WASHINGTON COURTS

June 22, 2018

TO: JISC Data Dissemination Committee

FROM: Stephanie Happold, AOC Data Dissemination Administrator

RE: King County Bar Association-Volunteer Lawyer Services Request

Data Dissemination Committee meeting minutes from April 19, 2010, regarding a request from the Clark County Volunteer Lawyers Program

Judge Wynne asked Ms. Arney to explain the request for fee-waived JIS-Link access filed by the Clark County Volunteer Lawyers Program (CCVLP).

Ms. Armey explained that the CCVLP is requesting a fee waiver for JIS-Link access to support the CCVLP's Homeless Court program. The Clark County District Court has established a "Homeless Court", which is a court calendar specifically for persons who are homeless who have been referred by social service agencies because the individuals have expressed an interest in requesting that the court allow them to do community service work to pay off court fines in criminal and infraction cases. The Homeless Court program is a collaborative effort between the prosecutors, the court, the social service agencies and the CCVLP, whose volunteer attorneys represent the defendants.

The District Court has requested that the defendant bring to court the information on how much he or she owes the court in fines (only fines, not court costs, may be satisfied with community service.) The average defendant has 10 cases. There are 25-30 defendants set on the Homeless Court calendar each month. The CCVLP would use JIS-Link to compile a list of the defendant's cases and the fines owed on each case. The CCVLP, a nonprofit organization, does not have the money in its budget to pay for JIS-Link access. To access the JIS accounting screens, the CCVLP would need security level 20 access, which is the same level as public defenders.

The District Court staff formerly provided the information on the amount of fines owed on each case to the CCVLP, but the Court currently does not have the staff resources to continue providing this information. Ms. Slider stated that it was the District Court's position that the defendant or the defendant's attorney should provide the information to the court. The Homeless Court program has been suspended pending the

determination by the Data Dissemination Committee whether or not to provide the requested JIS-Link access to CCVLP.

Judge Horowitz and Brian Rowe, who are members of the Access to Justice (ATJ) Technology Committee, both stated that they supported the request and felt that the ATJ Technology Principles adopted by the Supreme Court supported this request. Judge Horowitz noted that several years ago, Pierce County agreed to give reduced fee access to its LINX system to legal aid organizations. Legal aid organizations are charged an initial sign-up fee but not other access charges.

The committee discussed whether the provisions of RCW 2.68 allowed the committee to grant fee-waived access.

After discussion, it was moved and seconded that the request of the Clark County Volunteer Lawyers Program (CCVLP) for access to JIS-Link to support the operation of its Clark County District Court Homeless Court program be granted under the following terms and conditions:

1.CCVLP must pay to AOC the $100 installation charge but with all other usage charges to be waived by AOC,

2.CCVLP is permitted to access the same JIS screens as public defenders (level 20 security access), for the purpose of obtaining information on the fines and costs owed on a case, and

3.The CCVLP is required to complete the standard JIS-Link service agreement setting forth the program's permissible use of the JIS information, data security, and data confidentiality requirements, prior to access to JIS data.

The motion passed and staff was directed to prepare the necessary paperwork to implement the motion.