

**KING COUNTY SUPERIOR COURT:
TARGETED OPERATIONAL MASTER PLAN**

**WORKING PAPER #1
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FINAL ASSESSMENT REPORT**

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Submitted to:

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WORKING PAPER #1



KING COUNTY TARGETED OPERATIONAL MASTER PLAN

WORKING PAPER ONE

This working paper presents findings of the PSI project team regarding desired goals for the Superior Court for cases involving children and families in King County. The discussion that follows reflects the opinions and perceptions of a range of system actors involved with family and juvenile cases in King County, including representatives from:

- ✓ the judges of the Superior Court, Juvenile Court, and Unified Family Court;
- ✓ the judges of the District Court;
- ✓ Superior and Juvenile Court administration;
- ✓ the Department of Judicial Administration;
- ✓ Superior Court Family Support Services;
- ✓ District Court administration;
- ✓ the King County Prosecuting Attorney's Office;
- ✓ the State Attorney General's Office;
- ✓ the State Department of Social and Human Services;
- ✓ the Office of the Public Defender;
- ✓ the King County Executive;
- ✓ the King County Council;
- ✓ the King County Sheriff;
- ✓ the Seattle and Kent Police Departments;
- ✓ Adult and Juvenile Detention;
- ✓ the Family Law Court Appointed Special Advocate (CASA) Program;
- ✓ Auburn Youth Resources;
- ✓ Youth and Family Services Association;
- ✓ Casey Family Foundation; and
- ✓ the Renton School District.

An initial draft of the paper was presented to the Cabinet Oversight Group for review and discussion at the meeting held on December 9, 2005. This final version of the paper incorporates the comments made at that meeting.

The discussion that follows is divided into three parts:

- (1) a discussion of the major guiding principles for the Superior Court with regard to resolving cases involving children and families;
- (2) an overview of the present organization of the King County Superior Court with regard to cases involving children and families; and
- (3) a discussion of the major issues affecting the ability of the Superior Court to achieve those guiding principles.



GUIDING PRINCIPLES FOR CASES INVOLVING CHILDREN AND FAMILIES

This section of the working paper discusses the guiding principles for cases involving families and children expressed by system actors. Five guiding principles emerged from our interviews and the discussion at the Cabinet Oversight Group meeting:

- ✓ accessibility;
- ✓ understandability;
- ✓ comprehensiveness;
- ✓ effectiveness; and
- ✓ cultural competency.

Accessibility

Accessibility means that the justice system should be convenient, timely, and affordable to everyone with a legitimate concern. One aspect of accessibility in family cases that was raised by actors from different parts of the system was to make the court less burdensome for families. The following elements were raised.

- ✓ Reduce the number of hearings.
- ✓ Schedule hearings to take into account transportation and day care needs.

A second broad aspect of accessibility that was raised was to make treatment services, counseling, and education more accessible to families throughout King County. This included the following elements.

- ✓ Provide the following services, either centrally or duplicated in multiple sites for accessibility:
 - a transition center;
 - a residential treatment facility;
 - facilities and staff for supervised visitation;
 - an assessment center for police; and
 - a mental health facility.
- ✓ Provide treatment services on-site to connect people to services before they leave the courthouse, to improve compliance with court ordered services.



Understandability

For families to participate effectively in developing appropriate and achievable resolutions to their own cases, the court process needs to be understandable to them. This encompasses the following elements.

- ✓ Assure that families understand the terminology used in the court and what they are being ordered to do.
- ✓ Make the court more personalized and less intimidating, hectic, and confusing, including providing rooms where attorneys and caseworkers can meet privately with the parties, so that the families don't have to discuss their intimate problems in a public hallway or waiting room.

Comprehensiveness

Families with multiple court cases pose special difficulties for the courts. Dealing with those multiple problems in a comprehensive and coordinated manner is an important guiding principle. This includes the following elements.

- ✓ Link cases so families can have all of their legal problems dealt with at one time, in an ideal world including any criminal cases and family-related cases in the District Court that could affect the family case.
- ✓ Assure that all of the court-related support services necessary for the court case are available when needed, in the courthouse if possible, including:
 - juvenile detention;
 - juvenile and adult probation;
 - drug and alcohol evaluation;
 - paternity testing;
 - interpreters;
 - family court facilitators;
 - mediation; and
 - a holding cell for incarcerated parents.

Effectiveness

In King County there was broad agreement that the ultimate goal of the courts should be to produce better outcomes for families in King County. Within this broad goal, however, different system actors identified different components of what constituted better outcomes for families.



Those differences reflected the different professional perspectives of the various actors. The courts, law enforcement, prosecution, defense, social services, probation, and treatment providers all play different but interrelated roles in achieving the following outcomes.

The following are some of the key outcomes that were identified.

- ✓ Help families stay together, or when necessary, assist families with the separation process.
- ✓ Create stronger and more stable families in King County by improving their problem-solving skills.
- ✓ Bring some common sense into the process, by exercising appropriate discretion in circumstances that permit in order to develop interventions that make sense for the family.
- ✓ Make it possible for families to succeed, by avoiding so overburdening them with different treatment programs from multiple cases that it is not possible for them to meet all of the requirements placed on them.
- ✓ For children who must be removed from the home, provide a safe and permanent home for every child as quickly as possible, in a way that is age appropriate. For pre-adolescent children, this may mean early termination of parental rights (TPR) and adoption or other permanent placement, in order to avoid having the child move through a series of foster homes. For older children who are less likely to be adopted, this may mean preparation for early emancipation.
- ✓ Provide a way for families to get a final resolution to their cases. Dependency cases, in particular, tend to stay in the courts for a long time.
- ✓ Where necessary, help families to first stop the destructive behavior that got them into court, including domestic violence, child abuse, and substance abuse, so that they can begin to move forward in addressing their underlying problems.
- ✓ Avoid making the relationships within a family more adversarial than when the case started, so that the system does not pull families further apart.

A final approach to assuring effectiveness is to promote continuous improvement based on use of evidence-based practices and knowledge of the outcomes of children and family cases.

- ✓ Provide cross-disciplinary training.



- ✓ Provide ongoing evaluation of outcomes for children and families, based on agreed-upon performance measures and continuing data collection.
- ✓ Develop affiliations with local university graduate programs in disciplines relevant to cases involving children and families, to provide research and training.

Cultural Competency

A final guiding principle is to provide services to families and children through the justice system that are culturally competent. This includes the following elements.

- ✓ Make the courts sensitive to issues of language and culture. This could also help reduce minority overrepresentation in the juvenile and criminal justice systems and the child welfare system.
- ✓ Meet the individual needs of families and children where they are, both geographically and in terms of the problems they have and their needs, culture, income, and community.
- ✓ Use strength-based cultural resources and networks, including service providers who target the needs of families within specific cultural communities.

ORGANIZATION OF THE SUPERIOR COURT WITH REGARD TO CASES INVOLVING CHILDREN AND FAMILIES

Cases involving children and families can arise in five different parts of the King County Superior Court, each of which is described below:

- ✓ the regular family law caseload of the Unified Family Court (UFC) program;
- ✓ the intensive case management program of the UFC, which is a subset of the UFC program;
- ✓ the Juvenile Court;
- ✓ one of the four specialty therapeutic courts; and
- ✓ the adult criminal court.

The guiding principles discussed in the first section of this working paper apply to all cases involving children and families, regardless of which part of the Superior Court is responsible for hearing them.



The Family Law Caseload of the Superior Court Unified Family Court Program

In the King County Superior Court all family law cases in which children are involved, including divorce, custody, and visitation, are assigned to the UFC program. With the exception of cases assigned to intensive case management, as described below, the UFC operates as a typical family division of a court, with different cases involving the family being processed separately. Family cases are heard both at the downtown courthouse or the RJC. Judges are rotated through the UFC as part of their normal rotation.

The Intensive Case Management Program of the UFC

About fifty cases in the RJC and fifty cases in the downtown courthouse are assigned to an intensive case management program. The purpose of the UFC intensive case management program is to link juvenile and family-related matters involving a family to address the multiple needs of the children and family. These cases are assigned a case manager, and other selected cases involving the family are linked with the divorce/custody case, including: (1) paternity cases; (2) dependency cases; (3) civil domestic violence protection orders; and (4) BECCA law matters, including At Risk Youth (ARY), children in need of services (CHINS), and truancy cases.

Some types of cases involving the family that have been included in unified family court programs by other jurisdictions around the country are not presently linked in the King County UFC intensive case management program. While those types of cases are not linked, the judge and case manager will try to coordinate the family cases with treatment orders or conditions of probation from any criminal cases involving the parties. Potential areas for expanded linking of multiple cases involving a family include:

- ✓ juvenile offender cases;
- ✓ criminal child abuse and neglect cases;
- ✓ other adult criminal cases, including domestic violence, use of illegal drugs, and any criminal case in which substance abuse is involved;
- ✓ misdemeanor domestic violence cases filed in the King County District Court or the Municipal Courts; and
- ✓ juvenile traffic cases, which are within the jurisdiction of the King County District Court.

Our interviews revealed differences of opinion among the different system actors as to the desirable or achievable subject matter scope of the UFC intensive case management program. The differences of opinion reflected four concerns:

- ✓ the rights of the parties and potentially conflicting roles of the attorneys if criminal matters are linked with family cases;



- ✓ the level of infrastructure and the facilities that would be required to process different types of cases;
- ✓ the ability of the court to effectively manage the flow of different types of cases; and
- ✓ the proper exercise of jurisdiction of the courts.

The Juvenile Court

Dependency cases, juvenile offender cases, and BECCA law matters, including At Risk Youth (ARY), children in need of services (CHINS), and truancy cases are handled primarily in the Juvenile Court. The Juvenile Court has its own facility, located near downtown Seattle. The juvenile detention center is co-located with the juvenile court.

Specialty Therapeutic Courts

The King County Superior Court has a number of specialty therapeutic courts. Cases from those courts are not linked into the UFC intensive case management program. Those courts include:

- ✓ the juvenile drug court, which is designed as a diversion program without requiring a guilty plea;
- ✓ the juvenile treatment court, formed under the Reclaiming Futures Initiative of the Robert Wood Johnson Foundation, for youth with co-occurring substance abuse and mental health issues;
- ✓ the adult drug court; and
- ✓ the family treatment court.

Criminal Court

Some criminal cases can have an impact on the processing of family cases, particularly criminal child abuse cases and adult drug cases. These cases are processed as separate cases from any family cases involving the same offender.

ISSUES AFFECTING THE ABILITY OF THE SUPERIOR COURT TO ACHIEVE THE GUIDING PRINCIPLES

Four major issues arose in our interviews and Cabinet Oversight Group meeting with regard to the ability of the Superior Court to achieve the above principles:

- ✓ the extent to which cases can or should be linked;
- ✓ service delivery and coordination;
- ✓ court responsibility for outcomes as well as process; and
- ✓ meeting system-wide infrastructure needs.



The Extent to Which Cases Can or Should be Linked

Geography and demographics affect the needs of the private family law bar in King County. The attorneys in the southern part of King County tend to have most of their cases at the RJC, while the attorneys in the remainder of King County tend to have most of their cases at the downtown courthouse. Their practices do not overlap much geographically. Transportation from the downtown courthouse to the RJC is difficult, as traffic can be heavy, parking is limited at both sites but especially downtown, and there is no direct public transportation between the two courthouses. Moving all of the cases in the intensive case management program to one location, as some judges and administrators would like to do, will likely meet resistance from one or the other of these groups of attorneys. Dependency cases, which mostly involve public attorneys, do not pose the same problem.

The way in which juvenile offender cases are treated depends on how the cases are viewed by the courts: (1) as criminal offenses, with the possibility of incarceration and a criminal record, which require the whole panoply of defendant's rights; or (2) as seeking to determine the best interest of the child. If the former, some attorneys believe that juvenile offender cases should not be integrated into the intensive case management program until the sentencing stage after adjudication.

Public defenders come into the intensive case management program when a dependency case is linked with a family law case. If the family is unrepresented, the PD may be asked to represent the family in all matters linked into the program, although the PD is not trained in divorce law, particularly with regard to preparing parenting plans, which are complex. The attorney for DSHS who is prosecuting the dependency case against the family may also end up helping the family.

Where both a civil dependency case and a criminal child abuse and neglect case are filed against the same family, two prosecuting attorneys will be involved, the State Attorney General for the dependency case and the King County Prosecuting Attorney for the criminal case. At present there is no mechanism in place for coordination between the two attorneys.

Judicial rotation poses an issue for the intensive case management program. When judges rotate out of the juvenile and family areas, they do not keep their caseloads. There is one judge hearing dependency cases full time at the juvenile court.

The intensive case management program presents a variety of problems for the clerk's office with regard to operational structure and the deployment of staff. Expansion of the intensive case management program may actually cause more expense for the clerk, if the full panoply of clerical operations have to be duplicated in multiple locations. Family cases have special cashing and docketing requirements that are not now offered in the juvenile court but may be



needed if family cases are included there. The ex-parte department may also have to be expanded to provide service in every location. The clerk's office also handles trial scheduling, so the intensive case management program imposes an added burden of scheduling multiple cases.

On the positive side, the clerk's office has electronic records for all cases filed in 2000 and later. This includes full imaging capability. There are firewalls for access to protect confidentiality, but all of the judges have blanket access. Older records, however, still have paper files, so the clerk's office has couriers to go between the downtown courthouse, the RJC, and the juvenile court.

When cases are linked, scheduling of hearings is an issue in circumstances where system actors overlap between cases, but in different combinations. This includes scheduling hearings so that attorneys and social workers don't have to wait for an hour or more for a ten-minute hearing, and scheduling hearings so that the system actors can attend just the hearings that pertain to their part of the case.

Service Delivery and Coordination

Geography and demographics affect the needs of clients. Family law cases can be heard at either the downtown courthouse or the Regional Justice center (RJC) in Kent. Dependency fact-finding hearings are presently held at all three Superior Court locations, the juvenile court, the downtown courthouse, and the RJC. Family cases are spread throughout the county, but the dependency caseload is heavier in the southern part of the county. There are daycare facilities in the RJC but not in the juvenile court or downtown courthouse.

Providing culturally competent services to families is a critical need of the system. King County is becoming an increasingly culturally diverse county, and culture can affect family cases in a variety of ways, including raising issues of language, extended family relationships, gender roles and relationships, and child rearing practices.

The courts, prosecution attorneys, defense attorneys, law enforcement, social services, treatment providers, and schools all make different contributions to the handling of family cases. As a whole, they form a complete system. Each actor has its own individual perspectives, goals and needs, but they all need the cooperation and assistance of other actors to fulfill their roles. If each acts in a vacuum without coordination with the other actors, the system's ability to achieve desired outcomes for families is weakened.

King County has a wide array of services available for youth that are likely to present a challenge to coordinate. The greater the responsibility that the court is expected to take in coordinating the services provided to or required of a family, the more the court will have to be aware of the challenges to coordinating services that are listed below.



- ✓ Different service provider organizations receive referrals from different sources, including schools, social services and the courts. As a result, individuals may be referred to more than one program without coordination of services.
- ✓ Different programs have different entry criteria, including some that require payment, either through Medicaid or a fee, so that individuals may be ineligible for a program that could be helpful to them.
- ✓ Different programs have different sources of funding that may demand different and possibly conflicting performance goals.
- ✓ Some programs may have children who are also under the supervision of a Juvenile Probation Counselor or court-attached program that may impose different performance criteria.
- ✓ Some programs, such as those funded by the county, are being required to emphasize evidence-based approaches, including Multi-systemic Family Therapy and Functional Family Therapy, while other programs may use other approaches.

In addition, there is a separate set of service providers for adults in the dependency or criminal systems that may be involved with a family that is also in the juvenile system.

There is a need for better communication among all of the actors in the family and juvenile system, including the courts, probation, DSHS, service providers, and schools. Confidentiality requirements need to be clarified. The schools, particularly, seem to be out of the communication loop.

There is a need to coordinate actions taken under the BECCA statute with other interventions. The schools are responsible for BECCA filings. The statute provides a means for removing a truant youth from the home without a criminal filing where there is a lack of parental control in the home. In the City of Seattle, a social worker and police officer work as a team on each case. A judge oversees the case. The school, however, may not be notified that the youth is in the court system.

Another aspect mentioned was coordinating the separately funded programs aimed at children and families in King County, including the Casey Family Programs, the network of Youth and Family Service organizations, the Reclaiming Futures Initiative, the Systems Integration Project of the Child Welfare League of America, the Community Accountability Board diversion program. These programs are all aimed at different and discrete populations and have different goals and measures of performance. The following needs for achieving coordination were raised.



- ✓ Identify the target populations and goals of each program.
- ✓ Identify potentially overlapping clientele and conflicting performance goals.
- ✓ Develop mechanisms for information exchange to identify families involved with more than one program.
- ✓ Develop mechanisms to coordinate the services provided to the family.

Some service providers were concerned that performance measures might serve as an impediment to taking chances. They expressed a concern that performance measures may encourage programs to focus solely on the numbers and make them unwilling to try new ideas if there is a risk to achieving the numbers.

Court Responsibility for Outcomes As Well As Process

The role of the judge needs to be clarified, particularly with regard to the extent to which judges should be responsible for holding people accountable for a particular outcome as opposed to holding them accountable to a process, and for monitoring how well court orders are implemented by treatment providers.

The Superior Court needs to determine the extent to which it is responsible for identifying and requiring the use of treatment programs and other system interventions in cases involving children and families that are of proven effectiveness.

The therapeutic courts can get very detailed in the requirements they place on people, including specific programs that the client must attend and specific chores that a child must do. However, the clientele of different courts can overlap, so clients can be subject to multiple and sometimes inconsistent or burdensome court orders.

Meeting System-Wide Infrastructure Needs

For parties who are homeless or transient, hearings may provide the primary or even only opportunity for the Public Defender attorney to meet the client. One facilities issue is the extent to which court facilities should be designed to meet that need.

Technology is a major need. The Systems Integration Initiative is looking at a variety of issues with regard to the juvenile court involving problems of information sharing, such as confidentiality, information technology and the ability to share data.



Performance. Service. Integrity.

The capability to conduct substance abuse and mental health assessments and continuing drug and alcohol evaluations is an issue, particularly for juveniles when an individual is first picked up by law enforcement. There is a need for assessment centers for juveniles that are more convenient than the juvenile detention center for South King County.

The lack of a juvenile detention facility in South King County is a deterrent for law enforcement to detain a youthful offender. Detaining a youthful offender requires that the officer transport the child to the juvenile detention facility in Seattle, which takes the officer off of the street for at least several hours. Officers will do this only for the most serious offenses.

Another need of law enforcement is to have the system promote good community relations with law enforcement, as prevention and intervention are intertwined, and police officers often accompany social workers on visits to homes in order to prevent violent confrontations.

Washington law requires that children in foster care stay in their home schools as long as possible. This is an unfunded mandate for social services and the schools with regard to transportation needs.

WORKING PAPER #2



KING COUNTY TARGETED OPERATIONAL MASTER PLAN

WORKING PAPER TWO

By Steven Weller, John A. Martin, Dan L. Wiley, and Joseph R. Kabel

Policy Studies Inc. (PSI) is working with King County to produce an Operational Master Plan (OMP) to develop and evaluate alternatives for the delivery of justice services and make recommendations for the efficient and effective delivery of justice services for children and families in King County. Specifically, the OMP will examine how to: (1) improve the individual operations of the Juvenile Court, Family Court, and related courts; and (2) better integrate and coordinate the Juvenile, Family, and related Courts for families that have cases in more than one court, where such integration can occur.

