the package relate to the Judicial Branch principal policy objectives?

Fair and Effective Administration of Justice

This is exactly in keeping with the goal of fair and effective administration of justice, when the voices of the "end users" are considered in how the policies/rules are drafted.

Accessibility

This meets the goal of accessibility, since it is the "end user" community members that know better than the professionals when a system is truly accessible versus only marginally available.

Access to Necessary Representation

Our board and commission members "represent" their different communities around the state and come from different racial/ethnic backgrounds.

Commitment to Effective Court Management

Boards and commissions often comment on proposed rules and court policies. To the extent that the community members will continue to bring their observations and real-world experiences to our work, it will continue to impact how the court manages its programs.

Sufficient Staffing and Support

No changes with staffing or support are requested.

Are there impacts to other governmental entities?

No

Stakeholder response:

Stakeholders would be in support of this. There is growing support and expectation to pay community representatives for their lived expertise.

Are there legal or administrative mandates that require this package to be funded?

No

Does current law need to be changed to successfully implement this package?

No.

Are there impacts to state facilities?

No.

Are there other supporting materials that strengthen the case for this request?

N/A

Are there information technology impacts?

No.

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