

# Seattle Municipal Court

The Honorable Ed McKenna, Presiding Judge

(206) 684-5600

<http://www.seattle.gov/courts/>

## Judicial Overview

The Seattle Municipal Court (Court) adjudicates misdemeanors, gross misdemeanors, infractions (e.g., traffic and parking tickets, traffic camera violations, and other violations), and civil violations related to building and zoning offenses. The Judicial Branch of Seattle government has seven elected judges and six appointed magistrates. There are more cases processed here than any other municipal court in the State of Washington; in 2019, 10,090 criminal cases were filed and 56,500 criminal hearings were held at Seattle Municipal Court. Approximately 568,000 infraction tickets were processed during 2019, with over 59,281 magistrate hearings held.

The Court is committed to excellence in providing fair, accessible and timely resolution of alleged violations of the Seattle Municipal Code in an atmosphere of respect for all. The Court is a leader in implementing innovative programs and services, utilizing evidence-based best practices and harm reduction strategies, using data to continually evaluate practices and inform new strategies, and taking a holistic approach that benefits Court participants and ensures ongoing public safety.

Whether individuals come to the Court to resolve a ticket or appear at a criminal hearing, the Court strives to meet people where they are and remove barriers to success, with the goal of reducing racial disparities and recidivism.

### Court Programs and Services

The Court partners with community organizations to provide a wide variety of services at the **Community Resource Center**, a social service hub located in the courthouse. The Community Resource Center is open for the entire public's use and is woven into all the Court's strategies for supervising individuals, community outreach and reentry support. Services offered include:

- food and clothing
- housing through Coordinated Entry for All
- health and hygiene
- grocery cards and food stamps
- substance use disorder assessment
- employment and job readiness

In pretrial proceedings, judges prioritize the least restrictive option for release while protecting community safety. The Court's Pretrial Services division works to support individuals participating in a variety of alternatives to detention. Some of these alternatives include:

- day reporting included in an overall pre-trial strategy; and
- Electronic Home Monitoring (EHM) and Secure Remote Alcohol Monitoring (SCRAM) with options for subsidized or reduced costs for low income and homeless individuals.

The Court also partners with the Seattle City Attorney's Pre-filing Diversion Program.

In 2019, the Court implemented an **automated text reminder program** to improve court appearance rates, at no additional cost to the City. This makes it easier for individuals who are released pretrial to stay informed about their court dates and avoid having warrants issued. This is an especially important method of communication for individuals who have no permanent mailing address.

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For individuals fulfilling post-trial probation obligations, the Court's **Probation Counselors** work one-on-one with clients to address underlying needs and help them meet their goals. Over 72% of the individuals on probation in 2019 were sentenced for high public safety risk charges: DUIs make up the largest share of individuals on probation at 42%, followed by domestic violence at 19%. Of these individuals, 77% successfully completed their obligations; and 86% completed their probation obligations without returning to jail. One-third of the individuals on probation were successfully discharged early for successful completion. In 2019, the Court has contracted with the Vera Institute of Justice to review our current probation policies and practices with the goal of identifying examples of success as well as areas for advancement. This review will analyze impacts of court probation practices on communities of color, women and nonbinary people, and the LGBTQ community, and identify ways to improve service to these populations. This report is expected to be finalized in the second quarter of 2020.

### Specialty Courts

In addition to three general trial courts, the jail arraignment calendar and the master jury trial calendar, the Court serves defendants and the community through several specialty court calendars.

**Mental Health Court**, established in 1999, is a specialized court where the judge, defense, prosecution, probation counselors, and a mental health clinician work as a team to improve outcomes for the participant. Individuals are referred to this voluntary program by judges, defense attorneys, prosecutors, jail staff, or others. Mental Health Court has saved thousands of jail days, thousands of hospital bed days, and hundreds of thousands of dollars in jail costs to the City of Seattle. The Mental Health Court program has been working over the last six months to increase participation. The Court is contracting via HSD with Public Health of Seattle/King County to provide clinical services to individuals eligible for MHC. Having a highly skilled clinician has resulted in a large increase in the volume of participants referred to the court and being placed on Conditions of Release. The clinician has worked with 51 participants since beginning with the court in May 2019.

