



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**August 29, 2005**

**Motion 12184**

**Proposed No.** 2005-0260.2

**Sponsors** Gossett

1           A MOTION approving the work plan for a targeted  
2           operational master plan that will review the operations and  
3           potential facilities needs for the superior court's juvenile,  
4           family law and supporting therapeutic courts.

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WHEREAS, the superior court of King County provides juvenile, family law and  
8 supporting therapeutic courts services to the 1.8 million citizens in King County, and

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10           WHEREAS, the county council and superior court have determined that there  
may be significant benefits from a comprehensive approach and review of operations and

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12           WHEREAS, a targeted operational master plan that will review the operations and  
potential facilities needs for the court's juvenile, family law and supporting therapeutic  
13 courts plan will guide development of a facilities master planning effort, and

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15           WHEREAS, the county has successfully undertaken operational master planning  
processes in other major areas that have led to system-wide operational changes resulting  
16 in millions of dollars of annual budget savings and improved outcomes for individuals,

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and

18           WHEREAS, in Ordinance 15083, the ordinance adopting the 2005 King County  
19 budget, the council authorized funding for a targeted operational master plan that will  
20 review the operations and potential facilities needs for the court's juvenile, family law  
21 and supporting therapeutic courts ("OMP"), and

22           WHEREAS, Ordinance 15083 contains provisos requiring the office of  
23 management and budget, in collaboration with staff from the superior court and the  
24 departments of judicial administration, community and human services, the offices of the  
25 prosecuting attorney and the public defender, shall submit to the council for its review  
26 and approval , a work plan for a targeted OMP, and

27           WHEREAS, the executive has transmitted, to the council with this motion a work  
28 plan for a targeted OMP, developed collaboratively with staff from the superior court and  
29 the departments of judicial administration, community and human services, the offices of  
30 the prosecuting attorney and the public defender;

31           NOW, THEREFORE, BE IT MOVED by the Council of King County:

32           The work plan for a targeted operational master plan that will review the

**Motion 12184**

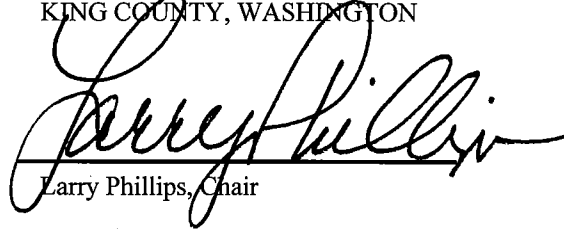
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33 operations and potential facilities needs for the court's juvenile, family law and  
34 supporting therapeutic courts, Attachment A to this motion, is hereby approved.  
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Motion 12184 was introduced on 6/13/2005 and passed by the Metropolitan King County Council on 8/29/2005, by the following vote:

Yes: 11 - Mr. Phillips, Mr. von Reichbauer, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons, Ms. Patterson and Mr. Constantine  
No: 0  
Excused: 2 - Ms. Edmonds and Mr. Pelz

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

**Attachments** A. Work Plan for Targeted Operational Master Plan for King County Superior Court, dated 08-24-05, B. Review of Legal Financial Obligations (LFOs) And Their Collection by the County, C. Superior Court Targeted OMP Work Plan

**Work Plan for  
Targeted Operational Master Plan for  
King County Superior Court**

## **INTRODUCTION**

### **Purpose**

Provisos in King County's adopted 2005 annual budget, ordinance 15083, sections 14 and 28, direct the Superior Court and the Office of Management and Budget to create and submit a work plan for a targeted operational master planning effort that will review the operations and potential facilities needs for the Court's juvenile, family law and supporting therapeutic courts (attachment ). This document is the work plan required by these provisos and sets forth the process, scope of work, tasks, schedule, milestones, and needed resources for preparing a targeted Operational Master Plan (OMP) for King County Superior Court's juvenile, family law and supporting therapeutic courts. The Superior Court, Office of Management and Budget, Department of Judicial Administration Office of the Public Defender, Prosecuting Attorney's Office, Department of Adult and Juvenile Detention, Facilities Management Division, and Department of Community and Human Services collaboratively created this work plan.

The OMP will develop and evaluate alternatives for the delivery of justice services to children and families in King County. The plan will examine existing programs, services, staffing levels, work flow processes, use of technology, and partnerships between the Court and other agencies, both within and external to King County. The OMP will explore possible opportunities and challenges for streamlining service delivery with an eye toward shifting community needs, county demographics, judicial best practices, and an evolving understanding of children and family law. The OMP will make recommendations for the efficient and effective delivery of justice services to children and families in King County. Pursuant to County code, any recommendations of the OMP involving potential facility needs or improvements would require a subsequent facility master planning effort.

In collaboration with Superior Court and under the guidance of an oversight panel, the Office of Management and Budget will prepare the OMP, assisted by the work of a consultant. Development of the OMP will be a collaborative, intensive effort involving representation from system stakeholders both within and external to King County. All work will be conducted openly. The Executive will transmit the completed OMP to Council for review and approval by ordinance.

### **Other King County Justice Planning Activities**

There are several other justice- and facility-planning actions currently underway in King County and occurring apart from this targeted OMP for juvenile, family law and supporting therapeutic courts. Though these planning activities are occurring apart from this OMP, some outcomes may be interrelated and provide opportunities for the County to coordinate further planning. Below are some key planning and analysis efforts underway:

- **Youth Services Center Mixed Use Feasibility Study:** The 2004 Adopted Budget included funding for a feasibility analysis of the existing Youth Services Center Site at Alder Street in Seattle. Phase II of the Youth Services Center Site Plan effort is being

conducted by Arai, Jackson, Ellison and Murakami LLP. The findings and recommendations of the Feasibility Study will be considered in the OMP process.

- **Administrative Consolidation:** In addition to this proviso, the 2005 Adopted Budget included a proviso directing Superior Court, District Court, Department of Judicial Administration and the Office of Management and Budget Administration to collaboratively explore the feasibility of potential consolidation of their administrative functions. That effort is moving forward and will be submitted to Council as a separate proposal.
- **District Court Facilities Master Planning:** The Executive has submitted the District Court Operational Master Plan to Council. Facilities Management Division is working in conjunction with District Court and is preparing to move forward with the subsequent Facilities Master Plan.

## BACKGROUND

The King County Superior Court manages cases through four primary court service areas: criminal, civil, juvenile, and family. Matters involving children, according to subject area, are heard either through juvenile court and its supporting therapeutic courts, or through the family court. Juvenile court handles juvenile offenders, at-risk youth, children in need of services, trancies, and most dependencies. Family court typically handles divorce or legal separation with children, parenting, paternity, adoption, support, domestic violence and some dependency matters.

The Superior Court works in collaboration with many organizations to deliver justice services to children and families in King County. Partners include numerous municipal, county, and state agencies; law enforcement; public, nonprofit, and private social service providers; school districts; community partners; pro bono legal service providers and others. These partner agencies are critical to the success of the programs provided by the Court.

### Juvenile Court Services

#### *Functions of Juvenile Court Services*

Juvenile Court has jurisdiction over juveniles (youth to age 18 years of age) accused of breaking the law (Offender); beyond the control of their parents (At-Risk Youth or Children In Need of Services), "skipping" school (Truancy); or who are abused, neglected, abandoned or whose parents cannot take care of them (Dependency).