The project will produce a series of working papers that will serve as building blocks for the final OMP. Those papers are as follows:

- Working Paper One: goals and desired outcomes for cases involving children and families;
- Working Paper Two: description of current operations and facilities;
- Working Paper Three: potential operational and facility needs, including best practices;
- Assessment Report: combined three working papers and feedback from County; and
- Draft OMP: document based on final assessment report recommendations.

This Working Paper Two presents findings of the PSI project team regarding current operations and facilities for cases involving children and families in King County. The discussion that follows is based on the following sources of information:

(1) Interviews or focus groups with system actors, including:

- the dependency judge and all of the Unified Family Court (UFC) judges;
- Public Defender attorneys;
- Prosecuting Attorney's Office (PAO) criminal and family support attorneys;
- Assistant Attorneys General in dependency cases;
- private family law attorneys;
- Dependency Court Appointed Special Advocates (CASAs);
- Family Law CASAs;
- dependency social workers for the State Department of Social and Human Services (DSHS);
- DSHS treatment providers;
- Unified Family Court case managers and staff;
- Clerk's Office/Judicial Administration Staff;
- court staff involved in the Systems Integration Project;
- adult detention administrative staff;
- juvenile detention administrative staff;



- Juvenile Probation Counselors;
- youth agency representatives; and
- staff from the various therapeutic courts.

(2) Focus groups and interviews of clients, including:

- teens in foster care;
- female juveniles in detention
- male juvenile offenders out of detention;
- juveniles from Juvenile Drug Court and their families;
- parents in Family Treatment Court;
- parents in divorce cases;
- parents in the UFC intensive case management program;
- a parent in dependency court; and
- a parent in dependency and drug court.

(3) Facilities tours and meetings with the County Facilities Management Department (FMD).

(4) Case processing/caseload meetings with various system actors to discuss the steps in case processing for the following types of cases:

- family law;
- UFC intensive case management;
- dependency;
- juvenile offender;
- Becca cases (truancy, at-risk youth, and children in need of services);
- civil domestic violence;
- child support; and
- therapeutic courts (Family Treatment Court, Juvenile Treatment Court, and Juvenile Drug Court).

(5) Data from SCOMIS and other case management systems.

In addition, as part of the Cabinet Oversight Group meeting on January 13th, we conducted a preliminary analysis of the major policy themes that emerged from the caseload/case processing groups.

The discussion that follows is divided into the following Sections:

1. Case Flow Processes;
2. System Interactions;
3. Caseload and Workload;
4. Facilities;
5. Technology;
6. Client Needs and Perceptions; and



7. Major Policy Themes.

Note that the discussion in this Working Paper is based on the interviews and focus groups and does not necessarily reflect the recommendations of the PSI project team. The PSI project team will propose options for addressing the issues raised in this paper will be presented in Working Paper Three.



CASE FLOW PROCESSES

This section presents the case flow description for the following types of cases:

- UFC family law;
- UFC intensive case management;
- child support;
- civil domestic violence;
- dependency;
- juvenile offender;
- therapeutic courts, including Family Treatment Court, Juvenile Drug Court, and Juvenile Treatment Court; and
- Becca cases, including truancy, at-risk youth (ARY), and Children in Need of Services (CHINS).

The caseflow/case processing groups discussed the following issues:

- the desired outcomes of the process;
- the steps in the process; and
- implications for facilities, staffing, service delivery, and other resource needs.

The following discussion presents a detailed description for each case type listed above of the desired outcomes, case flow process and resource implications raised by system actors in the caseflow/case processing groups.

It is important to recognize that, while the case processing steps are presented in this paper in a sequential manner, some steps can and do occur out of the order shown here and/or may be repeated, depending on the circumstances of a case. These possible variations are identified.

UFC FAMILY LAW CASE FLOW

Desired Outcomes

The desired outcomes for UFC Family Law cases, as expressed in the caseflow/case processing groups, are to:

- effect the dissolution of a family while keeping the people involved whole;
- keep the process simple enough to meet the needs of the parties, and especially pro se litigants;
- maximize expediency for the court and the families;
- provide a forum that is convenient and accessible for the parties; and
- facilitate future contact between the parties in a way that promotes the continued welfare of the children in the family.



Stages of the Process

The following are the stages in the processing of UFC family law cases.

Stage 1. Assessment of Needs

The attorneys for the parties typically perform this function. For pro se parties, the family law facilitators are available to assist litigants. Facilitators are available to help family law litigants with their filing questions during walk in hours at both the RJC and KCCH

Stage 2. Preparation of Forms

The litigant must fill out numerous forms to start a domestic case. For represented parties, this is done by the attorneys. For pro se parties, a family law facilitator will review the forms to assure that all sections are filled out, but cannot review the content. Domestic case forms are state mandated pattern forms that are available free on-line or for a fee in the courthouses.

Stage 3. Filing and Service

The litigant must file a petition and either pay a filing fee or file in forma pauperis. Filing of the petition can be done by mail or in person. Personal service is required, and proof of service must be provided to the Court. In addition to the petition, a confidential information form and a vital statistics form must be filed. On filing, the filing party will get a case number, a case schedule, and an assigned judge. Pro se litigants will receive an information page on how to proceed. After this stage, parties may file some subsequent documents on-line.

Stage 4. Pre-Trial Activity (first 91 days after filing)

If the case is contested, at this stage a motion for temporary relief may be filed. The motion and order to show cause may be filed ex parte. The hearing will be set on the Family Law Motions calendar. This motion is heard by a Family Law Commissioner. It will determine temporary support, a temporary parenting plan, and other temporary conditions such as restraining orders for the case. The party (or attorney if the party is represented) must prepare and present the order for the Commissioner to sign after the hearing. In most cases the order may be prepared in the courthouse immediately after the hearing. The party must then take the signed form to another floor of the courthouse if copies are needed and file the form with the court. Otherwise, the documents may be filed in the court. (Pro-ses are not allowed to take signed court orders from the courtroom; only attorneys may do this.

If the parties cannot agree on a parenting plan, mediation may be held, at which the Family Court Services social worker will prepare the parenting plan for the parties. Mediation will not be ordered if either party has a current open domestic violence case or a history of domestic violence. Mediation is mandatory per local rule, unless waived for cause. Mediation will not typically happen until after the CI is filed, unless during a hearing for temp



orders or another FL hearing, it is requested and a commissioner sends an order to FCS for mediation. A parent divorce seminar is also required within 60 days of filing per local rule.

Stage 5. Confirmation of Issues (112 days after filing)

If the parties seeking dissolution have not filed a valid notice of settlement or entered final pleadings, a Confirmation of Issues must be filed within 112 days of starting the action. Both parties must sign the form. When the Confirmation of Issues is filed, the Department of Judicial Administration (DJA) will refer the case to Family Court Services. If the Confirmation of Issues is not filed when due, or if there are issues that need the attention of the court, the case schedule prepared in Stage 3 orders a status conference to be held two weeks later.

Parties can agree to the terms of their parenting plan and other matters in the divorce and finalize their dissolution in ex-parte at any point after 91 days have elapsed from the filing or date of service, whichever is later, provided that they have completed the mandatory parenting seminar. The overwhelming majority of cases are resolved in ex-parte.

Stage 6. Status Conference

A status conference occurs when the parties have not complied with their case schedule and timely filed their confirmations of issues. The date of this conference is listed on the case schedule. If they have not complied with the case schedule and do not attend the status conference, the judicial officer will sign an order mandating them to appear at a non-compliance hearing to tell the court why they are out of compliance. This hearing is typically scheduled 3-4 weeks after the status conference. . Cases can be dismissed at non-compliance hearings for repeated failures to comply with important portions of the case schedule. The parties may be referred to FCS for mediation (or evaluation if mediation is not appropriate) at the status conference. The status conference is designed to monitor compliance with the case schedule. This calendar is staffed by the Chief UFC judge in Seattle and a commissioner at the RJC. The calendar is designed to insure that all necessary parties have been served, all necessary pleadings have been filed and to otherwise insure that the case is on track for trial.

Stage 7. Pre-trial Conference

Unless the parties have filed a valid Notice of Settlement or pleadings disposing of all the issues signed by a judge or commissioner, a pre-trial conference will be held six weeks prior to the trial date. The pre-trial conferences are scheduled 6-8 weeks prior to the pre-trial date by the UFC Civil Case Specialists. Notice of the pre-trial is sent to all parties.

Stage 8. Trial

All family law cases are assigned to a judge at filing. The originally assigned judge, however, may not be the judge who ultimately hears the trial. During the week prior to trial,



all UFC family law cases for the next week go to brokerage. Here the trials are assigned to judges. If the originally assigned judge is available, the trial will be assigned to that judge. If the originally assigned judge is not available, the trial will be assigned to another UFC judge if one is available, or otherwise to a civil judge. The court brokers cases according to priorities that have been adopted and should explain that UFC intensive case managed cases are kept within the UFC department to the maximum extent possible if not with the assigned judge. At the conclusion of a trial, the judge delivers his or her oral opinion on the issues before the court.

Stage 9. Presentation Hearing

After the trial, the parties must return to court for an in-person hearing to finalize the divorce. This hearing can take any where from 30 minutes to 2+ hours depending on how well counsel and/or the parties have prepared pleadings in accordance with the judge's oral decision. The parties must testify that they want the divorce and reaffirm the child support. The requirement of an in-person hearing is a local rule and not a requirement of state law. The local rule indicates only one party must appear if both have signed the final documents.

Stage 10. Modifications

A modification action is considered a new proceeding. There is a separate threshold determination that must be made before a parenting plan modification is allowed to go forward.

Modifications to the parenting plan or to child support can be requested by either party by motion up to the time when the children are no longer supported by the parents. Parenting plans have a dispute resolution section which in most cases requires the parties participate in mediation or some other type of ADR prior to filing a modification case. Family Court Services provides mediation in post-decree cases without a court order. (This is the only type of referral to FCS that happens without an active case and administrative order or order from the Court.)

Facilities, Staffing, Service Delivery, and Other Resource Implications for UFC Family Law

The most important resource need is assistance to pro se litigants. There are offices of Family Court Services and family law facilitators in both the King County Courthouse and the RJC. There is a Family Law Information Center (a self-help center for family law cases) in the RJC but not in the King County Courthouse. The RJC has a drop-in child care center. At present the King County Courthouse does not, but the Superior Court and the Seattle Municipal Court are currently negotiating an MOU that will enable Superior Court clients to utilize the child care services in the Seattle Municipal Court building.

Family Court Services provides mediation, evaluation, domestic violence assessments, CPS status reports, limited adoption services, conciliation counseling, emancipation reports and administers the mandatory parent seminar.



In the King County Courthouse (downtown Seattle), the various offices that a litigant might have to access in order to file motions, working papers, or requests for emergency orders are all on different floors, which may contribute to confusion and traffic in the courthouse. This was not reported to us as an issue for the RJC.

There is a private, non-profit family law CASA program. This program is not housed in the King County Courthouse. Their role is to protect the best interests of the child. CASAs may be appointed in custody, paternity, and disestablishment of paternity cases. They investigate the quality of the household (including who lives in the home, cleanliness, etc.), substance abuse problems, and any domestic violence issues. Their role is to protect the best interests of the child. They may talk to the children, schools, health care providers, day care providers, parole officers, case managers, extended family members, boyfriends or girlfriends of the parents, DSHS caseworkers, and others. They may serve the function of helping the family navigate the system and deal with all of the system actors. In addition to the CASA program, private Guardians ad Litem, private evaluators and investigators may be used. The primary role of the CASA is to represent the best interest of the child and to recommend to the court the parenting plan which serves that best interest.

UFC INTENSIVE CASE MANAGEMENT CASE FLOW

Desired Outcomes

The desired outcomes for UFC Intensive Case Management cases, as expressed in the caseflow/case processing groups, are to:

- increase compliance with court orders;
- achieve better outcomes for families;
- decrease the number of times that the parties have to come to court; (4) coordinate multiple cases involving the family; and
- contain the behavior of the families.

Stages of the Process

There are specific criteria for referral to UFC Case Management. Cases start as UFC family law cases and proceed along that track until referred for intensive case management. At referral, the following are the stages in the processing of UFC Intensive Case Management cases.

Stage 1. Case Referral and Acceptance

Cases can be referred by anyone involved in the cases, including a judicial officer, an attorney, a family law coordinator, a social worker, or a party. Referral can come at any stage in a case, even as late as the Confirmation of Issues stage.



At referral, a case manager is assigned to review the case and determine if it should be accepted into the program. The case manager reviews the file and searches Judicial Information System (JIS) for other family law related cases involving the family. To be accepted, cases must have a trial date at least five months away. The case managers have a list of criteria to consider, all aimed at determining the magnitude of the need for case management. Having the family involved in other cases is a factor that is considered but not a requirement. There are caseload limits as well. There are as many cases that are rejected as accepted.

For cases that are accepted, the originally assigned UFC judge will keep the case unless that judge is unavailable. At acceptance into UFC the issue of conflicting judges is identified and is addressed at the planning conference.

Stage 2. Planning Conference

After acceptance, each case is set for a planning conference. This is a court hearing before the assigned judge. Prior to the hearing, the case manager conducts a legal review, including identifying all cases and court orders that need to be coordinated and procedural requirements that need to be completed. The planning conference order then sets the requirements for the rest of the case up to the trial, at which point the case manager's role is done. The requirement will specify what services the family must attend and what information the family must provide to the case manager to show compliance.

Stage 3. Monitoring and Review Hearings

The case manager will monitor compliance with the planning conference order, including keeping a tickler file of due dates for documents that the family must provide to show compliance. If the case is not progressing according to the requirements of the planning conference order, the case manager can request review hearings. Review hearings may also be ordered at the planning conference. The order to appear is issued by the judge, and the parties are required to appear in person.

Stage 4. Closure

The intensive case management ends at the point of the trial. The case manager does not play any role in the trial of the case. Once final orders are entered for all cases within the UFC group, the court will enter orders terminating UFC case management. Typically, intensive case management ends at trial, however, a judge may decide to monitor the case for a specified period of time after trial.

Facilities, Staffing, Service Delivery, and Other Resource Implications

The Court presently has two case managers, one in Seattle and one at the RJC. Each has a limit of 50 case groups.



CHILD SUPPORT CASE FLOW

Desired Outcomes

The desired outcomes for Child Support cases prosecuted by the Prosecuting Attorney's Office (PAO), as expressed in the caseflow/case processing groups, are to:

- assure that people meet court-ordered obligations to pay child support;
- allow enforcement of orders through the judicial system to benefit public assistance and non public assistance recipients; and
- protect State financial interests where they exist, for example: dissolution cases, modification actions, and paternity actions.

Stages of the Process

The following describes how the PAO enters a UFC family law case to establish and provide for the collection of child support. The stages below are the stages in a UFC family law case.

Stage 1. Assessment of Needs

Paternity Actions: Clients seeking paternity establishment, either through a referral by the Division of Child Support (DCS) or self-referral, complete an intake questionnaire at the Prosecuting Attorney's Office (PAO).

Modifications: Clients seeking to modify a child support order would seek a referral from DCS to the PAO. DCS screens the case to see if it meets underlying modification order criteria. This criteria is established by statute. The PAO also has the discretion to screen contempt litigants that may qualify for a modification action and pursue a modification action on their behalf.

Contempt: Contempt cases are referred to the PAO by DCS after it has exhausted all administrative remedies to enforce support child support obligations. The PAO also works to keep cases off of the contempt calendar where litigants are capable and willing to enter into agreements to pay child support voluntarily without the need for judicial enforcement.

Parenting Plans: Issues relating to parenting plans are raised in the context of paternity actions, and the PAO works to mediate these issues in an effort to reduce calendar congestion, to settle cases short of trial, and to conserve resources.

Modification of Parenting Plans: The PAO does not appear in or file such actions on behalf of any party. However, the PAO will sometimes receive notice of these types of actions filed after the conclusion of a paternity action because the PAO was a party to the underlying paternity action. Establishing paternity is a established state interest. State statute has designated a separate cause of action for modification of parenting plan cases. The PAO does not appear in or file such actions because there is no state interest.



Special Collection Cases: Special collection cases are cases where the PAO brings motions in an effort to seize assets of the obligor, for example real property, boats, cars, etc., in an effort to secure child support payments, as well as payments on the underlying arrears obligation. The PAO screens cases within its contempt unit that may be ripe for special collections, and also receives referrals from DCS where the respondent appears to have assets.

Stage 2. Preparation of Forms

In all cases, the PAO initiates cases in each of the respective practice areas with forms that are in accordance with the state-patterned forms. These forms are available to the parties, and all litigants who have cases within the PAO. These forms may be modified by the PAO, the parties, or the litigants many times in preparation of a court hearing or before finalization of an action.

Stage 3. Filing and Service

The PAO initiates service for modifications, establishment of paternity, and contempt of court actions.

Stage 4. Pre-Trial Activity (first 91 days after filing)

Before the court can order child support, paternity must be established for the minor child(ren). Once paternity has been established, and a paternity order has been entered or a paternity affidavit has been filed with the court, the PAO can set child support, temporary or permanent, and child support may be modified/adjusted and enforced judicially by the PAO. Motions relating to child support can include:

- show cause/contempt motions;
- child support modification and adjustments;
- temporary child support orders in private dissolutions;
- permanent orders of child support; and
- back child support obligations

Stage 5. Confirmation of Issues (120 days after filing)

The PAO and the litigants are bound by the case schedule order, set by the Court for that particular action, depending on whether it is a paternity, modification, or dissolution action. The case schedule dictates the requirements of the PAO in each case.

Stage 6. Status Conference

The PAO and the litigants are bound by the case schedule, set by the Clerk's Office for that particular action, depending on whether it is a paternity, modification, or dissolution action. The case schedule dictates the requirements for the PAO in each case.



Stage 7. Pre-trial Conference

The PAO's role in the pre-trial conference is dictated by the judge assigned to hear the case.

Stage 8. Trial

The PAO will attend the trial only in cases where there is an established state interest. In those cases, the PAO represents the state interest, not a particular party.

Facilities, Staffing, Service Delivery, and Other Resource Implications

The State of Washington limits its resources in family law cases to areas where there a defined and established state financial interest.

In all counties throughout the State of Washington, the State funds, with a combination of state and federal dollars, the Family Support Divisions of all PAO offices, as well as certain commissioner positions (where the commissioner hears state cases), Court Staff, and Clerk's Office staff. In King County, there are designated state calendars.

Because of State's federal mandate, issues explored by guardians ad litem relating to parenting/custody issues will not be dealt with in the context of the child support program because they are not federally funded. The State has recently communicated that it will no longer be able to fund or take an active role in providing resources (guardians ad litem) and direction to litigants and the bench in areas such as, parenting plans/custody because there is no state interest. In King County, this decision will result in an unmet need for both litigants and the bench.