**Seattle Veterans Treatment Court** was established in 2012 and is a voluntary, court-monitored treatment program that addresses the mental health and/or substance use issues of veteran defendants. This program is a collaboration between the Court, prosecution, defense, the King County Department of Community and Human Services, the Washington State Department of Veterans Affairs, and the U.S. Department of Veterans Affairs.

**Domestic Violence Courts** were established in 2004 and are staffed by designated judges and specialized probation counselors. A dedicated domestic violence court allows judges to ensure follow-through, aid domestic violence survivors, and hold offenders accountable, with the assistance of justice partners and social service agencies. The Court has been integral in piloting a collaborative treatment modality known as the **Domestic Violence Intervention Project (DVIP)**. This pilot project is aimed at improving safety for survivors via individualized batterer intervention and is a multi-agency/system collaboration and response. The pilot began in June 2018 and will fully launch in early 2020. The court is pursuing a federal grant opportunity in collaboration with the Department of Human Services through the Office of Violence Against Women. Grant award decisions are expected in the fall of 2020.

**Seattle Youth Traffic Court**, established in 2012, provides eligible teen drivers charged with a traffic violation the opportunity to maintain a clean driving record. Youth appear before a court of their peers who act as judges, jurors, defense attorneys and prosecutors. The peer jury determines an appropriate sanction based on the nature of the violation and impact on the community. This program is a collaboration between the Court, Seattle University School of Law, Garfield High School, and the Seattle Police Department.

In addition to these specialty courts, the Court is planning implementation for an updated pre-adjudication **Community Court** concept to begin in June 2020, in collaboration with the City Attorney, the Department of Public Defense, and other community partners. The Court is also examining the potential benefit of adopting a DUI specialty court, in collaboration with the Washington Traffic Safety Commission.

### Community Outreach

The Court hosts quarterly community outreach events that bring court services and resources to Seattle neighborhoods. These *SMC In The Community* events are an opportunity for community members to receive assistance with resolving Seattle Municipal Court warrants, learn about options for addressing Seattle and King

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County tickets by setting up a payment plan or community service plan, get help with reinstating their driver's license, and access supportive services through the Community Resource Center.

A community event, at Garfield Community Center in May 2019, connected 248 people with a variety of services. While the majority (67%) of attendees were Seattle Municipal Court clients, a third were members of the general public coming to access supportive services from court partners. Approximately one in three people at the event reported experiencing homelessness or unstable housing.

The Court will continue to expand its outreach efforts. The last *SMC In the Community* event was October 2019 at Rainier Beach Community Center with over 400 participants and 20 providers. The Court is also exploring options for holding magistrate hearings in neighborhoods across Seattle to provide community members more accessible locations to resolve outstanding tickets, at no additional cost to the City. This program is expected to launch in the second quarter of 2020.

### Infractions

The Court processes hundreds of thousands of traffic, parking, and traffic camera tickets every year. In 2018, the Court processed 27,421 traffic infraction tickets, 107,211 traffic camera tickets, and 433,175 parking tickets. Individuals may schedule hearings with one of the Court's magistrates to contest or mitigate their tickets; magistrates held 74,658 infraction hearings in 2018.

The Court will work with individuals who are unable to pay their tickets through payment plans or by converting the amount owed into community service hours.

### Municipal Court Information System Replacement

The Court is replacing its legacy municipal court information system, MCIS, with a modern and adaptable case management solution. The new system will streamline court processes, improve the accessibility of court services to the public, and make it easier for partners at the Seattle Police Department, King County, and others to work collaboratively with the Court. The Court, in partnership with the Seattle Information and Technology Department, has contracted with Thomson Reuters to implement the C-Track (court case management and records) along with the C-Five (probation case management) programs. Major work on the project involving large numbers of staff from all areas of the court moves forward with configuration, data conversion and migration, integrations (approximately 56), and organizational change management.

