

Seattle Municipal Court

The Honorable Willie Gregory, Presiding Judge

(206) 684-5600

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

Judicial Overview

The Seattle Municipal 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, 9,569 criminal cases were filed and 56,836 criminal hearings were held at Seattle Municipal Court.

The Seattle Municipal Court (SMC or Court) is in a transformational time for how criminal justice is delivered in Seattle and across America. SMC judges are working towards immediate and profound change to address institutionalized racism embedded in the fabric of the criminal justice system, implementing policies to promote racial equity and committing to authentic community engagement focused on community-based alternatives to transform work moving forward.

This commitment is reflected in the 2021 budget through restructuring of the Programs and Services department, which includes Probation Services. In 2019, the Court commissioned the Vera Institute of Justice (Vera), a leading criminal justice reform organization, to evaluate Probation Services. In the 2020 report, Vera recommended significantly reducing the number of people on probation and thinking differently about supervision in Seattle. To achieve this, the Court plans to:

- Transform our pretrial justice by reducing in-person Day Reporting and moving to a collaborative Community Court model that significantly reduces incarceration and connects people to social services through the Community Resource Center.
- Reduce traditional post-sentence supervision to focus on higher risk charges including Driving Under the Influence (DUI), Domestic Violence (DV), and Mental Health Court (MHC) clients.

By restructuring Programs and Services and engaging in community dialogue around the future of post-adjudication monitoring, the Court aims to equitably serve probation clients and support them as they transition out of the criminal legal system. 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 strives to take a holistic approach to address the root causes of criminal behavior and ensure ongoing public safety. Whether individuals come to the Court to resolve a ticket or appear at a criminal hearing, SMC seeks to meet people where they are and remove barriers to success, with the goal of reducing racial disparities and recidivism.

Throughout the COVID-19 pandemic, the Court's emergency response has coordinated with municipal legal system stakeholders including the Seattle City Attorney's Office and the King County Department of Public Defense to protect the health and safety of all court participants. Early in the pandemic, SMC worked collaboratively with stakeholders to reduce the jail population as much as possible. While the courthouse was closed to the public, the in-custody arraignment calendar continued to ensure individuals had an opportunity for release as soon as feasible. Prosecutors attended these hearings telephonically and measures were implemented in the courtroom to ensure social distancing. The Court suspended the default penalty and collections programs for infractions, as well as the online and telephone payment convenience fees. As the courthouse has reopened and resumed limited in-person operations, calendars have been modified to minimize building occupancy, plexiglass barriers installed at service counters and courtrooms, and other measures taken to preserve health and safety for all participants.

Court Programs and Services

In August 2020, the Court launched a revitalized **Seattle Community Court** (SCC) in collaboration with the Seattle City Attorney's Office and King County Department of Public Defense. Structured as a pretrial release program, SCC is founded on a release-first principle where individuals choosing to participate are immediately released from jail so they can begin setting goals and connecting to community services. SCC is a pathway for people to have their low-

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level misdemeanor charges dismissed while providing valuable service to local communities. SCC connects participants with social services such as employment assistance, housing assistance, and DSHS food, cash and medical benefits. Unlike national community court models, SCC participants do not give up their constitutional right to trial to participate, and program eligibility is not affected by previous criminal history.

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 such as Electronic Home Monitoring (EHM) and Secure Remote Alcohol Monitoring (SCRAM), with options for subsidized or reduced costs for low income and homeless individuals.

In 2020, Presiding Judge Gregory issued an order that **current and future warrants** on almost all non-domestic violence, non-DUI cases be eligible for personal recognizance release. This means that people will not sit in jail for low-level misdemeanor warrants while waiting for a hearing.

The Court partners with community organizations to provide a wide variety of services at the **Community Resource Center (CRC)**, a social service hub located in the courthouse. The CRC closed in March 2020 due to the COVID-19 pandemic; however, in-person services have resumed in a limited capacity to support Community Court participants, and an online resource list helps the public access services remotely. The CRC is woven into all the Court's strategies for supporting individuals. Services offered include:

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

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

Mental Health Court 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 jail days, hospital bed days, and in jail costs to the City of Seattle.

Seattle Veterans Treatment Court 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 individuals 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.

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. The Court is also examining the potential benefit of adopting a DUI specialty court, in collaboration with the Washington Traffic Safety Commission.