A case can be on only one track at a time in SCOMIS. A parenting plan modification takes precedence over a child support modification, pursuant to Local Rule. If the parenting plan modification is then settled without a hearing and the parties do not address the child support issues, the parenting plan modification hearing date will be removed from SCOMIS, but the original child support modification date will not be restored unless the court directs the DJA. The PAO is not always notified of these changes in dates, as the PAO is not involved in parenting plan issues. This also happens in relocation cases.

CIVIL DOMESTIC VIOLENCE PROTECTION ORDER CASE FLOW

Desired Outcomes

The desired outcomes for Civil Domestic Violence cases, as expressed in the caseflow/case processing groups, are to:

- provide emergency protection for the victim;
- stabilize a potentially dangerous situation until a full court hearing can be held; and



- provide longer term protection for the victim including offender compliance and accountability.

Stages of the Process

The following are the stages in the processing of Civil Domestic Violence cases.

Stage 1. Filing

The victim can file for a temporary protection order (TPO) in most courts across the county, one exception being the Seattle Municipal Court.

At the temporary order hearing (ex-parte), the victim will receive a two-week temporary protection order that restrains the respondent from specific conduct. The temporary order also indicates the date of the full hearing. Law enforcement or a private server will serve the respondent with a copy of the temporary order and petition directing him/her to appear at the full hearing

Stage 2. Protection Order Hearing

The hearing for a final protection order will be held two weeks later. If service on the respondent has not been made, the court will continue the temporary order to allow service to be affected. If the case involves minor children in common or exclusion from joint property, the case will be heard in Superior Court. If not, it will be heard in the court where the temporary order was filed. The District Court can issue orders that exclude the perpetrator from a shared residence if there are no issues of shared/joint ownership. At the full order hearing the court will determine if the temporary order shall remain in effect for a year or longer (if no common children are included). The court can also order the respondent to undergo any necessary treatment or counseling, surrender a firearm (if requested) and participate in a DV Assessment by Family Court Services (if ordered). If the case requires additional oversight the court can assign it to a review calendar.

Facilities, Staffing, Service Delivery, and Other Resource Implications

(Leesa Manion) The King County Courthouse, the RJC, and the King County District Court in Redmond each have an on-site Protection Order Advocacy Program (POAP) to assist victims with the filing of temporary and full orders for protection. The POAP is staffed by advocates. Advocates assist victims by screening petitioners for eligibility of the order, drafting the petition, determining the relief requested, conducting preliminary safety planning, and referring victims to other appropriate services.

In order to obtain a protection order, the petitioner must prove to the Court that the respondent was personally served with a copy of the temporary protection order (TPO) and the petition for a final protection order. If a petitioner cannot prove to the court that the respondent received adequate legal service of the TPO and petition, the court cannot issue a final protection order. The case will be reissued, and the petitioner will have to appear before the court again. IF the



respondent has not received adequate legal service of the TPO, then the TPO is not legally enforceable, and the respondent cannot be charged with violating the terms of the order

Petitioners and respondents who need interpreter services are provided services through the Office of Interpreter Services in Superior Court. Interpreter services are available at the King County Courthouse and the RJC. District and municipal courts can also request interpreter services for petitioners and respondents, but ability to obtain services is dependant upon interpreter availability.

DEPENDENCY CASE FLOW

Desired Outcomes

The desired outcomes for Dependency cases, as expressed in the caseflow/case processing groups, are to:

- provide safety and protection for children;
- provide services to parents to correct their parental deficiencies so they can adequately parent their children;
- reunify families if possible or provide an alternative permanent home for the children if reunification is not possible;
- prevent later criminal activity by the parent or the child; and
- stop the generational cycle of violence.

Stages of the Process

The following are the stages in the processing of Dependency cases.

Stage 1. Report and Investigation

A case is started by a report to the Department of Social and Health Services (DSHS). Approximately 7,000 to 8,000 reports of alleged child abuse and neglect are made in King County each year. If the child is not removed from the home for safety reasons, the Department investigates the report and is required to make reasonable efforts to prevent the removal of the child which may include providing services to the family prior to filing a dependency case in court. These services are typically monitored for 90 days. The department must investigate any report of child abuse and neglect or child maltreatment. That may or may not result in a full investigation. It may or may not result in a removal and it may or may not result in a voluntary placement. If a child is removed, the department is required to investigate and file.



Stage 2. Filing of Petition

The dependency petition is filed by the court liaison unit of the Division of Children and Family Services (DCFS). Of the 7,000-8,000 reports filed with the department each year, about 400 cases, involving about 700 children, are filed in court. A case schedule is issued at the time of filing, which sets out the dates for the next shelter care hearing; pretrial conference and fact finding date.

Stage 3. 72-Hour Shelter Care Hearing

This hearing must be held within 72 hours of filing of the petition or removal of the child from his or her home. It is generally conducted by a Dependency Commissioner. The purposes of the hearing are to:

- Consider issues of notice, appointment of counsel; appointment of CASA for the child; placement; visitation; preliminary services; protective orders; conditions of placement and parentage;
- determine placement and parents' visitation if the child is to be placed outside of the home; and
- start services for the family.

The State Attorney General's Office (AG) represents the DSHS. A public defender will be assigned to each parent at this hearing and meet the parent for the first time.

Shelter Care hearings are held at both the Juvenile Court and the RJC.

Parents are screened after the hearing for eligibility for a public defender. Screeners are available at YSC, KCCH, RJC and OPD's office. Parents who qualify for a public defender are assigned to a defender agency. The defender agency assigns an individual attorney to represent the parent.

Children over 12 years of age are appointed an attorney if they request one or if the court determines that the child needs to be independently represented by counsel. They are not screened for financial eligibility. Children under 12 are assigned to the CASA program unless waived by the Court.

Stage 4. 30-Day Shelter Care Hearing

This hearing is a review of the continued need for shelter care. A court order must be entered every 30 days to authorize continued shelter care. If a criminal case is pending against a parent, specific services for the parent and the fact finding may be deferred, however the case continues to be reviewed pending the completion of the criminal case.



Stage 5. Pretrial Conference

This conference is held three weeks prior to trial and deals with discovery issues and trial scheduling. A pretrial order is issued. As the conference deals with evidentiary issues, the court prefers that it be held by a judge and not a commissioner. At present all pretrial conferences are held before a portability judge from the District Court. The parents meet with their attorneys and discuss the Department's proposed settlement offer. If the parent fails to appear for the pretrial conference and has been served, a finding of dependency may be made at the pretrial conference. About 90 percent of all Dependency cases are resolved at or before this conference.

Stage 6. Trial

If dependency is contested, this is the fact-finding hearing where dependency is determined. The trial may be heard by the dependency judge and/or is sent to brokerage for the assignment of a trial judge. The trial, if held before the dependency judge, occurs at Juvenile Court. If the case is brokered to another judge, a Seattle case will be heard at the King County Courthouse and a Kent case will be heard at the RJC. Occasionally, a Seattle case will be sent to the RJC for trial.

Stage 7. Dispositional Hearing

The dispositional order is issued at this hearing. It will set out the services required for the family, based on the Individual Service and Safety Plan (ISSP) prepared by the DSHS. This hearing can be accomplished as part of a pretrial conference or a fact-finding trial rather than as a separate hearing if the parties are ready to do so. If they are not, the dispositional hearing must occur within 14 days of the trial.

Stage 8. Initial Progress Review

This is an in-court hearing which must be set within 6 months of the initial placement or within 90 days of the entry of the dispositional order, whichever is sooner. The court determines whether the agency and the parents have made consistent measurable progress.

Stage 9. Six-Month Reviews

These are typically paper reviews (not in-court hearings) unless the court or a party requests that an in-court hearing be set. The use of paper reviews is an issue that will be changed soon.

Stage 10. Permanency Planning Reviews

This review is scheduled for twelve months after the child has been placed in out-of-home care. Following the first permanency hearing, further permanency hearings are held at least once every twelve months until a permanency goal is achieved or the dependency



dismissed. If a child is out of the home for twelve months and there is no permanent plan for return to the home, a Termination of Parental Rights (TPR) petition must be filed, unless a finding of good cause to the contrary is made.

Facilities, Staffing, Service Delivery, and Other Resource Implications

Dependency cases can involve a large number of professionals whose schedules must be coordinated for hearings. The professionals involved include:

- the assistant attorney general;
- the DSHS social worker;
- the public defender(s) for the parent or parents;
- counsel for a child over 12 years of age; and
- a Court Appointed Special Advocate (CASA) volunteer.

CASA resources are limited, so only about 60 percent of all dependency cases have a CASA volunteer appointed. While the CASA's role is to represent the best interests of the child, the CASAs sometimes serve as facilitators between the family and other system actors, including service providers, to help the family navigate the system. One major pressure on the CASAs is having to take time off from work to attend court hearings (especially with multiple continuances).

Services are not available equally geographically around the county. Some services are available only in Seattle, while a growing number of the clients are located in the southern and eastern parts of the county.

The Juvenile Court Youth Services Center (YSC) at 12th and Alder in Seattle does not have a child care center.

If an interpreter is required for a court hearing, the petitioner (typically DCFS) is required to provide one.

There is a Family Treatment Court for families in Dependency court who have a substance abuse problem that impacts their ability to care for their child. The DSHS caseworker or parent's attorney can refer a family. To be accepted, the parties must agree to a dependency finding. A Family Treatment Court team develops a program for services for the family. A parent that fails to comply with the requirements of the treatment/service plan is terminated from Family Treatment Court and future dependency hearings are heard by the dependency commissioner.

There is a wide array of services for families in King County, but the services provided are sometimes boilerplate and not tailored individually to families. Further, there is opinion that giving a family too many services can make things worse rather than better.



JUVENILE OFFENDER CASE FLOW

Desired Outcomes

The desired outcomes for Juvenile Offender cases, as expressed in the caseflow/case processing groups, are to:

- promote public safety;
- rehabilitate offenders and reduce recidivism;
- hold offenders accountable;
- make victims whole;
- restore the community; and
- deter juvenile crime.

Stages of the Process

The following are the stages in the processing of Juvenile Offender cases.

Stage 1. Referral

Law enforcement must decide whether to detain the juvenile, release the juvenile on a paper arrest, or release the juvenile with no conditions. If detention is contemplated, the officer must call the Juvenile Detention Center to determine if the juvenile can be held in detention. The Superior Court staff at the Juvenile Detention Center determines whether the juvenile will be held.

Stage 2. Prosecutor Screening

The PAO has four options: (1) file a charge; (2) refer the juvenile to a diversion program; or (3) refer the case back to the detective for additional information; or (4) close the case with no charge filed.

Stage 3. Probable Cause and Detention Review Hearing

For juveniles held in detention, the first appearance is a probable cause hearing. If probable cause is found, there will then be a detention review hearing to determine if the juvenile is to be held in detention, placed in an Alternative to Secure Detention (ASD) program, or released with or without conditions.

Stage 4. Case Filing

Case filing must be within 72 hours if the juvenile is in detention. For juveniles not in detention, there can be a delay between the criminal act and the filing of an information. If additional investigation is required, the PAO can occasionally take weeks to file an information.



Stage 5. Decline Hearing

A decline hearing is necessary for cases that are eligible under state law for transfer to adult court for prosecution of the respondent as an adult.

Stage 6. Arraignment

For the PAO, the attorney of the day handles arraignments. The OPD attorney of the day represents the juvenile. A Juvenile Probation Counselor (JPC) is assigned to the case at arraignment. Arraignments can be continued.

Stage 7. Detention Review Hearing

For juveniles in detention who plead not guilty, a detention review hearing is held to determine if the juvenile is to be held in detention, placed in an Alternative to Secure Detention (ASD) program, or released with or without conditions.

Stage 8. Case Setting

The case setting is not a court event. The prosecutor and Public Defender meet to negotiate, divert the case, set it for trial, or set it for a plea. The offender can enter a plea at case setting, and there is a courtroom available if needed to take the plea. Case settings can be continued.

Stage 9. Omnibus Hearing

The omnibus hearing is held five days prior to trial. It used to be called the trial readiness conference. The Public Defender and the prosecutor who will appear at the trial attend the hearing. At this hearing, the offender can enter a plea of guilty, the trial can be continued to a later date, discovery issues can be resolved, or the trial date can simply be confirmed.

Stage 10. Trial or Disposition

A disposition usually takes place within two weeks of a plea being entered. If the crime is a felony involving a crime against a person, the victim has a right to attend the disposition, so for those cases the disposition cannot take place when the plea is entered. For local sanction offenses, the juvenile can receive up to 30 days of detention and up to 12 months of supervised probation on each charge. The judge sets the conditions of probation. For sentences to the state Juvenile Rehabilitation Administration (JRA), the judge sets a minimum and maximum time.



Stage 11. Restitution Hearing

This hearing is required if the PAO or the defense is not ready to argue about restitution at the disposition. Pursuant to Washington State law the PAO is given 180 days after disposition in which to request restitution.

Facilities, Staffing, Service Delivery, and Other Resource Implications

The Juvenile Detention Center for King County is located adjacent to the Juvenile Court. There is no juvenile detention facility in the southern part of the county. While the rated capacity of the detention center is 230 beds, the operational capacity is about 190, with about 110 detainees currently in the center. Outside of the detention center, there is no assessment center to which law enforcement can bring a juvenile.

All juveniles are automatically assigned a public defender after arraignment, unless a parent chooses to retain private counsel. Parents receive a letter following the assignment of a public defender to determine if they are able to contribute to the cost of counsel. If they can, they are issued a promissory note.

An intake JPC meets with the juvenile first at arraignment. After the arraignment, the JPC administers a short assessment of the juvenile that covers substance abuse, mental health, the offender's living situation, and school. This provides a risk assessment to the judge of high, moderate, or low, for a recommended level of supervision. Arraignments are held on Tuesdays and Wednesdays, and there are typically 70-80 cases for ten intake JPCs. The assessment takes about 35 minutes to administer per juvenile. If the juvenile is also a dependent and the JPC is aware of this, the JPC will call the DSHS caseworker. There are times when the JPC is not aware that the child is also dependent. The JPC has no time for further investigation at the intake stage.

If a juvenile is put on probation, the supervision JPC administers a long assessment. Many of the offenders who are assessed as medium or high risk are referred to one of three evidence-based programs – Multi-Systemic Therapy, Functional Family Therapy, or Aggression Replacement Training. The providers of these programs are located in Seattle and South King County. The JPCs use both general field supervision and special methods of supervision for drug offenders, sex offenders, and treatment programs. Renton Youth Source has a day reporting center with treatment services and a school in Renton.

Outside of the evidence-based program, services are not available equally geographically around the county. Some services are available only in Seattle, while a growing number of clients are located in the southern part of the county.

Youth and family service agencies are located around the county, but each agency may have several funding sources, each with different requirements for eligibility, payment, and other



limits on whom can be served and what the agency can do for clients. Judges do not always understand these requirements and sometimes refer ineligible juveniles or families to these agencies. Further, specific service programs come and go, as funding entities often prefer to fund new programs rather than maintain old ones. The Youth Agencies sometimes perform a case management function helping clients navigate the system, schedule meetings, deal with school issues, etc., although some funding contracts do not provide for this function as billable time.

The PAO can refer juveniles to the community diversion program for first or second misdemeanors and for some low level felonies. There are 23 Community Accountability Boards that determines the diversion requirements for the diversion agreement which the juvenile is required. If the juvenile fulfills the requirements, the case is closed. About 2,500-3,000 juveniles are referred to diversion each year, and the typical program takes from 3-6 months to complete.

The Juvenile Drug and Treatment Courts are two other programs that provide an alternative to prosecution. A juvenile is referred by his/her attorney some time after arraignment. The Drug or Treatment Court team then assesses the juvenile and determines whether to accept or reject him/her into the program. Juveniles in the program must go through drug/alcohol treatment, other therapies, and, in the case of Treatment Court, mental health treatment. If the offender successfully completes the program, they can end up with their charges being dismissed. Each program has a maximum of 30 juveniles.

THERAPEUTIC COURTS CASE FLOW

This discussion presents the case flow for the three therapeutic courts aimed at children and families:

- The Family Treatment Court, aimed at dependency cases;
- The Juvenile Drug Court, for juveniles with substance abuse issues; and
- The Juvenile Treatment Court, for juveniles with co-occurring substance abuse and mental health issues.

Desired Outcomes

The desired outcomes for Family Treatment Court cases, as expressed in the caseflow/case processing groups, are to:

- Promote a safe and permanent home for each child;
- Reunite families;
- Avoid returning children to foster care;
- Keep parents clean and sober; and
- Help children avoid drug use and involvement in the criminal justice system.



The desired outcomes for Juvenile Treatment Court and Juvenile Drug Court cases, as expressed in the caseload/case processing groups, are to:

- Hold juveniles and families accountable;
- Successfully graduate juveniles from the program, so they can avoid having a criminal record;
- Reduce recidivism;
- Rehabilitate juveniles and make them whole;
- Promote public safety;
- Empower juveniles and their families to make good choices in life;
- Promote community involvement and system-wide collaboration in addressing juvenile substance abuse;
- Provide a fair and consistent process for all juveniles and families; and
- Move children more quickly through the dependency system.

Stages of the Process for the Treatment Courts

Family Treatment Court

The following are the stages in the processing of Family Treatment Court cases. Family Treatment Court has a caseload of 45 children and their families.

Stage 1. Referral

The Family Treatment Court program is for families in Dependency court who have a substance abuse problem that impacts their ability to care for their child. The DSHS caseworker or parent's attorney can refer a family. Family Treatment Court is optional for parents.

Stage 2. Screening

The intake process assesses program eligibility and clinical eligibility. Program eligibility is determined during an intake appointment with the FTC Program Manager. Program criteria include: dependency case is within 6 months of petition filing date; parent is not a violent offender; parent is King County resident. Clinical eligibility is determined by the contracted chemical dependency treatment provider. The provider administers a chemical dependency assessment or reviews a recent assessment that was completed within six months of referral. Clinical criteria include a chemical dependency diagnosis, and the parent must be able to engage in treatment (i.e. have no debilitating mental health disorders).



Stage 3. Acceptance Hearing

To be accepted into FTC the parties must agree to a dependency finding. The FTC Team then staffs the case, with an opportunity for input provided to the social worker, AAG, attorneys and CASA assigned to the case. The FTC Judge has the final decision on whether or not a case is accepted.

Once a parent is accepted, the DCFS case is transferred to one of the Family Treatment Court social workers.

Stage 4. Review and Permanency Planning Hearings

Through regular review hearings, the Family Treatment Court monitors parents' compliance with treatment and other services, as well as the provision of visitation and support services to families. Prior to the review hearings, reports are submitted by the treatment provider, the FTC social worker assigned to the case, and the CASA. For families receiving Wrap-Around services, the coordinated care plan is also reviewed. Staffing for each case occurs on the morning before the hearing, with all team members participating. Hearings are held in the afternoon and are open to the public.

During the hearings, participants talk to the judge one at a time in open court, and all participants are expected to stay for the entire session, unless dismissed by the judge. Incentives and sanctions, as well as motivational interviewing techniques, are utilized to encourage clients to engage in treatment and other court-ordered services.

All statutorily-required hearings for FTC cases, including Permanency Planning Hearings, are held in Family Treatment Court. Orders are entered in court.

