

# Seattle Municipal Court

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The Honorable C. Kimi Kondo, Presiding Judge

(206) 684-5600

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

## Judicial Branch Overview

The Seattle Municipal Court (SMC) processes more cases than any other municipal court in the State of Washington with seven elected judges and five and one half appointed magistrates. SMC 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 Municipal Court of Seattle is a contributing partner working with the Police Department, City Prosecutors and the defense bar toward a safe and vital community.

The Court works with community organizations to increase access 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 (CRC), staffed by volunteers, also provides the following services at no cost to clients:

- GED preparation classes;
- Assistance in voicemail, cell phone, and PO Box sign up;
- Employment readiness classes;
- Mental Health relapse prevention classes;
- Housing assistance;
- Identification replacement assistance; and,
- Assistance in applying for DSHS benefits.

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 breath testing and random urine analysis (UA's);
- Electronic home monitoring; and,
- Contracting with the Snohomish County jail for less costly long term incarcerations.

Ensuring access to justice for defendants with limited English proficiency is another priority. Over 6,500 hearings and interviews are conducted with the help of interpreters. Currently, nearly 40% of the requests are for Spanish language interpreters. In addition to Spanish, frequent languages requiring interpretation include Vietnamese, Somali, Amharic, Cantonese, Mandarin, Russian and Tigrinya.

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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 chronically mentally ill or developmentally disabled. The MHC expects defendants to maintain treatment compliance, contacts with social service providers and adherence with other conditions of release. Because of frequent reviews, judges become familiar with defendants and can make informed decisions as they make sentencing and probation review decisions holding defendants responsible for their actions. This is considered a model therapeutic court.

The **Seattle Community Court**, started as a pilot project in 2005, is a nationally recognized problem solving court. This innovative program enables people charged with non-violent misdemeanors to access social services while paying back the community with community service hours. The Court offers a theft awareness class for defendants, designed to reveal the impacts of theft on the broader community.

The **Seattle Veterans Treatment Court** was established in 2012 to meet the needs of defendants who are service members deployed in Iraq and Afghanistan, and other military personnel honorably 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 (VA) to access agency resources available to veterans in distress. Typically the veterans come before the court with substance abuse and serious mental health issues. Treatment incorporates core values of military life including integrity, initiative and accountability.

The **Domestic Violence Court** is staffed by 1.5 judges and specialized probation counselors. These courts equitably divide the trial calendar and preside over dedicated review and revocation courts each week. 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. No contact order violations are addressed swiftly and victim safety is a primary concern in these cases.

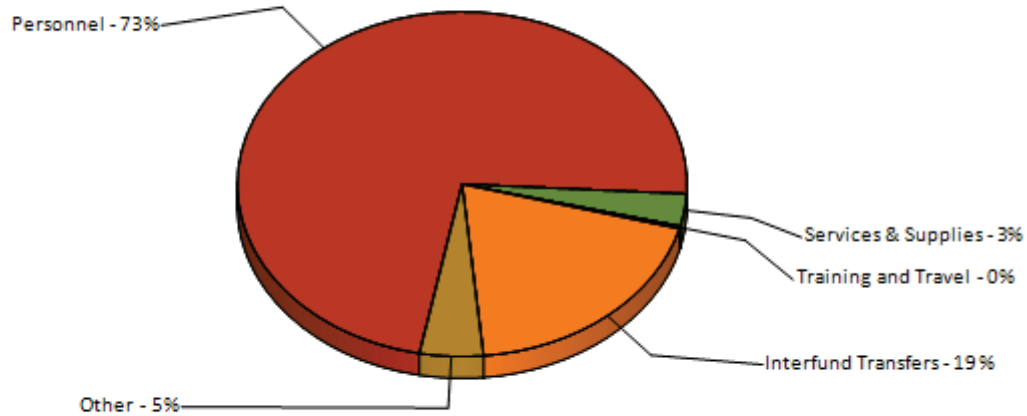
## Budget Snapshot

Department Support	2012 Actuals	2013 Adopted	2014 Endorsed	2014 Adopted
General Fund Support	\$26,654,316	\$27,506,958	\$28,289,465	\$28,666,034
<b>Total Operations</b>	<b>\$26,654,316</b>	<b>\$27,506,958</b>	<b>\$28,289,465</b>	<b>\$28,666,034</b>
<b>Total Appropriations</b>	<b>\$26,654,316</b>	<b>\$27,506,958</b>	<b>\$28,289,465</b>	<b>\$28,666,034</b>
Full-time Equivalent Total*	214.10	212.60	212.60	213.10

