

Washington State Judicial Branch 2025-27 Biennial Budget Maintain Judicial Branch Education

Agency: Administrative Office of the Courts

Decision Package Code/Title: AA – Maintain Judicial Branch Education

Agency Recommendation Summary Text:

The Administrative Office of the Courts and the Board for Judicial Administration Court Education Committee requests \$9.8 million and 7.0 FTEs ongoing to support judicial and court education. Washington’s judicial system is constantly adapting to new laws, new court processes, new understanding of behavioral science, and new judges. High-quality judicial education is needed more than ever to ensure uniform application of our laws and bolster public trust and confidence in the courts. The Legislature often provides one-time funding for subject-specific training, and while this one-time funding is an important investment, base education funding is the same as it was in 2007. Something that cost \$100 in 2007 now costs \$151 and the lack of adequate funding reduces access to high-quality judicial education and cuts the number of subject matter experts available to educate the people that work in the court system, many of whom are judges and many of whom are new. It is imperative that all judicial officers, but particularly newer judges, have access to high-quality judicial education. (General Fund – State)

Fiscal Summary:

	FY 2026	FY 2027	Biennial	FY 2028	FY 2029	Biennial
Staffing						
FTEs	7.0	7.0	7.0	7.0	7.0	7.0
Operating Expenditures						
Fund 001-1	\$4,974,000	\$4,795,000	\$9,769,000	\$4,956,000	\$4,795,000	\$9,751,000
Total Expenditures						
	\$4,974,000	\$4,795,000	\$9,769,000	\$4,956,000	\$4,795,000	\$9,751,000

Package Description:

The purpose of this request is to consolidate and provide state funding for Washington’s court and judicial education needs. This request was developed collaboratively; shared with various stakeholders including the Board for Judicial Administration (BJA) Court Education Committee (CEC), court associations and their education committees, and the Administrative Office of the Courts (AOC). This approach provides the opportunity for Washington courts to design global solutions while meeting the unique needs of specific courts.

Note: The recurring phrase “Education Budget” is defined as any state funding dedicated to judicial and court education.

The Problems to be Solved

Stagnant Funding. Investing in an accessible, fair, and knowledgeable judiciary is a critical component to our democracy. High quality and accessible judicial education, for all judges across the state, is key. Base funding for judicial branch education has not changed since the 2008 recession, while judicial education costs have risen sharply since then. The Legislature has funded education for trial court judges related to the passage of specific legislation, but those subject areas have been narrowly focused and typically funded on a one-time basis. The result has been curtailed programming, less funding for subject-matter experts and professional educators, and increased out-of-pocket costs judges pay to

attend judicial education offerings. This degradation of Washington’s judicial education comes during a time when the need is great in response to waves of justice system, legislative, behavioral health understanding, and technological changes.

Judicial Turnover. Courts are experiencing a loss of institutional knowledge due historically high judicial turnover with the retirement of baby boomers. Over half of judges (56%) have been on the bench five years or less and a quarter (26%) have been on the bench two years or less. The education needs of new judges are different than those of seasoned professionals. Currently, five days at Judicial College training is required in their first year on the bench; it is not enough. Newer judges need additional hands-on, practical training to build on their first-year Judicial College education basics.

Unequal Access to Judicial Education. It is in the state’s best interest that all judicial officers have equal access to judicial education. This is especially important today, given the historically low public trust and confidence in government, including the courts.¹ In a national judicial education survey funded by the American Judges Association, judges reported that the two biggest barriers preventing them from attending judicial education offerings were funding (57%) followed by difficulty getting time away from the bench (28%). In Washington, these barriers are further compounded by variable local funding, resulting in some judicial officers paying for their own education out-of-pocket (while other judges receive reimbursements) or foregoing sufficient education (a more common situation when the expense is borne personally, given the expense of training).

Variability in local court funding for pro tem coverage exacerbates the judges’ inability to take time away from their court to attend educational offerings. Bench coverage minimizes the impacts on caseload and court backlog that can occur when a judge is away. Bench coverage is especially critical to rural courts. Education for judges should not come at the expense of judicial services for Washingtonians. In addition, pro tem judges and commissioners presiding over cases in the absence of the sitting judges need to be educated sufficiently to make appropriate rulings and judicial decisions. The uneven, local funding for judicial education creates an environment of unequal access to judicial education for Washington’s judges.