- **Juvenile Offenders.** If a juvenile is accused of committing an offense, the matter is referred by law enforcement to the prosecuting attorney. After reviewing the information provided by law enforcement, and based on the seriousness of the offense and the juvenile's criminal history, the prosecutor may divert an offender case or may file a case, charging a youth of committing the offense. If a case is filed, the juvenile must go to court.
- **At-Risk Youth.** Parents seeking the Court's assistance in obtaining and maintaining control over their juvenile child can file an At-Risk Youth (ARY) petition. ARY petitions

are filed when the juvenile is a runaway, is behaving in a way that endangers his/her health, safety or welfare; or has a problem with drugs and/or alcohol and there are no pending drug or alcohol offenses.

- **Children In Need of Services.** Parents, youth or other interested parties may file a Child In Need of Services (CHINS) case. CHINS actions take place when a juvenile requires a temporary out-of-home placement and is a runaway, is behaving in a way that endangers his/her health, safety or welfare, or needs other services.
- **Truancy.** School districts initiate truancy actions when a juvenile "skips" school seven times in a month or ten times during the school year. A truancy petition can be filed on the child or the parent or both.
- **Dependency.** A dependency petition may be filed if a child has been abandoned, abused or neglected, or has no parent, guardian, or custodian willing and capable of adequately caring for the child. The Department of Social and Health Services file most petitions pursuant to a Child Protective Services (CPS) investigation. If a child is found to be dependent by the court, decisions made in the case are based on the best interests of the child and focused on having the child in a permanent placement within 12 months of the petition being filed.

### **Supporting Therapeutic Courts**

In partnership with the King County Department of Community and Human Services and the State of Washington Department of Social and Health Services and its community providers, Superior Court operates three different "therapeutic court" models at juvenile court: Juvenile Drug Court, Juvenile Treatment Court and Family Treatment Court, each of which targets a specific population. Based upon the concept of "therapeutic jurisprudence," these programs closely monitor client participation in substance abuse and mental health treatment. In lieu of the traditional court process, which can become contentious, the non-adversarial approach employed in these treatment courts ensures the court and treatment partners provide unified support to clients. Outcomes for therapeutic courts include reduced recidivism, increased compliance with court-ordered activities and improved family functioning, including more children remaining in and being returned to their homes. This targeted OMP largely focuses on juvenile and family therapeutic courts. In addition, a fourth Superior Court therapeutic court, the Adult Drug Diversion Court, which is part of the adult criminal justice system, is being evaluated separately. This evaluation will be taken into consideration in this targeted OMP.

- **Juvenile Drug Court** provides substance abusing juvenile offenders and their families with weekly court appearances before an assigned judge. A non-adversarial team closely monitors each participant to assure that comprehensive treatment and support services are received and completed. Graduation ceremonies are conducted for youth that successfully complete the program and the substance related criminal charge is dismissed.
- **Juvenile Treatment Court** targets juvenile offenders with co-occurring mental health and substance abuse problems by providing services, which include early assessment, evidenced-based treatment, advocacy teams and a trained mentor. A non-adversarial team and assigned judge meet at least monthly with participant youth and their families.

Upon program completion, substance abuse related criminal charges are usually dismissed and support services continue to be provided within the community.

- **Family Treatment Court** works with families in abuse and neglect cases that involve parental substance abuse by providing parents with frequent court appearances, judicial monitoring of the family's treatment progress and the support of a non-adversarial team. Successful completion of Family Treatment Court results in safe and permanent homes for children, either through family reunification or an alternative permanent placement.
- **Adult Drug Diversion Court** provides eligible adult defendants the opportunity to receive drug treatment in lieu of incarceration. If the defendants meet the requirements of each of the three levels of drug court, they graduate from the program and the charges are dismissed. An evaluation of the adult drug court currently is being conducted. Any lessons from this evaluation will be considered for application in the other therapeutic courts.

### ***Juvenile Justice System Enhancements: Juvenile Justice Operational Master Plan***

Since 1998, King County has been systematically examining and improving its juvenile justice practices and programs under the framework of the Juvenile Justice Operational Master Plan (JJOMP). The JJOMP process brought together an unprecedented number of youth-serving governmental and non-profit agencies, elected officials, and community members to rethink how the business of juvenile justice was accomplished. The vision that emerged from the JJOMP process was as follows:

*Through its partnerships with communities and families, King County's Juvenile Justice System reduces juvenile delinquency; helps youth in trouble make responsible choices, serves the needs of at-risk youth, and addresses the concerns of victims.*

The JJOMP has led to an investment in innovative programs that have resulted in positive outcomes for youth and families as well as significant cost savings for King County citizens. The Plan offered 17 recommendations, including the development of therapeutic drug courts, home-based family counseling, day and evening reporting centers as alternatives to secure detention, and case managers to help at-risk and truant youth and their families. These and other JJOMP services and practices have contributed to a continued downward trend in juvenile offender referrals, filings and secure detention population.

### **Family Court Operations**

#### ***Functions of Family Court Operations***

The Family Court handles all family law matters where children are involved, including divorce or legal separation with children, parenting, paternity, adoption, support, domestic violence and some dependency matters. Family law matters may be handled in a variety of ways, depending on their nature and complexity. Family Court Services, the Family Law Facilitator Program, the Dependency Court Appointed Special Advocate Program (Dependency CASA), and Unified Family Court (UFC) Case Management are programs within Family Court Operations.

- **Family Court Services.** Family Court Services (FCS) provides parent education, mediation, and evaluation services, which often help resolve cases outside of court. FCS also conducts domestic violence assessments, which assist the Court in protecting the interests of children in contested cases. FCS staff have extensive experience and education in childhood development and issues that confront today's families, including child abuse, chemical dependency, domestic violence, and mental illness. The focus of every service provided by FCS is to assist the Court by providing timely, impartial information that is relevant to the issues of the case, consistent with statutory requirements, and protects the best interests of the child. When effective services are provided to families, the need for further court involvement can be significantly reduced. This, in turn, reduces in-court time and allows families to resolve conflicts in a more positive way.
- **Family Law Facilitator Program.** The Family Law Facilitator Program provides assistance to self-represented litigants in obtaining and understanding required forms and complying with state and local rules. This improves litigants' access to the Court, and helps reduce court time necessary for cases. Facilitators help litigants understand how to start certain family law actions, what forms are needed, and where these forms can be found. They can provide written instructions at no cost for many family law actions. Facilitators also review litigants' forms to make sure they are complete, provide information about other Court and community resources, and provide referrals for legal consultation for low-income litigants. The Department of Judicial Administration estimates that at least one party is self-represented by legal counsel at some point in nearly 75 percent of all domestic cases filed in King County.
- **Dependency CASA.** The Dependency CASA Program recruits and trains community volunteers to represent the best interests of abused and neglected children involved in dependency proceedings. The primary obligation of this representation is to conduct independent investigations regarding the circumstances of the children assigned to them and to formulate recommendations for the Court. Volunteers serving as the "eyes and ears of the Court" spend thousands of hours each year investigating cases, interviewing parties involved in cases, monitoring compliance with court orders, and attending court hearings.
- **UFC Case Management.** Specialized case management for difficult and/or multiple cases involving the same family is provided by the UFC Case Managers. The UFC Case Management Program combines court actions and hearings for matters involving the same family and allows for coordination of evaluations, social services, and follow-up. This approach establishes consistent expectations for the family, enables the Court to monitor progress, and makes efficient use of resources. After acceptance into the program, multiple family actions are either linked or consolidated, and then assigned to one judge or commissioner calendar. The case manager assists litigants in getting linked with services or resources, reports any issues of noncompliance to the Court, and sets review hearings when necessary, allowing for intensive judicial oversight.

