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2 April 26, 1989
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4 PROPOSED NO. 89-340

5
6 ORDINANCE NO. **8936**

7 AN ORDINANCE providing for the addition of
8 four Superior Court judgeships to be
9 appointed over a two-year period as
10 authorized by Chapter 323, 1987 Session
11 Laws, consistent with an agreement in
12 principle; and authorizing the Executive
13 and the Council Chair to sign a Protocol
14 with the Superior Court.

15 PREAMBLE:

16 The Washington State Legislature, under Chapter 323, Laws of
17 1987 authorized the appointment of seven additional judgeships
18 for the King County Superior Court. The council previously
19 authorized three of the seven judgeships, effective January 1,
20 1988.

21 Certain provisions of an Agreement in Principle, signed April
22 21, 1989, establish a phased-in schedule for the appointment
23 of the four remaining judgeships, to be completed prior to
24 January 1, 1991.

25 Other provisions of the Agreement in Principle establish
26 concurrence on the use of pre-existing court facilities for
27 additional judges, the development of a long-term methodology
28 for determining future judicial staffing needs, the completion
29 of a Superior Court Operational Master Plan and an update of
30 the Court Space CIP Study, and commitment to monitor the
31 innovations and advances in case management and court
32 operations as recommended by the Bench/Bar Delay Reduction
33 Task Force, through the creation of an interbranch Planning
and Coordination Committee.

Pursuant to the Agreement in Principle, a Protocol has been
prepared incorporating all the terms and conditions of the
agreement. The King County Superior Court has expressed its
agreement with the terms of the Protocol and has authorized
the Presiding Judge to sign the Protocol.

A duly enacted ordinance of the County Council is necessary to
authorize signature of the Protocol by the Council Chair and
County Executive.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The council agrees with the provisions of the
Protocol attached hereto, as Attachment A, and hereby authorizes
the council chair and the executive to sign the same.

8936

PROTOCOL

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3 This protocol is an agreement among the King County
4 Council, King County Superior Court and King County Executive,
5 who agree as follows:

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7 1. Additional Judges

8 The County Council in Ordinance No. 8936
9 authorized the Governor to appoint four additional Superior
10 Court judges, pursuant to Chapter 323, 1987 Session Laws
11 creating such additional judgeships for King County, over a
12 two year period, one judge to be appointed on each of the
13 following dates: (1) July 1, 1989; (2) December 31, 1989; (3)
14 July 1, 1990; and (4) December 31, 1990; it being expressly
15 understood that the Superior Court will absorb from its
16 existing 1989 budget all operating costs incurred in 1989
17 associated with the judge to be added July 1, 1989. The
18 Superior Court will seek to reduce the cost of court
19 operations as much as reasonably possible, by such means as
20 electronic recording of court proceedings.

21
22 2. Courtroom/Facilities

23 The County Council and County Executive agree to provide
24 the following courtrooms and facilities for the four judicial
25 positions:

26 A. the 12th floor, secure, criminal arraignment court
27 shall be assigned to a Superior Court judge, and the judge to
28 be added July 1, 1989 shall be assigned a courtroom and
29 chambers effectively made available by permanent use of the
30 12th floor courtroom. It is understood that the 12th floor
31 courtroom is not suitable for trials but serves as a courtroom

1 for the Chief Criminal Judge as stated above;

2 B. the courtroom currently under construction at the
3 Youth Services Center for the Juvenile Court should be com-
4 pleted by December 31, 1989, and will be available for a judge;

5 C. the former arraignment court, located on the 10th
6 floor, shall be remodeled to add suitable chambers for a
7 judge, and requisite space for associated staff, should be
8 ready no later than July 1, 1990, such courtroom is only
9 suitable for non-jury cases;

10 D. a courtroom currently used by a Family Law
11 Commissioner shall be made available for the fourth judge.
12 The Family Law Commissioner so displaced shall have adequate
13 and timely substitute work space provided which is suitable
14 for the Family Law calendar;