Proposed Solutions

Full State Funding for Judicial and Court Education. A healthy democracy provides its people access to fair and impartial courts. Equally important is the uniform application of the law. Central to achieving these goals is judges’ ability to readily access high-quality judicial education, regardless of the county in which they serve. It is important to provide fully state-funded judicial and court education.

1. Annual Training Events

\$7.8 million for the biennium – See itemized costs for each proposal in Appendix 1

Annual training events are the bedrock of judicial education. In-person events bring participants together to learn about, discuss, and apply topics that are important and relevant in today’s courtrooms. Well known speakers, expert panels, and other judicial experts present critical information that inform judicial officers on the latest case law, opinions, and trends. The same is true for court managers, who have their own education annual training events.

¹ <https://www.ncsc.org/newsroom/at-the-center/2022/state-of-the-state-courts-survey-reveals-declining-public-trust,-growing-confidence-in-remote-hearings>

Currently offered and newly proposed training events and investments include: a required annual conference (RCW 2.56.060); existing conferences managed by the CEC; new conferences focused on court leadership, management, and access; and an expansion of who participates and how conferences are delivered.

Annual Fall Conference. An annual judicial conference is held (RCW 2.56.060). Each fall, AOC hosts the conference for all judges which is entirely state-funded.

CEC Conferences. The CEC is a standing committee of the BJA. It assists the Supreme Court and the BJA in developing educational policies and standards for Washington’s court system. Current conferences that are partially state-funded include:

- Judicial College (new judges)
- Appellate Courts
- Superior Court Judges (SCJA)
- District/Municipal Court Judges (DMCJA)
- Superior Court Administrators (AWSCA)
- Juvenile Court Administrators (WAJCA)
- District/Municipal Court Administrators (DMCMA)
- County Clerks
- Misdemeanor Probation Association (MPA)
- Faculty Development (presenter/speaker training)
- NEW – Courts of Limited Jurisdiction (CLJ) Administrators Academy (this is co-located with the DMCMA conference, but has not received extra funding straining the existing DMCMA conference budget)

Training Programs. The following three training programs will be hosted by AOC in partnership with the Superior Courts Judicial Association, District and Municipal Courts Judicial Association, and the National Center for State Courts:

- Court Leadership and Management Program. A program for new judicial officers.
- CLJ Judicial Onboarding Program. Continue a mentoring and training program for new judicial officers.
- Access to Justice Program. A program covering advanced topics, such as: trial court management, applying complex domestic violence factors to parenting plans, and best practices for cases involving the mental health of a party. This intensive offering will be designed to allow judges to dive deep into practical issues facing them in the court room and provide them with solutions and applications that they can take back to their courtrooms for ready implementation.

Expanded participation and conference delivery capabilities. There are emergent education needs that can only be addressed with additional funding.

- Include Tribal judicial officers in conferences at all court levels.
- Revive new court line-staff training conference. This offering was stopped during pandemic and will not be reinstated without additional funding.
- Provide Washington State Patrol (WSP) security at judicial conferences.
- Invite AOC subject-matter-experts to speak and participate at conferences.
- Create a scholarship fund for court administrators completing their Institute for Court Management certificate-of-completion and to support other emergent training opportunities for judicial officers.
- Fund conference livestreaming and other technology investments.

What is Proposed

We propose an increase to the ongoing Education Budget to fully fund the following activities.