Community Outreach

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The Court recognizes undoing institutional racism within the legal system requires meaningful engagement with the community to identify solutions. SMC judges are committed to a community engagement process to listen to the community and to quickly act upon input. The Court is launching an engagement process in 2020 centered in healing circles, with a restorative approach to engagement. The Court also conducted multiple independently-led virtual focus groups with court users focused on accessibility, inclusion, and racial equity over the summer and will publish a report of the findings in fall 2020. The Court is open to opportunities for future engagement with the City Council's criminal legal system realignment work, the Seattle Office of Civil Rights, Seattle City Attorney, King County Department of Public Defense, and community-based providers such as Law Enforcement Assisted Diversion (LEAD).

In previous community-led conversations, such as the City's Reentry workgroup, SMC heard the need for restorative, community-based alternatives to the criminal legal system. The Court participates in the City Attorney's Office/Choose 180 Pre-filing Diversion Program and works with the City Attorney's Office and LEAD on a Consolidated Calendar where LEAD clients have a coordinated and problem-solving approach to resolving outstanding SMC cases.

While the COVID-19 pandemic has paused the program, the Court typically holds 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 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.

The most recent event at Rainier Community Center in October 2019 included 19 service providers and 30 court staff and volunteers. Over 400 community members received a variety of services at the event including resolving warrants and unpaid tickets, relicensing, accessing health care and employment resources, and more. The Court is evaluating options to continue this outreach work during the COVID-19 pandemic while effectively reaching clients who may not have digital access to attend a virtual event.

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 is currently on hold due to the COVID-19 pandemic and will be revisited once it is safe to do so.

Infractions

The Court processes hundreds of thousands of traffic, parking, and traffic camera tickets every year. In 2019, the Court processed 27,959 traffic infraction tickets, 93,134 traffic camera tickets, and 451,854 parking tickets. Individuals may schedule hearings with one of the Court's magistrates to contest or mitigate their tickets; magistrates held 70,907 infraction hearings in 2019.

The Court works with individuals who are unable to pay their tickets through payment plans or by converting the amount owed into community service hours. Through the King County-City of Seattle PolicyLink Fine/Fee grant, the Court is routinely engaging with King County and community partners on how to reform local legal financial obligation practices. The Court is also implementing a relicensing calendar and broadening its hardship policies, and will engage community groups (i.e. LELO) in these efforts.

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.

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, over 6,300 interpreted events were conducted with the help of 183

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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 skills for non-credentialed and registered interpreters, the Court Interpreter Services team designed and implemented a state-wide mentoring program. Dozens of interpreters successfully graduated from the program and now work in courts across Washington. In 2019, Interpreter Services provided video remote interpreting for some infraction mitigation hearings. The Court’s Interpreter Services also developed a Bench Card on Courtroom Interpreting for Spoken Languages, which has been approved by the Supreme Court Interpreter Commission to be used by judges statewide. Interpreter Services provided two presentations for King County Public Defense attorneys on best practices of working with court interpreters in 2020. In 2019, Interpreter Services also assisted in translating much of the court’s website into Spanish.

SMC **Probation Services** is the rehabilitative alternative to jail for clients not eligible for diversion programs. In 2019, the Court independently sought an evaluation from the Vera Institute of Justice, a leading national nonprofit committed to criminal justice reform. The Court commits to the following changes:

- Eliminate Day Reporting, a program that disproportionately impacts people of color and places unnecessary burdens on individuals coming to our court.
- Focus the smaller and restructured probation program on important statutory mandates to monitor domestic violence (DV) and driving under the influence (DUI) cases, which are most appropriate for the case management services that probation offers clients.
- Address other cases through Seattle Community Court – a new collaborative approach to pretrial justice reform using harm-reduction.

Budget Snapshot

	2019 Actuals	2020 Adopted	2021 Adopted
Department Support			
General Fund Support	35,208,284	36,306,601	38,377,201
Total Operations	35,208,284	36,306,601	38,377,201
Total Appropriations	35,208,284	36,306,601	38,377,201
Full-Time Equivalent Total*	215.10	215.10	205.85

* 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

In 2019, the Seattle Municipal Court (SMC) sought an evaluation of Probation Services by the Vera Institute of Justice, “aiming to identify ways to most effectively serve our clients and improve our program.” Vera conducted interviews with judges, the City Attorney’s Office, and probation staff; ran three focus groups with those currently or formerly on probation; reviewed Probation’s protocols and procedures; and analyzed administrative data for the more than 9,000 cases that were open at any time during the two-year period from July 2017 through June 2019.