### Language Access and Accessibility

The Court has provided **Interpreter Services** in 148 languages since 2005. A Court priority is ensuring access to justice for Limited English Proficiency (LEP) and deaf, hard-of-hearing, or deaf-blind (D/HH/DV) individuals. Free of charge interpreter services are provided for criminal and civil matters, including court hearings, trials, attorney-client interviews, probation appointments, prosecution witnesses, mental health evaluations, customer service, and translation of court forms and letters. In 2019, about 6,000 interpreted events were conducted with the help of 193 freelance interpreters in 71 languages, including American Sign Language. Approximately 40% of the requests are for Spanish language interpreters. Other frequent requests for interpretation include the Vietnamese, Somali, Amharic, Tigrinya, Cantonese, Mandarin, Russian, Punjabi, and Arabic languages.

To improve services in languages where state certification is not yet available, the Court designed and implemented a mentoring program for non-credentialed and Registered court interpreters. This is the first program of its kind in Washington State and helps ensure quality interpretation services for all LEP individuals. In 2018, Interpreter Services also designed, tested and implemented video remote interpreting via VSee for some mitigation hearings. SMC Interpreter Services developed Bench Card Courtroom Interpreting for Spoken Languages, which has been approved by the Supreme Court Interpreter Commission to be used by judges statewide.

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## Budget Snapshot

	2018 Actuals	2019 Adopted	2020 Endorsed	2020 Adopted
<b>Department Support</b>				
General Fund Support	32,892,091	34,760,198	34,212,902	36,306,601
<b>Total Operations</b>	<b>32,892,091</b>	<b>34,760,198</b>	<b>34,212,902</b>	<b>36,306,601</b>
<b>Total Appropriations</b>	<b>32,892,091</b>	<b>34,760,198</b>	<b>34,212,902</b>	<b>36,306,601</b>
Full-Time Equivalents Total*	215.10	215.10	215.10	215.10

\* FTE totals are provided for informational purposes only. Changes in FTEs resulting from City Council or Human Resources Director actions outside of the budget process may not be detailed here

## Budget Overview

The 2020 Adopted Budget provides resources to enable the Court to continue to adjudicate criminal cases, citations and infractions.

A priority for the Court is to continue preparing for the replacement of the Municipal Court Information System (MCIS). MCIS is over 27 years old and was developed internally using the legacy IBM Informix platform to capture key court case events and meet the reporting requirements of the state's Administrative Office of the Courts (AOC). Over time, the Court has enhanced this system to provide important case management information, increased application functionality and improved data exchanges and public access. The Court and the City are highly dependent on MCIS to provide a continuing, permanent record of court case events, dates, hearings and outcomes. MCIS also tracks defendant compliance with court ordered sanctions and tracks all related fines and fees. Data related to the collection of \$47 million in fines and fees from the Seattle Police Department's parking and traffic ticket devices are highly dependent on MCIS. Daily data exchanges with the City of Seattle departments, King County and the State of Washington agencies rely on MCIS fully functioning with modern technology capabilities.

This project, began in 2015, is included in the Seattle Information Technology Department (Seattle IT) Capital Improvement Program, as part of the Criminal Justice Information System Replacement Project, with an estimated total cost of \$41 million over six years.

### Schedule and Milestones:

1. 2017: \$2.5 million was appropriated to Seattle IT to conduct an options analysis comparing available options, vendor demonstrations, and conduct research for information on technology capabilities, while concurrently documenting MCIS current business practices and requirements.
2. 2018: \$5 million was appropriated to develop an RFP, data preparation, business process engagement and organizational change management.
3. 2019: \$3 million was appropriated to finalize an RFP, evaluate proposals, specific vendor demonstrations and interviews fit gap analysis and contract negotiations.
4. 2020: \$8.3 million appropriated with the vendor on board.

