The Honorable Willie Gregory, Presiding Judge

(206) 684-5600

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

Department Overview

The Seattle Municipal Court (SMC or 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 2020, 7,173 criminal cases were filed at SMC.

This is 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, working with stakeholders to transform the system and improve outcomes, and engage the community.

SMC is committed to excellence in providing fair, accessible, and timely resolution of alleged violations of the Seattle Municipal Code in an atmosphere of respect. 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.

The Court continues to develop a Race and Social Justice Initiative (RSJI). The mission statement of the SMC RSJI Change Team is to *"inspire action by facilitating personal, structural and a systemic change in our environment. We promote wide range, multi-perspective conversations focusing on but not limited to race, gender, ethnicity and social justice issues; and by examining and changing our policies and practices to achieve equity in our Court and Community."* SMC judges, leadership and staff have participated in several RSJ trainings to increase awareness, skills, and knowledge and to build a common foundation for understanding all four levels of racism (internalized, interpersonal, institutional, and structural). The goal is to ensure all court employees have the training they need to advance equity when serving the community and fulfilling their roles in the Court. The RSJI change team has developed a toolkit and plan to launch it to evaluate SMC programs, services, and policies to ensure equitable outcomes and minimize harm.

Throughout the COVID-19 pandemic, SMC coordinated emergency response 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. SMC worked collaboratively with stakeholders to reduce the jail population as much as possible. While the courthouse was closed to the public early in the pandemic, the incustody arraignment calendar continued to ensure individuals had an opportunity for release as soon as feasible. The courthouse re-opened in early July 2020 with modified operations and COVID safety protocols in place including physical distancing, mask requirements and temperature checks.

In 2020 the court implemented virtual hearings for criminal cases using WebEx video/telephone conferencing and electronic form processing using Adobe sign. SMC expanded options for infraction cases to include telephone hearings, and hearings by written statement.

Court Programs and Services

In 2020 SMC restructured the Programs and Services division which includes Probation Services. This was in response to a <u>2020 report</u> commissioned from the Vera Institute of Justice (Vera), a leading criminal justice reform organization. SMC is addressing the report findings and evolving an approach to probation through the following strategies:

- Focus probation services on high-risk case types: Prioritizing probation referrals on domestic violence, driving under the influence, and mental health cases; and have discontinued the practice of monitoring individuals' criminal records after case obligations have been completed, except in cases where record monitoring is required by state statute. As of early 2021, SMC had reduced clients on active supervision by 16% and reduced records checks by 78%, resulting in 1,640 less clients on SMC probation.
- Make probation goal-based: Shifting to a goal-based supervision approach, focused on short-term
 engagement aligned with client treatment needs and community-based supportive services. SMC
 implemented a new case closure policy which has reduced caseloads and focused resources on the clients
 who benefit most from probation support. Prior to 2020, probation cases typically stayed open for a set
 period of time, often several years. Now, probation counselors administratively close cases when their
 client has completed their goals.
- Re-design Pretrial Services: Pretrial Services engages with clients to connect them to social services and support their return to Court. Co-located with the Community Resource Center (CRC), Pretrial Services offer an alternative to jail aimed at promoting personal liberty, maintaining community safety, and assuring that those accused of a crime attend court hearings Pretrial Services 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.
- Engage community and listen to client feedback: The Court conducted a user survey in 2020 that received over 1,000 responses and held a series of focus groups to hear directly from clients. The resulting <u>reports</u> provide many creative ideas for how to make the court as a whole more equitable and client centered. Judges and court leadership also participated in a series of healing circles with local community leaders in order to build trust and understanding with organizations serving Black, Indigenous, and People of Color (BIPOC) communities. This engagement provides opportunity for bringing the community voice to the Court as well as opportunity for future collaboration. SMC also instituted a new probation client feedback survey. Clients are asked for anonymous feedback about their experience when exiting probation. So far, 78% of clients completing the survey feel supported, encouraged, and motivated by their probation counselor.

The 2021 Proposed Budget supports the redesigned Programs and Services approach by providing continued staffing support for the <u>Community Resource Center</u> (CRC). The CRC is a social services hub located in the courthouse that is a critical resource for court clients who may be struggling with homelessness, drug addiction, or other challenges. Services include: food and clothing, housing through Coordinated Entry for All, health and hygiene, grocery cards and food stamps, substance use disorder assessment and treatment, and employment and job readiness.

