

**KING COUNTY DISTRICT COURT
PROVISO RESPONSE**

King County Ordinance Number 2006-0473, Section 32 regarding District Court contains the following:

P1 PROVIDED THAT:

By April 1, 2007, the district court shall submit to the council for its review a report detailing the status of the court's contracting with cities for municipal court services, the status of the court's facilities master plan, especially the status of facilities in the cities of Bellevue and Kent, and the court's progress in implementing operational master plan recommendations approved by the council in Ordinance 15195.

The required report must be filed in the form of 11 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff for the law, justice and human services committee, or its successor.

On March 21, 2007, District Court requested to extend the time to file the proviso response to May 1, 2007.

I. Status of the Court's Contracting with Cities for Municipal Court Services

District Court participated with the Executive Branch in negotiating the current Interlocal Agreement (ILA) that is utilized by cities that contract with District Court for municipal court services. The ILA went into effect on January 1, 2007 and is for a five year term. It also allows for two, five-year extensions; making the ILA potentially a fifteen year agreement. (See Tab 6) Twelve cities have signed the ILA (Beaux Arts, Bellevue, Burien, Carnation, Covington, Duvall, Kenmore, Redmond, Sammamish, Shoreline, Skykomish, and Woodinville). Two cities (North Bend and Snoqualmie) elected not to sign the new ILA.

District Court is continuing its efforts to reach out to more cities, including those that have established municipal courts. Some examples of those efforts are:

- As of January 1, 2007, the City of Lake Forest Park has entered into an ILA with the County for District Court services for Saturday and Holiday jail calendars. (See Tab 7)
- The City of Bellevue has representatives attending the Mental Health Court meetings with the hope that the Court and County will find a way to allow cities to participate in this valuable award-winning, problem-solving court at a reasonable cost.

- The Court has applied for two federal grants that would fund pilot projects allowing cities to file cases in the Mental Health Court (one grant was not awarded, and one is currently under consideration).
- At their request, the Court is meeting with the Cities of Shoreline and Woodinville to allow for hearing in-custody matters in Issaquah, rather than Shoreline and Redmond, in order to create efficiencies as these cities use the Issaquah jail for holding their misdemeanor defendants.
- The Court is continuing to explore with the City of Shoreline the possibility of expanding the city's use of the Shoreline facility to include housing for all of the city's prosecutorial staff rather than just some of the staff in the Shoreline facility.

The state legislative session this year included multiple bills that would have allowed cities to contract with other cities for court services. None of these bills survived this legislative session. These types of bills have been introduced for the past several years without success.

II. Status of the court's facilities master plan, especially the status of facilities in the cities of Bellevue and Kent

District Court is pleased to report that its Facility Master Plan has been completed and was transmitted to Council on April 20, 2007. (See Tab 4) The Facilities Management Division of the Department of Executive Services co-convened this project with District Court. The court's stakeholders, including every contract city, were given multiple opportunities to participate and voice their needs, concerns, issues and suggestions. The report is comprehensive and detailed, and will serve as the facility guide for the court over the next five to ten years. With reference to the Bellevue and Kent locations, the report includes the following:

Because the District Court Operational Master Plan recommended it, and the County Council agreed, all options assume that there will be a consolidation of the two facilities in Kent. In addition, the County will continue to work with the City of Bellevue to identify a solution to meet their Court facility needs.

There were two approaches considered for combining the Kent sites. One possibility is to expand the RJC facility which would also require a parking structure of some sort. The other alternative is to build something on the property adjacent to the RJC (presently not County-owned). The property being considered has sufficient land to provide surface parking for the Court but would not address the parking problem that currently exists at the RJC. During peak operating days, the garage is running a deficit of at least 83 parking stalls that is sustained for over four hours. On a typical day, parking maintains a one-hour deficit of about 51 stalls.

While the options presented for consolidating the facilities in Kent meet the long-term space requirements of District Court, there is an immediate need for two additional courtrooms in this Electoral District. Two possible solutions for providing this interim courtroom space include: 1) not renewing the lease with the

City of Kent for use of the existing Aukeen Court so that all four courtrooms at this location can be used by District Court, or, 2) finding an alternate space to lease which can accommodate four courtrooms and their ancillary support space. District Court should not be moved from the Aukeen Court facility until an alternate space is completed that meets this interim need.