### **Family Justice System Enhancements: Unified Family Court**

The UFC planning effort began in 1993 and was initiated by a joint King County Bench/Bar Task Force. The group was formed in response to a perceived need by both the bench and state and



county bar associations that families involved in the justice system would be better served through a comprehensive approach in which family and juvenile law proceedings are integrated into one system.

Many recommendations were produced through this multi-year, three-phased effort. Several of these recommendations have been implemented; others were difficult to address given existing constraints of physical location/facilities. The UFC recommendations considered to be most crucial at the time were addressed through implementation of a UFC pilot project at the Regional Justice Center in 1997.

The 1997 UFC pilot project at the Regional Justice Center was comprised of four principal components: 1) assignment of all family law cases to specific judges and intensive management of cases involving "high-risk" issues within the family; 2) establishment of a Family Law Information Center (FLIC), where facilitators assist families in navigating the court system; 3) establishment of a court-based child care center; and 4) creation of a juvenile offender calendar to serve south King County citizens. The fourth component was quickly abandoned due to logistical problems associated with transporting incarcerated youth from the Alder facility in Seattle to the Regional Justice Center in Kent. The core component of this effort has been the establishment of a dedicated judicial team who are assigned to hear only family-related matters and provided specialized management of the most complex UFC cases.

Prior to 1997, family law cases were assigned at random to civil court judges along with all other types of civil cases. This meant that the trial judge typically lacked information about a family's social history and involvement in other cases, and the families, who often were not represented by attorneys, had to negotiate the complexities of the court system on their own. This absence of coordination resulted in conflicting, inconsistent, or duplicative orders as well as inefficient allocation of services. With the implementation of the UFC, specific judges agreed to hear only family law cases, and the Court began assigning all family law cases to these 'UFC' judges. The Court also adopted a 'one judge-one family' principle for complex cases, which allows for more efficient coordination of court proceedings and enables UFC judges and commissioners to be well-informed about each family's issues. Additionally, UFC judges and commissioners receive specialized training and education regarding the psychosocial issues that often face families before the Court. Superior Court adopted the UFC Case Management Program as a permanent program in 2001 and expanded it to the King County Courthouse in 2003. Six judges now comprise the UFC department of the bench, one of whom serves as the Chief UFC Judge.

## **Summary**

In recent years, the Court has placed great emphasis and importance on improving the delivery of justice services to children and families. The development and implementation of the JJOMP along with its subsequent planning efforts, and the development and implementation of the UFC have been significant steps in this direction. However, children and family legal matters, depending on subject area, continue to be managed in two separate arenas – juvenile court and family court. A logical next step, and one that is crucial for continuous system improvement, is to now focus on more effective integration between these two arenas in order to better address the needs of individuals and the family unit as a whole.

As far back as 1993 when planning for the UFC was begun, King County Superior Court, the Superior Court Judges' Association and the state and local bar associations, understood that

families involved in the justice system would be better served if children and family justice services were integrated into one system. The benefits of such integration include:

- Increased access to justice, specifically for youth and family-related court matters
- Improved and enhanced coordination of services
- Enhanced judicial decision-making and understanding of the family in context
- Better sharing of case/client information
- Improved access to community and human services that support children and families in crisis.

The implementation of the UFC was an important step in this direction, as it coordinated support services for families and reduced the jurisdictional regimentation that complicated children and family matters. The development and implementation of the JJOMP was another important step, as it shifted the focus of youth justice from incarceration to intervention and treatment. However, a truly unified family court where all judicial matters involving children and families might be handled has not yet been achieved. It is the purpose of this operational master planning effort to develop, assess and recommend potential next steps.

## **OMP SCOPE OF WORK, TASKS, AND SCHEDULE**

### **Scope of Work**

The targeted Operational Master Plan will document the current operations of juvenile, family law and supporting therapeutic courts, including space usage and business practices. Areas to be addressed in the OMP will include: identification of the types of juvenile, family law and supporting therapeutic court matters (cases) handled; caseload and composition, caseflow and processing practices; client demographics and the services available to clients as their matters move through the Court; and the use of technology in managing case information and assisting clients and the use of space both by the Court and by other agencies and organizations that offer services in support of children and family justice.

The OMP will identify potential operational changes and revisions in the use of space that could improve delivery of juvenile, family law and supporting therapeutic court services, particularly as population demographics and other drivers change. Areas considered will include anticipated changes in caseload composition, demographics, and technology, as well as recognized best practices and the experience of children and family justice service providers, both in King County and elsewhere.

Finally, the OMP will propose alternatives for improving service delivery in juvenile, family law and supporting therapeutic courts. Alternatives may include operational changes and/or revisions in use of space. If space use changes are suggested, the conclusion of the operational master planning effort would be followed by a subsequent facilities master plan (FMP) pursuant to County code.

The following bullet points do not imply priority order or the sequencing of activities.

### **Tasks**

#### **1. Document Current Operations and Existing Facilities**

- a. Describe the current design, functions and work flow of juvenile, family law and supporting therapeutic courts. Questions to be addressed include:
- What activities do juvenile court, therapeutic court and family law operations perform?
  - How are juvenile, family law and supporting therapeutic courts distinguished from the other business of Superior Court?
  - What are the current judicial resources (judges, commissioners, and support staff) dedicated to handling juvenile, family law and supporting therapeutic court matters?
  - What levels of staff currently exist for juvenile, family law and supporting therapeutic courts?
  - How do cases move through juvenile, family law and supporting therapeutic courts?
  - What services are accessed as cases move through juvenile, family law and supporting therapeutic courts? Who provides the services and at what locations?
  - How is the Adult Drug Diversion Court, and the services provided by that court, similar to and different from the therapeutic courts serving children and families?
  - How is technology utilized in juvenile, family law and supporting therapeutic courts? What existing technology systems support service delivery?
  - How are existing justice technology systems integrated with one another? How are they integrated with other county and state systems?
  - What is the caseload and composition for juvenile, family law and supporting therapeutic courts?
  - How long does it take King County to resolve a case within each case type?
  - What are the current time standards for resolving each case?
  - What are the client demographics of juvenile, family law and supporting therapeutic courts?
  - What steps does the Court take to ensure ease of use and understandability of its processes?
  - What customer service processes exist to obtain feedback from users?
  - Are current hours of operation and locations meeting the needs of users?
- b. Determine existing physical adjacencies and necessary business relationships between the Court, its clients, and other children and family justice service providers. Questions to be addressed include:
- Where and how do clients access juvenile, family law and supporting therapeutic courts and services? Where do these clients live?
  - What are the current locations of juvenile, family law and supporting therapeutic court facilities?
  - Do the current locations provide ready access to the Court and related services for the public?
  - Is public transit or accessibility to major thoroughfares a factor in current service delivery?
  - What internal county and court functions interface with juvenile, family law and supporting therapeutic courts?
  - How often, under what circumstances and utilizing what type of space do those county and court functions interface with juvenile, family law and supporting therapeutic courts?