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

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## 2014 Adopted Budget - Expenditure by Category



## Budget Overview

The 2014 Adopted Budget provides the Court with resources to allow it to continue to balance its innovative problem solving programs with the mission of adjudicating criminal charges, with the goal of helping defendants avoid future criminal charges.

### Community Court

In 2012, the Court, with the assistance of the Center for Court Innovation (CCI), reviewed the Seattle Community Court (SCC). Additionally, in 2013, a work group of key stakeholders reviewed current practices. On September 6, 2013, the judges adopted several committee recommendations to revise protocols and procedures. A summary of those recommendations include the following.

- Increase SMC jurisdiction (time limit) for some defendants anywhere from two weeks up to six months with individually tailored recommendations.
- Expand the list of eligible offenses.
- Remove the limitation on the number of times a defendant can participate.
- Conduct initial needs assessments prior to first appearance in the court.
- Expand community service options to include education.
- Develop a prostitution diversion model.
- Add a community service crew supervisor to transport, supervise and mentor participants as they give back to the community.

Based on these recommendations, the 2014 Adopted Budget increases funding for the community service crew supervisor position, continuing the City's commitment to this important program.

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## **Driving Under the Influence (DUI) Cases**

During the 2013 session, the Washington State Legislature passed a new set of laws designed to strengthen penalties against (DUI) defendants. Starting September 28, 2013, defendants with a previous DUI conviction are required to install an ignition interlock device (IID) within five business days after first appearance. The judges will monitor this requirement as a condition of release and can revoke release on personal recognizance or increase bail if defendants fail to comply with the installation. Judges also frequently order pretrial breath testing and UA's for alcohol and drugs. These conditions are generally monitored through the Day Reporting probation staff. The 2014 Adopted Budget funds a probation counselor to perform this monitoring and testing, and includes funding to cover increased costs for UA testing.

The number of defendants under probation supervision will continue to increase as new DUI cases are filed and judges impose up to five years of probation jurisdiction in many serious DUI cases.

## **School Zone Speed Cameras**

In late 2012, the City started an automated school zone speed camera pilot project at four schools. Preliminary data from the City suggests the cameras are an effective tool for reducing speeding in school zones. The Adopted Budget includes funding for an additional 11 school zones. A portion of the City's revenues from the cameras will fund an administrative specialist position in the Court. This person will schedule court hearings, send notice of hearing date for those challenging the citation, send reminder notices and process payment from defendants. Delinquent citations are serviced by an outside vendor. Additional funding is provided to pay for the increase in citations processed by this vendor.

## **Traffic and Parking Infraction Analysis**

The Adopted Budget also adds a part time strategic advisor to the Court's Research Planning and Evaluation Group (RPEG). This position will increase RPEG's capacity to continue data and revenue analysis of red light traffic cameras, the school zone speed cameras and the new parking meter pay by cell phone program. The position will also assist the City to revise the scofflaw ordinance. In 2011, the Scofflaw Program was created to identify vehicles with four or more parking tickets in collections. After proper notification by first class mail, these vehicles would be eligible for a 'boot' which would immobilize the car until the tickets were paid, or a payment plan was arranged. Under the current ordinance, the City cannot boot vehicles with four or more outstanding parking citations if they have no address/owner information from an official licensing department. By working with City agencies to strengthen the existing ordinance to allow On-Vehicle Noticing (OVN) for vehicles with four or more outstanding citations, the City could also boot these vehicles. This position would draft the legislative amendment and also manage the transfer of vehicle and ticket data between the Police Department, the collection agency, and the license plate recognition software and booting vendor.

