



Open Forum – Questions for DOL & AOC

Wednesday, December 15th, 2021

Zoom Link: <https://wacourts.zoom.us/j/95550229687>

Q & A NOTES

1. **Manual Reported Tickets:** (Question from November, reviewed again)

Q: “User states that they will be sending out an email to their staff instructing them to report Committed findings and amendments to DOL through the DIAS system for our city traffic infractions. According to the DOL Court Manual, “Immediately upon conviction or finding that a traffic infraction is Committed, the abstract shall be reported to DOL”, Before I send this information to staff, I wanted to clarify whether it is only moving violations that get reported to DOL or if this would include all traffic infractions (IT Cases). For some reason I am struggling to remember which it is. Also, is the list of moving violations <https://www.dol.wa.gov/driverslicense/externalcourts.html> the DOL Resources for Courts webpage still accurate?”

A: “This mostly impacts Violations Bureaus and smaller courts. If they are paper location and it’s filed by paper, it’s considered a manual ticket even if it’s initially created in SECTOR. Those dispositions need to be manually reported. There is not currently enough data elements in JIS that are needed to do the transmission electronically, so they have to be reported manually if they are not filed via ETP.

If it is a traffic ticket, it doesn’t matter if it’s non-moving or moving, just send everything. DOL will determine if it goes on record. It will go automatically if the ticket was entered via ETP.”

Follow-Up Q: “If we have a paper ticket and/or criminal complaint, we have to manually report the conviction or Committed finding to DOL. It will not be electronically transmitted.”

A: “Yes, anything not processed in via ETP will not be electronically transmitted.”

Please Note: “Paper tickets and/or criminal complaints” includes tickets that started in SECTOR but had to be manually filed by a prosecutor or manually transferred from another court (anything not received and processed in your court via ETP); they are considered manually filed tickets like tickets and citations filed from ticket books.”

2. **Corrections:**

Q: “Is there an email for DOL Record Corrections? My prosecutor is concerned a non-traffic conviction showed up on an amended charge on DOL. I’m not sure if I hit “Y” to notify DOL on it or not.”

A: “There is no longer a Records Correction Unit at DOL or an email box for that unit. Court staff should try to do the record correction using the DIAS application. If the court staff are not able to complete the correction using DIAS, then send your request to Ryan and Carla via email

(cweaver@dol.wa.gov and rygrimes@ddol.wa.gov). If something is reported to Law & Justice, it may take longer due to the way they do triage and then forward to Carla and Ryan.”

Q: “If an eTicket infraction was previously Committed due to an FTA and then was later put on a deferral, does the replacement disposition get reported to DOL? I know that if there is a Committed that is just removed, but nothing replaces it, that the update does NOT go to DOL, so we have to do a correction but I wasn’t sure if DF replacements get reported electronically since usually DF’s don’t get reported to DOL.”

A: “When the Deferred Finding (DF) is a replacement to a Committed (C) finding, it does go to DOL electronically. If it replaced a Committed finding, the new DF actually removes the disposition at DOL. The disposition does not get removed because the FTA is adjudicated.”

3. Multiple DOL Records:

Q: “What is the email address to send DOL notice that a defendant has two WA DOL numbers?”

A: “Do not send them to Fraud – multiple records for the state should go to Carla and Ryan. If they determine it’s a fraud issue, they will communicate that information internally. Remember, the Law & Justice email doesn’t go to Carla or Ryan. Send directly to both of them to ensure they receive it, especially if it’s something you want Carla or Ryan to look at immediately/timely (ex. why an FTA didn’t go in record or adjudicate). If it’s not a priority you can send to Law & Justice Support, they may eventually send it to Carla and Ryan, but there could be a time delay.”

4. No DOL Record on ADR Tab in JABS:

Q: “The court had a criminal traffic conviction sent to the DOL but the person didn’t have a WA DOL record, nor did they have an out-of-state DOL record. DOL built the DOL record for the person based on the conviction, but we can’t pull up the record on the ADR tab in JABS. Why isn’t this working?”

