



## Open Forum – Questions for DOL & AOC

Wednesday, July 19, 2023

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

### Q & A NOTES

#### 1. DOL Records

Q: "How will the ADR for treatment providers be accessed by court and probation staff?"

A: Go to DIAS to access ADR, and provide the driver's license number you want to search. There is a drop-down bar to select the ADR type; you can pick the assessment version or the court and law enforcement version. Once you pick which one you need, click on "Request the ADR." The view, the ADR option, gives you the entire document, which you can print and give to the defendant. The system is going live tonight, July 19, 2023. The Bill will take effect on Sunday, July 23, 2023.

Q: "Will DOL be creating a form for use by court and probation staff to have filled out by treatment providers or defendants when they need an ADR for treatment?"

A: DOL is not creating a specific form for the courts to have filled out. When we go live, the DOL website will have an ADR request form that specifies the change from ten years record to a full record.

Q: "Which code do we use when reporting a DUI or Physical Control via DIAS?"

A: **Do NOT use:** A04 A08 A10 or A11 – these are only used by DOL for out of state conviction.

**Please only use:**

**A12 for refusals**

- No check box in conditions for refusal required anymore

**A20 for all alcohol/drugs related Deferred Prosecutions**

- No conditions are required

**A21 for all alcohol only DUI/Physical Control**

- Either "no test" or "BAC" is required

**A22 for all drugs or THC related only DUI/Physical Control**

- Either "drugs related" or "THC level" is required

**A23 for both alcohol and drug related DUI/Physical Control**

- Must select either "no test" or "BAC" AND either "drugs related" or "THC level"

#### 2. JIS Person Question

Q: "When a person significantly changes their identity, what is the process to handle that change in JIS while still following the Person Business Rules?"

A: The recommendation is to create a second-person record, make the connection, and use the AKA command to link the new name to the old name. Notice that the [Person Business Rules](#) says that the DOL is the official, or “True Name”, so whichever name DOL has must be what is used as the True Name in JIS. You can let the person know that if they get the DOL record updated and let the court know when it is done, then you can make the new identity the True Name, using the AKA to connect any records with the old name or gender to it instead. See eService Answer: [Multiple Person Records or Juvenile Numbers for one Person in JIS](#) for help when needing to rearrange multiple person records.

Q: “An eTicket came in with the wrong DLN on it, now the conviction and FTA are on the wrong person’s record. How do we fix this situation and prevent it from happening in the future?” Or, “Why does another person’s ADR comes up on the JABS ADR?”

A: We have seen a large increase of incidents like this, where the person entering the ticket has written over the existing DLN in JIS with another person’s DLN. This can not only have the wrong ADR appear in JABS, it can also result in FTA’s and convictions being sent to DOL on the wrong record as they add the information based off of the DLN if one exists.

There are some scenarios that can lead to that. Either the officer is not adding the license number to the eTicket, or adding the wrong number to it. There is a process to follow, either when creating an eTicket or adding a case manually, and one of the 1st steps is to search DOL to check the “matching information.” If the information pulled back from DOL and what is on the ticket do not match, do NOT proceed with that DLN information; that’s a sign there is an error on the ticket. Another place to spot this type of error is when you compare the ticket information to the existing person record you select to use; if the DLN, name, and/or date of birth do not match, do NOT proceed with entering that ticket on that record. If either of these scenarios occurs, you need to do some research into whether the ticket has incorrect information or if what you pulled from DOL is the accurate record. If the ticket had the wrong DLN, you can proceed without using that DLN – wipe it out before moving forward and make sure the DOL record and JIS person record are using the name and date of birth for matching purposes. If the ticket had no DLN, make sure that on the DLN search, you aren’t selecting the record that happened to come up for that last name, initials, and DOB if it’s not matching your ticket. Please make sure all staff, including new staff, are familiar with and are following the [Person Business Rules](#) when entering new tickets as this can truly impact the wrong person if not followed properly.

Additionally, DOL cannot move tickets from the bad to the good record; you will have to do that manually through DIAS. You must do removals from the incorrect record and manually resubmit the convictions onto the correct record, in order to correct this error. JIS will not trigger a new eDisposition on eTickets due to corrections in the person record, so it has to be done via DIAS. On FTA’s, you will need to clear the FTA, preferably via DIAS to clear it immediately from the wrong person’s record, then clear it in JIS with no notice to DOL. Once done you can correct the DLN on the person record and order a new FTA in JIS.

### **3. Legislation**

Q: “What bills take effect July 23<sup>rd</sup>?”

A: There are a number of additional bills that take effect July 23<sup>rd</sup>. For a list of all bills please see eService Answer [2023 Legislative Changes Impacting Courts of Limited Jurisdiction](#). Below are some of the changes coming July 23<sup>rd</sup>:

- Overpayments change - \$10 or less can be kept; changes to the court's Court Profile Maintenance Screen (CPFM) can be made at end of day on July 21<sup>st</sup> or when you come in on Monday, July 24<sup>th</sup> before any receipting is done.
- Name change request can be filed in any district court in the state.
- Access to the treatment/assessment ADR via DIAS will be available starting at midnight tonight (July 19<sup>th</sup>), for the bill effective date July 23.
- Vape and Tabaco products infractions. Any person issued one of these tickets is allowed to have a 4 hours community service and a free smoking cessation class that they can do in lieu the penalty, but the penalty will still be showing in the ticket because it is a civil infraction, so you may still get some that are simply paid instead.
- 1715 protection order for DV victims – system changes are still being worked on and expect to be available in August 2023. Watch for future release notes to advise of the exact dates.
- New case condition code for NDE – Do Not Drive Competency Evaluation.
- New cause of action code CPA – Consumer Protection Act.