- What external (state, local, private) entities interface juvenile, family law and supporting therapeutic courts?
- What and how is technology utilized as a replacement for physical adjacencies?
- How often and under what circumstances and utilizing what type of space do those external entities interface with juvenile, family law and supporting therapeutic courts?
- How are records maintained, shared and made available to internal and external entities as well as the public in juvenile, family law and supporting therapeutic courts?

## **2. Identify Potential Operational and Facility Needs**

- a. Based on user, stakeholder and policymaker input, and in keeping with best practices (such as those identified in the Washington State Administrative Office of the Courts publication on UFC released in October of 2004 and similar efforts conducted by other states), identify potential reforms to services, workflow and facilities of juvenile, family law and supporting therapeutic courts. Questions to be addressed for both current services and planning for future services include:
- Are the activities and services of juvenile, family law and supporting therapeutic courts adequate to meet demand and appropriate to meet the mission? If not, what areas need to be improved and in what ways can improvement be achieved?
  - What judicial resources should be designated to handle current and future needs for juvenile, family law and supporting therapeutic courts?
  - What levels of staff should exist to handle current and future needs?
  - How should cases move through juvenile, family law and supporting therapeutic courts?
  - What services should be available as cases move through juvenile, family law and supporting therapeutic courts? Who should provide these services and at what locations?
  - What, if any, lessons from the separate evaluation of the Adult Drug Diversion Court might also be appropriate for application in the juvenile and family therapeutic? Similarly, what, if any, lessons from the juvenile and family therapeutic courts might be applicable to the Adult Drug Diversion Court?
  - What entities and functions need to be located in County facilities?
  - How should technology be utilized in juvenile, family law and supporting therapeutic court operations? What technology can better support service delivery?
  - How can existing technologies be better integrated among system participants?
  - What are caseload trends and projections for juvenile, family law and supporting therapeutic courts as a whole and for each case type? What potential staffing and location adjustments would be necessary to accommodate anticipated caseload?
  - Should case processing times be improved and if so, how can that improvement be achieved?
  - How are client demographics of juvenile, family law and supporting therapeutic courts expected to change in the future? How might this impact the mix and/or location of services provided?

- What are the opportunities for improving or streamlining operations?
- b. Keeping in mind cost effectiveness and the efficient delivery of services identify the potential business and space needs based on operational requirements for juvenile, family law and supporting therapeutic courts. Questions to be addressed include:
- What agencies or services need to be located in proximity to juvenile, family law and supporting therapeutic courts and what are the business needs for adjacency?
  - How can technology be used in place of physical adjacency to meet business needs?
  - Are the locations of services appropriate for those who interface with juvenile, family law and supporting therapeutic courts (i.e. clients, other users, and Court staff)? If not, why not? What are the alternatives?
  - What are the business needs that would cause the siting of juvenile, family law and supporting therapeutic courts in other than current locations?
  - What efficiencies would be generated by siting juvenile, family law and supporting therapeutic courts in other than current locations?
  - How would future operational changes drive future facility needs?
  - What public transit and accessibility to major thoroughfares are needed for juvenile, family law and supporting therapeutic courts?
  - How can internal county and court functions that interface with juvenile, family law and supporting therapeutic courts be better served?
  - How can external (state, local, private) entities interface with juvenile, family law and supporting therapeutic courts more effectively?
  - What improvements can be made to records maintenance, sharing and public availability in juvenile, family law and supporting therapeutic courts?
- c. Because numerous other agencies, both within and external to King County, provide services in conjunction with juvenile, family law and supporting therapeutic courts, it is essential that affected agencies be identified and engaged in the planning process. Specific agencies with functional adjacency issues include:
- Department of Judicial Administration
  - Prosecuting Attorney's Office
  - Office of the Public Defender
  - Department of Adult and Juvenile Detention
  - Sheriff's Office
  - Department of Community and Human Services
  - Washington State Department of Social and Health Services
  - Washington State Attorney General
  - Public school districts
  - Police agencies
  - Family Law Section of the King County Bar Association
  - Community service providers,
- d. In addition to those with interfacing work functions, the input of clients, other organizations, groups and entities affected by juvenile, family law and supporting therapeutic court services will be sought during the operational master planning effort. The consultant will convene broad stakeholder meetings with the purpose of

eliciting feedback on current and proposed children and family justice service delivery. Stakeholder outreach will engage:

- Community groups including social service agencies and faith-based organizations providing social services
- Youth and family organizations
- Neighborhood groups

### **3. Assess Operational and Facility Alternatives and Recommend Options for Action**

- a. The OMP will examine operational alternatives for the efficient and effective delivery of juvenile, family law and supporting therapeutic court services. The operations alternatives section of the plan will include:
  - A listing of the operational alternatives under consideration along with a description of why each alternative is being considered;
  - A description of impacts associated with each operational alternative including impacts to other aspects of Superior Court as well as other county agencies and operations;
  - A description of criteria that will be used in assessing the risks, benefits and costs of each alternative, including compliance with countywide policies for business, technology and planning;
  - An assessment of the risks, benefits and costs of each alternative under consideration;
  - Recommend preferred alternatives.
- b. The OMP will project alternatives for space needs, including location, understanding that operational changes may necessitate corresponding facility/space use changes. If space use changes are suggested, a subsequent facilities master planning effort would occur. The facility alternatives section of the plan will include:
  - A listing of potential space and/or location alternatives along with a description of how each alternative corresponds to operational recommendations;
  - A preliminary description of the potential space and/or location impacts associated with each operational alternative including impacts to other aspects of Superior Court as well as other county agencies and operations;
  - A description of criteria that will be used in assessing the risks, benefits and costs of each alternative
  - Consideration of facility recommendations of other County space planning activities, including District Court
  - Recommendation preferred locations and functional alternatives.

#### **Schedule**

The OMP, ordinance and any associated documentation, will be transmitted to Council by May 31, 2006.

The schedule included in this work plan represents an optimal timeframe for completion of the OMP however, it is important to note that some schedule delays may occur outside of the OMP process, which would impact meeting the scheduled dates. Elements such as consultant

availability, availability of data from external entities such as the State of Washington and council action of the work plan could affect the transmittal date. Other countywide planning efforts have shown that when external entities are involved with providing data or information to the County or its consultant, those external entities do not necessarily provide the data in the timeline requested.

All policy makers, including Council members, will be updated on the progress on the schedule. It is the intent of the OMP groups to meet and manage the schedule with a transmittal date of May 31, 2006.

All dates after the June submission of work plan to Council are pending and will be adjusted to reflect Council adoption of the work plan. The schedule will move forward on the timeline represented below, with necessary adjustments to reflect the adoption date of this work plan.