- 1.1. Direct Costs.** Hosting all education conferences, both current and newly proposed.
- 1.2. Per Diem and Pro Tem Coverage.** Per diem travel to and from conferences, pro tem coverage for judicial officers, and per diem meals for conference participants. Statewide there are disparities in local funding to support judicial education and state funding is not sufficient. The gaps must be filled if all Washington judges are to have equal access to judicial education.
- 1.3. Conference Technology.** The technology costs of conferences. This includes audio/video rentals, livestreaming all conferences, and a conference management software application.
- 1.4. Conference Security.** The security costs of conferences. This includes paying two Washington State Patrol officers for each conference day. Typically, the officers are local to the conference areas and do not require additional travel costs.
- 1.5. Professional Certifications.** Ongoing, recurring training and professional certifications for AOC court education staff so they remain current on the latest rules, regulations, and best practices for event, training, and meeting planning.
- 1.6. Scholarships.** Scholarships for Institute for Court Management certification programs and other outside judicial or court training opportunities not currently sponsored by AOC or the courts.
- 1.7. New court education staff.** Ongoing funding for two new court education staff to adequately support new and expanded in-person educational conferences.

2. Court Technology Education

\$158,000 for the biennium – See itemized costs for each proposal in Appendix 2

AOC provides and supports many case management systems across Washington's court system. Court personnel and judicial officers depend on these systems for the efficient operations of their courts. New judicial officers and new court staff require onboarding. And, that training must be recurring for all users as software updates. Ensuring our judicial officers, court managers, and court line-staff stay up to date and proficient on these systems is a critical business function.

The Current State

AOC's technology education service to end-users is offered both online and in-person. While online systems training is our main educational service to end-users, at times in-person training is necessary. In-person engagement costs are not currently funded in the Education Budget. New funding for meeting space rental and technology is required to support a hands-on learning environment for remote courts that don't have the ability to travel to Olympia for training.

Additionally, the software being used to host online technical manuals for the case management systems must be updated. These manuals are the primary tool instructing end-users about all of the case management systems. The current software is old, dating back to 1992. It needs to be updated and then kept current as new software versions are released into the future.

What is Proposed

We propose an increase to the ongoing Education Budget to fully fund the following activities.

- 2.1. Venue costs.** Venue costs of in-person systems training, including both meeting room rental and travel costs.
- 2.2. Technology costs.** Technology costs of in-person systems training, including technologies such as secure popup WIFI to host upwards of 30-50 end-users, support technologies for end-users' laptop usage, and in-room presenter audio and visual technology.
- 2.3. Software costs.** Software costs to upgrade and remain current with our technical manual software.

3. Distance Education

\$1.8 million for the biennium – See itemized costs for each proposal in Appendix 3

Distance education is a convenient form of education – available on-demand, anytime, anywhere. Offering it solves some access to education issues. Distance education is scalable and can provide training opportunities even when budgets are tight. But, it too has its costs. Investments must be made in instructional designers, subject-matter-experts, and support staff for the online technology.

Distance education has become a normal training option in the courts and includes both live synchronous webinars and on-demand asynchronous eLearning. Often, online courses are paired with in-person conferences to offer a hybrid education experience. This approach has been popular and highly effective.

Other forms of distance education can offer remote access by livestreaming both conferences and in-person court management systems training. Livestreaming has been a popular access option for training participants who struggle to attend in-person training events due to a variety of issues (e.g., schedule conflicts, health issues, busy dockets, funding issues, etc.).

The Current State

The WACOURTS Education Portal (Learning Management System or LMS) features a growing number of online training modules and a running list of to-be-developed eLearning topics. The demand for new content is significant. Originally, the LMS had one person acting as the administrator and eLearning developer. The limited resource created a bottleneck to mass production of online course content. In the 2023-25 biennial budget, the Legislature funded AOC's request ("T7 Enhance Online Judicial Education") which provided additional, one-time staff to design, develop, and deliver online training. In June 2025 the funding ends and online learning development will come to a virtual halt. Without continued funding, we would not be able to develop the dozens of eLearning projects in the queue, including building an online Judicial College for pro tems.

Creating an online judicial training program for pro tem judges and commissioners is a high, unmet priority. Pro tems are typically educated at the local court level. But, many courts provide little or no training. Since pro tems cover for judicial officers attending in-person education conferences, it is unrealistic to assume pro tems could attend our regular in-person education conferences. Offering certificated Judicial College in an online format through LMS would provide training similar to the traditional, in-person Judicial College. This online training does not currently exist and today's Education Budget does not fund LMS licenses for pro tems. Maintaining AOC's

current capacity into the future is critical. Without it, the options distance learning provides – like online, certificated Judicial College -- would be on hold and derail the goal to provide widely accessible training to courts.

