



WASHINGTON
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December 27, 2018

Mr. Brad Hendrickson
Secretary of the Senate
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Mr. Bernard Dean
Chief Clerk of the House
House of Representatives
PO Box 40600
Olympia, WA 98504-0600

RE: 2018 DMCJA ANNUAL REPORT

Dear Mr. Hendrickson and Mr. Dean:

On behalf of the District and Municipal Court Judges' Association (DMCJA), I submit this annual report of the condition of business in the courts of limited jurisdiction (CLJs), pursuant to the Revised Code of Washington (RCW) 3.70.040 (3).

The courts of limited jurisdiction were busy in 2018. District and municipal court judges handled approximately 1.5 million cases, which included infractions, misdemeanors and gross misdemeanors, civil protection orders, civil litigation, small claims, and felony complaint cases. *See Administrative Office of the Courts' Caseload Report for January 2018 to September 2018.* The fines, fees, and costs from CLJs during this period is approximately one hundred eighty-four million dollars. The CLJs in the State of Washington processed about eighty-seven percent of Washington State's judicial caseload.

Adequate Court Funding

The DMCJA Board of Governors (Board) has found that adequate court funding is a continual issue for courts of limited jurisdiction. In 2018, the DMCJA Board determined that obtaining court funding is its number one priority. Specifically, state funding is needed for (1) a new statewide CLJ case management system, and (2) courthouse security. In Washington State, only 15.5 percent of state funds are allotted to courts, which places Washington last among the 50 states receiving state monies to fund courts. *See Justice Expenditure and Employment Extracts, 2012 - Preliminary (Table 3); Bureau of Justice Statistics; U.S. Department of Justice; Washington, D.C.* Thus, the DMCJA Public Outreach Committee has provided resource materials to DMCJA members who speak with state and local legislators regarding the financial needs of CLJ courts. We continue to provide mandatory services in an environment of shrinking budgets.

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Courts of Limited Jurisdiction Case Management System (CLJ-CMS)

The volume of cases and transactions at our level of court is overloading our current case management system, which was developed and implemented in the 1980s. The DMCJA joined with the Administrative Office of the Courts, District and Municipal Court Management Association, and Misdemeanant Probation Association to select a case management system that will meet the needs of modern courts and efficiently administer justice for the public. The DMCJA continues to work with the Judicial Information System Committee (JISC) and the CLJ-CMS Project Steering Committee (PSC), which lead the CLJ-CMS project. The PSC serves as the business and strategic decision-making team that speaks for the CLJs with a unified voice and vision. Another committee, the CLJ-CMS Court User Work Group (CUWG), serves as the subject matter expert on court business processes for the project.

From 2015 through 2017, DMCJA members participated in the gathering of business requirements and evaluating proposals for a single off-the-shelf case management system for limited jurisdiction courts and probation offices. Unfortunately, the first attempt at selecting a solution did not produce the desired results; therefore, in 2018, the PSC decided to evaluate the remaining options for a case management solution. The project has hired a consulting company to assist the PSC in determining which of the following options will work best for our courts of limited jurisdiction: (1) A best-of-breed solution, where individual components such as case management and document management are linked through data exchange, (2) Modernizing JIS and adding missing functions, (3) A hybrid of the first two options, or (4) another option the consulting company may suggest.

Court Security

Many of the district and municipal courts lack the most basic security measures; thus, courthouse security is a major DMCJA priority. In 2018, there were numerous events in our courts that may have been prevented with adequate court security. Last year, the DMCJA supported General Rule (GR) 36, *Trial Court Security*, which provides recommended minimum security standards for trial courts. In an effort to support trial courts, DMCJA leaders educated all judges, court staff, and funding bodies of GR 36 requirements. This year, the DMCJA co-sponsored, with the Superior Court Judges' Association, a trial court security proposal to create a court security task force that includes all levels of court. Our association strongly holds that the public and all court users have an inherent right to expect a safe environment while in court.