## 2005

- June
  - submit work plan to Council
  - develop consultant request for qualifications (RFQ)
- July
  - release RFQ-open for three weeks
- August
  - schedule first Cabinet Oversight Group meeting for September
  - receive RFQ responses
- September
  - evaluate RFQ written responses
  - select consultants for interviews
  - conduct consultant interviews
  - select consultant
- October
  - negotiate consultant contract, deliverables and timeline
  - sign contract
  - initialize consultant activities
- October-March
  - continue consultant work including draft review and feedback and data collection and evaluation processes, continuing through March
  - Cabinet Oversight Group and Project Work Group meets according to deliverable schedule or as determined by Cabinet Oversight Group
  - hold stakeholder meetings

## 2006

- January-March
  - continue consultant work including draft review and feedback and data collection and evaluation processes
  - Cabinet Oversight Group and Project Work Group meets according to deliverable schedule or as determined by Cabinet Oversight Group
- February
  - Development of OMP commences as consultant work winds down
- March
  - estimated final draft of consultant report to Cabinet Oversight Group
  - drafting of OMP report continues

- April
  - OMP final draft completed
  - Court and Executive review final draft
- May Completion
  - Executive transmits final draft to Council May 31, 2006 and earlier if possible

### **Milestones**

1. Complete assessment of current baseline activities and existing facilities
2. Stakeholder feedback process outlined, with stakeholders identified and meeting dates targeted
3. Develop projected caseload and demographics
4. Identify potential operational and facility needs
5. Complete operational analysis
6. Develop options based on current business processes, stakeholder feedback and potential improvements
7. Select and recommend options
8. Recommend options to Executive
9. Transmit to Council

## **OMP OVERSIGHT**

A group of key policy makers, both internal and external to King County, will comprise the Cabinet Oversight Group. The oversight group will be responsible for work of the OMP consultant, the activities and products of the Project Work Group, as well as any associated work groups.

### **Cabinet Level Oversight Group**

Oversight of the OMP will be accomplished by a cabinet of elected officials including King County Superior Court Judges, King County Councilmembers as well as representatives from the King County Executive's Office, Prosecuting Attorney's Office, Office of the Public Defender, the State of Washington Attorney General's Office, the State of Washington Department of Social and Health Services, the King County Family Law Bar Section. The role of the Cabinet is to guide and review the work of the consultant and the work products generated by the Project Work Group and Stakeholder groups. The OMP Cabinet will be the decision making body on matters related to the OMP. The OMP Cabinet will be co-chaired by the Superior Court Presiding Judge and the Executive or his designee.

### **Project Work Group**

The Project Work Group is the body that will carry out the activities necessary to completing the OMP. The Cabinet Oversight group directs the Project Work Group. The Project Work Group will be comprised of King County staff from Superior Court, the Office of Management and Budget, the Department of Judicial Administration, Council, the Prosecuting Attorney's Office, Office of the Public Defender, Facilities Management Division, Department of Adult and Juvenile Detention, Department of Community of Human Services, Office of Information Resources Management and the state Attorney General's Office. The Project Work Group will work with the consultant to provide and/or create needed materials, data and documentation; it will draft reports for the Cabinet's review and approval. Based on direction from the Cabinet, the Project Work Group will develop and work with stakeholder groups to ensure stakeholder input and



feedback is included throughout the OMP process. Ad hoc work groups will be convened as needed to address specific topics and business needs.

### **Stakeholder Groups**

The OMP process will require participation and input from individuals, groups and entities that either utilize the services of the juvenile court and family law operations or those that could be affected by changes to court's operations or locations. To that end, the OMP process will specify opportunities for stakeholders to participate in the development and review of the OMP.

## **RESOURCES**

### **Consulting Resources**

The 2005 Adopted Budget contains \$160,000 budgeted in OMB for support of the targeted OMP work. After completing the work plan and evaluating what the OMP intends to accomplish, it was determined that additional funding would be necessary to support the consultant costs. OMB has provided an additional \$20,000 for the cost of the consultant from salary savings. The total consultant budget for the targeted OMP will be \$180,000.

Superior Court will seek \$25,000 in additional funding to support a technology review conducted by a consultant. The technology review consultant's work will be integrated into the targeted OMP. The technology review component will make it possible for the Court to conduct a review of technology needs and systems for the Court's children and family case processing. While technology integration efforts are currently underway in the criminal justice system, they are focusing on adult criminal case processing and a similar technology integration effort is needed for children and family case processing. Without this important technology information and assessment, the targeted OMP will be incomplete, with its findings and recommendations severely limited by the absent technology assessments and recommendations. A concentrated effort to identify and describe the current disparate technology components for children and family case processing is critical as its findings and recommendations will inform the work of the targeted OMP.

### **Staffing Resources**

The Office of Management and Budget will provide project management functions for the targeted operational master planning effort, working in close collaboration with Superior Court and the Cabinet Oversight Group. Along with Superior Court representatives, a team of senior policy analysts from OMB will staff the Cabinet Oversight Group, the Project Team and all ad hoc work groups. OMB will utilize existing staff for the OMP project management and related duties for the duration of the project.

The Court, along with OMB, will staff the Cabinet Oversight Group, the Project Team and any ad hoc work groups during the course of this OMP effort. The Court will utilize both existing staff and will request the addition of 1.00 Term Limited Temporary (TLT) for six months in 2005. It is anticipated that the Court will request similar staffing resources for the first five months of 2006. The total additional staffing funding requested in 2005 are \$36,235; anticipated staffing funding for 2006 would be \$32,461.

**2005 Budget Proviso  
King County Ordinance 15083  
Superior Court Proviso (Section 28)**

**Review of Legal Financial Obligations (LFOs)  
And Their Collection by the County**

**2005 Budget Provisos – Ordinance 15083**

**Superior Court Proviso (Section 28)**

**P1 PROVIDED THAT:**

...In addition, the work plan should include a review of legal financial obligations (LFOs) and their collection by the county. ....

### Executive Summary

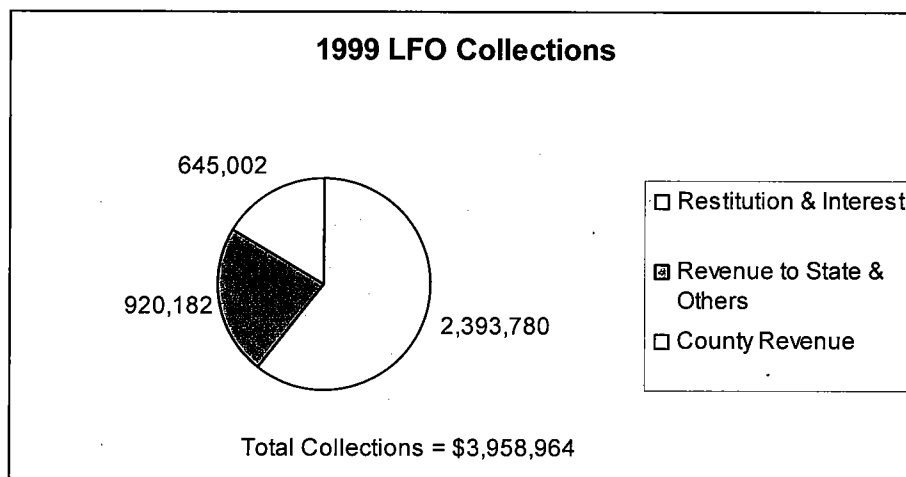
Legal Financial Obligations (LFOs) are created when members of the King County Superior Court bench order defendants in criminal cases to pay fines, fees and/or restitution. The Department of Judicial Administration (DJA) began its involvement in the collection of LFOs in January, 2000. Prior to that, LFO collection was conducted by the Washington State Department of Corrections (DOC).