The City of Bellevue and the County will continue working together on a plan for addressing the needs of the Bellevue Court caseload. A preliminary program plan has been developed and various site options reviewed but no decisions made as of the date this report was published. Although Bellevue would like to have a facility in their downtown core, close to the new City Hall, land is scarce in that area and parking would most likely need to be addressed through the construction of a parking structure. Existing buildings, available for purchase or lease, have been investigated but all would require substantial renovation to meet the needs of the Court. In some cases, the location was not acceptable. Should a site not in the downtown core be considered, there might be a possibility for surface parking which would substantially reduce the cost of providing a new space for Bellevue.

The Court is meeting regularly with the Office of Management and Budget, Facilities Management Division and the City of Bellevue on this issue. Many innovative ideas are being discussed and no option is off the table at this time. On April 23rd, the Bellevue City Council addressed the facility issue as part of the Council's work sessions. No decisions have been made at this time.

III. Progress in implementing operational master plan recommendations (See Tab 3)

For ease of reference, this section will refer to the specific recommendations contained in the Operational Master Plan.

Recommendation No. 1—Court of Choice

Retain for the long term the aspiration to be the court of choice for limited jurisdiction in the County, focusing energy and resources on improving operations and services, balancing the needs of citizens, the Court, the County and the cities.

See Section I above. The Court's backlog is tremendous and has grown to the point that some of the contract cities are registering complaints about the service levels. The backlog of documents waiting to be scanned into the Court's electronic records system has been measured in feet and inches rather than numbers of pieces of paper because the quantity processed (and currently backlogged) is so large. At one point the backlog in the Seattle location alone was over 250 inches. District Court is using its allocated portion of the Trial Court Improvement Account to fund a three-month

temporary staff person in each location, as well as paid weekend volunteer work opportunities for current staff. Management is prioritizing the backlog needs and selecting a target area for emphasis for each weekend work opportunity. This process has been helpful, but it is still a band-aid measure.

Short-Term Operational Recommendations

- ***The Court should strive to have regular meetings with agencies (such as police, prosecutor, defenders, and jails) and customer organizations (such as bar associations and social service agencies that interact with the court).***

The Court meets quarterly with the District Court Management Review Committee, monthly with each of the Court Facility Management Review Committees, monthly with the Washington State Patrol and King County Sheriff, monthly with the Trial Court Coordinating Council, and has representatives on the state District Court Judges Association and the state District Court Management Association. The Court actively participates in all county criminal justice committee and projects including the Jail Operations Workgroup, and the Regional Law, Safety and Justice Committee.

- ***A time and motion or equivalent study should be carried out to more accurately determine the Court's support staff needs.***

Beginning in May 2006, the National Center for State Courts (NCSC) performed a detailed staff needs assessment study for the King County District Court. The study concluded with a final report that was approved by the Full Judges Committee on April 27th. The last draft is included, but the final minor edits are not available to be included in this response. (See Tab 8) The report is a comprehensive assessment that included nearly all positions in District Court. NCSC was asked to provide a quantitative and qualitative analysis of staff needs in case-related work, largely focused on clerical staff; an analysis of staffing needs in non-case related work, largely focused on operations managers and court-wide administrative positions of various kinds; an assessment of areas that the court is not currently addressing with its staffing structure; and an assessment of employee job satisfaction. In addition, NCSC provided the Court with a workload assessment model that enables the Court to assess and revise estimates of staffing needs in the future according to changes in case mix, court rules, legislation, and internal policies and practices.

The final report produced results that were not unexpected. District Court is seriously understaffed in its most basic function, case-related work. The report also concluded that there is no middle management structure, leading to overload on managers and limited time for employee supervision and communication with staff. Lack of middle management in probation has been detrimental to the functionality of this Division. Managers across the Court have limited time to train staff, and there is no strong training component to fill this need. Managers are involved in many matters that should be central administrative functions in a unified court, such as facility issues. The steps the Court has taken toward administrative

unification are incomplete, particularly in human resources and finance and overall court administration where there is need for a Deputy Chief Administrative Officer. Although some significant areas of employee job satisfaction are low, almost all employees reported that they are proud to work for District Court.

The final chapter of the report includes a multi-year implementation plan. The plan includes elimination of some positions, creation and funding of new positions, additional staff in existing position classifications, and reclassification of some existing positions. Funding of this implementation plan includes using the court's current budget, a 2007 supplemental request, and additional budget requests for 2008 and 2009.

The Court is excited about the ideas brought forth in this Staffing Study and has already begun taking steps to implement the recommendations as suggested. A request for additional funding is being prepared and is expected to be submitted to Council for consideration in the very near future.