A: “If DOL built the record, but the license is not entered in JIS, it will not be found when clicking the ADR tab in JABS. This is functioning as designed. You can use the person search option and use the bottom half of the screen, the ADR search, and it will display. (*Please see “Attachment One” at the bottom of the screen.) However, if you add the built WA DLN to JIS after it’s been created, and then go back into JABS, the ADR tab will work.”

5. Probation Violations:

Q: “We are wondering if the DUI case is the case you file the probation violation on or if we should be filing the violations on the cases that are violating the DUI such as the IID cases or DWLS cases? Example: If we have a defendant on probation on DUI case 1111. They then get an IID case 2222. We would report the 2222 case to DOL as the probation violation using the date the court imposed the violation?”

A: "When a 46.61.5055 convicted person violates probation you report to DOL. How do you report? Report the conviction 2222 as the probation violation, the conviction date is the date they violated the IID. You are going to report the probation violation, if it's 6 separate tickets, not each charge, you report each one. The date they use for reporting conviction of the new violation is the violation date."

Follow-up Q: "If one court (ex. Benton Co) reported DUI, and then another court (ex. Franklin) received the probation violation, Benton County would report the probation violation. Franklin would only report the DUI."

A: "If your court had the original DUI, you are not reporting the new conviction, you are reporting probation violation on your DUI. The other court would report the new conviction in their court. Sometime in 2022, DOL's Reporting manual will be updated to include this information."

6. Deferred Prosecutions:

Q: "We have been taught for years that when we issue warrant on a Criminal Traffic that is on a Stipulated Order of Continuance or a Deferred Prosecution that we should not issue the FTA. I want to make sure that it's correct or if it has changed that we know the background of why so that it can be explained fully to the staff. Everyone [in my court] is questioning it."

A: "We aren't sure exactly where the instructions to not issue the FTA flag on SOC's and DP's came from, likely a local policy, and possibly because there was a concern that adding the FTA flag would show as a conviction. It's a local policy decision on if you want to issue the FTA or not. However, FTAs and convictions are completely separate on a driving record, so you can issue the FTA and it will not report the case as a conviction at DOL."

If it's a Guilty or Committed, it does come to DOL. If the person is entering Guilty Plea and the Awaiting Sentence code (AS), it will go on as a conviction. DOL doesn't care about the continuance, if it's a continuance using the Other Deferral (OD) code, because those don't go to DOL. See eService [Answer 2281](#)."

Q: "When a Deferred Prosecution (DP) is Dismissed, is the court needing to have it removed from the DOL record?"

A: "NO. DP only one in a lifetime and DOL keeps it on record for life. There are two different things that govern DUI's, DOL's Destruction of Record and RCW 10.05. Unless it's revoked, it will remain on the record as a DP. Dismissed after successful DP is still required to be on ADR."

Q: "If they paid courts on an SOC can you still use the OD code?"

A: "Whether or not anything was paid on the case really only comes up on convictions that you are needing to remove from the case. If it's a conviction and there is money receipted but not refunded, it cannot be removed. Certain administrative fees are the exception. For example, Probation monitoring is an administrative fee, but the docket needs to reflect that it's administrative fees paid and not "Fine Payment" which is the default code when receipting."

If it's an OD and only administrative costs that were paid, it's not issue because you are not reporting OD's to DOL, so they won't need removed. Now if you use the AS code it does get

reported, those would only be able to be removed if only administrative fees were paid and/or fines have been refunded.

Note: Because JIS receipts showing Fine Payment or Time Payment, it doesn't show what type of fees are being paid in the docket, if you are only receipting for administrative fees it's recommended that you make a docket entry to make sure it is clear that is what was paid. DOL staff will review the docket when removal requests are submitted. [Docket code @OC1](#) was developed as a quick entry for use in these scenarios."

Q: "What is the FTA timeline from reporting to when it displays on driving record?"