DJA's collection staff attempt to work with defendants to establish voluntary payment plans. They work at ensuring DJA has accurate address and contact information and that defendants are receiving regular statements on their outstanding LFOs. They interact with crime victims/restitution recipients and provide information about the status of the restitution owed to them. They also assist with issuance of Certificates of Discharge upon completion of sentence terms. The DJA LFO collection program:

- ◆ will have added over \$900,000 in payments to King County crime victims by the end of 2005, and
- ◆ has helped 159 King County residents re-establish their voting rights during 2004, alone.

### Review of LFO Program Development by Year

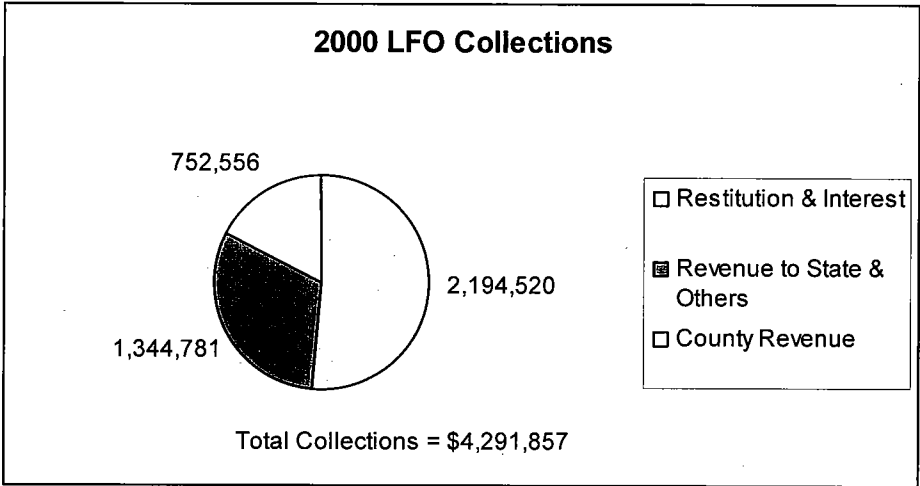
Collection statistics for the year ended on December 31, 1999, may be used as a bench mark for the supplemental collection program for the years of 2000-2002. (See table #1)



### FY 2000 Collections

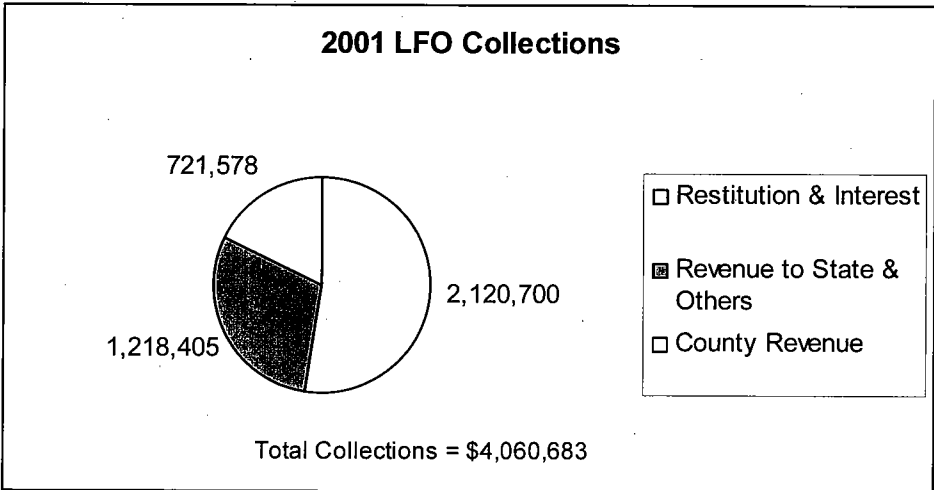
In January, 2000, DJA initiated a collection program designed to supplement the collection efforts of DOC. The intent of this collection program was to improve accountability of defendants to the courts, help increase the number of defendants completing the financial terms of their sentences, and increase payments of restitution to victims of crime.

The program consisted of two collection staff. These staff worked pursuant to an agreement between DJA and DOC, whereby DOC would refer cases to DJA that were considered stale or that it deemed uncollectible.



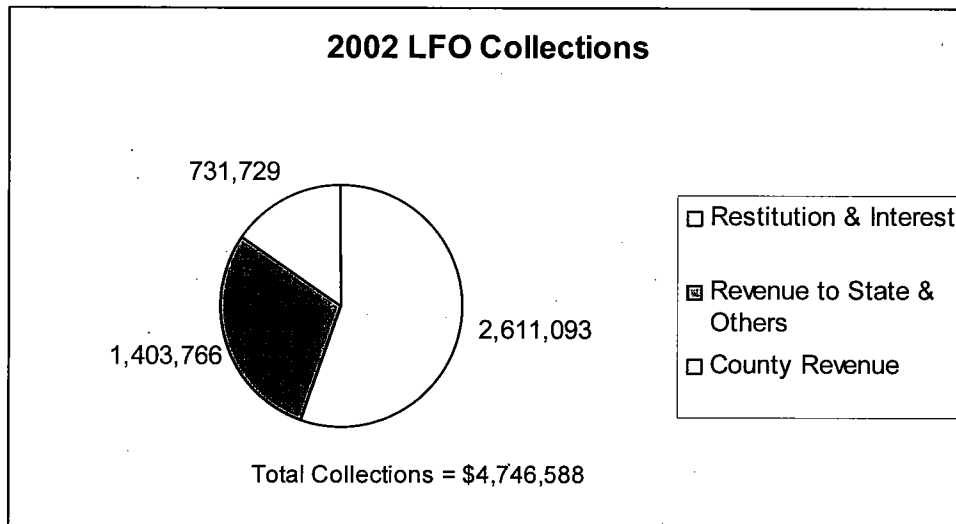
**FY 2001 Collections**

LFO collection programs remained fairly static during 2001. DOC remained primarily responsible for LFO collection, and DJA continued to operate a supplemental collection program staffed by two FTEs.



### FY 2002 Collections

The collection program was expanded to add two FTEs during 2002. Overall collections increased by nearly twenty percent over the 1999 base level.



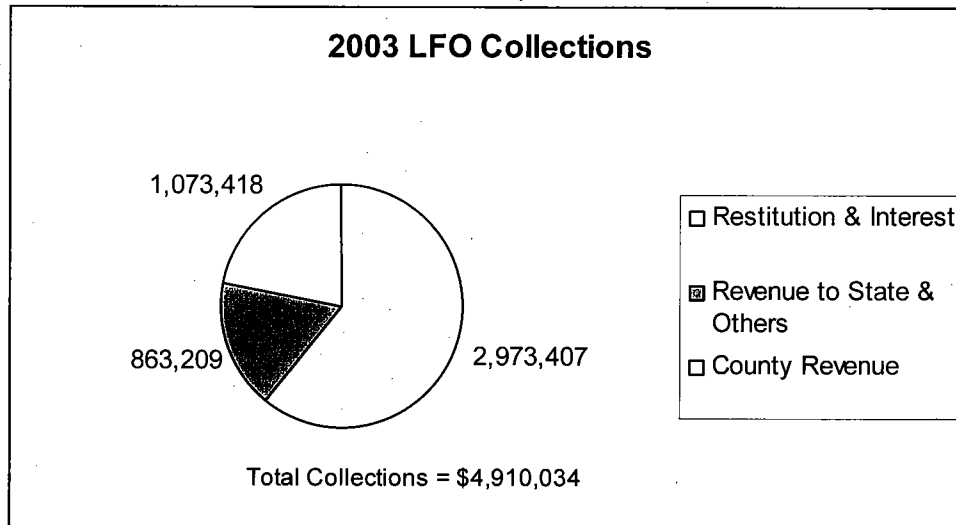
### FY 2003 Collections

During 2003 the Washington State Legislature enacted Engrossed Substitute Senate Bill 5990 in Chapter 379, Laws of 2003. This legislation is responsible for significant restructuring within DOC, and even more significant restructuring of LFO collections state-wide. Pursuant to this legislation, DOC remains responsible for LFO collections on cases that are still under that agency's supervision, and for defendants who are still incarcerated at a DOC facility. Collection responsibility on all other outstanding LFOs was transferred to the county clerks.