Stage 5. Completion or Termination

If the parent completes the program successfully and the children are returned home to the parent, the dependency case is dismissed and the parent graduates from the program. . If the team determines that a parent has consistently failed to comply with the requirements of the treatment/service plan, a non-compliance hearing will be held and the family can be terminated from the program. A parent can also opt out of the program. If the family opts out or is terminated, the case is returned to the regular dependency court.

Where possible, the FTC Team works with parents to achieve an appropriate permanent plan for their child. In some cases, the result is adoption or third-party custody arrangements.



Juvenile Drug Court

Juvenile Drug Court has a total of 50 spots with a waitlist when all spots are filled. The following are the stages in the processing of Juvenile Drug Court cases.

Stage 1. Referral

Referral can come from the defense lawyer, the prosecuting attorney, or the JPC. There are limited openings and a waiting list.

Stage 2. Screening

The initial screening looks at whether the case meets the legally defined drug court criteria. The PAO conducts this initial screening for legal eligibility

Stage 3. Assessment

If the case meets the drug court criteria, a clinical assessment is conducted. The purpose of the assessment process is to determine clinical eligibility (i.e., does the respondent have a chemical dependency problem). The youth often attends 2 or 3 observation hearings while he or she is undergoing the necessary clinical assessments. After all of the assessments are complete and after the respondent has observed drug court a few times, he or she then decides to opt in or not.

Stage 4. Opt In by Juvenile

The juvenile must observe a drug court session and be interviewed by the drug court team. The team includes the drug court judge, the public defender and prosecuting attorney specially assigned to the drug court, and the JPCs assigned to the drug court. If the juvenile decides to enter the program, the original prosecuting attorney and public defender give way to the drug court prosecutor and public defender. The interview process takes place by JPC and drug court personnel outside of the actual drug court hearing. The actual opt-in hearing, however, takes place on the record in open court. During the opt-in hearing, the court goes over the drug court contract with the respondent to make sure that the respondent understands the rights that he or she is giving up and the expected obligations while in drug court. By the terms of the contract, the respondent gives up his or her right to a trial and agrees to a stipulated facts trial based solely on the police reports should the court later terminate the respondent from the program. If the respondent agrees to the terms of the contract on the record, the case(s) is then opted into drug court pre-adjudication.

Stage 5. Hearings

All hearings are in court before the judge and the Juvenile Drug Court team. The frequency of hearings depends on the level that the juvenile has attained within the program: one per week for level one; one every other week for level two; and one per month for level three. A UA is conducted at every hearing. The juvenile stays in each level for a minimum of three



months. Drug court meets once a week. The drug court team staffs all cases scheduled for the day during the morning session (9:00 to 12:00). The drug court hearings themselves are then held in the afternoon.

Stage 6. Graduation or Termination

To graduate from the program the juvenile must complete all treatment requirements and pay off all restitution. After graduation from the program, the charges against the juvenile are dismissed by the PAO. The whole program may take from nine months to two years to complete.

If a youth violates conditions of drug court, then any member of the team can raise the issue of termination. A termination hearing will be set. At the termination hearing, the issue of termination is first discussed among the team members in staffing. If the team decides to terminate a respondent from the program, then a termination hearing will take place during the afternoon session on the record. At the hearing, the court terminates the respondent and then reads the police reports to make a finding of guilt. Disposition can be held at the same time or can be set over to another date.

Juvenile Treatment Court

The Juvenile Treatment Court has a total of 25 spots with a waitlist when all spots are filled. Juvenile Treatment Court is similar to Family Treatment court in the sense that it holds hearings for youth on a monthly basis, but treatment court is similar to drug court in terms of the actual process. The referral process is pretty much the same. The screening for treatment court is also conducted by the PAO, after which the respondent then undergoes the clinical assessment. Once the assessments are complete and once the PAO has agreed to allow the respondent into treatment court, the respondent opts into the program. Unlike drug court, there is no observation period; a respondent's first experience with treatment court is the opt in hearing. The hearings for treatment court are also different. In treatment court, the team staffs each case immediately before the hearing, and the hearings themselves are generally closed to other treatment court participants.

Facilities, Staffing, Service Delivery, and Other Resource Implications

The primary resource need for all of the therapeutic courts is for more comprehensive services, in terms of both subject matter coverage and the timely availability of openings. Court participants sometimes have to wait over a year for an opening in some service programs. Mental health programs for juveniles were noted as a particular need. Further, there is a need for post-program services.

Automated information systems that are compatible with each other was also noted as a major need. A discussion of the multiple information systems in King County and their limitations is presented later in the paper.



There is a need for training of all system actors to increase their understanding of the complexity of juvenile and family law cases.

With regard to facilities, there is a need for day care, better parking, an on-site UA lab, on-site assessments for referral to service programs, and bigger courtrooms to accommodate all of the participants at the hearings.

BECCA CASE FLOW

This discussion presents the case flow for the three types of juvenile status offenses covered under the Becca laws: truancy, Children in Need of Services (CHINS) and At Risk Youth (ARY).

Desired Outcomes

The desired outcomes for truancy cases, as expressed in the caseflow/case processing groups, are to:

- Help children get reengaged and back to school;
- Keep children out of trouble; and
- Provide assistance and education for parents.

The desired outcomes for Children in Need of Services (CHINS) and At Risk Youth (ARY) cases, as expressed in the caseflow/case processing groups, are to:

- Return children home;
- Provide temporary out-of-home placements where needed;
- Separate Becca youth from juvenile offenders in detention; and
- Provide parents with tools to deal with out-of-control children.

Stages of the Process for Truancy, ARY, and CHINS Cases

Truancy

The following are the stages in the processing of truancy cases.

Stage 1. Referral

Referral can come from a school or from a parent.

Stage 2. Filing

The school district prepares and files a truancy petition. In the petition the district can ask for a 45 day stay to do intervention. There is a truancy workshop that serves as a diversion alternative to allow the youth to avoid a court order.



Stage 3. Preliminary Hearing

The court conducts a fact-finding hearing to assume jurisdiction. If the court assumes jurisdiction, the jurisdiction has a maximum duration of one year and also terminates when the youth returns to school and the school dismisses the petition, or the youth turns 18 years of age.

Stage 4. Civil Contempt Motion

If the youth fails to go to school, a contempt motion can be filed. The public defender must be given five days notice. About ten percent of the preliminary fact findings are contested.

Stage 5. Contempt Reviews

There can be numerous reviews if the youth fails to return to school. The school district can also refile.

CHINS and ARY

The following are the stages in the processing of CHINS and ARY cases.

Stage 1. Call for Help

The parent may call the court or DSHS. For ARY, the call may come from the parent or guardian. For CHINS cases, the call may come from the parent, the guardian, a DSHS caseworker, or the child.

Stage 2. Filing

The family must show that they have attempted to obtain services before a petition can be filed in the court. The family can get help filing the forms.

Stage 3. Fact-Finding Hearing

There are three criteria for a finding of jurisdiction: (1) the youth is absent from the home for 72 hours without permission; (2) the youth is beyond the parents' control and poses a danger to self or others; or (3) the youth has serious substance abuse that is not the subject of a criminal charge. The hearings are closed.

Stage 4. Review Hearings

If the court takes jurisdiction, the first review hearing is held 30 days after the fact-finding hearing. CHINS and ARY cases have a maximum duration of six months, with a possible 30-day extension for ARY cases.



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Stage 5. Final Review

The parents can dismiss the case at any time.

Facilities, Staffing, Service Delivery, and Other Resource Implications

Youth who are put in detention, one or two per week, are kept separate from the offender population.

Calendaring these cases poses a challenge for the court. There are 1,600 truancy filings per year in King County, and at present the court is working with the Seattle School District to get them to increase its filings. This may require more staff and courtroom space.

Tracking the completion for truancy cases also poses a challenge for the clerk's office, as the school districts do not file orders dismissing the cases.

There is a need for more crisis residential space in addition to the Spruce Street Residential Center, and more mental health resources.



SYSTEM INTERACTIONS

Cases involving children and families include a wide range of system actors. It is thus important to think system wide when developing justice system reforms for these types of cases. Taking a system-wide approach means recognizing and taking into account how the actions of each part of the justice system affect the actions of other parts of the justice system. All components of the system must be considered, including, depending on the type of case, law enforcement, schools, the private bar, prosecution, public defenders, judicial officers, court clerks and administrators, court-attached services, state and county social services, the treatment provider community, community groups, corrections and probation.

For every case type discussed in this paper, the interactions of the system actors can have an impact throughout the case process. Many of the interactions are discussed in the individual descriptions of case flow processes. This section reviews those interactions and provides an overview of how they can affect case processing and case outcomes.

UFC Family Law Cases

The key system actors other than judicial officers and court clerical staff who could be involved in UFC family law cases include:

- private attorneys;
- Family Court Services;
- Family Law Facilitators;
- family law CASA volunteers;
- DV treatment providers
- Substance abuse treatment providers
- Schools
- Mental Health providers
- GAL

One critical issue with regard to family law cases is the coordination of FCS social workers conducting a custody assessment with DSHS social workers conducting a child protection assessment where the family is involved in both the family law and dependency system, as both can affect the placement of the child but based on different criteria.

UFC Intensive Case Management Cases

The key system actors other than judicial officers and court clerical staff who could be involved in UFC intensive case management cases include:

- the UFC case manager;
- private attorneys
- Family Court Services social workers;
- Family Law Facilitators; and



- family law CASA volunteers.

As UFC rules provide that cases with trial dates less than five months away cannot be accepted into the program, it is important to identify cases for consideration as early as possible. All of the potential system actors who can refer cases, including judicial officers, attorneys, Family Court Services social workers, family law CASA Volunteers, or parties, can affect the UFC intensive case management caseload. All of these actors should be versed on the criteria for inclusion in the program and be encouraged to look for those criteria as early as possible in the processing of a case.

In linked cases all of the system actors involved in every linked case may be required to attend all UFC hearings. This requirement can pose scheduling difficulties that may impact the court and the system actors. Some system actors believe that their attendance at some of the hearings is unnecessary and could be excused.

Child Support Cases

The key system actors other than judicial officers and court clerical staff who could be involved in child support include:

- the prosecuting attorney;
- private attorneys; and
- Family Law Facilitators.

There are no PAO resources to assist pro se litigants, but the PAO directs litigants doing business with its office to resources that can help them with forms, as well as with the court process. These resources can include the King County Bar Association's Self-Help program, the Family Court Facilitator's Office, and Family Court Services.

Civil Domestic Violence Protection Order Cases

The key system actors other than judicial officers and court clerical staff who could be involved in domestic violence protection order cases include:

- the Protection Order Advocacy Program staff; and
- Clerk's Office/DJA;
- private attorneys;
- DV Community Advocates;
- Law Enforcement; and
- Supervised Visitation (specifically Safe Havens)

A request for a TPO may be denied if the victim fails to state the request or supporting facts correctly, so the availability of assistance from the Protection Order Advocacy Program to help petitioners fill out the forms can have an effect on the court caseload.



Law enforcement officers do not have direct access to the Court's database and may sometimes call the clerk's office to verify the validity of a protection order (civil) or a no contact order (criminal). (Law enforcement agencies do have access to SCOMIS via AOC's JISLINK).

Dependency Cases

The key system actors other than judicial officers and court clerical staff who could be involved in dependency cases include:

- law enforcement;
- other mandated reporters;
- assistant attorneys general;
- DSHS social workers;
- public defenders;
- private attorneys;
- dependency CASA volunteers;
- dependency CASA attorneys;
- dependency CASA APM's; and
- treatment providers.

DSHS (the state) is generally the petitioner; however any person may file a dependency petition. The filing of a dependency petition is discretionary. The court is not involved in a case until after the petition is filed. In King County, the vast majority of reported incidences of child abuse or neglect do not result in any formal legal action.

The public defender assignment system can be a cause of delay in dependency cases. When a public defender is transferred from the Dependency unit to another unit through rotation, a new public defender enters the case and must become familiar with the family and the issues in the case. Public defenders may be scheduled for two court sites at the same time.

If a parent with a public defender in a dependency case is also a pro se litigant in a companion family law case, the public defender is not contracted to help the client prepare a parenting plan in the family law case and may be reluctant to do so if asked by the client. The client may have to prepare the parenting plan without assistance, and this can affect the case later on if the plan was not adequately prepared.

Often public defenders have difficulty contacting their client in dependency cases and may use the hearings as their primary opportunity to meet with clients. This can affect the quality of the hearings as well as the need for continuances.

On occasion, the social worker in a dependency case might confer with a parent's probation officer to coordinate services. There have been a few occasions when the youth's offender hearing is combined with a dependency review or dispositional hearing.



Juvenile Offender Cases

The key system actors other than judicial officers and court clerical staff who could be involved in juvenile offender cases include:

- law enforcement;
- the prosecuting attorney;
- public defenders;
- private attorneys;
- juvenile probation counselors;
- the juvenile detention center;
- treatment providers; and
- Community Accountability Boards.

The offender caseload begins when law enforcement responds to an alleged offense and subsequently decides whether to refer the matter to the prosecutor. Juvenile filings in King County have decreased by about 50 percent over the last ten years. While in other jurisdictions across the state and nationally there have been significant reductions in filings, the reduction in King County is larger than most. While the reasons for this decrease are likely to be multifaceted, one possible contributing factor may be the frustration that some in law enforcement expressed to us with the current system. This frustration stems from several factors: (1) the general sense that the system is slow to hold youth accountable; (2) the distance officers in some parts of the County must travel to “book” an alleged offender; and (3) the detention intake criteria implemented in 1998 that governs which juveniles can be brought to detention. The question is whether this frustration has led to some officers being reluctant to emphasize their juvenile caseloads and contributed to the reduction in filings.

Identifying a juvenile offender who is also a parent in a dependency case may depend on whether the caseworker in the dependency case appears in the offender case or the JPC in the offender case is aware of the dependency case. The judge in the juvenile offender case will likely know this for girls who are teenage mothers but not necessarily for boys who are teenage fathers.

Another gap in information for the court can be identifying whether a juvenile offender is also a dependent. The DSHS social worker is not normally notified of a juvenile’s offender hearings, and the JPC in the offender case will not have a file on the whole family.

Therapeutic Court Cases

The key system actors other than judicial officers and court clerical staff who could be involved in therapeutic court cases include, depending on the court;

- law enforcement;
- the prosecuting attorney;
- assistant attorneys general;



- public defenders;
- private attorneys;
- DSHS social workers;
- juvenile probation counselors;
- foster parents; and
- treatment providers.

A major problem for achieving consistency of treatment for individuals throughout the life of their participation in the programs is the rotation of system actors, including judges, prosecutors, public defenders, juvenile probation counselors, and social workers.

Becca Cases

The key system actors other than judicial officers and court clerical staff who could be involved in Becca cases include:

- law enforcement;
- the schools;
- the prosecuting attorney;
- public defenders;
- private attorneys;
- Court Appointed Special Advocates;
- Becca case managers;
- temporary shelter providers; and
- treatment providers.

Truancy filings must come from the schools, so school policies and resources determine the caseload. If a child misses seven days in a month or ten days in a year, the school must file a petition, but the school can request a 45-day stay to work with the family. The schools don't have the resources to file on all of the potential cases.

For families involved in the court process, the antiharassment protection order process can be closely linked to the domestic violence protection order process and therefore needs to be mentioned in this report and considered for future planning.

Clerks office staff and advocates may sometimes spend significant time gathering information from potential petitioners for these protection orders, before determining exactly which process to send the petitioner through. For instance a mother and daughter may both come in together to seek protection from the daughter's boyfriend. Based on a series of questions asked by clerk staff or advocates, it becomes clear that the mother needs to proceed with the antiharassment process and the daughter qualifies for the domestic violence process, because of the dating relationship.

Initial processes for these protection orders are similar. Both types of petitioners can walk-in to the ex parte courtrooms and petition for an immediate temporary protection order and get a



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court date for a final order hearing. Because of differing laws, final order hearings for dv petitions are set before Family Law commissioners, and Final order hearings for AH petitions are set before a pro tem judge. Final AH order calendars are once a week and final DV order calendars happen daily.

Any court facility offering DV protection orders would best serve customers by also offering initial AH protection order services as well.



CASELOAD AND WORKLOAD

This section presents caseload and workload data from the Superior Court automated case management system, SCOMIS. The filing data and data on number of hearings was provided by the Department of Judicial Administration. The data on time from filing to completion was computed by the project team from data on completed cases in each year included in the analysis. In this Working Paper we present the descriptive data. The implications of the data for forecasting future workload will be discussed in Working Paper Three.

CASELOAD DATA

Note that the data does not include relocation cases, although these cases are increasingly taking judicial time. The court is faced with the same deficit in SCOMIS that exists with regard to modification actions; that is that SCOMIS is only capable of having one resolution per case and thus does not count post-decree litigation accurately.

Resolution/Completion narrative

For most adult case types, the most relevant measure of case disposition is Case Resolution. Case Resolution is the point in the case where the court has made a decision on the petition before them, and the most significant part of court interaction, such as a trial, is done. Case Completion, on the other hand, is the point in the case where final orders are entered. The clearest example may be in civil cases where a trial might yield a finding for the plaintiff, which is a case resolution. The judgment document, written up later based on the court's findings at trial, signifies case completion. In a divorce case, a petition for dissolution initiates a case. A trial or an agreement among the parties might resolve the case, and the final documents, including a decree of dissolution, parenting plan and findings of fact complete the case. The attached document is a graphic representation of the process.

For many of the non-offender juvenile cause types, the significance of resolution and completion are quite different. For instance, a resolution in a dependency case happens when the court enters an order approving the dependency petition, finding a child dependant on the state. A significant amount of court interaction happens after resolution in these cases, as the court has responsibility to review the status of children declared dependant. The same type of post-resolution significant court interaction happens in Truancy, At Risk Youth and Child in Need of Services cases. Time to completion is an important measure in these case types, as children and their families have much involvement with the court throughout this total time period.

This report will show both time to resolution and time to completion measures, as the significance is different dependent on the case type.

Please note that in those cases where time to resolution is most relevant, the measure of the time to completion is likely not relevant at all, and can be distorted by the practice of attorneys and the Clerk's auditing processes. Submitting case closure documents, those that signify case completion, can be a very low priority for parties in a case, once a settlement agreement has been reached, for instance. Often times, it takes a threat of a clerk's case dismissal notice to



get the parties to submit final orders. The Clerk’s case dismissal auditing practices and time frames can therefore significantly impact the time to completion measures. Some of the tables in this report show examples of such impact. When the clerk’s office does an audit of a certain group of cases in a case type, which result in many case completion documents being filed, the number of completions for a certain year can be dramatically impacted. The time measurement charts where time from filing to completion is shown can also be impacted by clerk’s auditing practices. Clerk’s dismissal auditing may not kick for months after case resolution, depending on the case type and the court rules. Again, in cases where time to resolution is most relevant, the time to completion is likely not that relevant. In certain cases both measures are very important.

The Department of Judicial Administration supplied the following definitions of resolution and completion by case type. The relevance, as determined by the DJA, is listed as well.