Judicial Independence

Maintaining independence as the third branch of government is difficult at the CLJ level. As with all levels of court, the legislative and executive branches of government control the funding of our courts. Occasionally, in the funding process, the other branches of government attempt to exert undue control over the legal and personnel decisions of the courts. The DMCJA Board created the Judicial Independence Committee to address issues related to the imposition on judicial independence by local executive and legislative authorities. In 2018, the Judicial Independence Committee changed its name to the Council on Independent Courts (CIC). The CIC's purpose is to protect, promote, and maintain the respect and dignity of courts of limited jurisdiction as a co-equal branch of local government.

Access to Justice

Access to justice is a priority to the DMCJA because it is critical to the citizens of our state. Our association endeavors to improve quality interpreter services, courtroom and court staff accessibility, and technological related access. In 2018, the DMCJA Board voted to support the efforts of the Board for Judicial Administration (BJA) Court System Education Funding Task Force and BJA Interpreter Services Funding Task Force, which are initiatives created to advocate for state funding for court system education and interpreter services in our courts.

Therapeutic Courts

Addressing pressing issues of mental health and drug addiction in our community is a priority for the DMCJA. In 2018, the DMCJA Therapeutic Courts Committee sponsored a mini-colloquium at an annual judicial conference in which committee members provided tools for developing an effective and efficient therapeutic court. This event was well attended. Our association will continue to seek innovative ways to address the needs of court users with mental health and drug related issues.

Collection of Legal Financial Obligations (LFOs)

The DMCJA is committed to addressing the impact that LFOs have on economically disadvantaged communities. DMCJA members have joined the LFO Stakeholder Consortium, which is the core advisory board and working group formed to carry out the objective of the U.S. Department of Justice Price of Justice Grant awarded to the Minority and Justice Commission. DMCJA members have contributed to the LFO Stakeholder Consortium by providing expert advice to Consortium members and creating an LFO calculator for judges.

Statewide Relicensing Program

The State Legislature passed Substitute Senate Bill (SSB) 6360, *Consolidation of traffic-based financial obligations through a unified payment system*. This bill charged the Attorney General's Office with convening a workgroup consisting of stakeholders interested in the subject. The DMCJA selected a DMCJA representative for the workgroup. In 2018, the DMCJA supported House Bill 2421, *Creating a program for the consolidation of traffic-based financial obligations*, which was an Attorney General proposed bill developed with input by the SSB 6360 Workgroup.

Pretrial Reform Task Force

The DMCJA has joined the Minority and Justice Commission and Superior Court Judges' Association to evaluate the state's pretrial justice system. This collaboration is known as the Pretrial Reform Task Force, which had its kick-off meeting in June 2017. The Pretrial Reform Task Force was created from the 3DaysCount Initiative, which is a national campaign led by the Pretrial Justice Institute to make pretrial justice in America, fairer, safer, and more effective. DMCJA members are actively participating on the following Pretrial Reform Task Force subcommittees: data collection, pretrial services, and risk assessment.

Department of Licensing (DOL) Court Leadership Meeting

On August 3, 2018, DMCJA leaders met for an annual meeting with the Administrative Office of the Courts, District and Municipal Court Management Association, and DOL to identify and

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resolve administrative issues that impact the courts. The group discussed how they will work together to ensure a smooth transition for the new DOL driver's license system that is known as DRIVES. Furthermore, all parties are committed to continued communication and efforts to improve business and technical processes regarding license issues. The DMCJA and the DOL will continue to meet annually to work together to resolve administrative issues that may arise from the high volume of cases administered.

Legislation

In 2018, the DMCJA proposed bills related to the following laws:

1. Affidavit of Prejudice Request (Notice of Disqualification)
2. Discover Pass
3. Commissioners to Solemnize Marriage and Powers of Commissioners
4. Small Claims, and
5. Anti-harassment Orders

DMCJA members will participate in the legislative process by speaking with legislators regarding DMCJA-related bills.

Thank you for the opportunity to report on the business of the DMCJA. On behalf of the DMCJA Board and officers, I thank the Supreme Court and the Board for Judicial Administration for its continued support of all district and municipal courts.

Sincerely,

A handwritten signature in black ink that reads "Rebecca Robertson". The signature is written in a cursive, flowing style.

Judge Rebecca Robertson
DMCJA President