- ***The Court should continue to implement uniform administrative and procedural best practices throughout all locations of the court.***

The Staffing Study contains a detailed plan for creating a training program within the court that will foster uniform and standardized procedures. The program is founded on creating subject matter experts that are accessible to the entire court rather than having trainers duplicate their expertise and efforts at each location. In addition, the Court has one staff person dedicated to keeping the best practices that have been developed thus far, up to date. A weekly meeting of all managers is held via ViPr video-conferencing to ensure that all managers receive important updates and information about procedures and best practices.

- ***The Court should continue to upgrade the operation and technology of the Call Center in an effort to achieve its potential of enhanced public service.***

In March 2007, Solutions IQ Consulting completed an assessment of the Court's Call Center. (See Tab 5) The report indicated that the Call Center was understaffed, not adequately trained in the unique skills utilized by call center operators, and that the court's technology was not robust enough to meet its needs. The procurement process is already underway to obtain consulting services to provide training, assist in the rewriting of telephone information scripts and in reorganizing the court's self-help line. The Court is also preparing the paperwork to obtain consulting services and hardware to upgrade the technology used to better meet its needs. Funding has already been approved by the Council in the 2006 budget process.

- ***The Court should expand, if possible, the Learning Disabilities Program currently offered at the Redmond location to all court locations.***

Unfortunately, the Court has had so many competing interests over the last two years, that there has not been time to address this very important project. The Court anticipates meeting

with representatives of the Learning Disabilities Program in the very near future to discuss the possibilities for expansion and better utilization of this vital program. In 2007 the Court hired a new Probation Director who is enthusiastic about working to better incorporate this program into probation services.

Mid-Term and Long-Term Operational Recommendations

- *The court should review current Best Practices and revise them if needed following the implementation of ECR, State Case Consolidation, and any other projects.*

The Court addresses these issues at its weekly management meetings. In 2006, the Court developed a Master Calendar that was implemented in all locations. The Master Calendar includes standards and best practices for case setting.

Recommendation No. 2—Quality Service Standards

Develop and apply quality service standards and measures for District Court operations, including but not limited to (a) access to justice; (b) case flow management; (c) customer service; (d) jury management; (e) court productivity and (f) collections.

In 2006, the Court educated its bench and management staff on performance measures in the courts. The Court is utilizing the National Center for State Courts “CourTools,” which courts nationally recognize as their preferred measurement tool. The Court chose three of the ten nationally recognized performance measures to implement in 2007: Employee Job Satisfaction, Time to Disposition, and Access to Justice. The Employee Satisfaction Survey measurement was included in the Staffing Study. The court is making plans to deploy a survey tool for Access to Justice and has purchased the software to analyze Time to Disposition. One of the recommendations in the Staff Needs Assessment that is achievable within current resources is to hire a Court Analyst. Performance measures will be a key piece of the job assigned to this new position and until that position is filled the Court doesn’t have the staff or expertise to continue forward.

Short-Term and Mid-Term Operational Recommendations

- *The Court should monitor backlogs and time to resolution. The Court should develop and implement a plan to monitor and reduce time to resolution where needed and take necessary steps to prevent backlogs.*

Time to Disposition is the performance measure on which the Court is currently working. A method for gathering statistics is being developed which will include bench marks from time of filing through disposition.

- *The Court should develop case flow management rules for all cases.*

Rules have not yet been developed, although the best practices the Court developed for implementation of ECR have assisted with the case flow process across the Court.

- *The Court should develop citizen comment cards.*

The Court is also working on the performance measure for Access to Justice. This measure relies on user surveys taken as people exit the courthouse buildings. The Court anticipates conducting these surveys in the fall.

- *The Court should revise and use juror exit questionnaires.*

Juror exit questionnaires are being used.

- *The Court should evaluate and implement mechanisms to measure understanding of court proceedings.*

This project hasn't been started but is closely related to the subject of citizen comment cards and Access to Justice discussed above. In addition, the Court has hired a full-time Spanish interpreter to assist in making the court proceedings accessible and understandable to Spanish speaking court users. This employee is able to assist the Court with interpreting in the courtroom, as well as translating forms from English to Spanish.

Recommendation No. 3—Problem Solving Courts

Continue to support Problem Solving Courts, improving access to Problem Solving Courts, and incorporating Problem Solving Courts in the Court's planning process.

The Relicensing Program is one of the District Court's highly effective problem-solving courts. With the recent legislative fix of the driving while license suspended laws, the Court's Relicensing Program is once again fully operational. The Court holds two calendars in Kent and one in Seattle for invited participants each week and walk-in participants are encouraged. Their numbers continue to grow.