Definition of Resolution, Completion, and Relevance by Case Type			
Case Type	Resolution	Completion	Relevance
Adoption	Decree of adoption	Decree of adoption	Simultaneous
Paternity	Father admits in response, judgment, order establishing parentage	order establishing parentage, residential schedule, and order of support	Completion
DVPO	Temporary Protection Order	Temporary Protection Order	Resolution
Family law	trial/agreement/settlement	Decree or Dismissal	Resolution
Truancy	Petition approved	order of dismissal	Completion
ARY/CHINS	Petition approved	order of dismissal	Completion
Juvenile offender	Trial/plea	order of disposition	Resolution
Dependency	Petition approved	order of dismissal	Completion
Termination	Petition approved	order terminating parental rights	Resolution

Table 1 presents the annual filings of case involving children and families in the King County Superior Court for the period 1997-2005 for the entire court and then separately for Seattle and Kent. Table 2 presents the division of the total filings between Seattle and Kent as a percentage of the total caseload. It should be noted that there are some case actions that do not appear as separate filings but are a part of the court’s workload. These include modifications and domestic violence related petitions in type 3 (domestic) and type 5 (Paternity) cases. Data on modifications is presented in Table 3.

Table 1. Filings by Cause of Action									
	1997	1998	1999	2000	2001	2002	2003	2004	2005
All Filings									
Paternity	3,445	3,299	3,235	3,015	2,825	2,628	2,432	2,392	2,240
Civil DVPO	2,821	2,698	2,622	2,503	2,371	2,294	2,381	2,309	2,277
Family Law w/ Kids	3,883	3,886	3,965	3,629	3,488	3,404	3,085	3,070	3,180
Family Law w/o Kids	5,029	5,005	4,762	4,909	4,661	4,568	4,440	4,435	4,656
Juvenile BECCA (ARY/CNS)	647	683	680	722	579	570	521	474	399



Table 1. Filings by Cause of Action									
	1997	1998	1999	2000	2001	2002	2003	2004	2005
Juvenile BECCA Truancy (TRU)	4,506	3,917	3,652	4,301	3,636	1,796	1,874	1,755	1,803
Juvenile Dependency (DEP,DDP)	1,134	973	934	835	768	731	718	699	595
Juvenile Terminations (TER)	.	.	.	120	294	228	262	273	292
Juvenile Offender	7775	8650	7419	6121	5142	5208	5497	4788	4085
Total	29,240	29,111	27,269	26,155	23,764	21,427	21,210	20,195	19,527
Seattle Filings									
Paternity	2,219	2,022	2,028	1,805	1,688	1,554	1,433	1,427	1,320
Civil DVPO	1,510	1,519	1,416	1,371	1,331	1,319	1,308	1,288	1,295
Family Law w/ Kids	2,300	2,231	2,263	2,089	1,958	1,999	1,828	1,866	1,838
Family Law w/o Kids	3,448	3,356	3,142	3,333	3,160	2,982	2,913	2,880	3,089
Juvenile BECCA (ARY/CNS)	417	399	329	330	286	258	269	251	192
Juvenile BECCA Truancy (TRU)	3,830	2,415	2,193	2,742	2,340	715	847	736	725
Juvenile Dependency (DEP,DDP)	739	662	555	536	469	447	417	407	342
Juvenile Terminations (TER)	.	.	.	64	136	123	136	152	176
Juvenile Offender	7775	8650	7419	6121	5142	5208	5497	4788	4085
Total	22,238	21,254	19,345	18,391	16,510	14,605	14,648	13,795	13,062
Kent Filings									
Paternity	1,226	1,277	1,207	1,210	1,137	1,074	999	965	920
Civil DVPO	1,311	1,179	1,206	1,132	1,040	975	1,073	1,021	982
Family Law w/ Kids	1,583	1,655	1,702	1,540	1,530	1,405	1,257	1,204	1,342
Family Law w/o Kids	1,581	1,649	1,620	1,576	1,501	1,586	1,527	1,555	1,567
Juvenile BECCA (ARY/CNS)	230	284	351	392	293	312	252	223	207
Juvenile BECCA Truancy (TRU)	676	1,502	1,459	1,559	1,296	1,081	1,027	1,019	1,078
Juvenile Dependency (DEP,DDP)	395	311	379	299	299	284	301	292	253
Juvenile Terminations (TER)	.	.	.	56	158	105	126	121	116
Juvenile Offender	.	.	.	.	.	.	.	.	.
Total	7,002	7,857	7,924	7,764	7,254	6,822	6,562	6,400	6,465

* In 2005 the KCSC changed how juvenile offender cases are counted. There were 657 detention only filings that were not included in the 2005 filing numbers, but these filings are included in 2004 and earlier numbers. To keep the numbers comparable between 2005 and prior years, it is necessary to add the 657 detention only filings to the 2005 filing number. The comparable number of juvenile offender filings for 2005 is 4,742.



Table 2. Percent of Filings by Court Venue by Cause of Action

	1997	1998	1999	2000	2001	2002	2003	2004	2005
Percent Seattle Filings of All Filings									
Paternity	64%	61%	63%	60%	60%	59%	59%	60%	59%
Civil DVPO	54%	56%	54%	55%	56%	57%	55%	56%	57%
Family Law w/ Kids	59%	57%	57%	58%	56%	59%	59%	61%	58%
Family Law w/o Kids	69%	67%	66%	68%	68%	65%	66%	65%	66%
Juvenile BECCA (ARY/CNS)	64%	58%	48%	46%	49%	45%	52%	53%	48%
Juvenile BECCA Truancy (TRU)	85%	62%	60%	64%	64%	40%	45%	42%	40%
Juvenile Dependency (DEP,DDP)	65%	68%	59%	64%	61%	61%	58%	58%	57%
Juvenile Terminations (TER)	.	.	.	53%	46%	54%	52%	56%	60%
Juvenile Offender	100%	100%	100%	100%	100%	100%	100%	100%	100%
Total	76%	73%	71%	70%	69%	68%	69%	68%	67%
Percent Kent Filings of All Filings									
Paternity	36%	39%	37%	40%	40%	41%	41%	40%	41%
Civil DVPO	46%	44%	46%	45%	44%	43%	45%	44%	43%
Family Law w/ Kids	41%	43%	43%	42%	44%	41%	41%	39%	42%
Family Law w/o Kids	31%	33%	34%	32%	32%	35%	34%	35%	34%
Juvenile BECCA (ARY/CNS)	36%	42%	52%	54%	51%	55%	48%	47%	52%
Juvenile BECCA Truancy (TRU)	15%	38%	40%	36%	36%	60%	55%	58%	60%
Juvenile Dependency (DEP,DDP)	35%	32%	41%	36%	39%	39%	42%	42%	43%
Juvenile Terminations (TER)	.	.	.	47%	54%	46%	48%	44%	40%
Juvenile Offender	.	.	.	.	.	.	.	.	.
Total	24%	27%	29%	30%	31%	32%	31%	32%	33%

The following are the highlights from the data in Tables 1 and 2.

- Juvenile offender. Juvenile offender filings decreased 39% from 1997 to 2005. Most of the decrease came between 1999 and 2001, where filings decreased 32%. Since 2001, however, the caseload has changed less dramatically, with filings rising 7% from 2001 to 2003 and then declining to the point where the 2005 filings were 92% of the 2001 filings.



- Paternity. The number of paternity filings decreased 35% from 1997 to 2005. The decrease was greater in the Seattle venue, where filings decreased 40% from 1997 to 2005, than in the Kent venue, where filings decreased 25%.
- Truancy. To compare the Seattle venue with the Kent venue we need to use 1998 as the starting date, as it appears that the mix of Truancy filings between Seattle and Kent changed in that year. Truancy filings decreased 52% from 1998 to 2005. The drop in Truancy filings was far greater in the Seattle venue, where filings decreased 67% from 1998 to 2005, than in the Kent venue, where filings decreased 28%. In 1999 60% of the truancy filings were in Seattle and 40% were in Kent. In 2005 the percentages were exactly reversed, with 40% of the truancy filings in Seattle and 60% were in Kent. The major drop in Truancy filings came from 2001 to 2002, with an overall decrease in filings of 44%, with 89% of that drop in filings occurring in the Seattle venue. From 2001 to 2002, filings in the Seattle venue decreased 63%, while filings in the Kent venue decreased only 12%. It should be noted that most of the drop in Becca filings comes from a decrease in truancy filings.
- Juvenile dependency. The number of juvenile dependency filings declined about 14% from 1997 to 1998. Filings remained relatively stable from 1998 to 2004 and then dropped about 9% from 2004 to 2005. The patterns for the Seattle venue and the Kent venue are similar. Note that the filings numbers are for numbers of children, not numbers of families.
- Family law with children. The filings for family law cases with children decreased 25% between 1997 and 2005. The percentage decline was greater in the Seattle venue, where 2005 filings were 68% of 1997 filings, than in the Kent venue, where 2005 filings were 85% of 1997 filings. The Kent venue actually had an increase of 14% in filings from 2004 to 2005.
- Civil DVPO. Civil DVPO filings decreased 19% from 1997 to 2005. The decline was greater in the Kent venue, where filings decreased 25%, than in the Seattle venue, where filings decreased 14%.

Modifications in case type 3 (domestic) and 5 (paternity) cases reflect additional work for the court, but are not included in filing numbers since they are embedded in the existing cases. Table 3 presents the data for 2004 and 2005.

Location	Year	Domestic			Paternity		
		Parenting Plan Mod	Support Only Mod	Total Mod	Parenting Plan Mod	Support Only Mod	Total Mod
KNT	2004	293	367	660	113	240	353
	2005	306	304	590	110	151	257
Seattle	2004	256	447	703	81	194	275



	2005	341	326	678	103	192	313
Total		1196	1444	2631	407	777	1198
		Domestic			Paternity		
Location	Year	Parenting Plan Mod	Support Only Mod	Total Mod	Parenting Plan Mod	Support Only Mod	Total Mod
KNT	2004	24.50%	25.42%	25.09%	27.76%	30.89%	29.47%
	2005	25.59%	21.05%	22.42%	27.03%	19.43%	21.45%
Seattle	2004	21.40%	30.96%	26.72%	19.90%	24.97%	22.95%
	2005	28.51%	22.58%	25.77%	25.31%	24.71%	26.13%
Total		1196	1444	2631	407	777	1198

WORKLOAD DATA

Tables 4 through 6 present the mean and median length of time from filing to resolution, resolution to completion, and filing to completion, in days, for the years 2000-2004. The data is presented first for all cases completed in the Superior Court and then separately for the Seattle venue and Kent venue. Note that the numbers of cases in the tables are cases completed in a given year, not the number of cases filed in that year.

Table 4. Case Processing Times From Filing to Resolution, Resolution to Completion, and Filing to Completion, Cases Completed in 2000-2004 King County Superior Court								
Year of Case Resolution or Completion				2000	2001	2002	2003	2004
Paternity	Filing to Resolution	N		2,097	1,814	1,887	1,510	1,798
		Median		141	159.5	154	183.5	179
		Mean		172.4	194.9	185.8	199.6	181.1
	Resolution to Completion	N		2,098	1,770	1,847	1,628	1,767
		Median		0	0	0	0	0
		Mean		27.8	36.1	44.9	55.2	31.9
	Filing to Completion	N		2,098	1,770	1,847	1,628	1,767
		Median		160	185	185	220	197
		Mean		196.6	228.5	233.9	249.4	214.8
Civil DVPO	Filing to Resolution	N		2,406	2,308	2,104	2,287	2,365
		Median		14	14	12	14	14
		Mean		37.7	66.4	36.3	31.9	43.7
	Resolution to Completion	N		2,406	2,309	2,104	2,287	2,364
		Median		0	0	0	0	0
		Mean		0.1	0.4	0	0	0
	Filing to Completion	N		2,406	2,309	2,104	2,287	2,364
		Median		14	14	12	14	14



**Table 4. Case Processing Times From Filing to Resolution, Resolution to Completion, and Filing to Completion, Cases Completed in 2000-2004
King County Superior Court**

Year of Case Resolution or Completion			2000	2001	2002	2003	2004
		Mean	37.8	66.9	36.3	31.9	43.6
Family Law w/ Kids	Filing to Resolution	N	3,624	3,206	3,198	3,047	3,017
		Median	161	177.5	164	175	179
		Mean	193.2	202.2	204.4	202.5	205.4
	Resolution to Completion	N	3,570	3,241	3,156	3,005	3,060
		Median	0	0	0	0	0
		Mean	10.9	15.7	15.5	20.5	24
	Filing to Completion	N	3,570	3,241	3,156	3,005	3,060
		Median	165.5	187	174.5	189	196
		Mean	204.7	216.1	219.7	224.2	228.5
Family Law w/o Kids	Filing to Resolution	N	795	647	646	701	831
		Median	220	247	242	233	218
		Mean	234.6	238.6	317	295.9	230.1
	Resolution to Completion	N	796	636	647	685	845
		Median	0	0	0	0	0
		Mean	14.1	23.4	20	23.3	39.3
	Filing to Completion	N	796	636	647	685	845
		Median	232.5	254.5	253	238	231
		Mean	249.4	260.2	342.3	319	270.2
ARY/CHINS	Filing to Resolution	N	679	602	495	498	497
		Median	14	15	22	37	43
		Mean	49.1	49.6	54.9	70.5	93.8
	Resolution to Completion	N	731	656	490	472	537
		Median	91	31.5	0	0	0
		Mean	117.2	91.5	85.6	89.1	126
	Filing to Completion	N	731	656	490	472	537
		Median	153	125	109	137.5	172
		Mean	162.9	138.6	139.7	160.5	215.7
Truancy	Filing to Resolution	N	3,306	4,485	1,666	2,421	2,139
		Median	84	91	108.5	348	184
		Mean	104.5	201.3	216.4	482.2	257.4
	Resolution to Completion	N	3,310	4,307	2,076	3,483	2,053
		Median	0	0	0	0	0
		Mean	86	34.5	325.3	451.6	59.2
	Filing to Completion	N	3,310	4,307	2,076	3,483	2,053
		Median	119	113	299	830	284
		Mean	181.5	240.6	506.1	801.6	323.7



**Table 4. Case Processing Times From Filing to Resolution, Resolution to Completion, and Filing to Completion, Cases Completed in 2000-2004
King County Superior Court**

Year of Case Resolution or Completion			2000	2001	2002	2003	2004
Juvenile Dependency (DEP,DDP)	Filing to Resolution	N	630	695	689	989	874
		Median	74	77	86	155	92.5
		Mean	129.7	151.2	226.6	463.5	183.4
	Resolution to Completion	N	545	607	560	746	646
		Median	7	0	0	0	240
		Mean	266.1	291.1	335.3	402.8	486.8
	Filing to Completion	N	545	607	560	746	646
		Median	328	336	529.5	681	632
		Mean	404.4	448.7	585.3	733.3	715.4
Juvenile Terminations (TER)	Filing to Resolution	N		53	111	445	439
		Median		231	211	612	214
		Mean		211	310.2	554.9	368.4
	Resolution to Completion	N		51	102	433	438
		Median		0	0	0	0
		Mean		4.5	3.6	10.8	25.5
	Filing to Completion	N		51	102	433	438
		Median		231	237.5	624	235
		Mean		217.5	328.3	578.5	395.2
Juvenile Offender	Filing to Resolution	N	6,334	5,043	4,784	5,386	5,020
		Median	42	48	43	42	50
		Mean	51	72.4	73	60.3	77.7
	Resolution to Completion	N	6,357	5,107	4,753	5,287	4,891
		Median	0	0	0	0	0
		Mean	26.2	35.2	29.1	25.5	32.4
	Filing to Completion	N	6,357	5,107	4,753	5,287	4,891
		Median	50	57	52	49	57
		Mean	77.2	107.1	101.6	84.3	109.6

**Table 5. Case Processing Times From Filing to Resolution, Resolution to Completion, and Filing to Completion, Cases Completed in 2000-2004
Seattle Venue**

Year of Case Resolution or Completion			2000	2001	2002	2003	2004
Paternity	Filing to Resolution	N	1,141	973	978	750	990
		Median	143	152	161	189	169.5
		Mean	174.7	192.6	188.1	206.9	179.8



**Table 5. Case Processing Times From Filing to Resolution, Resolution to Completion, and Filing to Completion, Cases Completed in 2000-2004
Seattle Venue**

Year of Case Resolution or Completion			2000	2001	2002	2003	2004
	Resolution to Completion	N	1,104	949	985	824	958
		Median	0	0	0	0	0
		Mean	31.5	49.9	63.8	64.3	35
	Filing to Completion	N	1,104	949	985	824	958
		Median	170	185	203	239	190.5
		Mean	203.6	238.7	256.4	262.1	218
Civil DVPO	Filing to Resolution	N	1,280	1,419	1,195	1,281	1,315
		Median	14	14	13	14	14
		Mean	43.5	99.6	31.9	31	42.4
	Resolution to Completion	N	1,280	1,420	1,195	1,281	1,315
		Median	0	0	0	0	0
		Mean	0.1	0.7	0	0	0
	Filing to Completion	N	1,280	1,420	1,195	1,281	1,315
		Median	14	14	13	14	14
		Mean	43.6	100.3	31.9	31	42.4
Family Law w/ Kids	Filing to Resolution	N	2,106	1,840	1,833	1,807	1,800
		Median	165	187	160	170	178
		Mean	196.5	205.1	204.3	201.4	209.6
	Resolution to Completion	N	2,072	1,850	1,817	1,788	1,819
		Median	0	0	0	0	0
		Mean	12.6	18.7	20.2	24.7	25.8
	Filing to Completion	N	2,072	1,850	1,817	1,788	1,819
		Median	175	196	174	189	196
		Mean	210.1	220.9	224.8	226.8	233.9
Family Law w/o Kids	Filing to Resolution	N	491	407	372	389	455
		Median	232	256	251.5	230	210
		Mean	244.9	241.8	343.7	240.5	218.6
	Resolution to Completion	N	492	400	381	377	464
		Median	0	0	0	0	0
		Mean	16.1	27.6	23.9	24.7	45.8
	Filing to Completion	N	492	400	381	377	464
		Median	243.5	266	265	238	221.5
		Mean	261.2	268.1	368.5	263.4	265
ARY/CHINS	Filing to Resolution	N	315	287	239	257	255
		Median	12	13	28	37	37
		Mean	63.8	55.1	74.1	79.5	96.1
	Resolution to Completion	N	349	312	230	259	251



**Table 5. Case Processing Times From Filing to Resolution, Resolution to Completion, and Filing to Completion, Cases Completed in 2000-2004
Seattle Venue**