Q: “Does the DNA fee still get imposed if the date of the violation is prior to July 1<sup>st</sup>?”

A: No. Nothing in the bill connects the DNA fee to the violation dates of the charges and the change in the bill did not sunset the fee, it was simply stricken from the statute. Therefore, it can no longer be added in JIS as of July 1<sup>st</sup>.

#### **4. Blake Questions**

From June:

Q: “Does the Blake Refund process include Possession of Drug Paraphernalia charges or only Drug Possession charges?”

A: Per the Blake Administrator, the legislation did include Possession of Drug Paraphernalia charges in the refund language for Municipal Courts. It does not include them, however, in the refund language for District Courts.

Q: “Follow up question: Is it just the RCWs for Drug Paraphernalia or does that include local ordinances?”

A: This is where your Blake team comes into play in reviewing your local laws to see what applies or not. If you only cited the RCWs, you won't have any local laws to include. However if there are local laws in your jurisdiction for Drug Paraphernalia, it may depend on the language in the local law. Your local Blake team, which usually consists of the court administrator, your judge, your prosecutor, and your defense attorney, should review the older versions of the local laws to see which need to be included in your Blake processing and which would not.

Q: “How should Vacated Unconstitutional (VU) matters be reported to DOL if the charge is on the ADR?”

A: AOC worked with WSP on the new VU code for Blake cases, but didn't include DOL as these are non-traffic related violations impacted. However, we have found that some cases, specifically those for minors and the law had one of the U18 or U21 codes on the law table entry, those used to go electronically to DOL automatically. If one of those cases that had gone electronically to DOL got changed to show VU, the replacement disposition was sent to DOL, even though those violations no longer get electronically sent to DOL. DOL's system didn't have VU as an option, so those replacement dispositions did not process to remove the cases from the DOL record. DOL advised that any charge that is being vacated due to Blake, that also needs removed from the DOL record, must be submitted via DIAS using the Removal option. Vacated Unconstitutional is not an option in DIAS so you can use Dismissed and make a comment in the comment box that it was Vacated due to Blake.

## 5. Chat Questions

Q: Do we need to now add our probations staff to the SAW account so they can access the ADR?

A: If the probation staff will be doing this work, they will need to have a SAW account and DIAS access in order to complete the task.

Q: Are we not to utilize the JABS ADR?

A: The court and law enforcement ADR is what is available in JABS, but the assessment or alcohol assessment won't be in JABS. If you need the one for treatment providers, you must pull up the Assessment ADR in DIAS to provide to them.

Q: Is there a separate level of permissions for probation staff vs court clerk?

A: There is not a separate level of permissions.

Q: I have an ADR for WDL[number removed from notes] Jordan, Maurice that has a DOB of 11/28/2020 with tickets also from 11/28/2020. He has a Georgia license. Why does the DOB show 11/28/2020? I had an identity issue with this person and was working at all DOL records.

A: Please, reach out at [lawandjusticesupport@dol.wa.gov](mailto:lawandjusticesupport@dol.wa.gov) on this case.

Q: When an electronic disposition is sent to DOL from JIS, what is transmitted? Only the ticket number and disposition? Do they have name/JIS person record?

A: The entire ticket. All the ticket elements from the eTicket and the JIS record. However only certain elements of the tickets are recorded in the DOL Database.

Q: Is the community service for smoking cessation at the Judge/Court decision or they automatically have that choice if they state they cannot pay?

A: It actually doesn't require them to state that they cannot pay it, but we are assuming that is going to happen. The language simply says the 4 hours of community service and the smoking cessation class is what they shall do; it doesn't mention the penalty or that a judge must order this option. However, the language also still lists that it's a civil infraction, which has a mandatory penalty, so the penalty will appear on the ticket and not the 4 hours of community service and free smoking cessation class. If someone contacts the court about one of these violations or requests a hearing, you can advise them of the 4 hours of community service and free smoking cessation class.

Q: If your Judge does not allow community service, what should we do?

A: The statute requires that they do community services, so it is better to address it with the Judge if your court gets these types of infractions.

Q: If they do not follow through with the 4 hours of community services, what do we do? Impose fines?

A: It needs to be addressed with the Judge to determined what are the local process will be as the new language does not say what to do if not completed.

Q: For ESSB5231 how do the courts enter those orders if they are not associated with a case? For instance, if the charges are referred to the prosecutor with an Emergency DV orders

A: If it is entered prior to the case being filed, you won't enter it at all (due to the date on the order being before a filing date on the case, so JIS won't accept it). These are something that the law enforcement and prosecutor need to handle.

Q: Will AOC be creating any pre-trial diversion forms for the controlled substance laws?

A: Since there was no requirement for creating any pre-trial diversion forms in the bill, the pattern forms committee will not be creating any forms.

All meeting notes are posted at e-Service on the [DOL AOC Open Forum answer](#).