Limited funding was made available by the legislature to facilitate the counties' ability to work on LFO collections on this greatly expanded case load. King County received \$263,198 in 2003. These funds have been used to hire three additional collection staff.

Implementation of 5990 was phased in throughout 2003. DOC, aware of the impending transfer of cases, stopped collecting on most of the cases to be subsequently transferred early in 2003. Clerks received their legislative authority and funding to begin working these cases in October, 2003.

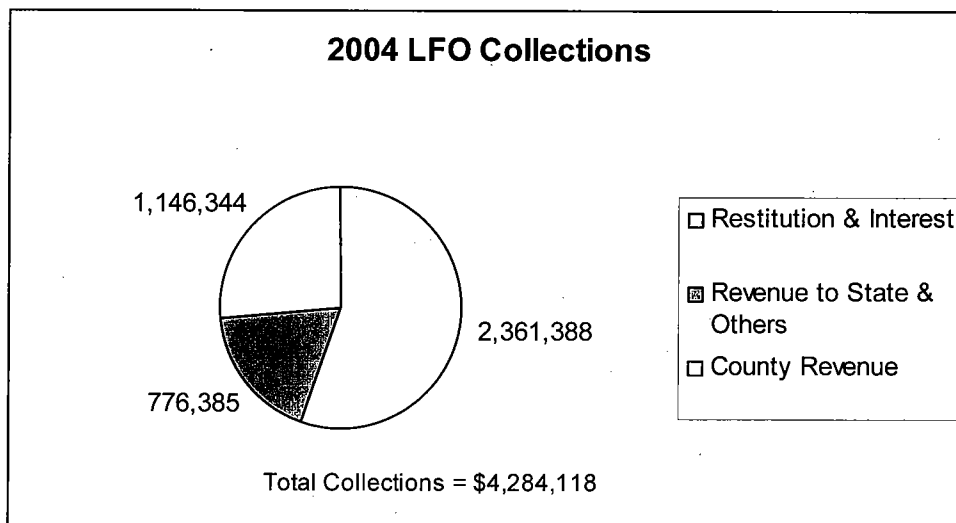
Total collections and restitution payments to crime victims both increased significantly during the year.



### FY 2004 Collections

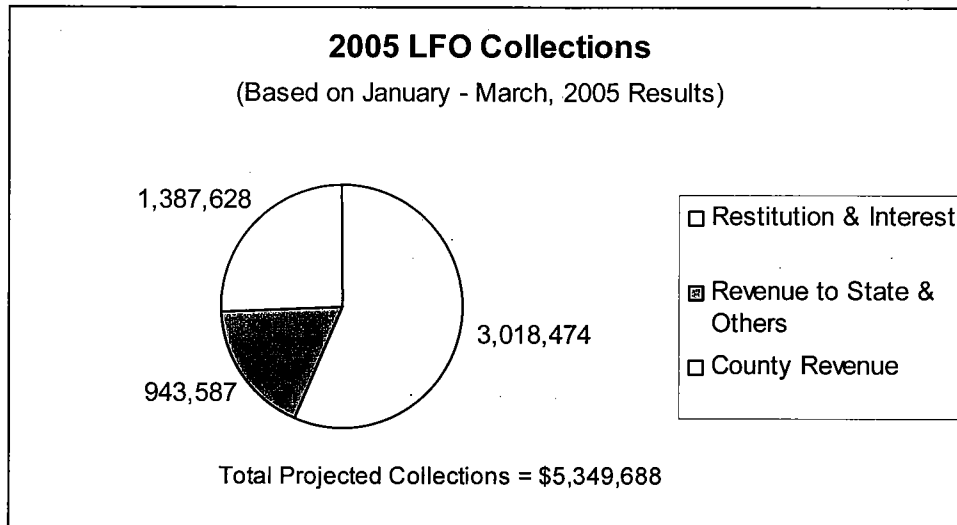
To date, over 20,000 cases have been transferred to DJA for collection action.

It is worth noting that with passage of 5990, return to the status-quo of 1999 is no longer available as an option. Collection results declined due to the significant transition caused by the passage of 5990 and the fact that DOC stopped working on cases months ahead of the transfer to the county, and that DOC had many more staff working on collecting these LFOs than DJA has.



### FY 2005 Collections

While it is still very early in the year to project what actual collection results will be for 2005, initial indications are that total collections will approach \$5.35 million, and that restitution and interest paid to crime victims will exceed \$3.0 million.



### Summary 1999-2005

Until the end of 1999, LFOs were collected for King County exclusively by DOC. Since January, 2000 DJA has operated a collection program that supplements the collection efforts by DOC. During 2003, ESSB 5990 was implemented, which resulted in transfer of primary collection responsibility on a large number of cases to DJA. Throughout this time DJA has operated a collection program which centers on securing voluntary payments from defendants. When defendants refuse to cooperate with making payment arrangements, if DJA can verify that they are employed, DJA will pursue attaching a small portion of their disposable earnings, just as any other creditor can pursue through civil means. DJA does not pursue issuance of warrants or the use of court and jail time.

As of this date, DJA's LFO collection program has provided significant increases in total collections and in restitution payments to victims of crime. So therefore, as a part of the review of King County's involvement in LFO collections, we present the following options:

### Options For The Future

In looking to the future, King County has three courses to consider in collecting LFOs:

1. Discontinue Collections. Discontinue internal collections and let payment of court ordered LFOs become either voluntary, or enforced to the extent that Superior Court wishes to enforce them.
2. Refer to an outside collection agency. Discontinue internal collections and refer all open LFOs to the county's contracted collection agency for follow up.
3. Continue the present collection program. Continue the current collection program and continue to monitor the costs and benefits, both to the county and to the citizens of King County.

### **Discontinue Collections**

It is difficult to project the exact cost of pursuing this option. In addition to the cost to crime victims who would cease to receive the restitution they are due, one must also consider the social cost of the ballooning number of unsatisfied LFOs and disenfranchised voters. One does not know what the payment rate would drop to once the defendant population became aware that payment of LFOs is effectively voluntary. If the court were to attempt to compel payment in any systematic way, the associated costs of prosecution, jail and court time would be tremendous.

