

Seattle Municipal Court

The Honorable C. Kimi Kondo, Presiding Judge

(206) 684-5600

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

Judicial Branch Overview

The Seattle Municipal Court (Court) processes more cases than any other municipal court in the State of Washington with seven elected judges and five and one-half appointed magistrates. The Court is authorized by the State of Washington and the Seattle Municipal Code to adjudicate misdemeanors, gross misdemeanors, infractions (e.g., traffic infractions, parking violations, and other infractions), and civil violations related to building and zoning offenses.

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 the public, employees and other government entities. The Seattle Municipal Court values and recognizes its employees and volunteers. The Court is a contributing partner working with the Police Department, the City Attorney and the defense bar toward a safe and vital community.

The Court works with community organizations to increase access to services for residents and enhance compliance with court-ordered conditions. Court probation and day reporting staff monitor defendant adherence to court orders, assess treatment needs and help direct them to social service resources. The Court leverages additional outside agency resources with City funds to encourage defendants to successfully complete court orders. The Court Resource Center, staffed by volunteers, offers services, including, but not limited to, the following:

- GED preparation classes;
- assistance in voicemail, cell phone, and post office box sign up;
- employment readiness classes;
- chemical dependency "Living in Sobriety" classes;
- housing assistance;
- identification replacement assistance;
- assistance in applying for state Department of Social and Health Service benefits;
- mental health treatment referrals; and,
- direct computer connections to the Seattle Public Library.

Alternatives to jail have substantially reduced the City's jail expenditures. Some of these alternatives include the following:

- work crew;
- community service;
- day reporting with random breath testing and urine analysis;
- Electronic Home Monitoring (EHM) and SCRAM (Secure Remote Alcohol Monitoring); and,
- ignition interlock devices.

Ensuring access to justice for defendants with limited English proficiency is another priority. In 2014, about 5,900 interpreted events, including hearings, attorney-client interviews, Washington State Hospital doctor evaluations, probation and EHM appointments were conducted with the help of interpreters in 51 languages, American Sign

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Language and Real Time Captioning. In 2015, the Court expects 6,800 interpreting events. Currently, nearly 40% of the requests are for Spanish language interpreters. In addition to Spanish, frequent requests for interpretation include the Vietnamese, Somali, Amharic, Cantonese, Mandarin, Russian and Tigrinya languages.

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

The **Mental Health Court (MHC)**, established in 1999, is nationally recognized for serving misdemeanor offenders who are mentally ill or developmentally disabled. Defendants are expected to maintain treatment compliance, contact social service providers and adhere to other conditions of release. Once defendants opt into the court, frequent reviews are held. Judges become familiar with defendants, obtain input from dedicated probation staff, and make informed decisions while holding defendants responsible for their actions. The court holds contested competency and contested restoration hearings. Defendants may elect to opt out or enter into a disposition and remain under MHC supervision. Defendants can also be referred for supervision from mainstream courtrooms.

Seattle Community Court was established ten years ago in 2005 as a way of enabling non-violent misdemeanor offenders to access social services while completing court supervised community service hours rather than spending time in jail. Defendant connections with social services are designed to help address the causes of underlying repeated criminal behavior. Offenders are also typically required to attend a Self-Awareness Workshop, where participants discuss the consequences of choices they make for themselves and the community.

Seattle Veterans Treatment Court was established in 2012 to meet the needs of defendants who previously served in the military and were generally discharged. The Court works closely with the King County Department of Community and Human Services, the Washington State Department of Veterans Affairs, and the U.S. Department of Veterans Affairs to access agency resources available to veterans. Typically the veterans come before the court with substance abuse and/or serious mental health issues. Treatment incorporates core values of military life including integrity, initiative and accountability.

The **Domestic Violence Courts** are staffed by 1.5 judges and specialized probation counselors. These courts preside over dedicated pretrial, trial, review and revocation courts each week. Victim safety is a primary concern in these cases and special emphasis is placed on accountability for offender actions. Intensive court supervision increases compliance with court conditions and scheduling more immediate violation reviews provide greater assurance of public safety. The Court addresses no contact order violations swiftly.