The Court is committed to implementing the evaluation’s recommendations. Although not inclusive of all actions, below are significant Programs and Services changes:

- Limit crimes receiving probation to (1) DUI, (2) DV, (3) Mental Health Court and (4) person-based assault cases.

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- Make probation shorter, goals-based, with fewer requirements, and with fewer individuals monitored solely on criminal records. Using incentives to encourage success.
- Judicial adoption of new sentencing practices to reduce caseloads, such as not referring first-time DUI offenses to probation unless the individual has a substance use disorder.
- After a ten-month review of assessment tools from around the country, SMC has not been able to find an assessment tool that addresses the issue of racial disproportionality. Judges are working to find a solution that will equitably serve clients based on their needs and strengths, while also satisfying the ARLJ mandate to use a classification system.
- Collect data on race, ethnicity and gender to understand why racial disparities and gender disparities exist and explore gender-responsive programming.
- Track and analyze key performance measures, develop new policies and procedures, and provide in-depth training for staff.
- Engage with providers and community organizations to inform policies and practices.

A strong compliment to implementing the Vera Report recommendations is the newly launched Seattle Community Court (SCC). This pretrial release program will reduce incarceration, and rapidly resolve low-level, non-violent cases by connecting participants to community resources. The Community Resource Center at the Court will connect people charged with certain low-level offenses to support services including chemical dependency treatment, mental healthcare and housing assistance. The Court implemented SCC within current budget appropriation and close collaboration with stakeholders including the City Attorney's Office and the King County Department of Public Defense. The City is supporting this effort by adding \$100,000 for the Court to contract with a non-profit for a case manager equipped to make culturally appropriate referrals to community-based agencies which will support clients in services with the goal of long-term self-sufficiency outside the court system.

To assist the City in addressing the financial crisis, the Court is reducing technology staffing and the purchase of computers and equipment totaling \$400,000.

- Eliminate an Information Technology Professional-B position and funding in the Court Technology division. The court has absorbed this work with existing staff and will review technology staffing after MCIS go-live in July of 2022.
- Reduce expenditures on computer and equipment purchases and temporarily relying on Trial Court Improvement Account funding (TCIA) for replacement of desktops and IT equipment.

A priority for the Court is to continue preparing for the replacement of the Municipal Court Information System (MCIS). MCIS is over 28 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 2016, 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.

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4. 2020: \$8.3 million appropriated with the vendor on board.
5. 2021: \$8.5 million appropriated for project team and vendor implementation.
6. Implementation began in late 2019, continues through 2020, 2021 and first half of 2022, with a go-live date in July 2022.

City Council Changes to the Proposed Budget

The Council made no changes to the 2021 Proposed Budget.

Incremental Budget Changes

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	Dollars	FTE
2020 Adopted Budget	36,306,601	215.10
Baseline		
Citywide Adjustments for Standard Cost Changes	3,144,974	-
Baseline Adjustments for Personnel Costs	653,588	-
Adjustment to 2020 Central Costs	(27,962)	-
Proposed Operating		
Programs & Services (Probation) Redesign and Transformation	(1,400,000)	(12.25)
Community Court Support	100,000	-
Court Technology Staffing	(140,000)	(1.00)
Computers and Equipment Reduction	(260,000)	-
Proposed Technical		
2020 Third Quarter Supplemental Staffing for MCIS	-	4.00
Total Incremental Changes	\$2,070,600	(9.25)
Total 2021 Adopted Budget	\$38,377,201	205.85

Description of Incremental Budget Changes

Baseline

Citywide Adjustments for Standard Cost Changes

Expenditures \$3,144,974

Citywide technical adjustments made in the baseline phase reflect changes to internal services costs, including rates from the Department of Finance & Administrative Services, Seattle Information Technology Department, Seattle Department of Human Resources, and for healthcare, retirement and industrial insurance charges for the department. These adjustments reflect initial assumptions about these costs and inflators early in the budget process.

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Baseline Adjustments for Personnel Costs

Expenditures \$653,588

This centrally administered change adjusts appropriations to reflect an 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, family medical leave, retirement, overtime and temporary labor. There is no increase assumed from 2021 to 2022.

Adjustment to 2020 Central Costs

Expenditures \$(27,962)

This action will true up the baseline to the 2020 Central Cost Manual.