Year of Case Resolution or Completion			2000	2001	2002	2003	2004
		Median	66	0	0	0	0
		Mean	115.3	79.2	69.9	71.8	63.5
	Filing to Completion	N	349	312	230	259	251
		Median	167	114	123.5	137	139
		Mean	174	130.7	145.7	151	161.1
Truancy	Filing to Resolution	N	2,325	2,769	602	1,214	924
		Median	86	65	92.5	626	156
		Mean	92.8	83.3	144.7	575.1	240.3
	Resolution to Completion	N	2,588	2,809	774	1,756	904
		Median	0	0	0	0	0
		Mean	83.2	40.8	101.7	450	7.1
	Filing to Completion	N	2,588	2,809	774	1,756	904
		Median	110	73	133	972	175
		Mean	164.5	125.2	228.5	856.6	251.2
Juvenile Dependency (DEP,DDP)	Filing to Resolution	N	361	429	370	629	540
		Median	76	74	88	381	102
		Mean	153.2	162.9	276.6	545.3	200
	Resolution to Completion	N	358	397	342	467	367
		Median	0	0	0	0	7
		Mean	205.2	168.4	211.3	264.5	278.4
	Filing to Completion	N	358	397	342	467	367
		Median	181.5	130	389.5	612	214
		Mean	357.9	338.5	502	685.2	534.3
Juvenile Terminations (TER)	Filing to Resolution	N		19	23	203	294
		Median		173	271	638	240.5
		Mean		207.9	277.4	653.9	406.2
	Resolution to Completion	N		19	23	203	287
		Median		0	0	0	0
		Mean		0	0	0	0.6
	Filing to Completion	N		19	23	203	287
		Median		173	271	638	242
		Mean		207.9	277.4	653.9	413.6
Juvenile Offender	Filing to Resolution	N	6,334	5,043	4,784	5,386	5,020
		Median	42	48	43	42	50
		Mean	51	72.4	73	60.3	77.7
	Resolution to Completion	N	6,357	5,107	4,753	5,287	4,891
		Median	0	0	0	0	0



**Table 5. Case Processing Times From Filing to Resolution, Resolution to Completion, and Filing to Completion, Cases Completed in 2000-2004
Seattle Venue**

Year of Case Resolution or Completion			2000	2001	2002	2003	2004
	Mean		26.2	35.2	29.1	25.5	32.4
	Filing to Completion	N	6,357	5,107	4,753	5,287	4,891
	Median		50	57	52	49	57
	Mean		77.2	107.1	101.6	84.3	109.6

**Table 6. Case Processing Times From Filing to Resolution, Resolution to Completion, and Filing to Completion, Cases Completed in 2000-2004
Kent Venue**

Year of Case Resolution or Completion			2000	2001	2002	2003	2004
Paternity	Filing to Resolution	N	956	841	909	760	808
		Median	137	171	150	180	190
		Mean	169.7	197.6	183.3	192.4	182.7
	Resolution to Completion	N	994	821	862	804	809
		Median	0	0	0	0	0
		Mean	23.7	20.2	23.5	45.9	28.3
	Filing to Completion	N	994	821	862	804	809
		Median	151	188	168	202	204
		Mean	189	216.7	208.3	236.3	211.1
Civil DVPO	Filing to Resolution	N	1,126	889	909	1,006	1,050
		Median	13	9	9	14	14
		Mean	31.2	13.5	42	33	45.2
	Resolution to Completion	N	1,126	889	909	1,006	1,049
		Median	0	0	0	0	0
		Mean	0	0	0	0	0
	Filing to Completion	N	1,126	889	909	1,006	1,049
		Median	13	9	9	14	14
		Mean	31.2	13.5	42	33	45.1
Family Law w/ Kids	Filing to Resolution	N	1,518	1,366	1,365	1,240	1,217
		Median	152	169	170	182	179
		Mean	188.6	198.4	204.5	204.1	199.1
	Resolution to Completion	N	1,498	1,391	1,339	1,217	1,241
		Median	0	0	0	0	0
		Mean	8.6	11.8	9	14.4	21.2
	Filing to Completion	N	1,498	1,391	1,339	1,217	1,241
		Median	155	175	175	189	194
		Mean	197.2	209.8	212.9	220.4	220.5
Family Law w/o Kids	Filing to Resolution	N	304	240	274	312	376



**Table 6. Case Processing Times From Filing to Resolution, Resolution to Completion, and Filing to Completion, Cases Completed in 2000-2004
Kent Venue**

Year of Case Resolution or Completion			2000	2001	2002	2003	2004
		Median	215	236	227	235.5	229
		Mean	218	233.1	280.8	364.9	244
	Resolution to Completion	N	304	236	266	308	381
		Median	0	0	0	0	0
		Mean	10.9	16.2	14.3	21.5	31.4
	Filing to Completion	N	304	236	266	308	381
		Median	217.5	245	238	242.5	246
		Mean	230.2	246.9	304.8	387	276.6
ARY/CHINS	Filing to Resolution	N	364	315	256	241	242
		Median	15.5	18	21	37	46
		Mean	36.4	44.6	37	60.9	91.4
	Resolution to Completion	N	382	344	260	213	286
		Median	104	77.5	47	36	77.5
		Mean	119	102.6	99.5	110.1	180.8
	Filing to Completion	N	382	344	260	213	286
		Median	142	132	93.5	138	211
		Mean	152.8	145.7	134.4	172	263.7
Truancy	Filing to Resolution	N	981	1,716	1,064	1,207	1,215
		Median	80	190	118	159	195
		Mean	132.3	391.7	256.9	388.6	270.4
	Resolution to Completion	N	722	1,498	1,302	1,727	1,149
		Median	0	0	0	70	0
		Mean	95.9	22.6	458.2	453.2	100.2
	Filing to Completion	N	722	1,498	1,302	1,727	1,149
		Median	171	256	784	758	354
		Mean	242.1	456.9	671.1	745.6	380.8
Juvenile Dependency (DEP,DDP)	Filing to Resolution	N	269	266	319	360	334
		Median	72	81.5	86	97	84
		Mean	98	132.3	168.5	320.6	156.6
	Resolution to Completion	N	187	210	218	279	279
		Median	391	566.5	499.5	581	642
		Mean	382.6	523.1	529.8	634.4	760.9
	Filing to Completion	N	187	210	218	279	279
		Median	519	665.5	715	781	893
		Mean	493.4	656.9	716.1	813.7	953.6
Juvenile Terminations (TER)	Filing to Resolution	N		34	88	242	145
		Median		244.5	192.5	490.5	125



**Table 6. Case Processing Times From Filing to Resolution, Resolution to Completion, and Filing to Completion, Cases Completed in 2000-2004
Kent Venue**

Year of Case Resolution or Completion			2000	2001	2002	2003	2004
		Mean		212.7	318.7	471.8	291.9
	Resolution to Completion	N		32	79	230	151
		Median		0	0	0	0
		Mean		7.2	4.7	20.4	72.8
	Filing to Completion	N		32	79	230	151
		Median		249	213	573.5	212
		Mean		223.2	343.1	511.9	360.4

Tables 7-9 present the average number of hearings from filing to completion for each case type for the court as a whole, the Seattle venue, and the Kent venue for cases completed in the year 2005.

**Table 7. Mean Number of Hearings to Completion Per Case, 2005
King County Superior Court**

Case Type	N	Mean Hearings
Paternity	2,049	1.7
Civil DVPO	1,759	1.5
Family Law w/ Kids	2,821	1.9
Family Law w/o Kids	3,807	1.3
ARY/CHINS	338	3.5
Truancy	219	2.6
Juvenile Dependency (DEP,DDP)	683	7
Juvenile Terminations (TER)	187	2
Juvenile Offender	2,891	3.3

**Table 8. Mean Number of Hearings to Completion Per Case, 2005
Seattle Venue**

Case Type	N	Mean Hearings
Paternity	1,182	1.7
Civil DVPO	965	1.5
Family Law w/ Kids	1,739	1.8
Family Law w/o Kids	2,528	1.2
ARY/CHINS	174	4
Truancy	108	2.9
Juvenile Dependency (DEP,DDP)	429	6.6
Juvenile Terminations (TER)	80	2
Juvenile Offender	2,891	3.3



**Table 9. Mean Number of Hearings to Completion Per Case, 2005
Kent Venue**

Case Type	N	Mean Hearings
Paternity	867	1.7
Civil DVPO	794	1.5
Family Law w/ Kids	1,082	1.9
Family Law w/o Kids	1,279	1.5
ARY/CHINS	164	3.1
Truancy	111	2.2
Juvenile Dependency (DEP,DDP)	254	7.7
Juvenile Terminations (TER)	107	2

The following are the highlights from the data.

- **Juvenile dependency.** Juvenile dependency cases have the longest average time from filing to completion and the highest average number of hearings of all the case types in the study. This holds true for both the Seattle venue and the Kent venue. The average time from filing to completion in Kent has risen every year from 2000 to 2004. In Seattle the average time spiked in 2003 and then dropped back to about the 2002 level in 2004. The number of completed cases increased substantially from 2002 to 2003 and 2004. The length of time from filing to resolution and resolution to completion is considerably longer in Kent than in Seattle, and on average dependency cases have one more hearing in Kent than in Seattle. Dependency is the only case type for which most of the elapsed time comes between resolution and completion.
- **Truancy.** Truancy cases overall have the second longest average time from filing to completion. They generally take longer from filing to completion in the Kent venue than in the Seattle venue, although the cases in Kent have a lower average number of hearings. The data show that the average time in Seattle spiked dramatically in 2003, more than tripling the average time in 2002, and then settled almost all the way back to the 2002 time in 2004. The time from resolution to completion in Seattle dropped almost to zero in 2004. The average time in Kent rose steadily from 2000 to 2003 and then dropped in 2004.
- **Juvenile offender.** Juvenile offender cases, which are heard only in Seattle, have the shortest average time from filing to completion of any case involving families and children other than civil DVPO cases. The average time has remained relatively stable from 2001 to 2004. Juvenile offender and ARY/CHINS cases have about the same average number of hearings per case, lower than for juvenile dependency but higher than any other case type in the study.



Table 10 presents the caseload statistics for 2004 and 2005 for the UFC Intensive Case Management Program.

	Referrals (family groups)	Referrals (cause numbers)	Accepted Referrals	Rejected Referrals
2004	199	348	116	83
2005	279	418	148	131

Note that the 2004 numbers do not include actively managed cases from late 2003 which continued to receive case management in 2004. Reflected are only the number of total referrals and screening outcomes from January 1, 2004 through December 31, 2004. The 2005 numbers do not include actively managed cases from late 2004 which continued to receive case management in 2005. Reflected are only the number of total referrals and screening outcomes from January 1, 2005 through December 31, 2005.

Tables 11 and 12 present the Judge and Commissioner Departmental Assignments from 1995 to 2006.

	1995	1996	1997**	1998	1999	2000*	2001	2002	2003	2004	2005	2006
Civil	23	23	21.5	21.5	21.5	20.5	21	22	23	22	21	21
Criminal	20	20	20	20	20	21.5***	23	23	22	22	22	22
Juvenile	4	4	4.5	4.5	4.5	4.5	4	3	3	4	5	5
Total	49	49	49	49	49	49/50	51	51	51	51	51	51

Notes:

Presiding Judge, Chief Criminal and Chief RJC are not included in these numbers.

* Judge Doerty was ½ Dependency and ½ Civil.

** RJC opened; one fewer Judge counted on table due to Chief RJC.

*** Fiftieth judge began July 2000 and started in Criminal. There were 21 Judges for the first half of the year and 22 Judges for the remainder of the year in Criminal.

	1995	96	97	98	99	2000	01	02	03	04	05	06
Ex Parte	3	3	3	3	3	3	3	3	3	3	3	3
Family Law*	6	5.5**	5.75	7.75	7***	7	7.5	7	7	7	7	9
Total	9	8.5	8.75	10.75	10	10	10.5	10	10	10	10	12

Notes:

* Family Law commissioners include those with assignments to Juvenile Court, Becca and Harborview Hall.

** .5 Becca commissioner added July 1996

*** .75 commissioner cut mid-year

**** .5 commissioner added then cut Fall, 2001

***** 2.0 commissioner added in 2006 budget (dependency and KNT family law)



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GEOGRAPHIC DISTRIBUTION OF PARTIES

The project team also created maps locating the parties in each of the above case types. These maps are attached to the Working Paper as an Appendix. The following are the highlights from the geographic data.

- Overall, the cases are widely dispersed throughout King County, with concentrations east and south of downtown and in South County around Kent and south and west of Kent.
- Juvenile Becca cases had additional concentrations in the Bellevue area east of Lake Washington, and in the Renton/Skyway area southeast of Lake Washington.
- The heaviest concentration of juvenile dependency cases was in the downtown area between Puget Sound and Lake Washington.
- There is a concentration of family law cases with children in the Kent/Auburn area.
- While filing figures show an overall decrease in filings, there are parts of the county, particularly in the Bellevue area, the Renton/Skyway area, the Kent area, and the Federal Way area, where the density of parties increased from 2000 to 2004.



FACILITIES

This Section provides a description of the Court's present facilities and a review of the facilities planning process and guidelines, including the methodology for the demand analysis that will be presented as part of the needs assessment in Working Paper Three.

Space is a significant consideration in the Operational Master Plan for the Juvenile and Family Courts because operational changes will likely have space and facility implications. These space implications in turn, may have cost, relocation, construction, budgeting, timing, and revised facility planning impacts. Consequently, it is necessary to acknowledge and factor in the spatial implications into the overall OMP discussion.

The focus of this phase of project work has been to create a framework within which the facility/spatial implications of the operational master plan can be described and understood. Two broad areas are covered in this working paper:

- **Documentation of existing resources** – This section provides an inventory and preliminary functional evaluation of the existing facility resources of the Juvenile and Family Courts in King County and is aimed at answering the simple but important question, “*What do we have now?*”
- **Description of the planning approach and guidelines**- This section begins to address a second important question, “*What do we need?*” It provides the suggested space standards, area allocation guidelines, and process for applying them that can be used once the operational objectives and priorities have been identified.

The most basic concept underlying this work is that *facilities/space should support services and deployment patterns should be determined by service delivery priorities*. The operational master plan precedes a facilities master plan because facilities and space should serve rather than drive preferred functional patterns. The overall purpose of this OMP is to define the operational values, processes, and patterns that will best meet the public service objectives of the court and county. These will then form the underlying rationale for any facility, spatial, or deployment ideas and impacts that should be considered among the implementation alternatives.

It is important to note that nothing in this effort is intended to supplant King County's normal process of conducting a facilities master plan (FMP) to fully detail spatial needs for a given set of functions or a specific building. This process is intended to identify in a general way the broad spatial implications (if any) of the Juvenile and Family Court Operational Master Plan, to provide focus for a potential Facility Master Plan, and to outline what court needs should be considered in future space planning efforts.

DOCUMENTATION OF EXISTING RESOURCES

The place to start in the space aspect of this operational master plan is with existing conditions. The basic questions are, “What facility resources are in use?”, and “How well are they working?”



This section provides an inventory and preliminary evaluation of the county facilities now in use for portions of the Juvenile and Family Courts and some initial impressions about the condition and use of these facilities.

Locations and Services

Most functions related to Juvenile and Family court matters and related services are presently located at the following sites:

- downtown Seattle in the King County Courthouse (KCCH);
- downtown Seattle at the Youth Services Center site (YSC); and,
- downtown Kent at the Regional Justice Center (RJC).

In addition, there are offices in the Jefferson Building (CASA and Becca) near the YSC, satellite offices for probation staff, and family support services in Kent

Essentially the same case types are handled at the King County Courthouse and the Kent Regional Justice Center, but delinquency cases are heard exclusively at the YSC facility, along with dependency cases and Becca cases. No divorce cases are heard at the YSC site and facilities. The distribution of case types can be seen on the following table.

Case Type	KCCH	RJC	YSC
Domestic Relations (divorces)	yes	yes	no
Adoptions/Paternities	yes	yes	no
Juvenile Dependency, Truancy, At Risk	yes for dependency	yes	yes
Juvenile Offender	no*	no	yes
Civil – Domestic Violence Protection	yes	yes	no

*Although infrequent, offender matters can be handled at KCCH.

At the time of opening of the RJC in March, 1997, the judicial and associated staffing complement assigned to the Kent facility was predicated on an estimated 28-30% of the caseload (all case types) being filed with a KNT designation. Very nearly since opening, the caseload for some case types has mirrored this projection fairly closely, but for others, primarily family-related matters, the percentage of the caseload with a KNT designation is higher, sometimes reaching nearly 50% of the total King County caseload. Due to the change in filing percentages between the two facilities, various judicial and staff resources have had to be shifted in order to accommodate the greater volume at the RJC.

Also on the YSC site is the Juvenile Detention Center. This facility is attached to the YSC Tower and Alder buildings. It is relatively new and has a bed space capacity of about 230 and operational capacity of about 190. At the present time there are approximately 110 detainees in the facility. Daily totals vary but the level of occupancy is much lower than the planned capacity, potentially as a result of several factors that include: revised detention guidelines, availability of



alternatives, changes in state law regarding older juveniles charged with serious crimes (handled as adults) and police transport decisions (particularly from the southern part of the county) related to processing complications and time in transit.

The Attorney General's Office has a small office at the Kent Regional Justice Center but does not have any space at YSC.

The consultant was given a tour of each of the major county facilities housing some portion of the Juvenile and Family Court system. A summary of space utilized by system actors and commentary of spatial/functional characteristics is provided below. The summary identifies each building, documents the location of the court related spaces (specifically the Juvenile and Family Court spaces but not all court areas), documents the existing usable square feet as provided by county sources and then notes key issues or conditions related to each broad location including adjacency considerations.



Juvenile and Family Court Facilities Inventory

(Courts, Commissioners and Court Services Only)

Facility	Component	Location	Approx USF	Spatial/Functional Comments
King County Courthouse				
	Family Court Services	Level 2		Completely full -separated from Family Law and Motion function
	Judicial Officers & Courtrooms	Level 2		Courtrooms range in size from 900 SF to 1400 SF. All are small by comparison to standards (1,500 to 1,900). Courtrooms lack secure circulation for prisoners or adequate separation for victims/witnesses
	<i>Sub-total Level 2</i>		28,288	
	Family Law and Motion			
	Judicial Officers & Courtrooms	Level 3		Courtrooms range in size from 355 SF to 1300 SF. These are all very sub-standard. Overcrowded waiting areas. Lack of secure circulation and proper separation of victims/witnesses. Courtrooms cannot accommodate high volume proceedings.
	<i>Sub-total Level 3</i>		12,990	
Total KCCH			41,278	
Regional Justice Center				
	Family Court Services	Level 1		Space is completely full
	Judicial Officers & Courtrooms	Level 1		Courtrooms generally better sized than at KCCH and have secure circulation but the area is full. Waiting area is congested and provides some but limited opportunity to segregate victims/witnesses. Support spaces being used for office space.
Total RJC			14,556	
DYS Campus				
Tower Bldg.				
	Judicial Officers & Courtrooms	Lobby - Level 2	10,023	All courtrooms are extremely sub-standard. Most are at or under 800 SF against a preferred standard of 1500 to 1900 SF. Waiting areas are all combined and very overcrowded. No opportunity to segregate victims/witnesses.Lack of flexible circulation for
	Juvenile Court Intake	Level 3	7,179	Layout is functional but the space is full.
	Juvenile Court Probation	Level 4	9,000	Layout is functional but the space is full.
	<i>Sub-total Tower</i>		26,202	
Alder				
	Court Services	Bsmt. 1	8,454	Former Detention Center - inappropriate for offices
	Court Services	Bsmt. 2	3,944	Former Detention Center - inappropriate for offices
	<i>Sub-total Alder</i>		12,398	
Total DYS Campus			38,600	
Grand Total - All Campuses			94,434	

Note: all values are in Usable Square Feet and taken from official county sources.

Office space for related agencies such as the OPD and POA, and adjacency issues, will be discussed as part of the need analysis in Working Paper Three.



PLANNING APPROACH AND GUIDELINES

The final product of the space planning portion of the Juvenile and Family Court Operational Master Plan will be an estimate of the present and future space needs that might emerge from implementation of recommended changes in operations, including changes to: organization, process, functional patterns, and service delivery patterns. This section will explain in simple terms how those needs will be calculated once the operational recommendations are developed.