A: "When it's adjudicated in DIAS it is real time, just make sure not to enter it in JIS as it will go to an exception queue which will delay the posting to the ADR. When you adjudicate it through JIS, it may depend on the time you do it. JIS sends a file daily to DOL of FTA's ordered and adjudicated, and generally, within 24 hours it should adjudicate. It could be 48 hours if there was an issue with the file upload. However, if it's not an exact match to the DOL record, it goes to exemption report and we cannot tell you exactly how long that time period may be. If it cannot be resolved from the exemption queue, for example if you already cleared it in DIAS so there is no longer an FTA to adjudicate, the ones from JIS are rejected. If you have something that isn't being adjudicated, notify DOL via email to Carla and Ryan."

"On a side note, the Pierce v DOL case has impacted DOL dramatically. There is a lot of stuff they have to do manually. Our call center has new staff so if you are having issues, please do Carla a favor send Ryan and Carla email on issues, so they can discuss with management. Some problems reported may be educational issues with the new call staff. They will, however, remind their call center staff to notify defendants to reach out to court for payment amounts, DOL staff can tell the customer which court to reach out to."

7. Bankruptcy:

Q: "If a defendant with an existing FTA sends us notice that Bankruptcy proceedings are started, we stop any kind of collection. My question is: do we have to adjudicate the existing FTA also?"

A: "When we received a bankruptcy, DOL looks at schedule F, which references tickets with FTAs. DOL is required by law to remove the FTAs if they are on the schedule F document from the Bankruptcy, so it won't be on the DOL record any longer.

If it's not on the schedule F, it won't be removed. DOL confirms it's approved from bankruptcy court, prior to doing any action. If they get one that is approved, if any FTAs are currently on the record, they get removed. If the Bankruptcy is amended, DOL may receive it from the defendant, attorney, or bankruptcy court. DOL will not put the FTA back on when the Bankruptcy is complete, though.

Nothing about the bankruptcy needs to be reported by the court WA courts.

JIS does not have specific procedures for handling Bankruptcy, it's court defined only. However, there are a couple of courts that provided their instructions to share with everyone and can be found in eService [Answer 2067 – Bankruptcy processing in courts of limited jurisdiction](#). You can also search on the key word 'bankruptcy' in the eService Center as there

are a few answers that you may find helpful. One tells you how to track them at the Bankruptcy court, another tells you how you can track them in JIS.”

8. Pre-Trial IID's:

Q: “Prior to the DOL DRIVES system, DOL did not identify which court was adding a pre-trial IID order. Because of this, when a court tries to remove one, it may not list the court that ordered it. If you know you have one for your court please notify Carla and Ryan; they will add the court to the pre-trial IID order in DRIVES. Once that step is done the court will be able to log into DIAS to remove the pre-trial IID order. NOTE: Entry of a finding/judgment does NOT automatically remove the pre-trial IID order, it must be removed by the court via DIAS.”

A: “If you have to remove one – send email directly to both Carla and Ryan with the title: Pretrial IID, DOL will have to manually add court so you can go into DIAS. Ryan is quick to adding pretrial courts. If you get an error message or message stating it's not in system or never reported, the court must be added. Again, send your request to both Carla and Ryan for review.”

Q: “Does DOL have number on DWLS's and how many are being processed since the Pierce v. DOL decision.”

A: “Since the Pierce case, approximately 307,468 suspensions have been removed from records impacting over 220,000 customers. We cannot tell you how many DWLS charges have been processed since that time.”

Reference Question Number 4 - Attachment One:

Person Search

To search for a person, enter the search criteria and click the search button.

Name: Last Name, First Name

Personal Identifiers:

Date of Birth:	<input type="text"/>	mm/dd/yyyy
Driver's License:	<input type="text"/>	Washington
Washington State ID:	<input type="text"/>	
JUVIS Number:	<input type="text"/>	
DOC Number:	<input type="text"/>	

To search for an Abstract of Driving Record, enter Driver's License number **OR** Last Name, First Name and Date of Birth, then click search

Driver's License:	<input type="text"/>	
OR		
Last Name (1 or more Char):	<input type="text"/>	Use this section of the Person Search to perform an ADR search if the ADR Tab does not return results.
First Name (1 or more Char):	<input type="text"/>	
Middle Name:	<input type="text"/>	
Date of Birth:	<input type="text"/> mm/dd/yyyy	