Implementation will continue through 2020-2021 with a go-live date in January 2022.

Elected state, superior and district court judicial salaries are set by the Washington Citizen's Commission on Salaries for Elected Officials. By Ordinance 122112, SMC judicial salaries are set at 95% of the district court. A final salary schedule and wage increase was mandated effective July 2019 and the budget will fund this increase. Additionally,

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setting SMC judicial salaries at this level qualifies the City to receive a contribution from the state for technology improvements at SMC per the aforementioned ordinance.

In 2019, the Mayor convened the High Barrier Individuals Working Group, an interagency group including King County, in response to heightened community conversations around public safety and individuals repeatedly caught in a cycle of criminal justice, social services and community incidents. The group explored new strategies, system reforms or partnerships needed for a more focused approach to repeat offenders who are not receiving appropriate interventions. The group developed four new pilot programs to address these issues including the HB Probation pilot program that will feature a smaller, specialized caseload for SMC probation counselors to assist those high barrier individuals with court interactions, chemical dependencies and other issues. There are funds set aside in Finance General for these pilots as well as additional funding coming from the Municipal Court funds.

### **City Council Changes to the Proposed Budget**

There were no changes made by City Council to the Seattle Municipal Court 2020 Proposed Budget, but the funding set aside in Finance General for the HB Probation pilot was re-purposed to support the Office for Civil Rights.

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## Incremental Budget Changes

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	2020 Budget	FTE
<b>Total 2020 Endorsed Budget</b>	<b>34,212,902</b>	<b>215.10</b>
<b>Baseline</b>		
2020 Coalition and Non-Rep Annual Wage Increase Base Budget	1,761,439	-
2020 State Paid Family Medical Leave Increase Base Budget	26,556	-
Citywide Adjustments for Standard Cost Changes	276,506	-
<b>Proposed Technical</b>		
2020 Judicial Salary Technical Adjustment	29,198	-
<b>Council Provisos</b>		
Move \$170,000 from Finance General Reserves for high-barrier probation to the Office for Civil Rights and impose three provisos	-	-
<b>Total Incremental Changes</b>	<b>\$2,093,699</b>	<b>-</b>
<b>Total 2020 Adopted Budget</b>	<b>\$36,306,601</b>	<b>215.10</b>

## Description of Incremental Budget Changes

### Baseline

#### 2020 Coalition and Non-Rep Annual Wage Increase Base Budget

Expenditures \$1,761,439

This centrally administered change adjusts appropriations to reflect the Annual Wage Increase, as outlined in the agreements between the City and the Coalition of Unions, for personnel costs included in this department's baseline budget. This includes increases to salary, FICA, Medicare, retirement, overtime and temporary labor.

#### 2020 State Paid Family Medical Leave Increase Base Budget

Expenditures \$26,556

Starting in January 2020, Washington State will offer paid family and medical leave benefits to all workers in the State of Washington, including City of Seattle employees. In 2020, the agreements with the Coalition of Unions moves a portion of the cost responsibility to the employee in 2020, with the City paying the remainder. This item increases appropriations to account for the City's obligation for all employees.

#### Citywide Adjustments for Standard Cost Changes

Expenditures \$276,506

Citywide technical adjustments made in the baseline phase reflect changes to internal services costs, including the Department of Finance & Administrative Services rates, Information Technology rates and Human Resources rates,

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health care, retirement and industrial insurance charges for the department. This adjustment also includes a transfer of resources from the department to the Human Resources Investigations Unit (HRIU) as part of the City's efforts to improve investigative processes and practices across the City departments. While the internal service rates are final for 2020, some of the other adjustments reflect initial assumptions about these costs and inflators early in the budget process.