It is important to note that space or buildings may not be the only way to achieve an operational objective. Buildings may not be the preferred way since they are not a particularly easy solution, they take a good deal of time to implement, and they entail substantial expense. There may be more economical and more easily implemented ways to provide better service or better public access or more functional arrangements. Still, at some point, space becomes an issue, particularly in the context of older (less flexible) facilities that no longer adequately accommodate staff and functions, and in the context of growing and changing demands for service.

This section outlines three steps:

- defining space standards and space allocation guidelines
- defining change; and,
- defining growth.

Together, these should establish the framework for understanding the spatial implications of this operational master plan.

DEFINING SPACE STANDARDS AND SPACE ALLOCATION GUIDELINES

Space is required to accommodate staff, equipment and function (activities). Space is typically defined in terms of area (i.e. square feet) and dimensions (length and width primarily but height as well when especially relevant). Over time, most governments have developed “space standards” or typical area allowances for the most common accommodations, including offices, workstations, conference rooms, waiting areas, storage rooms, etc. These standards provide a specific area value or range of values and are usually referenced to common industry construction modules or workstation sizes and configurations.

Existing Standards

King County has a very well developed set of office space standards and seeks to refine and update these with each new facility that it constructs. The county also publishes an updated space plan every two years. An update is in progress at this time. We have reviewed the 2004 space plan and find that the space standards provided are appropriate and consistent with those of other governments with which we are familiar.



In addition, King County has evaluated the application of its space standards and has identified typical square foot/person averages for the most common types of governmental space. These kinds of averages are very useful in estimating probable space needs, as they represent an easy “rule of thumb” that can be multiplied against existing or projected staff. This “planning average” approach is appropriate to the level of estimating required in this master plan and is the methodology that we expect to use in figuring the present and future space impact of typical office functions.

Our only suggestion is that the planning average for office space be supplemented by 100 departmental gross square feet (DGSF) per person when applied to clerking functions such as the Office of Judicial Administration. These offices typically have high queuing requirements (supporting public service counters) and high file storage requirements (despite efforts to convert records to electronic formats) that significantly exceed a normal administrative or even program related office and are not sufficiently covered by the typical planning average.

King County does not have a planning average or a complete list of space standards specific to judicial functions other than the project specific standards used in conjunction with the planning and design of the RJC and more recently some outlying District Court facilities. New standards are needed. Courts have some very specific functions (court proceedings) to be accommodated and some very specific security, access and adjacency requirements to be observed. Furthermore, these area, dimensional, and relational requirements have been changing in recent years (across the country) in response to ADA, 9-11 concerns, changing laws, revised courtroom practices, and technology integration. It would be a mistake, for example, to base an estimate of present Juvenile Court requirements on the existing sizes, dimensions, configuration and adjacencies of the YSC facility. New, more functionally appropriate standards are needed to be sure that the space will support effective and efficient operations.

Proposed Judicial Space Standards and Planning Average

While the development of a full package of appropriate court related space standards is the work of another project, it is important in this project to have a reasonable estimating model (planning average), based on typical judicial system space standards. A table follows providing a preliminary suggested outline based on nationally recognized courtroom standards and typical court related planning assumptions. Changes to these assumptions and adjustment of the modules based on local practice and preference is certainly possible.

- The standards are given in net square feet (NSF) – this is typically the actual space required for an office, open room, workstation, or piece of equipment.
- The NSF totals for the module are multiplied by a 1.4 departmental grossing factor (DGF) to determine departmental gross square feet (DGSF). This is a common designation for the combination of the net area requirement plus the thickness of interior walls and circulation among the spaces within the module. Court modules are typically a higher grossing factor than office environments because of the need for greater wall thicknesses in courtrooms (sound isolation), holding cells (security), and separate



judicial and prisoner circulation patterns. (In addition, there is a building grossing factor of 1.25-1.28 to be added to the departmental grossing factor for the RJC.)

- DGSF is the space required by the module within the building. To determine total building space would require a listing of the DGSF requirements of all the modules or functional components in the building and the application of an appropriate building grossing factor (BGF) to reach a Total Building Gross Square Foot (BGSF) value.



Proposed Judicial Planning Modules and Averages

Space	Large	Medium	Special
<i>Recommended Ctrm. Dimensions</i>	<i>40 x 60</i>	<i>38 x 48</i>	<i>38 x 42</i>
<i>Litigation Module</i>			
Courtroom	2400	1824	1596
Entry Vestibule	80	80	80
Attorney Client Conference	90	90	90
Victim Witness Waiting	120	120	120
Public Waiting	150	150	150
<i>Jury Suite</i>			
Jury Room	280	280	280
Jury Vestibule/Coat Rack	60	60	60
Jury Toilets (2@60 ea.)	120	120	120
<i>Holding Area</i>			
Group Holding Cell (50%)	50	50	50
Single Holding Cell	60	60	60
Secure A/C Conference (50%)	30	30	30
Officer workstation (50%)	7	7	7
Secure Vestibule	35	35	35
Courtroom storage	15	15	15
Courtroom Technology Closet (50%)	15	15	15
Temp. Evidence Storage (50%)	15	15	15
<i>Litigation Module NSF Sub-total</i>	<i>3527</i>	<i>2951</i>	<i>2723</i>
DGSF = 1.4 x NSF	4938	4131	3812
<i>Judicial Office Module</i>			
Private Waiting	40	40	40
Bailiff Workstation	80	80	80
Copy/Supply/File/Work area	64	64	64
Coffee Service Area	15	15	15
Coat and Storage Closet	15	15	15
Judicial Office	225	225	225
Judicial Toilet/Robing	60	60	60
<i>Judicial Office Module NSF Sub-total</i>	<i>499</i>	<i>499</i>	<i>499</i>
DGSF = 1.4 x NSF	699	699	699
<i>Combined NSF Totals</i>			
	<i>4026</i>	<i>3450</i>	<i>3222</i>
<i>Average NSF Module</i>			
		<i>3566</i>	
<i>Combined DGSF Totals</i>			
	<i>5636</i>	<i>4830</i>	<i>4511</i>
<i>Average DGSF Module</i>			
		4992	

Note: Courtrooms are typically planned in pairs. 50% values indicate one half of the expected total for the pair.



Based on these standards and the resulting modules, we intend to use a typical 5,000 DGSF planning average to estimate the spatial impact of each judicial officer added to a facility as a result of the OMP or related projections.

Finally, we are suggesting that for estimation purposes, an additional support space-planning value of 120 DGSF/Court or agency office module be included to cover the range of spaces that are usually needed in facilities but not covered by typical grossing factors, such as general storage, loading/receiving areas, building management offices, vending areas, etc. These cannot be fully detailed or estimated in the absence of a full facility programming study, but at least an estimating value/place holder should be provided.

Together these modules, the office module (DGSF/person according to County guidelines but supplemented for Judicial Administration clerking functions), court module (DGSF/Judicial Officer as suggested or modified on review), and support module (DGSF/office or court module assigned), should provide the framework or “kit of parts” by which the spatial impacts of the Juvenile and Family Court Operational Master Plan can be estimated.

Defining Change

The real challenge of this master plan is to identify the operational changes that could improve performance and enhance services in the Juvenile and Family Courts and related agencies. It is entirely possible that some of the suggested changes may have no spatial impact at all. Potential aspects of change that hypothetically might have spatial impact include (but are not limited to):

- organizational changes - internal restructuring or regrouping resulting in shifting staffing patterns and adding or eliminating working groups;
- process changes – revised case processes that could increase reliance on technology and change staffing patterns, reduce the number of hearings, reduce or increase client appearances;
- functional patterns - appearance scheduling, setting intervals, prisoner/detainee transportation, or use of technology for remote proceedings; and
- service delivery patterns – expanding service locations, redeployment of service units among sites and within buildings, or regrouping of related functions.

It is anticipated that as potential operational recommendations begin to emerge, the team will evaluate whether or not there is a discernable spatial impact and if so will seek to quantify it using the space standards and planning guidelines previously indicated. This task will take place late in the project.

Defining Growth

Change and growth are the two key factors underlying both present and future space need. Identifying change is the primary work of the master planning effort. The task has two aspects: historical and future. The assessment of historical change will rely both on the detailed



discussions with key officials and public representatives and on the collection and examination of several kinds of data. As provided in the work plan, three kinds of historical data will be developed if possible.

- Demand data – primarily historical filing data (case initiations) for the case types covered by the study. Filing data is the most common, though by no means the only measure of demand for judicial services. It is, however, the most commonly kept data, the easiest to collect, and the most easily compared with other jurisdictions in the state, if necessary.
- Trend data – an overlay of demographic data for various areas of the county with completed cases with a view to:
 - assessing the correlation between juvenile and family cases and such factors as poverty, housing costs, size of family, race and ethnicity and other factors;
 - identifying any apparent trends in the geographic distribution of cases over time (are they moving south, north, east west?); and,
 - identifying geographic “hot spots” of cases that could be helpful in determining the type and location of court services.
- Performance data – an analysis of completed cases with a view to developing some sense of the time to disposition and if possible the time between critical case events. This kind of data and analysis can provide insights into the pace of litigation, the impacts of case processing practices and can indicate where action might be needed to expedite cases and reduce unnecessary delays.

For purposes of the OMP, the collection and analysis of historical data along these lines would seem to serve the purposes of the study. The demand data shows the pressures on the system. The trend data shows (potentially) the shifting geographic patterns of demand as well as the predictive nature (or lack of it) of demographic factors, and provides insight into the potential desirability of a wider distribution of relevant proceedings, facilities and services. The performance data shows (prospectively) the need for enhanced processes as part of the larger pattern of improved service to the public. Together, these provide a strong basis for understanding the existing system and identifying opportunities for positive change and potential redeployment of resources.

But for purposes of space planning, the historical may not be enough. Though the team will identify the immediate spatial impacts (if any) of recommended operational changes on the existing facility situation, the county’s facility planning process really needs a longer look – a sense of how the changes might play out over time and the continuing impact of the revised operations on the sites and buildings. For this reason (and perhaps others) projections are needed.

The projection of future space needs is typically created from a sequential and inter-related analysis of population growth (and to the extent possible, demographics), caseload increases or shifts (as measured by case filings – demand data), judicial officer growth (including judges, commissioners, hearing officers, etc.), and staff (typically as a ratio to judges).

The projection methodology is as follows:

- Official population forecast data is used as a baseline.
- Filings (demand) are projected by major case type using 3 main methodologies:
 - direct real number change (average increase/year over the historical period without regard to population) projected forward to the target year at the same rate;
 - ratios to population (including low, average or high filing rates) projected against future population numbers; and
 - regression to population – based on the extent of the calculated extent of correlation between population and caseload.
- Judicial officers projected in three ways:
 - direct real number growth;
 - as a ratio to filings; and
 - as a ratio to population.
- Staff are projected (for purposes of this study) on typical average number/judicial officer multiplied by the projection of judicial officers to the target year.
- Space is projected by the formulas previously identified.

The following cautions are necessary.

- Projections of demand would show the additional pressure that the court might face in years to come but are not typically sensitive to the impacts of potential policy changes over time or the potential impact of greater access to services that might arise from the implementation of OMP recommendations.
- Projections of trends are limited by the relative lack of reliable official projections of demographic shifts. Pure population growth projections are typically available, but more detailed distribution of the detailed factors is not readily available and could take much time to develop. If done, however, the results could show an even more expansive picture of the geographic locus of need and scale of emerging need in those locations. This might be valuable but is not possible within the scope of this study.
- Projections of performance are either based on an assumption of the status quo or require an agreement on the operational meaning and target values of improvement. For example, an agreement might need to be reached that the targeted improvement would be to reduce overall case processing time by 5%, or 10%, or some other value. While important, this exercise has no value to the existing master planning and would be



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most relevant in the long term as a baseline for measuring success of operational improvements and evaluating parallel impacts on the number of judges and staff.



TECHNOLOGY

A critical component of the ability to coordinate multiple cases involving a family is the ability of each part of the system to exchange information with other parts of the system. This requires information systems that can interact with each other, preferably in real time, have common identifiers to locate the same family in different information systems, and can be accessed by all of the key actors in any of the cases involving the family. Without a good automated system, coordinating cases requires the court to search multiple information systems and ask JPCs, social workers, and other system actors involved with a family.

MTG Management Consultants L.L.C. has completed a survey and analysis of all the information systems in use in King County for family and juvenile cases. A copy of their report is attached to this working paper. The following discussion presents a brief overview of the findings of that analysis.

At the present time there is no single automated information system or constellation of interacting automated information systems that provides information on all the case types covering children and family issues: family law, dependency, juvenile offender, and status offenses (truancy, CHINS, and ARY). The MTG report lists eight major management information systems and 21 other subsidiary databases. Of those, three are the most critical:

- SCOMIS/JIS is the statewide Superior Court Management Information System, provided by the Administrative Office of the Court. It covers all case types and is the only source of statistical data on family law and UFC cases. JIS is the person database related to SCOMIS cases and is the mechanism to compile cases related to certain persons.
- Electronic Court Records (ECR) is the document management system for the courts and handles images of court records.
- King County Case Management System (KCMS) is the case management database for civil and family law cases that are assigned to judges.
- JUVIS/JCS is the statewide juvenile court information system. It contains information on dependency, offender, and Becca cases and draws its data from SCOMIS. King County does not use JUVIS/JCS, as the state is not providing the administrative support that King County requires.
- JJWEB is the King County Juvenile Court information system. It covers offender cases but not dependency or Becca cases.

The King County Systems Integration Project is working at developing the capability for data exchange between the Juvenile Probation Counselors and the State DSHS caseworkers. The project is investigating a variety of options, including developing a platform for exchanging data between the court, DSHS, and JCS.



CLIENT NEEDS AND PERCEPTIONS

This Section presents a summary of client needs and perceptions, as expressed in the nine focus group meetings conducted in King County the week of February 6, 2006. The following discussion first presents an overview of the major themes from the focus groups and then presents a detailed list of the comments from the focus groups, first for juveniles and then for adults. A total of 49 individuals were interviewed in the focus groups. The views presented here, of course, do not necessarily represent the views of all clients.

Overview of Themes

Six major themes emerged from the discussions in the focus groups. These themes were discussed in a preliminary fashion at the COG meeting on Friday, February 10, 2006:

- need for appropriate and effective services;
- need for achievable requirements;
- need for continuity and consistency among system actors;
- need for quality control;
- need for more information and education; and
- need for timeliness and predictability in the process.

Need For Appropriate and Effective Services

The need for the court to set up services tailored to the specific needs of the parties that are appropriate to address the parties' particular problems was a consistent theme across the focus groups. Some participants felt that the courts were too automatic in determining what services to order, chosen from a set and limited menu.

There was also concern expressed regarding the quality of some of the service providers. The main complaint was that some treatment providers assume that everyone has the same problem, and to the same degree, without investigating the particular circumstances of the individual program participants and whether the program is appropriate to their needs.

Access to services was also raised as an issue. Some treatment programs can have waiting lists as long as a year, which may make them effectively unavailable in the context of the timing of a particular case.

Juveniles expressed a desire to be asked what they think and how they feel. Juvenile offenders want the judge to understand who they are, what problems they have, and why they did what they did. Juveniles in foster care would like to be consulted when they are placed and when it is proposed that they be moved. The appropriateness of foster homes is important to them, including experience dealing with teenagers and the presence of other teenage children in the home.



The juveniles all expressed a desire to have people in the system who care about them and can provide guidance, including social workers, probation counselors, foster parents, and mentors. They appreciated social workers who returned their calls and checked up on them, who helped them through the system, and who taught them how to function in society. They also appreciated foster parents who cared about their grades and other aspects of their lives. Mentors, in particular, were mentioned as having a very positive influence on juveniles, and some juveniles wished that they could have had a mentor earlier in the process.

The juveniles also expressed a need for better access to emergency services, including having an emergency number to call and access to emergency funds for clothing and other needs.

Need For Achievable Requirements

Another theme expressed with regard to services was avoiding overloading individuals or families with multiple services. Some participants, both adults and juveniles, felt overburdened by the number of service programs they were required attend. The time each week that people spent traveling to and attending counseling, classes, and other types of treatment programs put a strain on jobs, school, and family time and left little leisure time. Some special treatment services are available only in one location in the county, requiring long bus trips for people who live in other areas of the county and do not have a car or are too young to drive. (This was a problem raised with regard to attending court hearings as well, as is discussed below.)

The cost of treatment services and court-ordered sanctions such as supervised visitation and restitution put a severe strain on some individuals. Supervised visitation can cost \$150 for a two-hour visit, and most treatment programs have a cost associated with them. Court-ordered restitution for a juvenile offender often amounts to over \$1,000, requiring that the juvenile work as well as attend school and treatment.

Need For Continuity and Consistency Among System Actors

Participants reported that the system actors involved in the lives of children and families who are in the justice system often change during the life of a case. Many of the parent participants in the focus groups reported having more than one judge, multiple social workers, and multiple public defenders. Juveniles reported having multiple probation counselors and multiple foster home placements. And nearly all had multiple treatment providers to satisfy.

The actors sometimes change due to attrition or the transfer of a person from one assignment to another. A caseworker may move a child from one foster home to another when the juvenile is misbehaving, even in circumstances where the foster parents are not at fault. Changing a foster home often results in changing the school that the child attends.

When the people in their lives change, so does the way they are treated and what is required of them. One caseworker or probation counselor may be willing to tolerate behavior that another is not, and the change may come as a surprise, with negative consequences.



Need for Quality Control

Some participants expressed dissatisfaction with the quality of the decision-making by some system actors. For example, a Family Court Services social worker conducting a custody investigation may deny custody to a parent based on different criteria than a caseworker would use to remove a child in a dependency case, but in either case the result is that the child is removed from the parent. Further, a concern was expressed that it is difficult for a parent to challenge the assessment of a social worker.

The quality of foster care was also raised; some juveniles reported abusive foster care homes or foster parents who simply didn't care about the welfare of the juvenile.

Need For More Information and Education

A consistent theme across all of the focus groups was the need for more information and education for the parents and children. People do not know what their rights are, what to expect from the process, what is going to happen at each hearing, why particular decisions have been made, and what they are expected to do after a court hearing.

The older juveniles in the focus groups remembered that they didn't start to understand what was going on in their cases until they reached the age of 11, and then they didn't really start to figure things out until they reached the age of 15.

Juveniles need to be better prepared for their hearings. They want to be there, but they need to know what will happen and they need help to be comfortable, mentally prepared to talk to the judge, and able to control their emotions.

The need for more information even extended to parties who were represented by private, paid counsel. People with private attorneys felt that their attorneys were not informing them of what was coming, what they were going to be expected to do, why hearings were continued, and a variety of other substantive and process issues. This should be a particular concern for the courts, as in cases where the welfare of children is at stake, the outcomes cannot just be left up to the skill of the attorneys. The parties need to be able to participate effectively.

Need for Timeliness and Predictability

The focus group discussions raised the need for timeliness and predictability with regard to three aspects of the legal process: (1) the length of time from the start of a case to final resolution or disposition; (2) the time spent waiting in court for a case to be called on hearing days; and (3) the number of times that an event in a case is scheduled to take place but does not happen when scheduled.