Finally, some education events can be livestreamed via third-party vendor services. But often, hiring a vendor is not practical, costs too much, or is not available. Investing in AOC staff and technology to livestream in-person events at any location throughout the state will build our capacity to offer flexibility and options for judges and court staff to participate in training.

What is Proposed

This request would continue the previous 2023-25 biennial budget funding and add new resources for online education.

We propose an increase to the ongoing Education Budget to fully fund the following activities.

- 3.1. Continue existing distance learning staff.** Four staff would continue to develop new online education opportunities in the LMS enabling us to grow online course offerings, serve remote participants, provide hybrid education with a mix of online prerequisites within in-person education, and solve access to court education.
- 3.2. New distance learning staff.** An additional eLearning developer to design and develop online training, with the top priority focusing on the certificated Judicial College for pro tem judges.
- 3.3. LMS licensing.** LMS license costs for pro tem judges, commissioners, and Tribal judicial officers. This is an affordable way to provide broad access to Judicial College training.
- 3.4. Livestreaming.** Staff and equip livestreamed events in-house.

Fully describe and quantify expected impacts on state residents.

A highly educated judiciary is essential to providing justice in Washington's courts. With a fully funded ongoing education budget, new education opportunities and resources, and full access to judicial education offerings, Washingtonians will have a judiciary comprised of informed and impartial decision-makers, who are experts in court process and uniform application of the law.

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

The key stakeholders and proponents of this request (AOC, CEC, SCJA, and DMCJA) considered and weighed several options for delivering judicial education. Following national research and emerging best practice, we determined that resources for a hybrid approach, both in-person and online judicial education, would most effectively and efficiently provide the judicial education needed by Washington's court system.

What are the consequences of not funding this request?

The consequence of not funding this request is that access to court and judicial education would continue to vary by jurisdiction, some training topics would not be covered, and some populations would not be trained (e.g., pro tems, Tribal judges, etc.) Without dedicated state funding, court and judicial education expenses would continue to be largely dependent on the ability of local jurisdictions to fund costs, or judges and court staff self-funding the training. This situation will only get worse as costs continue to rise while the pre-2008 recession-era Education Budget remains

stagnant. Also, this young bench will not be educated to address complex cases. Statewide, uniform implementation of new laws or caselaw would be unlikely. The result would be varying levels of justice by geography.

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

This is an expansion of AOC's Education Budget.

Decision Package expenditure, FTE and revenue assumptions:

Staffing Assumptions

Court Education Assistant. Beginning July 1, 2025 and ongoing, AOC requires salary, benefits, and associated standard costs for 2.0 FTEs to support event planning for in-person education conferences.

Court Educator. Beginning July 1, 2025 and ongoing, AOC requires salary, benefits, and associated standard costs for 4.0 FTEs to support curriculum design and conference hosting.

Senior Software Developer. Beginning July 1, 2025 and ongoing, AOC requires salary, benefits, and associated standard costs for 1.0 FTEs to develop and maintain the learning management system.

Non-Standard Costs

Other Non-Standard Costs are itemized for Education Conferences (Appendix 1), Court Technology (Appendix 2), and Distance Learning (Appendix 3).

Expenditures by Object	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>	<u>FY 2031</u>
A Salaries and Wages	658,000	658,000	658,000	658,000	658,000	658,000
B Employee Benefits	204,000	204,000	204,000	204,000	204,000	204,000
C Personal Service Contract	1,939,000	1,853,000	1,939,000	1,853,000	1,939,000	1,853,000
E Goods and Services	274,000	274,000	274,000	274,000	274,000	274,000
G Travel	600,000	525,000	600,000	525,000	600,000	525,000
J Capital Outlays	86,000	68,000	68,000	68,000	68,000	68,000
N Grants, Benefits and Client Services	998,000	998,000	998,000	998,000	998,000	998,000
T Intra-Agency Reimbursements	215,000	215,000	215,000	215,000	215,000	215,000
Total Objects	4,974,000	4,795,000	4,965,000	4,795,000	4,956,000	4,795,000

Staffing

Job Class	Salary	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>	<u>FY 2031</u>
COURT EDUCATION ASSISTANT	73,000	2.0	2.0	2.0	2.0	2.0	2.0
COURT EDUCATOR	98,000	4.0	4.0	4.0	4.0	4.0	4.0
SENIOR SOFTWARE DEVELOPER	120,000	1.0	1.0	1.0	1.0	1.0	1.0
Total FTEs		7.0	7.0	7.0	7.0	7.0	7.0

Explanation of standard costs by object:

A - Salary estimates are current biennium actual rates at Step L.