### Proposed Technical

#### **2020 Judicial Salary Technical Adjustment**

Expenditures \$29,198

In Washington state, elected state, superior and district court judicial salaries are set by the Washington Citizen's Commission on Salaries for Elected Officials. As directed in Ordinance 122112, Seattle Municipal Court judicial salaries are set at 95% of the district court. A final salary schedule and wage increase was mandated effective July 2019 which the Court will absorb within their 2019 budget. The 2020 Adopted Budget funds the 2019 ongoing increase. Additionally, setting SMC judicial salaries at this level qualifies the City to receive a contribution from the state for technology improvements at SMC. The state's contribution is generally \$150,000 annually and is applied to the Trial Court Improvement Account in Finance General. The Ordinance permits appropriation, by annual budget or by separate ordinance, solely to fund allowable Seattle Municipal Court related expenditures".

### Council Provisos

#### **Move \$170,000 from Finance General Reserves for high-barrier probation to the Office for Civil Rights and impose three provisos**

Expenditures -

This Council Budget Action cut \$170,000 in Finance General Reserves intended to support creation of a probation pilot for high-barrier individuals in Seattle Municipal Court (SMC). It added \$170,000 to the Office for Civil Rights (OCR) to conduct outreach and engagement related to criminal legal system alignment and implementation efforts. The Council Budget Action also imposed three provisos:

"None of the money appropriated in the 2020 Budget in Finance General Reserves may be spent on a probation pilot for high-barrier individuals until both (a) Seattle Municipal Court has submitted to the Chair of the committee with jurisdiction over public safety the report requested in Statement of Legislative Intent CJ-7-A-2 and (b) the City Auditor has submitted the report requested in Statement of Legislative Intent CJ-1-B-1."

"Of the appropriation in the 2020 budget for the Office for Civil Rights, \$30,000 is appropriated solely for community engagement sessions led by the Office for Civil Rights and the Legislative Department and may be spent for no other purpose. These funds are intended to support the Council's criminal legal system alignment work to engage with stakeholders, including persons currently or formerly incarcerated and communities most impacted by the criminal legal system, and staff in relevant City departments, including the City Attorney's Office, Seattle Municipal Court, and the Criminal Justice Equity Team. Furthermore, none of the money so appropriated may be spent until authorized by future ordinance. Council anticipates that such authority will not be granted until the Office for Civil Rights provides to the chair of the committee with jurisdiction over public safety a plan for how the money will be spent for this purpose."

"Of the appropriation in the 2020 budget for the Office for Civil Rights, \$140,000 is appropriated solely for partnership, outreach, and engagement related to criminal legal system alignment, strategic plan development, and implementation efforts, including the work described in Council Budget Action CJ-2-B-2, Council Budget Action CJ-3-A-2, and Statement of Legislative Intent CJ-21-A-2 and may be used for no other purpose. Furthermore, none of the money so appropriated may be spent until authorized by future ordinance. Council anticipates that such authority will not be granted until the Office for Civil Rights provides to the chair of the committee with jurisdiction over public safety a plan for how the money will be spent for this purpose."

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### Expenditure Overview

	2018 Actuals	2019 Adopted	2020 Endorsed	2020 Adopted
<b>Appropriations</b>				
<b>SMC - BO-MC-2000 - Court Operations</b>				
00100 - General Fund	15,357,754	15,441,923	15,581,673	16,797,535
<b>Total for BSL: BO-MC-2000</b>	<b>15,357,754</b>	<b>15,441,923</b>	<b>15,581,673</b>	<b>16,797,535</b>
<b>SMC - BO-MC-3000 - Administration</b>				
00100 - General Fund	11,977,457	13,730,639	13,018,192	13,499,563
<b>Total for BSL: BO-MC-3000</b>	<b>11,977,457</b>	<b>13,730,639</b>	<b>13,018,192</b>	<b>13,499,563</b>
<b>SMC - BO-MC-4000 - Court Compliance</b>				
00100 - General Fund	5,556,880	5,587,636	5,613,037	6,009,503
<b>Total for BSL: BO-MC-4000</b>	<b>5,556,880</b>	<b>5,587,636</b>	<b>5,613,037</b>	<b>6,009,503</b>
<b>Department Total</b>	<b>32,892,091</b>	<b>34,760,198</b>	<b>34,212,902</b>	<b>36,306,601</b>
<b>Department Full-Time Equivalent Total*</b>	<b>215.10</b>	<b>215.10</b>	<b>215.10</b>	<b>215.10</b>