Specialty Courts

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

- Seattle Community Court. In August 2020, the Court launched a revitalized <u>Seattle Community Court</u> (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-level misdemeanor charges dismissed while completing community service. 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 its first year, nearly 250 individuals have chosen to participate in Seattle Community Court.
- 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 the city jail costs and hospital bed days.
- 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 <u>Domestic Violence Intervention Project</u> (DVIP), a pretrial, pre-conviction diversion program. 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. Throughout the 2020-2021 school year, Youth Court hearings were held virtually. This program is a collaboration between the Court, Seattle University School of Law, Garfield High School, and the Seattle Police Department.

Community Outreach

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 continues an engagement process started 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. 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 since early 2020, the Court typically holds quarterly <u>SMC in</u> <u>the Community</u> outreach events that bring court services and resources to Seattle neighborhoods. These events are an opportunity for community members to receive assistance with resolving SMC 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.

Infractions

The Court processes hundreds of thousands of traffic, parking, and traffic camera tickets every year. In 2020, the Court processed 12,422 school zone camera tickets, 36,861 traffic camera tickets, and 277,384 parking tickets. Individuals may schedule hearings with a magistrate to contest or mitigate their tickets; magistrates held 33,088 infraction hearings in 2020. SMC added options to conduct infraction hearings remotely via telephone and participants also have the option to submit a written statement online or by mail to participate in their hearing. The infraction hearing volume was much lower in 2020 due to the City's efforts to suspend parking and traffic enforcements due to the COVID-19 pandemic.

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 planning to implement a relicensing calendar and broaden its hardship policies and has engaged community groups like LELO (Legacy of Equality, Leadership, and Organizing) in these efforts.

Municipal Court Information System Replacement

The Court is replacing its almost 30-year-old 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

SMC has provided Interpreter Services in 149 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 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.

Since March 2020 interpreter services have been provided remotely. Interpreters were trained to work in WebEx. SMC Interpreter Services created a remote interpreting webinar for Washington state interpreters to learn how to work remotely. Every interpretation request from the court, attorneys, investigators, or psychologist was accommodated. In 2020, over 2,500 interpreted events were conducted with the help of 123 freelance interpreters in 53 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.

Budget Snapshot					
		2020 Actuals	2021	2022 Dranacad	
Department Support		Actuals	Adopted	Proposed	
General Fund Support		36,382,381	38,377,201	40,001,139	
	Total Operations	36,382,381	38,377,201	40,001,139	
	Total Appropriations	36,382,381	38,377,201	40,001,139	
Full-Time Equivalents To	otal*	215.10	205.85	206.35	

* 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

Through the 2021 Adopted Budget, the Court committed to implementing the recommendations from the 2020 Vera Institute of Justice <u>evaluation</u> of probation services. Although not inclusive of all actions, below are the significant Programs and Services changes enacted in 2021:

- Adopted judicial guidelines to focus probation on the following cases 1) Driving Under the Influence (DUI) 2) Domestic Violence (DV) 3) Mental Health Court and 4) person-based assault cases. Judges retain independent authority for exceptions.
- Shortened probation and shifted to a goals-based focus, with fewer requirements, and fewer individuals monitored solely on criminal records. Used incentives to encourage success.
- Judicial adoption of new sentencing practices to reduce overall court caseloads.

- Collected data on race, ethnicity and gender to understand why racial disparities and gender disparities exist and explore gender-responsive programming.
- Engaged with providers and community organizations to inform policies and practices.

Seattle Community Court (SCC) was launched mid-year 2020. This pretrial release program aims to 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 City supported this effort by adding \$100,000 in one-time funding for the Court to contract with a non-profit for a case manager equipped to make culturally appropriate referrals to community-based agencies. This will support clients in achieving long-term self-sufficiency outside the court system. It was difficult for the Court to find a provider without the stability of permanent funding. This budget provides permanent funding for this position.

The Court is committed to the least restrictive option for release while protecting community safety. Included in this budget is funding to increase the number of subsidized electronic home monitoring slots for indigent defendants and those at risk of experiencing homelessness. The program provides judges an alternative to incarceration.

Efforts to become a transformational anti-racist organization has inspired the court to expand training and development in Race and Social Justice initiatives. This continues in 2022 through standard training and adds training for staff on working with diverse communities more effectively such as trauma-informed approaches. A new course is available for developing a comprehensive career plan for court employees toward management and leadership roles.

