

Kohl-Wells moved Amendment 2 to Striking Amendment 1.
The motion carried.

2

July 27, 2021

Court backlog proviso report

[J. Giambattista]

Sponsor: Balducci, Kohl-Welles

Proposed No.: 2021-0238

1 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

2 **2021-0238, VERSION 1**

3 On page 21, after line 462, insert:

4 "P4 PROVIDED FURTHER THAT:

5 Of this appropriation, \$600,000 shall not be expended or encumbered until the
6 office of performance strategy and budget transmits three reports on progress toward
7 addressing the civil and criminal case backlog that resulted from the COVID-19
8 pandemic and progress on addressing new eviction cases after the state eviction
9 moratorium is lifted. Each report shall be transmitted with a motion that should
10 acknowledge receipt of the report. Each motion should reference the subject matter, the
11 proviso's ordinance number, ordinance section and proviso number in both the title and
12 body of the motion.

13 The first report shall include a baseline definition of how the backlog of criminal
14 and civil cases being addressed with resources supported in this ordinance (Proposed
15 Ordinance 2021-0238) is defined in terms of the age of cases, when cases were filed and
16 case types, or other relevant criteria, and how many cases meet the definition by case
17 type for monitoring purposes. The first report shall also identify a start date for tracking
18 eviction cases.

19 The executive should electronically file the first report and the motion required by
20 this proviso no later than November 30, 2021, with the clerk of the council, who shall
21 retain an electronic copy and provide an electronic copy to all councilmembers, the
22 council chief of staff and the lead staff for the budget and fiscal management committee,
23 or its successor.

24 The second and third report shall cover the periods from July 27, 2021, through
25 March 31, 2022, and from April 1, 2022, through September 30, 2022, respectively, and
26 include, but not be limited to, the following information from district court, the
27 department of judicial administration, the prosecuting attorney's office, the department of
28 public defense and superior court:

29 A. A list of positions supported by this ordinance (Proposed Ordinance 2021-
30 0238) for district court, the department of judicial administration, the prosecuting
31 attorney's office, the department of public defense and superior court, by job type, the
32 number of those positions that are vacant and the hire dates for all filled positions in the
33 period covered by the report and the total since the July 27, 2021,

34 B. How much of the appropriation for district court, the department of judicial
35 administration, the prosecuting attorney's office, the department of public defense and
36 superior court this ordinance (Proposed Ordinance 2021-0238) has been expended as of
37 the final day of the reporting period and the total since the July 27, 2021,

38 C. For superior court cases, the number of backlog cases as defined in the first
39 report, and the number of backlog cases resolved, by charge and type of resolution,

40 D. For district court cases, the number of backlog cases as defined in the first
41 report, and the number of backlog cases processed and removed from the system, and

42 E. The identification and discussion of barriers or system challenges to
43 addressing the backlog or addressing new evictions. The barriers and system challenges
44 could be general or specific to a certain case type.

45 Moneys shall be unencumbered in \$200,000 increments upon adoption of the
46 motion acknowledging receipt of each quarterly report is passed by the council.

47 The executive should electronically file the second report and motion required by
48 this proviso no later than May 16, 2022, and the third report and motion required by this
49 proviso no later than November 14, 2022, with the clerk of the council, who shall retain
50 an electronic copy and provide an electronic copy to all councilmembers, the council
51 chief of staff and the lead staff for the budget and fiscal management committee, or its
52 successor."

53

54 **EFFECT prepared by J. Giambattista: *The amendment would require reporting by***
55 ***the Office of Performance Strategy and Budget on the progress in addressing the court***
56 ***system backlog.***