Short-Term, Mid-Term and Long-Term Operational Recommendation

- *Retain and continue to support Mental Health Court and Domestic Violence Court*

Mental Health Court is now hearing felony "drop-down" cases as referred by the prosecutor. The drop-down cases are about one-third of the Mental Health Court caseload. The cities are not yet participating in this court, but are anxious to do so, if a reasonable cost for the Mental Health Court services can be worked out. The Court is meeting monthly with all stakeholders and service providers, including contract cities. This large group has organized itself into smaller committees that have been meeting weekly. The committees are reviewing all details of the Mental Health

Court, from examining its mission statement to assessing what future goals should include.

King County District Court's Domestic Violence Court is firmly established and running well. It is located at the RJC and the King County Courthouse serving all state-filed cases. It affords the best opportunity for expeditious handling of cases and the highest level of court and probation supervision of high risk offenders.

Mid-Term Operational Recommendation

- *Evaluate the need for a Driving Under the Influence (DUI) Problem Solving Court post implementation of the State Case Consolidation program*

The Court has not begun work on this project although the Court continues to consider a future DUI Court. Unfortunately, with the Court's very limited resources, the needs in other areas of the Court have limited the Court's progress in this area.

Recommendation No. 4—Unification and Centralization

Continue and make explicit the strategy of improving efficiency through unification of governance, administration and planning, centralizing workload where appropriate.

The Court has already embarked on a path of unification for governance, administration, and planning, as well as centralizing workload where appropriate. In addition to the unification efforts noted above, the Court has undertaken the following efforts:

1. Centralization of information technology staff in one downtown location, close in proximity to the Presiding Judge's Office.
2. Implementation of one central database for the District Court in 2005, gradually eliminating reliance on nine stand alone databases.
3. Creation of a central payment center for payments submitted electronically or by mail. (Note: customers may also make payments in person at any court facility except Yesler.)
4. Centralization of civil caseloads in each division in order to improve service.
5. Consolidation of the state and county criminal caseload into one location within each division and consolidation of state infraction caseloads into another location within each division.
6. Consideration of a new Centralized Processing Unit has been suggested in both the Staffing Study and the FMP as a way to improve service levels and create economies of scale.

Short-Term, Mid-Term and Long-Term Operational Recommendations

- *The Court should continue its administrative and governance centralization efforts as new opportunities arise.*

Since the OMP was adopted the Court has further centralized its functions as follows:

1. The Court implemented a court-wide electronic time keeping system that allows for centralized payroll processing.
 2. All accounting, collections, time pay and unclaimed property processes are now handled in the Payment Center.
 3. The five Compliance Clerks have been consolidated in the District Court space in the Yesler building rather than one in each of five different locations.
 4. All bank statements and trust accounts are now balanced centrally.
 5. All personnel issues are now handled centrally.
 6. All personnel files are now kept centrally.
 7. The Staffing Study recommends a centralized training program and the Court intends to implement as resources become available.
 8. The Staffing Study recommends a Centralized Processing Unit that would handle all prepping, scanning and indexing of incoming documents, beginning with civil and expanding to include infraction and criminal documents.
- *Focus efforts on career and employee development due to anticipated retirements of many experienced and knowledgeable management staff.*

The Court is utilizing “Acting” positions. The East and South Division Directors retired at the end of January 2007. The Court appointed Acting Directors last July. The Acting Directors shadowed the Directors for several months. As they became more proficient at handling matters, the Directors were moved over to project work, but available for coaching and mentoring. When the two Directors left the Court, the final transition was smooth. The Court is now in the process of conducting a nationwide search to permanently fill these two Director positions.

The Court has also implemented the policy that if any manager is to be away from work for a full-day or longer, an Acting manager is appointed. The Acting manager performs all of the duties of the manager and attends meetings for the manager. This is allowing the Court to train managers on an ongoing basis.

Recommendation No. 5—Technological Improvements

Continue to develop and implement technological improvements, such as “paperless” case processing and E-filings that support District Court operations and increase access to court services and information.

The Court conducted a study on the feasibility of E-filing for District Court. All of its stakeholders and contract cities were interviewed by an independent consultant. The result of the study was that E-filing would not be beneficial to District Court at this time. The expense of the system would outweigh the benefits and deter attorneys from utilizing it. The Court has not moved forward with this project.

E-Citations, however, is a statewide project involving the state Administrative Office of the Courts and the Washington State Patrol and it is moving forward. The Court has begun to receive infractions that are electronically filed by two law enforcement officers involved in this pilot project.