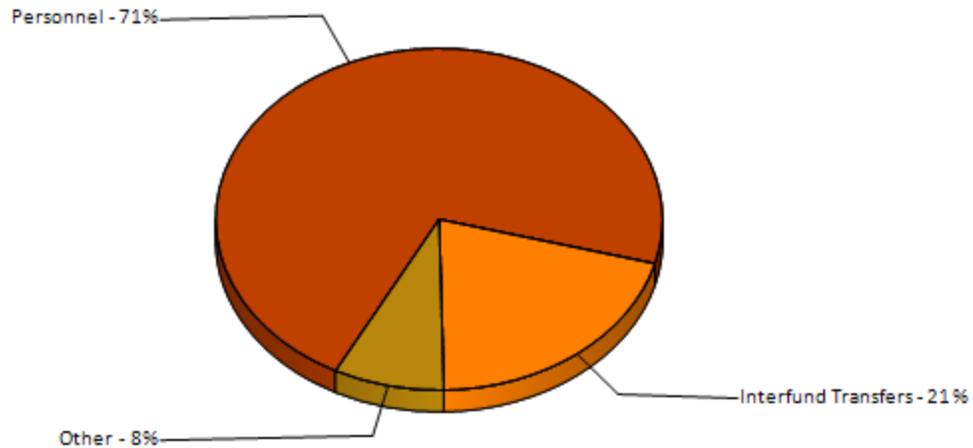
Budget Snapshot

Department Support	2014 Actuals	2015 Adopted	2016 Endorsed	2016 Proposed
General Fund Support	\$29,158,171	\$29,326,197	\$29,838,534	\$30,333,987
Total Operations	\$29,158,171	\$29,326,197	\$29,838,534	\$30,333,987
Total Appropriations	\$29,158,171	\$29,326,197	\$29,838,534	\$30,333,987
Full-time Equivalent Total*	213.10	213.60	213.60	214.10

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

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2016 Proposed Budget - Expenditure by Category



Budget Overview

The 2016 Proposed Budget provides resources to enable the Court to continue to adjudicate criminal cases while strengthening the specialty courts that maintain the goal of helping defendants avoid future criminal charges while protecting public safety.

A priority for the Court is to continue planning for the replacement of the Municipal Court Information System (MCIS). MCIS is nearly 25 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 Administrative Office of the Courts (AOC). Over time, the Court has enhanced this system to provide important case management information, 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 from the collection on the \$44 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 City of Seattle departments, King County, and State of Washington agencies rely on MCIS fully functioning. Seattle Municipal Court is unique as the largest court of limited jurisdiction in Washington. The AOC is developing a new case management system for courts of limited jurisdiction and the Court will continue participating in the AOC Court User Work Group. However, the AOC system may not be a practical option to meet the needs noted above.

In 2016, a project manager and temporary staff will be added to the Department of Information Technology (DoIT) and assigned to SMC to work on the MCIS replacement project. In 2016 their work program will:

- define current and future business practices and system requirements;

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- present cost/benefit analysis and recommend options;
- develop a Request for Proposal (RFP); and,
- secure project funding.

In a recent case, *State v. Blazing*, the State Supreme Court established that a trial court has a statutory obligation in criminal matters to inquire about a defendant's current and future ability to pay before a court imposes legal financial obligations (LFOs) per RCW 10.01160(3). To comply with this ruling, the Court reallocated a position from the Day Reporting Program to pilot a program interviewing defendants in 2.5 court calendars. The screener provides a recommendation to the referring judge. The judge may waive fines, reduce fines and/or convert LFOs to community service or work crew. The 2016 Proposed Budget adds funding for one FTE position to fulfill the Court's mandate.

The addition of an Administrative Specialist will tackle two data problems in Court Operations. The Seattle Police Department has deployed the Sector application which issues electronic citations and automatically populates case information into the Municipal Court Information System (MCIS). This change has highlighted a long-standing problem of 'double defendants' (i.e. *Christopher Smith* and *Chris Smith*). The Records Unit is averaging 60 possible double defendant situations per day. The Admin Specialist II will investigate and merge the defendant records from MCIS with other state managed databases when appropriate to provide accurate defendant histories for all courts. The other half of this position will process rental and car sharing infractions and parking tickets. Under State law, car rental companies such as Hertz and Car2Go have 30 days to provide information on the renter who was driving when the violation occurred. The Court then researches the ticket, pulling it from collections if necessary, and reissues the ticket. Rental car violations have increased by 44% since 2012.

Elected state, superior, and district court judicial salaries are set by the Washington Citizens' Commission on Salaries for Elected Officials. By City Ordinance 122112, Seattle Municipal Court judicial salaries are set at 95% of the district court. A final salary schedule and wage increase has been mandated effective September 2015 which the Court will absorb within their 2015 appropriations. This 2016 amount funds the 2015 increase and the second increase effective in September 2016. 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 contribution is generally \$150,000 annually and is applied to the Trial Court Improvement Account in Finance General per Ordinance 122112.

Incremental Budget Changes

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	2016	
	Budget	FTE
Total 2016 Endorsed Budget	\$ 29,838,534	213.60
Baseline Changes		
Citywide Adjustments for Standard Cost Changes	-\$ 28,543	0.00
Proposed Changes		
Administrative Specialist to Improve Data Reconciliation and Identify Rental Car Drivers	\$ 74,346	1.00
Judicial Salary Adjustment	\$ 52,600	0.00
Addition of Legal Financial Screener	\$ 99,800	1.00

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Citywide Summit Re-Implementation Project	\$ 222,250	0.00
Proposed Technical Changes		
Eliminate Three Unfunded Positions	\$ 0	-1.50
IBM Informix Licensing	\$ 75,000	0.00
Total Incremental Changes	\$ 495,453	0.50
2016 Proposed Budget	\$ 30,333,987	214.10

Descriptions of Incremental Budget Changes

Baseline Changes

Citywide Adjustments for Standard Cost Changes - (\$28,543)

Citywide technical adjustments made in the initial planning phase reflect changes in the internal services costs, health care rate reduction, retirement contribution rate reduction, and updates to unemployment and industrial insurance charges. There was also an adjustment made to the 2016 base to recoup savings from a higher-than-expected inflation provided in the 2015 Adopted Budget for non-labor expenses. These adjustments reflect initial assumptions about these costs and inflators early in the budget process.