A priority for the Court is to continue preparing for the replacement of the Municipal Court Information System (MCIS). MCIS is over 30 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 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:

- 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.
- 2018: \$5 million was appropriated to develop an RFP, data preparation, business process engagement and organizational change management.
- 2019: \$3 million was appropriated to finalize an RFP, evaluate proposals, specific vendor demonstrations and interviews, fit gap analysis and contract negotiations.
- 2020: \$8.3 million appropriated with the vendor on board.
- 2021: \$8.5 million appropriated for project team and vendor implementation.
- Implementation began in late 2019, continues through 2020, 2021 and 2022, with a go-live date in early 2023.

Incremental Budget Changes

Seattle Municipal Court

	Dollars	FTE
2021 Adopted Budget	38,377,201	205.85
Baseline		
Citywide Adjustments for Standard Cost Changes	1,081,799	-
DSHS Community Court Contract	15,000	-
Data Services Contract Inflation	18,000	-
MCIS License Costs	42,289	-
Proposed Operating		
Jail Diversion Subsidized Home Monitoring Program	88,000	-
Community Based Provider Contract - Court Resource Center	140,000	-
RSJI Training and Leadership Development	168,000	-
Language Premium Staff Stipend	43,200	-
Proposed Technical		
Position Changes from 2021 Third Quarter Supplemental Budget	-	0.50
Judicial Salary Technical Adjustment	27,650	-
MCIS 2.0 Support - Sunset Positions	-	-
Total Incremental Changes	\$1,623,938	0.50
Total 2022 Proposed Budget	\$40,001,139	206.35

Description of Incremental Budget Changes

Citywide Adjustments for Standard Cost Changes			
Expenditures	\$1,081,799		
from the Department of Finance & Administrative Se Department of Human Resources, and for Judgemen	e phase reflect changes to internal services costs, including rates ervices, Seattle Information Technology Department, Seattle nt and Claims, healthcare, retirement and industrial insurance ect initial assumptions about these costs and inflators early in		
DSHS Community Court Contract			
Expenditures	\$15,000		

Baseline

The Court contracts with the State Department of Social and Health Services (DHSH) for a 0.50 FTE to provide case management in the Community Resource Center (CRC). This increase provides wage inflation.

Data Services Contract Inflation

Expenditures

\$18,000

\$42,289

This increase provides inflation to cover increased vendor costs to support maintenance of the Municipal Court Information System (MCIS).

MCIS License Costs

Expenditures

Maintaining the cost of additional IBM licenses is required to run tests in the current MCIS 1.0 system in order to migrate existing data to the new MCIS 2.0 system. The full costs are split between Information Technology Department MCIS capital project and the Court. This only represents the Court cost.

Proposed Operating

Jail Diversion Subsidized Home Monitoring Program

Expenditures

\$88,000

This item increases the subsidized electronic home monitoring (EHM) program by \$88,000. The EHM program provides an alternative to confinement at pre-trial or at sentencing for judges when considering release decisions. Subsidized slots remove the barrier of ability to pay for indigent defendants and those at risk of experiencing homelessness. The additional General Fund subsidy will support on average 38 clients per month for one year. This will increase the number of monthly slots from 17 to 38.

Community Based Provider Contract - Court Resource Center

Expenditures

\$140,000

In the 2021 Adopted Budget, \$100,000 in one-time funding was added for the Court to contract with a non-profit to provide case management at the Community Resource Center (CRC). This item increases the funding to provide a full-time permanent case manager from a community non-profit to be co-located in the CRC at Seattle Justice Center. The case manager will make culturally appropriate referrals to community-based agencies which will support clients in services with the goal of long-term self-sufficiency outside of the court system. This position is intentionally called-out as a non-court employee to bridge the gap between community-based non-profits and the clients who present in need of services at the Seattle Municipal Court.

RSJI Training and Leadership Development

Expenditures	\$168,000
Revenues	-

This item increases appropriation by \$168,000 from the Trial Court Improvement Account (TCIA) in 2022 to expand court-wide Race and Social Justice Initiative (RSJI) training, and leadership development. The training will increase the awareness, skills, and knowledge of court employees about RSJI. It will also build a common foundation for understanding all four levels of racism (internalized, interpersonal, institutional, and structural) for court employees to be centered towards equity when serving the community and fulfilling their roles in the Court.