### **Referral to an Outside Agency**

With passage of 5990, one Washington county pursued this option. Whatcom County began referring their cases to AllianceOne for collection upon implementation of 5990. This is the same collection agency currently being used by the King County Office of Finance and King County District Court. In Whatcom County, they followed a model similar to the current practice employed by King County District Court. Those individuals needing a time payment arrangement were referred to Signal Credit (a branch of AllianceOne) to establish a payment schedule. If they subsequently defaulted, Signal referred the cases to AllianceOne for collection action. They began this practice in late 2003 and continued throughout 2004. Whatcom County concluded in analyzing their results is that the county lost about 25% of its revenue (note that during this same period most Washington counties experienced increases in revenues from LFO collections). Perhaps more significant is the fact that during this same period crime victims received 40% less in restitution payments than they had previously. Anecdotally, Whatcom County commented that AllianceOne primarily pursued cases with large balances outstanding (presumably for the interest revenue which they get to retain.) The effect of this strategy is that very few LFO balances get paid in full, and very few defendants get to have their voting rights reinstated.

Pursuit of this option would require incurring additional costs as well. Staff would be required to monitor all payments received, and intercept and forward any payments on cases referred to the collection agency. Staff would also be needed in order to set up and refer new cases to the collection agency, as they are sentenced or when DOC terminates supervision of cases. Based on the volume of cases in King County, as compared to Whatcom's experience, it is anticipated that this would require three staff, after the initial transfer of presently open cases had been completed. Thus, pursuit of this option would result in significant cost to King County. Another cost to consider is that which would be borne by the citizens of King County, crime victims who would receive nearly \$1.22 million less annually than they are receiving now, in the form of restitution and interest.

### **Continue the Present Collection Program**

The present collection program provides increased restitution recovery to King County crime victims (\$292,000 through 2004, and projected to be \$917,000 by the end of 2005), provides an enforcement function to Superior Court orders without incurring the expenses of jail and additional litigation, and it assists defendants in achieving restoration of their voting rights,

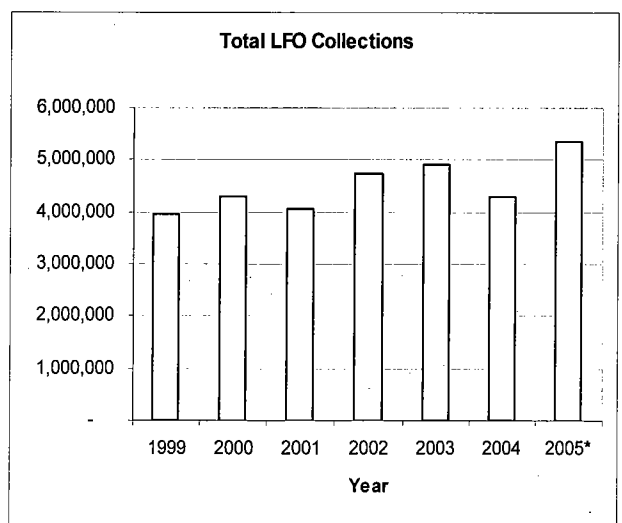
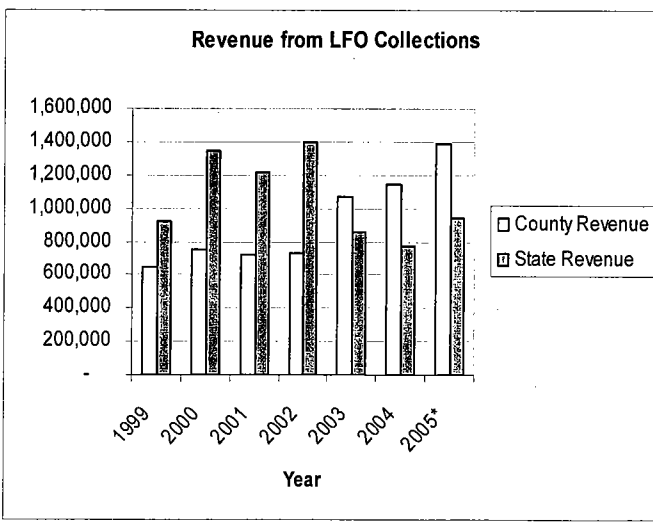


**Conclusion**

DJA's operation of the LFO collection program will have added over \$900,000 in payments to King County crime victims by the end of 2005. This is expected to continue to increase in the future. DJA's collection program helped 159 King County residents re-establish their voting rights during 2004 alone. The alternatives to county involvement in LFO collections will result in reduced restitution payments to King County crime victims, and reduced numbers of defendants receiving the return of their right to vote.

**Table 1  
LFO Collection Data  
In King County**

	1999	2000	2001	2002	2003	2004	2005
County Revenue	645,002	752,556	721,578	731,729	1,073,418	1,146,344	1,387,628
Revenue to State & Others	920,182	1,344,781	1,218,405	1,403,766	863,209	776,385	943,587
Restitution & Interest	2,393,780	2,194,520	2,120,700	2,611,093	2,973,407	2,361,388	3,018,474
Total LFO Col (incl rev to State)	3,958,964	4,291,857	4,060,683	4,746,588	4,910,034	4,284,118	5,349,688
Est Cost of Coll Program	-	102,283	107,697	170,734	293,719	503,352	524,774
Impact on County		5,271	(31,120)	(84,007)	134,697	(2,010)	217,852
Impact on Crime Victims		(199,260)	(273,080)	217,313	579,627	(32,392)	624,694
Impact on Total Revenues		532,153	374,799	570,311	371,443	357,546	766,031
Total Impact (excl DOC Svgs)		332,893	101,719	787,624	951,070	325,154	1,390,724
							*Projected



**2005 Annual Budget  
Ordinance 15083**

**Section 28: Superior Court**

The county council and superior court have determined that there may be significant benefits from a comprehensive approach and review of operations as specified below. Toward this end, by June 1, 2005, the superior court, in collaboration with the departments of judicial administration, community and human services and the offices of the prosecuting attorney, public defender and management and budget, will prepare a detailed work plan for an operational master planning effort reviewing the operations and potential facilities needs for a targeted operational master planning effort for the court's juvenile, family law and supporting therapeutic courts. In addition, the work plan should include a review of legal financial obligations (LFOs) and their collection by the county. The work plan effort should include the court and judicial administration, but also should solicit input from other agencies involved in the family courts or therapeutic courts (state, county and community). The detailed work plan for the operational master plan shall be developed to include a scope of work, tasks, schedule, needed resources and milestones. The plan should also include a description of the proposed group that will be responsible for the oversight of the planning effort and also identify the other county agencies that will need to participate in the planning work.

**Section 14: Office of Management and Budget**

By June 1, 2005, the office of management and budget, in collaboration with the superior court and the departments of judicial administration, community and human services, the offices of the prosecuting attorney and the public defender, shall submit to the council for its review and approval by motion a detailed work plan and a proposed motion approving an operational master planning effort reviewing the operations and potential facilities needs for a targeted operational master planning effort for the court's juvenile, family law and supporting therapeutic courts. The work plan effort should include the court and judicial administration, but also should solicit input from other agencies involved in the family courts or therapeutic courts (state, county and community). The detailed work plan for the operational master plan shall be developed to include a scope of work, tasks, schedule, needed resources and milestones. The plan should also include a description of the proposed group that will be responsible for the oversight of the planning effort and also identify the other county agencies that will need to participate in the planning work.

The plan and proposed motion must be filed in the form of 16 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the budget and fiscal management and the law, justice and human services committees or their successors.