Proposed Changes

Administrative Specialist to Improve Data Reconciliation and Identify Rental Car Drivers - \$74,346/1.00 FTE

This position will address two data problems in Court Operations. The first is the problem of 'double defendants' (i.e. *Christopher Smith* and *Chris Smith*). The Records Unit is averaging 60 possible double defendant situations per day. The Admin Specialist II will investigate and merge the defendant records. The second problem is identifying drivers of rental cars which have been issued infractions and parking tickets. Under State law, car rental companies such as Hertz and Car2Go have 30 days to provide information on the renter who was driving when the violation occurred. The Court then researches the ticket, pulling it from collections if necessary, and reissues the ticket.

Judicial Salary Adjustment - \$52,600

In Washington state, elected state, superior, and district court judicial salaries are set by the Washington Citizens' Commission on Salaries for Elected Officials. By City Ordinance 122112, Seattle Municipal Court judicial salaries are set at 95% of the district court judicial salaries. This 2016 amount funds the 2015 increase and also the second increase effective in September 2016. Additionally, setting SMC judicial salaries at this level qualifies the City to receive an annual contribution from the State for technology improvements at SMC.

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Addition of Legal Financial Screener - \$99,800/1.00 FTE

A recent State Supreme Court ruling requires all courts in criminal matters to consider a defendant's current and future ability to pay before imposing legal financial obligations (LFOs). Based on the screener's recommendation, the judge may waive fines, reduce fines and/or convert LFOs to community service or work crew. In 2014, SMC conducted a pilot to screen for this criteria with 2.5 court calendars and screened nearly 450 defendants. To comply with the new mandate, SMC needs to screen all defendants from all court calendars. A position is added to cover this additional workload.

Citywide Summit Re-Implementation Project - \$222,250

This item represents the department's work in support of the Citywide Summit Re-Implementation project. A description of the Summit Re-Implementation project is located within the Department of Finance and Administrative Services.

Proposed Technical Changes

Eliminate Three Unfunded Positions/(1.50) FTE

With the 2004 Adopted Budget, the Court implemented a vacancy rate of 2.5%. The Court's total authorized positions have not been fully funded and the budget discrepancy currently stands at \$540,000. This action eliminates three unfunded positions equal to 1.5 FTE and lowers the current salary gap by about \$140,000.

IBM Informix Licensing - \$75,000

A recent audit found the Court has over deployed these licenses related to the MCIS platform. DoIT recommends this as a high priority.

Expenditure Overview

Appropriations	Summit Code	2014 Actuals	2015 Adopted	2016 Endorsed	2016 Proposed
Court Administration Budget Control Level	M3000	6,644,157	6,770,120	6,923,973	7,447,922
Court Compliance Budget Control Level	M4000	5,765,112	5,775,522	5,860,346	5,904,301
Court Operations Budget Control Level	M2000	16,748,902	16,780,555	17,054,215	16,981,764
Department Total		29,158,171	29,326,197	29,838,534	30,333,987
Department Full-time Equivalent Total*		213.10	213.60	213.60	214.10

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Appropriations By Budget Control Level (BCL) and Program

Court Administration Budget Control Level

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

	2014	2015	2016	2016
Program Expenditures	Actuals	Adopted	Endorsed	Proposed
Court Administration	6,644,157	6,770,120	6,923,973	7,447,922
Total	6,644,157	6,770,120	6,923,973	7,447,922
Full-time Equivalents Total*	32.50	32.50	32.50	32.50

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Court Compliance Budget Control Level

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

	2014	2015	2016	2016
Program Expenditures	Actuals	Adopted	Endorsed	Proposed
Court Compliance	5,765,112	5,775,522	5,860,346	5,904,301
Total	5,765,112	5,775,522	5,860,346	5,904,301
Full-time Equivalents Total*	41.85	41.85	41.85	42.85

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Court Operations Budget Control Level

The purpose of the Court Operations Budget Control 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.

	2014	2015	2016	2016
Program Expenditures	Actuals	Adopted	Endorsed	Proposed
Court Operations	16,748,902	16,780,555	17,054,215	16,981,764
Total	16,748,902	16,780,555	17,054,215	16,981,764
Full-time Equivalents Total*	138.75	139.25	139.25	138.75

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