This appropriation includes a career development component and training for Court leadership and management. The Court leadership/management requires enhanced skills to become equity change agents. At the same time, Black, Indigenous, and People of Color (BIPOC) employees continue to face challenges in promotional opportunities

within the Court. The proposed budget will create a path to increase the diversity of SMC's workforce across positions, particularly at the leadership level.

Language Premium Staff Stipend

Expenditures

\$43,200

This item increases ongoing appropriation authority for language services stipends. Per the Coalition of City Unions collective bargaining agreement, City employees who are multilingual and provide language services, such as interpretation and translation, to communicate with clients and/or other employees in business-related situations are now eligible for a monthly language premium stipend. The amounts in the 2022 budget are estimates based on the eligible employees from 2021.

Proposed Technical

Position Changes from 2021 Third Quarter Supplemental Budget

Position Allocation	0.50

This item adds all SMC position changes made in the 2021 Third Quarter Supplemental Budget, ensuring that FTE counts in the Proposed Budget are correct. This corrects positions errors from the 2021 Adopted Budget.

Judicial Salary Technical Adjustment

Expenditures

\$27,650

Washington State elected judicial salaries are set by Washington Citizens' on Salaries for Elected Officials. As directed in Ordinance 122112, SMC judicial salaries are set at 95% of the district court. A salary schedule has been set and a wage increase was mandated for increase effective July 1, 2022. Setting SMC judicial salaries at this level qualifies the city to receive a contribution from the state for one-time improvements. The state's contribution is generally \$150,000 annually and is applied to the Trial Court Improvement Account in Finance General. Ordinance 122112 permits appropriation by annual budget or by separate ordinance, solely to fund allowable SMC related expenditures.

MCIS 2.0 Support - Sunset Positions

Expenditures	-
Position Allocation	-

SMC is providing key resources for the MCIS 2.0 Replacement Project from existing staff. This item extends expiring sunset positions through "go-live" and user testing in key project areas which is anticipated to be through 2023. These positions are funded by the MCIS 2.0 bond project.

Expenditure Overview			
	2020	2021	2022
Appropriations	Actuals	Adopted	Proposed
SMC - BO-MC-2000 - Court Operations			
00100 - General Fund	16,528,117	17,352,506	17,788,625
Total for BSL: BO-MC-2000	16,528,117	17,352,506	17,788,625
SMC - BO-MC-3000 - Administration			
00100 - General Fund	14,109,022	16,119,426	17,026,629
Total for BSL: BO-MC-3000	14,109,022	16,119,426	17,026,629
SMC - BO-MC-4000 - Court Compliance			
00100 - General Fund	5,745,242	4,905,269	5,185,885
Total for BSL: BO-MC-4000	5,745,242	4,905,269	5,185,885
Department Total	36,382,381	38,377,201	40,001,139
Department Full-Time Equivalents Total*	215.10	205.85	206.35
* FTF totals are provided for informational nurnose	es only. Chanaes i	n FTFs resultina fi	om City

* 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

	2020 Actuals	2021 Adopted	2022 Proposed
00100 - General Fund	36,382,381	38,377,201	40,001,139
Budget Totals for SMC	36,382,381	38,377,201	40,001,139

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	2020 Actuals	2021 Adopted	2022 Proposed
Court Operations	16,528,117	17,352,506	17,788,625
Total	16,528,117	17,352,506	17,788,625
Full-time Equivalents Total*	136.25	136.25	136.25

*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

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	2020 Actuals	2021 Adopted	2022 Proposed
Citywide Indirect Costs	7,384,585	10,133,393	10,875,596
Departmental Indirect Costs	6,724,437	5,986,033	6,151,033
Total	14,109,022	16,119,426	17,026,629
Full-time Equivalents Total*	34.00	37.00	37.00

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

Citywide Indirect Costs

Expenditures/FTE	2020 Actuals	2021 Adopted	2022 Proposed
Citywide Indirect Costs	7,384,585	10,133,393	10,875,596
Full Time Equivalents Total	34.00	34.00	34.00

Departmental Indirect Costs

	2020	2021	2022
Expenditures/FTE	Actuals	Adopted	Proposed
Departmental Indirect Costs	6,724,437	5,986,033	6,151,033
Full Time Equivalents Total	-	3.00	3.00

<u>SMC - BO-MC-4000 - Court Compliance</u>

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	2020 Actuals	2021 Adopted	2022 Proposed
Court Compliance	5,745,242	4,905,269	5,185,885
Total	5,745,242	4,905,269	5,185,885
Full-time Equivalents Total*	44.85	32.60	33.10

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