*\* FTE totals are provided for informational purposes only. Changes in FTEs resulting from City Council or Human Resources Director actions outside of the budget process may not be detailed here*

### Budget Summary by Fund Seattle Municipal Court

	2018 Actuals	2019 Adopted	2020 Endorsed	2020 Adopted
00100 - General Fund	32,892,091	34,760,198	34,212,902	36,306,601
<b>Budget Totals for SMC</b>	<b>32,892,091</b>	<b>34,760,198</b>	<b>34,212,902</b>	<b>36,306,601</b>



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## Appropriations by Budget Summary Level and Program

### **SMC - BO-MC-2000 - Court Operations**

The purpose of the Court Operations Budget Summary Level is to hold hearings and address legal requirements for defendants and others who come before the Court. Some proceedings are held in formal courtrooms and others in magistrate offices, with the goal of providing timely resolution of alleged violations of City ordinances and misdemeanor crimes committed within the Seattle city limits.

<b>Program Expenditures</b>	<b>2018 Actuals</b>	<b>2019 Adopted</b>	<b>2020 Endorsed</b>	<b>2020 Adopted</b>
Court Operations	15,357,754	15,441,923	15,581,673	16,797,535
<b>Total</b>	<b>15,357,754</b>	<b>15,441,923</b>	<b>15,581,673</b>	<b>16,797,535</b>
Full-time Equivalents Total*	136.25	136.25	136.25	136.25

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### **SMC - BO-MC-3000 - Administration**

The purpose of the Administration Budget Summary Level is to provide administrative controls, develop and provide strategic direction, and provide policy and program development.

<b>Program Expenditures</b>	<b>2018 Actuals</b>	<b>2019 Adopted</b>	<b>2020 Endorsed</b>	<b>2020 Adopted</b>
Citywide Indirect Costs	6,178,617	7,909,606	7,160,127	7,297,934
Departmental Indirect Costs	5,798,840	5,821,033	5,858,065	6,201,629
<b>Total</b>	<b>11,977,457</b>	<b>13,730,639</b>	<b>13,018,192</b>	<b>13,499,563</b>
Full-time Equivalents Total*	34.00	34.00	34.00	34.00

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*The following information summarizes the programs in Administration Budget Summary Level:*

#### **Citywide Indirect Costs**

<b>Expenditures/FTE</b>	<b>2018 Actuals</b>	<b>2019 Adopted</b>	<b>2020 Endorsed</b>	<b>2020 Adopted</b>
Citywide Indirect Costs	6,178,617	7,909,606	7,160,127	7,297,934
Full Time Equivalents Total	34.00	34.00	34.00	34.00

#### **Departmental Indirect Costs**

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Expenditures/FTE	2018 Actuals	2019 Adopted	2020 Endorsed	2020 Adopted
Departmental Indirect Costs	5,798,840	5,821,033	5,858,065	6,201,629

### **SMC - BO-MC-4000 - Court Compliance**

The purpose of the Court Compliance Budget Summary Level is to help defendants understand the Court's expectations and to assist them in successfully complying with court orders.

Program Expenditures	2018 Actuals	2019 Adopted	2020 Endorsed	2020 Adopted
Court Compliance	5,556,880	5,587,636	5,613,037	6,009,503
<b>Total</b>	<b>5,556,880</b>	<b>5,587,636</b>	<b>5,613,037</b>	<b>6,009,503</b>
Full-time Equivalents Total*	44.85	44.85	44.85	44.85

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