

Washington State Judicial Branch

2025-27 Biennial Budget

Fund Judicial Need Estimate

Agency: Administrative Office of the Courts

Decision Package Code/Title: AH – Fund Judicial Need Estimate

Agency Recommendation Summary Text:

The Administrative Office of the Courts requests \$350,000 to accurately measure how many judges Washington courts need to handle current and future workloads. This one-time funding will implement a nationally-adopted, Weighted Caseload approach to measuring judicial workload that provides more detail and is more valid the current Objective Workload method. This new approach has a long track record of providing results useful to courts all across the nation. (General Fund-State)

Fiscal Summary:

	FY 2026	FY 2027	Biennial	FY 2028	FY 2029	Biennial
Staffing						
FTEs	0.0	0.0	0.0	0.0	0.0	0.0
Operating Expenditures						
Fund 001-1	\$175,000	\$175,000	\$350,000	\$0	\$0	\$0
Total Expenditures						
	\$175,000	\$175,000	\$350,000	\$0	\$0	\$0

Package Description:

Washington’s courts need timely, reliable, and valid estimates of the need for judges. [RCW 2.56.030\(2\)](#) requires the Administrative Office of the Courts (AOC) to “examine the state of the dockets of the courts and determine the need for assistance by any court” and [RCW 2.56.030\(11\)](#) requires the AOC to “examine the need for new superior court and district court judges.” The AOC’s current “Objective Workload” (OW) method of estimating how many judges trial courts need no longer reliably estimates the number of judicial officers needed by each court.

The OW was jointly developed by Washington’s trial courts and the AOC in 2001-02. At the time, it was validated against a population-based estimate and Washington’s most recent weighted caseload study for Superior Courts, which was conducted in 1985. The OW method, to maintain its validity, requires periodic benchmarking against measurements of how much time judges take to perform the key elements of their work. Due to a lack of financial resources and staff availability, the AOC has not been able to conduct that benchmarking. Today, the data related to how much judge time it takes for a court to process cases is based upon the time it took judges and courts to process cases four decades ago.

With significant changes to Washington statutory law, case law, and administrative regulations over the course of four decades, court workloads need reevaluation and reassessment across all levels of Washington’s courts. Even recently, changes in state statute have impacted the workload of courts. Reclassifying possession of controlled substances, changes in protection order statutes, expansion of use of therapeutic courts, increased use of diversion programs, and increased resentencing have all led to significant changes in the amount of time judicial officers spend working on different types of cases. Ensuring the AOC has an accurate measure of current judicial workloads is key to minimizing

and reducing existing case backlogs, preventing future backlogs, making sure that judges have the time to attend trainings on statutory changes and changes to case law, and allowing time for training on new programs created by the Legislature.

This proposal will fund a contract for a weighted caseload estimation of the amount of judicial officer time needed for each court's expected workload. This will provide a valid baseline for courts' judicial needs and introduce judges and court administrators to the nationally-recognized weighted caseload approach to generating judicial needs estimates. This study will be directed by a committee of judges from each level of Washington's Courts to ensure that the contractor(s) selected for the study consider the unique structure of Washington's courts and are guided by Washington's data and experience of Washington's judges. The AOC will conduct future estimates in line with the contractor's methodologies in order to maintain the validity and accuracy of the model.

The AOC proposes to implement the workload study in a manner that meets the information needs of courts and other stakeholders, that is sustainable, that leverages existing systems capable of collecting information about court calendars and court sessions. Information about in-courtroom work is normally the most expensive and burdensome to collect.

Fully describe and quantify expected impacts on state residents.

Weighted caseload study results can be used by courts to determine the number of judicial officers needed to complete the court's caseload in a reasonable timeframe. The impact will be to reduce current backlogs, prevent foreseeable future backlogs, ensure the quality of court hearings, reduce postponements for people with matters before the courts, improve retention of judicial officers and staff by reducing burnout, and ensure that Washingtonians have timely access to justice and the courts.

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

The AOC explored alternatives, including maintaining the current model for estimating judicial needs and other models. Maintaining the current model is untenable. The case-time metrics used in the original model are no longer valid or accurate. Alternative models that do not require a time study are not solutions because they would lack necessary information about judges' actual workloads and fail to adhere to best-practice standards.

What are the consequences of not funding this request?

Courts will not have valid and reliable estimates of how much judge time will be needed to handle expected workload. This means constituents will be unable to access courts and access justice in a timely manner due to case backlogs. Further, this will result in judicial burnout and increased turnover on the benches, resulting in premature loss of expertise and experience.

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

This is an alteration to the analysis of courts' level of need for judge time. The analysis is one of the duties of the State Court Administrator.

Decision Package expenditure, FTE and revenue assumptions:

Other Non-Standard Costs

Contracts (Object C)

Producing the initial weighted caseload version of judicial needs estimates for Washington's trial courts will require contracting with an experienced and capable provider of weighted caseload studies. The estimated duration of work is 24 months in FY 2026 and FY 2027 at a total cost of \$350,000; \$175,000 per fiscal year.

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>
C Personal Service Contract	175,000	175,000				
Total Objects	175,000	175,000	0	0	0	0

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

This proposal supports two of the core mandates the Legislature has provided the AOC as it supports the work of the Judicial Branch. District and Superior Courts must both consult the Supreme Court, via the AOC, in determining the number of judicial officers needed to process their caseload in a timely manner before they request additional judicial officers. In the case of District Courts, after the passage of [Chapter 103, Laws of 2024 \(SB 6222\)](#), District Courts need only the approval of their County legislative authority to increase the number of judges above the minimum specified in RCW 3.34.010. Superior Courts need the approval of both their County legislative authority and the Legislature before changing the number of judges on their benches. Municipal Courts are not required to consult the Supreme Court via the AOC before increasing the number of judicial officers in their Courts, however, many choose to ask the AOC to “review the state of [their] dockets” under RCW 2.56.030(2) before requesting a change in the number of judicial officers by the city legislative authority. The AOC cannot reasonably advise courts on whether or not their caseloads and dockets require additional judicial officers to process the workload without the AOC undertaking a new study of judicial officer workloads, including a study of judicial time, at all court levels in the state.

How does the package impact equity in the state?

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

This proposal would enable the AOC and Courts to have accurate data on the number of judicial officers needed to provide timely access to justice, reduce time-to-trial delays, and ensure courts are able to process filings in appropriately expedient timelines. This does not directly provide benefits to target populations, but instead ensures judicial officers have proper capacity to administer justice in their jurisdiction.

Describe the how the agency conducted community outreach and engagement.

No community outreach is necessary for this request.

Describe the disproportional impacts of this proposal.

No disproportionate impacts are expected. Rather, funding this proposal reduces existing disparate impacts by ensuring courts have current, accurate, and reliable estimates of their workload, expected case forecasts, and the number of staff necessary to process cases in an effective and timely manner.

Are there impacts to other governmental entities?

Determining the level of need for judge time along with increasing judge availability where needed will positively affect both the timeliness and quality of justice and should receive broad support from other governmental entities.

If local governments decide to support additional judges the state would fund one-half of Superior Court judges’ salaries and none of District or Municipal Court judges’ salaries. Washington provides a comparatively low level of funding for its courts (less than 30% of total local court funding comes from the state, according to data collected U.S. Census Bureau’s 2020 Annual Survey of State and Local Government Finances).

Stakeholder response:

Determining the level of need for judge time along with increasing judge availability where needed will positively affect both the timeliness and quality of justice and should receive broad support from court-involved people in the jurisdictions affected.

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?

No.

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