Short-Term, Mid-Term and Long-Term Operational Recommendation

- ***Continue to implement the technology initiative involving:***
 - (a) ***Continued support under ECR for E-filing and electronic case processing rather than paper-based case processing;***
 - (b) ***Best Practices based on functionality provided by ECR;***
 - (c) ***Integration of revenue accounting at a central location with one depository;***
 - (d) ***Centralized receipt of mail payments; and***
 - (e) ***Development of a court-wide case management system, making use of the single database.***

All of these initiatives were underway at the time the OMP was adopted and have all been fully implemented.

- ***Continue to upgrade the technology of the Call Center***

See Recommendation No. 1 above and Tab 5.

Recommendation No. 6—City Contracts

Continue to support the Court's function to serve cities through contracts.

See Section I above and Tabs 6 and 7.

Short-Term, Mid-Term and Long-Term Operational Recommendation

- ***Begin outreach to other cities and communities of court services offered by King County.***

See Section I above regarding contract with the City of Lake Forest Park. Additionally, District Court has attended numerous meetings on annexation and incorporations issues conducted by cities and unincorporated area councils. The Court will continue its efforts in this area.

Recommendation No. 7—Service and Facility Flexibility

Support flexibility in providing services and facilities for District Court customers.

District Court continues to hold monthly calendars on Vashon Island in a community meeting room, as well as a monthly night court calendar for small eastside cities. The Court has put many creative, innovative and flexible ideas on the table in its discussions with the City of Bellevue regarding a court facility. Chapter 4, of the Facility Master Plan includes four different options and alternatives for District Court facilities.

Recommendation No. 8 – Facilities

Continue to support a unified, Countywide District Court, utilizing existing facilities, to provide for a more equitable and cost effective system of justice for the citizens of King County.

- A: Ensure Court facilities promote system efficiencies, quality services and access to justice.**
- B: Consolidate District Court facilities that exist in the same city.**
- C: Reconsider facilities if there are changes with contracting cities or changes in leases.**
- D: Work with cities to develop a facility master plan as it relates to the District Court.**

Near-Term Actions: The following three near-term actions (as written in the 2005 OMP) have been completed by District Court.

State Case Consolidation: The King County Prosecutor, The Public Defender, Law Enforcement, King County Facilities and the King County District Court have agreed and developed a plan to consolidate all of the State and County exclusive jurisdiction (primarily Washington State Patrol and King County Sheriff) criminal caseload into three locations: Redmond, Seattle (at the King County Courthouse), and Burien. In addition, this same group has agreed and developed a plan to consolidate all of the State and County exclusive jurisdiction infraction caseload into three other locations: Aukeen, Issaquah and Shoreline.

Completed.

Yesler Administrative Consolidation: In another move to further the vision to continue to find efficiencies through unification of functions, the ITS previously located in the Bellevue District Court facility at Surrey Downs, has been re-located to the county-owned Yesler building and centralized with the call center (also an ITS function in the court). This functional centralization creates greater efficiency and improvements in the support structure to the Court.

Completed.

City Contracts: Currently, the County contracts with 14 local municipalities to deliver local court services. This contract ends December 31, 2006. The future of District Court includes full cost recovery contracts with any King County city. The outcome of contract discussions will impact and potentially drive the facility

improvements as the Executive and Court work with the cities to define viable options for delivery. There are a range of options that can be evaluated in that process, including renting space, a change in the current service by providing court services in less traditional locations, such as holding court in council chambers or other meeting rooms in order to bring the court into a community, to full service delivery in a county-owned locations within a city. The range in potential scenarios is broad and will need to be implemented through contracting discussions with municipalities.

Completed.

Facilities Master Plan

This recommendation calls for a Facilities Master Plan (FMP) that includes input from all stakeholders, including contract cities. See Section II above.

Recommendation No 9—Study Court Integration

Study the integration of District Court, Superior Court and the Department of Judicial Administration assuring that the needs of District Court are met; and best practices are considered.

The King County Council, through adoption of the 2005 budget, requested a feasibility study to examine the potential for administrative consolidation of the District Court, Superior Court, and Department of Judicial Administration.

The proviso response was filed timely. The study found that consolidation was not feasible and that District Court should conduct a comprehensive staffing study.

Recommendation No. 10—Work with Stakeholders

Work together with stakeholders to gain state and local cooperation and assistance to meet the needs of the judicial system.

District Court fully participates in the State legislative process through the County, as well as through the Judges and Court Managers statewide associations.

Recommendation No. 11—Additional Resources

Recognize that implementation of these strategic and operational recommendations may require reallocation or commitment of additional resources.

District Court realizes the value of a close working relationship with both the Executive and Council, especially with regards to funding issues. The Court continually works to be a good steward of public funds and makes every effort to provide services in both a cost-effective and efficient manner.