B - Benefits are the agency average of 31.10% of salaries.

E - Goods and Services are the agency average of \$5,800 per direct program FTE.

G - Travel is the agency average of \$2,000 per direct program FTE.

J – Ongoing Equipment is the agency average of \$1,900 per direct program FTE.

J – One-time IT Equipment is \$5,900 for the first fiscal year per direct program FTE.

Agency Indirect is calculated at a rate of 24.98% of direct program salaries and benefits.

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

Fair and Effective Administration of Justice

An educated judiciary is the hallmark of an independent judiciary, and the fair and effective administration of justice. It is imperative to the operation of our justice system that judges be knowledgeable as to the law, impartial decision makers, and fair and efficient case processors. The enhanced judicial education program funding in this request would ensure that all judges and court staff have access to high-quality judicial education programming. Whether judicial officers and court personnel receive education should not be determined by the willingness of local jurisdictions to provide funding support. Courts statewide should have equal access to education and training opportunities that speak to the justice needs of Washingtonians.

Accessibility

While this request does not directly relate to increasing public access to the courts, it does ensure Washingtonians access to an equally well-informed and educated judiciary, regardless of a local jurisdiction's court funding and a judicial officer's personal financial constraints.

Access to Necessary Representation

This decision package does not directly address attorney representation, other than to ensure that a highly educated judiciary will be able to more efficiently manage court hearings and caseloads.

Commitment to Effective Court Management

A fully funded education budget, as outlined in this package, will provide the ability to deliver in-person education on more robust curriculums, more capacity to develop critical online training, and provide AOC the staff to support the courts, associations, and other court affiliates across all education modalities.

Sufficient Staffing and Support

This package funds judges pro tempore bench coverage so that judges may attend judicial education offerings without negative impact on the court's caseload or backlog.

How does the package impact equity in the state?

Address any target populations or communities that will benefit from this proposal.

Rural courts will receive a greater benefit with state funding for bench coverage.

Describe the how the agency conducted community outreach and engagement.

While this package directly addresses judicial education needs requested by judicial officers, it also provides resources to advance judicial expertise and decision-making.

Consider which target populations or communities would be disproportionately impacted by this proposal.

Explain why and how these equity impacts will be mitigated.

Not applicable.

Are there impacts to other governmental entities?

If this request is funded, it may reduce costs to some counties that are currently providing local funding for judicial education-related expenses.

Stakeholder response:

In 2024, the Legislature funded the SCJA's and DMCJA's request for one-time additional judicial education. This request is for ongoing state funding to provide education at all court levels. Also, counties are likely to be supportive of this request.

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

Washington Court General Rule 26 required mandatory continuing judicial education. Specifically,

- GR26 (a) requires 45 credit hours of continuing judicial education, approved by the BJA Court Education Committee, every three years.
- GR 26 (b)(1) requires that judicial officers shall attend and complete the Washington Judicial College program within twelve months of appointment or election.
- RCW 7.105.255 Judicial Officer Training requires judicial officers, including pro tems, to receive training “on an ongoing basis” on procedural justice, trauma-informed practices, gender-based violence dynamics, coercive control, elder abuse, juvenile sex offending, teen dating violence, and requirements for weapons surrender, before presiding over protection order hearings.

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?

Yes. See Attachment A: 2023-25 Biennial Budget Request T7 Enhance Online Judicial Education

Are there information technology impacts?

No

Agency Contacts:

Christopher Stanley, 360-357-2406, christopher.stanley@courts.wa.gov

Angie Wirkkala, 360-704-5528, angie.wirkkala@courts.wa.gov