To help people avoid scofflaw status, the Court proposes a new "on-vehicle courtesy noticing" program. This will allow the City to remind the owners of vehicles with two or three unpaid parking tickets to make payment before incurring additional fines and a possible future boot to their vehicle. The Court will send data to Seattle Police Department Parking Enforcement Officers (PEO) identifying vehicles with two or three outstanding parking tickets. The PEO will identify these vehicles during patrol and place a courtesy notice on the vehicle. The courtesy notice will direct owners to contact the Court's collection vendor and pay off the tickets or set up a payment plan. This program is expected to generate an additional \$700,000 to the General Fund in 2014 as more vehicle owners choose to pay past due fines. The program goal is to reduce vehicles in scofflaw status as people pay their outstanding tickets on a more timely basis.

Once vehicles are booted, the owners must pay a \$145 fee to remove the boot in addition to the cost of the outstanding citations, interest and fees. If they cannot pay, or come up with the initial \$200 needed to establish a payment plan, the vehicle is towed after 48 hours, adding even more costs and turmoil to the owner of the vehicle.

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In the 2014 Adopted Budget, the City Council added \$5,000 to support the Teen Traffic Court. The Teen Traffic Court allows students from Garfield High School to be trained by Seattle University law students to conduct hearings for fellow high school students who have received their first traffic infraction. This funding will cover the cost of training materials used by law students in instructing the teen volunteers in their role as judge, prosecutor, defense attorney and jurors.

## Incremental Budget Changes

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	2014	
	Budget	FTE
<b>Total 2014 Endorsed Budget</b>	<b>\$ 28,289,465</b>	<b>212.60</b>
<b>Proposed Changes</b>		
Expand Community Court	\$ 96,418	0.00
Addition of Probation Counselor to Expand Driving Under the Influence Monitoring and Testing	\$ 159,918	0.00
Increase Staffing and Vendor Costs for Expanded School Zone Camera Program	\$ 93,316	0.00
Increase Staffing of Research Planning and Evaluation Group	\$ 69,714	0.50
<b>Proposed Technical Changes</b>		
Eliminate Funding for Postini Spam Software	-\$ 2,349	0.00
Citywide Adjustments for Standard Cost Changes	-\$ 78,445	0.00
Judicial Salary Adjustment	\$ 33,960	0.00
<b>Council Changes</b>		
Add Funding to Support Teen Traffic Court	\$ 5,000	0.00
Technical Adjustments	-\$ 963	0.00
<b>Total Incremental Changes</b>	<b>\$ 376,569</b>	<b>0.50</b>
<b>2014 Adopted Budget</b>	<b>\$ 28,666,034</b>	<b>213.10</b>

## Descriptions of Incremental Budget Changes

### Proposed Changes

#### **Expand Community Court - \$96,418**

In 2012 the Court invited the Center for Court Innovation (CCI) to study the effectiveness of the Seattle Community Court. The 2014 Adopted Budget adds a community service crew supervisor position to expand

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compliance monitoring of participants as recommended in the CCI report. This new position will allow the Community Court to:

- Increase the number of defendants served;
- Free up probation counselor time to focus on other defendants; and
- Provide closer supervision and mentoring of participants at the project service sites.

## **Addition of Probation Counselor to Expand Driving Under the Influence Monitoring and Testing - \$159,918**

Recent state legislation will require more probation monitoring, and an increase in the number of alcohol and drug tests for people charged with DUI. The 2014 Adopted Budget provides funding for a probation counselor, and \$64,000 for additional drug and alcohol lab tests to address the projected increase in DUI workload.

## **Increase Staffing and Vendor Costs for Expanded School Zone Camera Program - \$93,316**

Relying on revenue from the school zone speed camera program, the 2014 Adopted Budget increases the Court's capacity to administer the expanded school zone camera program. A new administrative specialist position will address increases in:

- Citations and case initiations;
- Hearings scheduled in the magistrate's division of Municipal Court;
- Issuance of reminder notices; and,
- Process both pre- and post-adjudication payments.

An additional \$30,000 is allocated for the vendor contract servicing the increased number of citations.