Proposed Operating

Programs & Services (Probation) Redesign and Transformation

Expenditures \$(1,400,000)

Position Allocation (12.25)

SMC will reorganize probation services to transform pretrial justice by reducing in-person day reporting and moving to a collaborative Community Court model; and reduce traditional post-sentence supervision to focus on higher risk charges. The redesign reduces the SMC budget by \$1.4 million and cuts probation staff by 13 positions (25% staffing reduction).

Community Court Support

Expenditures \$100,000

Seattle Community Court (SCC) is a pretrial release program that will reduce incarceration, and rapidly resolve low-level, non-violent cases by connecting participants to community resources. The Court will contract with a non-profit to provide a case manager equipped to make culturally appropriate referrals to community-based agencies which will support clients in services with the goal of long-term self-sufficiency outside the court system.

Court Technology Staffing

Expenditures \$(140,000)

Position Allocation (1.00)

To assist the City in addressing the financial crisis, the Court will eliminate an Information Technology Professional-B position and funding in the Court Technology division. The recruitment efforts on this position have been difficult due to the required knowledge of Informix language that runs the legacy Municipal Court Information System (MCIS). The Court has absorbed this work with existing staff and will review technology staffing after MCIS go-live in July of 2022.

Computers and Equipment Reduction

Expenditures \$(260,000)

To assist the City in addressing the financial crisis, the Court will reduce expenditures on computer and equipment purchases totaling \$260,000, temporarily relying on Trial Court Improvement Account funding (TCIA) for replacement of desktops and IT equipment. The TCIA funds, that come from the state, are restricted funds meant for court improvement projects, including technology. Funds will be transferred from the TCIA fund through the supplemental appropriation in 2021.

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Proposed Technical

2020 Third Quarter Supplemental Staffing for MCIS

Expenditures	-
Position Allocation	4.00

This item is a technical add of temporary positions transferred from the Seattle Information Technology Department to SMC for the MCIS IT project. The employees will continue to work on the MCIS 2.0 replacement project, which is scheduled to come on-line in 2022. The positions will be paid for by the MCIS/technology bond fund. These positions will sunset at the end of the project.

Expenditure Overview

	2019 Actuals	2020 Adopted	2021 Adopted
Appropriations			
SMC - BO-MC-2000 - Court Operations			
00100 - General Fund	15,785,264	16,797,535	17,352,506
Total for BSL: BO-MC-2000	15,785,264	16,797,535	17,352,506
SMC - BO-MC-3000 - Administration			
00100 - General Fund	13,853,950	13,499,563	16,119,426
Total for BSL: BO-MC-3000	13,853,950	13,499,563	16,119,426
SMC - BO-MC-4000 - Court Compliance			
00100 - General Fund	5,569,069	6,009,503	4,905,269
Total for BSL: BO-MC-4000	5,569,069	6,009,503	4,905,269
Department Total	35,208,284	36,306,601	38,377,201
Department Full-Time Equivalents Total*	215.10	215.10	205.85

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Budget Summary by Fund Seattle Municipal Court

	2019 Actuals	2020 Adopted	2021 Adopted
00100 - General Fund	35,208,284	36,306,601	38,377,201
Budget Totals for SMC	35,208,284	36,306,601	38,377,201

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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.

Program Expenditures	2019 Actuals	2020 Adopted	2021 Adopted
Court Operations	15,785,264	16,797,535	17,352,506
Total	15,785,264	16,797,535	17,352,506
Full-time Equivalents Total*	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.

Program Expenditures	2019 Actuals	2020 Adopted	2021 Adopted
Citywide Indirect Costs	7,949,533	7,297,934	10,133,393
Departmental Indirect Costs	5,904,417	6,201,629	5,986,033
Total	13,853,950	13,499,563	16,119,426
Full-time Equivalents Total*	34.00	34.00	37.00

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

Citywide Indirect Costs

Expenditures/FTE	2019 Actuals	2020 Adopted	2021 Adopted
Citywide Indirect Costs	7,949,533	7,297,934	10,133,393
Full Time Equivalents Total	34.00	34.00	34.00

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Departmental Indirect Costs

Expenditures/FTE	2019 Actuals	2020 Adopted	2021 Adopted
Departmental Indirect Costs	5,904,417	6,201,629	5,986,033
Full Time Equivalents Total	-	-	3.00

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	2019 Actuals	2020 Adopted	2021 Adopted
Court Compliance	5,569,069	6,009,503	4,905,269
Total	5,569,069	6,009,503	4,905,269
Full-time Equivalents Total*	44.85	44.85	32.60

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