15 E. the County Executive and Superior Court will initiate
16 and complete on a priority basis a Capital Improvement Program
17 Workplan which will provide an update of the study of use of
18 space in the courthouse and a Superior Court Operational
19 Master Plan, which study shall commence no later than July 1,
20 1989 and should be completed no later than June 30, 1990;

21 F. the CIP Program workplan and budget shall be reviewed
22 by the Council and approved by Ordinance. The workplan shall
23 address issues identified by previous studies regarding Court
24 facility space standards, utilization, and courtroom assign-
25 ment, and flexibility in Court facilities design. Considera-
26 tion shall be given to retaining the consultant team that
27 conducted the 1984 Space Use/Management study for portions of
28 the study dealing with Court issues. A joint Court-Council-
29 Executive technical committee shall provide input regarding
30 the preparation and execution of the CIP study.
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1 3. Future Judicial Positions

2 A. An interbranch Planning and Coordination Committee
3 will be established within 60 days and be composed of the
4 following members: One Superior Court judge (Chair); one
5 member of the King County Council; the County Executive (or
6 designee); and one representative of the Seattle-King County
7 Bar Association.

8 B. The Committee will facilitate communication and
9 cooperation among branches on court issues related to new
10 technology, case management methodology, and judicial and
11 related staffing needs in response to changing workload.

12 C. As a first priority task, the Committee will direct
13 the preparation of a study plan and schedule for the develop-
14 ment of a methodology to assist King County in analyzing and
15 determining the need for future judicial positions.

16 (1) The methodology shall be developed by a joint
17 staff technical committee with expert statistical and
18 experienced judicial administration consultant assistance as
19 determined to be appropriate by the Committee. The metho-
20 dology development shall start from consideration of the trial
21 demand approach utilized by the Delay Reduction Task Force,
22 examining recent and relevant data available, and corrections
23 and modifications proposed by Executive, Council, and Superior
24 Court Administration. In addition, it should examine any
25 adjustment appropriate to fully reflect total judicial time
26 demanded by filed cases, beyond actual trial time.

27 (2) Any methodology developed shall specify
28 assumptions and resultant costs, and shall require annual
29 updating of relevant data.
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1 D. Innovations in court operation and case management
2 practices as recommended by the Task Force draft report merit
3 high visibility and should be periodically reviewed by the
4 Committee. These include:


- 5 -- The individual calendaring demonstration project
6 -- The caseflow monitoring project
7 -- The Seattle-King County Bar Association
8 Monitoring Committee project regarding judicial
9 accountability, productivity, and monitoring of
10 the judicial day
11 -- The demonstration project regarding the use of
12 video/electronic recording equipment
13 -- The efficacy of changes in court departmental
14 structure
15 -- Other issues as determined by the Committee

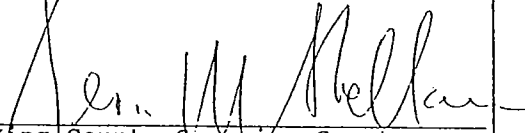
16 4. In case of dispute or disagreement in the interpreta-
17 tion of this document, the matter shall be submitted to the
18 prosecuting attorney or such other party as all three branches
19 shall agree upon for the resolution of any such dispute. Only
20 elected officials of each branch of government shall
21 participate in such process unless otherwise ordered by the
22 mediator.

23 5. The King County Superior Court expressed its
24 agreement with the terms of this protocol and authorized the
25 Presiding Judge of the Superior Court to sign this protocol.
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1 6. The King County Council expressed its agreement with
2 the terms of this protocol in Ordinance No. 8936,
3 authorizing the Council Chair and the Executive to sign this
4 protocol.

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6 DATED this 4th day of May, 1989.

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King County Executive

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12 _____
King County Superior Court
13 Presiding Judge

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King County Council Chair