## **Increase Staffing of Research Planning and Evaluation Group - \$69,714/.50 FTE**

The City created the Scofflaw Program in 2011. Under the program, the City installs a boot on vehicles that have four or more outstanding parking citations. These scofflaw vehicles are eligible to be booted 30 days after receiving a first class mail notice. A new strategic advisor will revise the scofflaw ordinance to add on-vehicle noticing as an alternative to first class mail for scofflaw notification. First class mail does not reach owners of vehicles with no address or current licensing department information; however, if the vehicle is found on the street, placing the notice on the vehicle will allow the vehicle to be booted after 30 days. This on-vehicle noticing is separate from the courtesy noticing. If the owner does not address the delinquent tickets, they may be booted. Nearly 4,000 more vehicles would then be eligible to be booted. This new position will also assist with ongoing workload in the red light camera program, parking meter pay by phone, and the on-vehicle courtesy noticing program.

## **Proposed Technical Changes**

### **Eliminate Funding for Postini Spam Software - (\$2,349)**

The City has adopted Microsoft Office 365 as its new software platform, and as a result City departments no longer need to purchase separate anti-spam software.

### **Citywide Adjustments for Standard Cost Changes - (\$78,445)**

Citywide technical adjustments reflect changes due to inflation, central cost allocations, retirement, healthcare, workers' compensation, and unemployment costs. These adjustments typically reflect updates to preliminary cost assumptions established in the 2014 Endorsed Budget.

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## Judicial Salary Adjustment - \$33,960

Elected state, superior, and district court judicial salaries are set by the Washington Citizens' Commission on Salaries for Elected Officials. By city ordinance, Seattle Municipal Court judicial salaries are set to 95% of district courts. A final salary schedule and wage increase has been mandated effective September 2013 which the Court will absorb within their 2013 appropriations. This 2014 amount funds the 2013 increase and the second increase effective in September 2014.

## Council Changes

### Add Funding to Support Teen Traffic Court - \$5,000

Students from Garfield High School are trained by Seattle University law students to conduct hearings for fellow high school students who have received their first traffic infraction. This funding will cover the cost of training materials.

### Technical Adjustments - (\$963)

Council made technical adjustments during their budget deliberations. These include corrections to central costs, appropriations, position counts, and other non-policy changes to the Proposed Budget.

## City Council Provisos

There are no Council provisos.

## Expenditure Overview

Appropriations	Summit Code	2012 Actuals	2013 Adopted	2014 Endorsed	2014 Adopted
Court Administration Budget Control Level	M3000	5,981,305	6,117,522	6,278,791	6,395,256
Court Compliance Budget Control Level	M4000	5,209,863	5,343,927	5,492,767	5,713,027
Court Operations Budget Control Level	M2000	15,463,148	16,045,509	16,517,907	16,557,751
<b>Department Total</b>		<b>26,654,316</b>	<b>27,506,958</b>	<b>28,289,465</b>	<b>28,666,034</b>
<b>Department Full-time Equivalents Total*</b>		<b>214.10</b>	<b>212.60</b>	<b>212.60</b>	<b>213.10</b>

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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.

	2012	2013	2014	2014
<b>Program Expenditures</b>	<b>Actuals</b>	<b>Adopted</b>	<b>Endorsed</b>	<b>Adopted</b>
Court Administration	5,981,305	6,117,522	6,278,791	6,395,256
<b>Total</b>	<b>5,981,305</b>	<b>6,117,522</b>	<b>6,278,791</b>	<b>6,395,256</b>
Full-time Equivalents Total*	34.00	32.00	32.00	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.

	2012	2013	2014	2014
<b>Program Expenditures</b>	<b>Actuals</b>	<b>Adopted</b>	<b>Endorsed</b>	<b>Adopted</b>
Court Compliance	5,209,863	5,343,927	5,492,767	5,713,027
<b>Total</b>	<b>5,209,863</b>	<b>5,343,927</b>	<b>5,492,767</b>	<b>5,713,027</b>
Full-time Equivalents Total*	41.85	41.85	41.85	41.85

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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.

	2012	2013	2014	2014
<b>Program Expenditures</b>	<b>Actuals</b>	<b>Adopted</b>	<b>Endorsed</b>	<b>Adopted</b>
Court Operations	15,463,148	16,045,509	16,517,907	16,557,751
<b>Total</b>	<b>15,463,148</b>	<b>16,045,509</b>	<b>16,517,907</b>	<b>16,557,751</b>
Full-time Equivalents Total*	138.25	138.75	138.75	138.75

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