Sometimes people are told to do something in order to before they can attain another privilege, but when they do what they are told to do, the privilege isn't granted.



Detailed Comments From Focus Groups: Juveniles

Below is a listing of the major comments that were made in the focus groups, presented with just minor editing. We have omitted only those comments revealing the particulars of a case that might identify the speaker. We believe that this more detailed listing of comments is necessary to present the full flavor of the discussions in the focus groups.

Foster Care Teens

Problems/Frustrations:

- Move around – into and out of too many foster homes; have to change schools
- Other children
- Foster homes – not checked out; abusive
- Not enough clothes/food; vouchers are not enough; too difficult to get them
- Some foster care parents/social workers are not qualified; no experience/don't care

Positive Experiences:

- Being released
- Social worker – having a good person; they checked up on them; returned calls; showed they cared; made an extra effort; they exceed expectations – trying to get them into a good home
- Good families – other children/like siblings; they support you; concerned about grades, etc; they check up on you – pay attention to them; social workers/foster care parents/kids communicate
- Foster parents/ social workers/counselor have helped them learn about the system; they have taught them how to function in society
- State is Guardian – calls social workers/attorney, etc. for assistance

Recommendations/Suggestions:

- Prepare foster care children for court so they can get information ready
- Schedule better – current scheduling is not convenient; conflicts with schedules; make sure child can be there
- Make sure the child is comfortable; mentally prepared to talk to the Judge; explain what will happen; tell the child how to control their emotions
- Make sure the child knows the judge; the judge should meet the child
- Judges should look at the past and recognize accomplishments
- Establish an emergency fund for kids
- Case/social workers need to visit more than once every 6 months (e.g., once per month – call twice per week; caseworkers need to talk to schools
- Make more programs available for kids (e.g., like Treehouse); YMCA mentoring; Community for Youth, Big Brother Big Sisters);



- Have car insurance paid for by state
- Permanent Placements – don't move children around; court needs to understand what is going on – big picture; not just the home; other things are going on in their lives that influence their actions; don't just automatically move them to another home
- Listen to children; learn what is going on; don't let kids be a number
- Do ongoing background checks on foster parents/homes/social workers; look at foster care home history; ensure that children are safe
- Judge/court worker – give the child a number to call if problems – they need a lifeline for difficult situations especially when newly placed in a home
- Foster care parents – have them go to mandatory meetings (e.g., YMCA); they need to demonstrate interest and commitment (mandatory meetings also place a hardship on some foster parents; child care providers – go for certification
- Conduct ongoing recertification/check-up process
- Let foster care homes/parents learn more about child's background; let the child meet/visit foster care homes; involve them in decisions
- Prepare an online/resource manual – inform them where children can go for assistance
- Need to have two types of social workers – one for less than 13 years of age and another type for more than 13 years of age; teenagers are very vocal but younger children are not
- Have joint meetings between social workers, foster care parents, children; need to be safe
- Social workers ask lots of questions/interrogate kids; okay with younger kids; only way to get information; communicate with kids in a safe place (McDonalds); connect with kids/develop a personal relationship with them
- Under a certain age – kids shouldn't go to Court (e.g., less than 11 years of age); it is too hard to understand what is going on; confuses them and makes them angrier
- Provide transition support when 18 years to age 21; appoint a State Appointed Counselor

Female Juvenile Offenders

Problems/Frustrations:

- Supposed to get out – still here
- E-home monitoring is available – haven't made a decision – too slow
- Haven't been charged yet – it has been 4 or 5 days (more than 72 hours)
- Don't have a chance to explain to the judge; judges don't know the kids background
- It takes 2 months to get into Drug Court
- No one tells you what is going on; don't really understand the process or what the judge is telling you; told to plead guilty; is paying for it now
- You are told you are going to be released but it takes 2 weeks to get out
- An explanation is sometimes provided after the fact/after sentenced
- PO doesn't care about them
- Can't make collect calls during the week



- Wait times in court are very long; time is wasted; minds are already made up; other players talk ahead of time and pre-determine what is going to happen; kid does not know
- You are told they are going to let you out but then they come up with something new
- Staff are rude, racist, don't care, play favorites; staff don't help; staff take good time away from them for petty/minor offenses; kids get put into lock down because staff want to leave
- There are too many continuances
- Have to wait for hours in the holding cells; staff yell at you when you look out the windows
- Charges are not clear
- Food is bad; all starch
- Don't see PO very often; some don't even know who it is
- Services – school but no credits; not hard; it is boring; no activities – gym only on weekends; different between boys and girls and it should be the same; pay phone – yes; computers in school library; no email
- Parents don't know they are here; no number to call
- When on home arrest – no place to go; look at the past; judges use past even when older
- Police – write anything; used force; no seat belt when transported

Positive Experiences:

- Release date
- Police took to Spruce Street instead of Juvenile Detention;
- PO can get you a mentor

Recommendations/Suggestions:

- Take time in court – look at lifestyle before you decide a sentence
- Let kids see their family members
- Hire people who enjoy/care about working with kids
- Take time to listen to what is going on
- Don't talk negative about the kid when in the cop car
- When sentencing – don't lock up and throw the key away
- Throw out stupid cases (when throw a shoe at/spit on someone)
- Don't bring up stuff from the past
- Look at the positive changes children are making
- Think of ways to help kids
- Provide better food
- Provide additional resources to kids (Big Brother/Big Sister)
- Listen to kids (about their group home; about placement)
- Check in to make sure people are doing their jobs
- Give kids places to go for anger management/bi-polar
- Inform kids of hearing dates/times



- Don't order such high restitution; kids don't have the money

Male Juvenile Offenders

Problems/Frustrations:

- Very stressful – PO forces/tells you to do something; they should ask/work with you to do it/communicate effectively with you
- Urine Analysis – don't know if passed; PO is sneaky
- Papers are lost – been waiting to go to court for ½ year
- Have to wait too long for court hearings; show up and wait for 5 hours; papers are lost; told to leave
- All hearings are scheduled for 8:30 a.m. – lots of people; have to wait well into the afternoon; don't see the judge until the afternoon sometimes
- Took too long to tell what was going on
- Get up to 30 days when probation is violated; kids get violated too often for petty things
- Kids are not treated respectfully – others think they are better than the kids
- Courts/Pos don't have things to reward/motivate them for doing good things; keeping clean
- PDs – don't know the cases; don't talk to them until 15 minutes before the hearing; sent a bill after the hearing; don't have enough attorneys
- Food in detention is bad; need better soap/lotion
- Don't really understand what is going to happen/the process, etc.
- Some judges are good but some are not; some give you a chance to talk; most times they don't talk in court
- Had to pay \$300 for diversion program
- Restitution is too much; can pay \$2500
- PD – only see at court
- Staff take cash when detained; they get a check when released; costs \$ to cash a check at the bank
- Kent PO office is too far away; not easily accessed by bus; a 1½ mile walk from the bus stop

Positive Experiences:

- POs helped get into this program – Youth Source – have a digital bridge; case manager at Youth Source
- Case manager – will write a good recommendation; give them bus tickets; work on an individual plan; can work with a flexible schedule; help them get jobs and training that they get paid for
- Juvenile court employee helpful person
- Anger management class was good
- Royal Project – music/art



Recommendations/Suggestions:

- Give cases a specific time slot for hearings
- Give individual sentences; not apply same standards to everyone; situations are different
- Cops/others should stop taking/using their drugs
- More PDs – give business cards, be like a regular/private lawyer; specialize in case types, accept collect calls
- Treat juveniles in detention better
- Give shorter probation periods for minor offenses
- Focus on the crime committed, not the probation violation
- Don't send juvenile records to schools
- Move/provide PO services in a more convenient location
- POs should be more resourceful/helpful to kids
- Provide more treatment instead of locking them up
- POs should tell them when they are going to come to their home
- Get companies to donate more money for youth
- Identify a place to send troubled youth instead of lock-up
- Provide more programs to help kids get jobs; more alternative schools to meet the learning needs of kids

Juvenile Drug Court Participants and Families

Problems/Frustrations:

- It is stressful – worrying about getting on with life, working to pay restitution, and free time
- Free time – didn't have any time except for Saturdays
- Students are given a lot of requirements all at once; (need fewer requirements)
- Travel distance – too far; not time to go to school, work, pay off restitution; on bus one and ½ hours
- Mom had to miss work to transport child
- Hardship on mom – almost lost job; mom lost a lot of work time by transporting child and attending hearings
- Family members/mom not on the same page with drug court team; mom didn't understand the system; mom was left out of the loop
- Staff changes; ball would get dropped; had to establish new relationships
- Each family has had at least two probation officers and 2 different judges
- Difficult to get things scheduled; delays
- There are lots of little ways to get in trouble; it became an everyday thing; lot of pieces; difficult to success; in detention and then out of detention
- Depression/other problems were a problem – truancy, probation, emotional/mental stress
- Age of Consent is an issue; once 14 years of age the mom was not allowed to get information without the kid's consent



- Inconsistent – different rules (e.g., consent)
- Communication is not good; parents are held responsible but they don't have the information
- Child doesn't understand some things at the proceedings; they say something wrong

Positive Experiences:

- Mentorship/life coach
- Wrap-Around Meetings – team of 6 people
- Observing drug court helped; got to see where other kids have been/possible sanctions
- Time – reflection – helped you process/sort through things
- ROYAL program – clear and helpful
- Tried hard to keep kids involved and out of trouble; things to do in school
- Interagency staffing team worked well together
- Things that contributed most to kids' success
 - self commitment to change
 - court refused to give up because mom pushed so hard
 - staff cared – they wanted them to succeed
 - life coaches/mentors

Recommendations/Suggestions:

- Assign a mentor/life coach in the beginning to help them; don't wait until a certain point in the program; should be a person outside the system
- Have more evening, weekend, and later in the day court hearings
- Be more helpful/explain things better to them – Prosecuting attorneys, judges, etc.
- If parent is not there, accept phone conference for parents
- Mail the paper work to the home of the parents
- Call and remind the parents/child of the upcoming hearing and advise them of what to bring
- Recruit more life coaches; boys need to work with adult men
- Educate parents/kids regarding resources
- Make sure everyone can read/check assumptions
- Give beyond charge; give the benefit of the doubt; kids make mistakes
- Understand/get to know the kids; do assessment
- Identify and involve alumni of Drug Court; have them drop in
- Provide a parent support group; adults involved in the system also need support; need more support groups
- Get people committed to children to work in the system; they should have a positive attitude; the kid will succeed

Family Law and UFC Parents

Problems/Frustrations:



- Social worker did not have good skills
- Poor treatment by some staff
- Commissioner/social workers – have personal biases; they influence their work/decision making
- Commissioner did not read documents/was not prepared
- Hearings – hours are wasted; reiterated what is written down
- Have a different commissioner at each hearing (this can be good and bad)
- Family Court Services social workers can conduct investigations that result in loss of custody; need a check and balance in the system; social worker didn't talk to the school, counselor, psychologist, pediatrician; only did a 40 minute house visit
- Commissioner referred to FCS to modify parenting plan
- Didn't get a chance to talk in the hearing
- No commissioner will go against a FCS worker (Family Court Services)
- FCS social worker recommended a change in custody unbeknownst to parent
- Too much time passes between referral and investigation
- The divorce system is a money-maker for all players including judges, mental health evaluators, lawyers, etc., while nothing is getting done
- Has had 10 hearings already and divorce is still not final; attorney costs money; money lost due to taking time off work
- Supervised visitation also costs money – 2 hours per week – costs \$150
- Services provided by UFC/CM & FCS: DV assessment, protection order, mental health assessment, request for parenting evaluation, parenting therapy; must be scheduled better
- There are a lot of costs associated with the services and assessments
- Parking is a problem at times at Kent
- Understandability – didn't know what was wanted or needed
- Don't understand how meet the rules – parenting plan
- Don't follow timelines
- You don't understand what is coming at your; private attorneys don't give information
- Judges don't ask parties directly; attorneys do all of the talking
- The more money you have the more you get away with
- Court system drags out the cases
- Supervised visitation has too many rules

Positive Experiences:

- If system works, it is comforting for families
- Family Court Services social worker was a neutral party
- Kent courthouse – parking is better than in Seattle; courthouse location; child care room; protection order office is wonderful
- UFC – good experience – told them what to bring; felt comfortable with staff
- Family Court Services assessment – pretty positive



Recommendations/Suggestions:

- Reduce the amount of time between referral and investigation; develop a triage process so there is less victimizing of the family (live through it again and again over time)
- Improve case scheduling (current manner in which cases are called – have to wait a long time to get cases heard; there is a protocol for calling cases; state of WA heard first, then parties with lawyers, then parties with one lawyer, then parties without lawyers)
- FCS should consider the long-term effects on her family
- Need checks and balances – parties should have someone to go to for assistance; there needs to be consequences and repercussions of the agencies/social workers when they don't do a good job (e.g., someone needs to review the reports after they are written and before they are finalized)
- Provide information in simpler terms; explain the terms and process
- Extend the hours of Family Court Services; they should work extended night and weekend hours to better accommodate the needs of families
- Judges and commissioners should not be influenced by their personal values
- Require a full investigation if custody is going to be trained; provide checklists, protocols, and other tools to help make sure it is the best decision
- Provide Resource list – e.g., family law attorneys, therapists, etc.
- Court should provide information/protocol of what to expect (e.g., 1-800 number)
- Same rules should apply to both sides; be consistent
- Have a sliding scale for support, classes, and assessments
- Made decision at court hearings; don't continue cases
- Needs to be accountability at all levels
- Make decisions on the matters; don't draw it out
- Reduce the costs to litigants
- Provide support groups for parents

Dependency and Family Treatment Court Parents

Problems/Frustrations:

- Get the run around between the state and the courts – they don't have their stories straight
- Doing what they say, but not getting what they promised
- Slow to make things happens; sometimes they don't happen at all (e.g., missed visits; not made up)
- Incorrect reports are given to the Team/judge by CPS – they don't correct mistakes
- CPS doesn't give funds/vouchers
- CPS wants them to do lots of things – run around the city, but they don't provide assistance (e.g., bus passes)
- Some workers are shady – lie in reports; tell people different things, make false statements
- Been through 3 counselors; lack of consistency/continuity



- Inconsistencies in reports
- Inconsistencies in CASA runaround – the worker said she wanted to unify but really wanted adoption; took 8 months to tell the truth; didn't give the parent a chance
- Judge treats them as juveniles instead of adults
- They are ordered to do things that they can't do; services were not offered; workers didn't know how to access them
- Family Treatment Court Team needs to recognize when parents are moving out of addict behaviors
- Turnover in workers – loss of consistency and relationships
- Getting to court/to services – have to figure it out on own; hard to get to Court; public transportation is not convenient
- Accessing other services is a problem – can't afford (e.g., DV assessment and then classes)
- Services/activities for children are also hard to access
- When meet expectations, incentives don't follow (e.g., movie passes, food vouchers, etc.)
- Transportation for kids; difficult to see child; don't transport kids; transporters say they don't want to take kids that far
- CPS worker told kids that their mom was getting high
- Judges are ordering too many services for parents and children; can't possibly succeed; orders are confusing
- There is a bias in the system that parents lie and CPS tells the truth
- It is assumed that CPS worker is right and has done their job well
- Parent was stuck with a Public Defender who was overburdened; couldn't raise the issue of placement because the judge assumed the CPS worker had done a good job
- Has had 2 CPS/Child Welfare workers; CASA worker hasn't done anything
- Department won't pay for counseling services
- Parent did not understand the process; had to learn about the system by doing own research
- There are no resources available to parents
- Didn't understand the roles of CPS and Child Welfare
- In first 30 days had to do lots of things/get lots of services; next to impossible to get assessment and treatment in 30 days; was set up to fail
- Had 6 CPS workers; lack of continuity; poor communication; workers did not know case
- Given false promises by the CPS workers – told to go to treatment and then reunite; told will help get housing and then will reunite, etc.; passed from worker to worker; wasn't getting visitations and none were made up
- Workers are not sensitive to addictions
- Goals were unrealistic
- Couldn't get her drug case and dependency case combined; consequently she had multiple things going on simultaneously; very difficult to keep it straight and comply



Positive Experiences:

- Return of children
- The program is successful in helping treat/overcome addictions
- The program has helped them get/remain clean; haven't relapsed
- Judge listened to parents and kids; very supportive; reminded them that this was about their kid's welfare; was open-minded and very caring; no labels; treats like humans; holds them accountable; nonjudgmental; very consistent with everyone across the board
- Being involved in Family Treatment Court sped up some services (e.g., Access to Recovery)
- PD Attorney – Family Treatment Court and Juvenile Court – helped parent see the benefits of getting/staying clean and being responsible
- Services from the Treatment Team – team effort
- Family Treatment Court – Family Court Worker and CASA worker; good at staying in the here and now; they don't dwell on the past
- FTC saved life and reunited with kids
- Nothing
- Son is provided for
- She is clean and sober
- She has received some good services – DV, parenting, parental treatment services
- CPS helped out at Christmas
- Judges seemed fair

Recommendations/Suggestions:

- More people on the teams that are in recovery – they know what it is like; they are a success story; they can recognize behaviors/relapses and hold them accountable; they educate other team members and provide positive reinforcement
- Ensure that reports are accurate; CPS and CMH (mental health) reports need to be more accurate and hold them accountable
- Parents need a way to challenge false reports (e.g., urine analysis)
- Judge needs to be more familiar with the backgrounds of the parents/families – be educated on where they have come from
- Judge needs to be more consistent between old timers in the program and new parents; need to be more consistent how parents move into different levels
- Be more honest, consistent, less judgmental, have professional boundaries; no need going back 20 years
- Look forward to now; not past when using; say what they mean or not at all
- Listen to parents
- Parents should be more a part of treatment plans; treatment providers need to be more in sync with progress; eliminate redundancy and duplication; let parents move on with lives
- Follow-through – give them more things in writing
- Access to Recovery – help with money/rent; provide a broader range of services



- Provide help, support, and resources – money and programs
- PCAP – Parent, Child Assistance Program; they should be more involved (only up to kids that are 3 years of age); they help with transportation/rent
- Shorten the time to get through the program but be flexible when trying to get specific services
- Judges need to be more critical of social workers' reports; eliminate bias in favor of CPS
- Give parent a chance to be heard/speak in court
- Reduce the caseloads of the PDs so they can adequately represent people
- Change the policy that children should be adopted as soon as possible
- Provide peer/support groups with confidentiality
- Educate in high school/junior high – provide peer recovery groups
- Provide a resource guide
- Set realistic goals and realistic timeframes to accomplish
- CPS workers need to be more accountable and follow through
- Provide more services to women



MAJOR POLICY THEMES

Five major policy themes emerged from the operational analysis. These policy themes are listed below and then discussed in detail. The themes presented below were also discussed in the January Cabinet Oversight Group.

Theme 1: Aligning Work Processes With Desired Outcomes and Guiding Principles

It is important to focus on the desired outcomes of each case flow process and the overall guiding principles articulated by the Cabinet Oversight Group for cases involving families and children. There needs to be a common understanding of the outcomes, so that all system actors are working toward the same overall goals. An effective case flow analysis will identify processes that might work to undermine desired outcomes. In particular, processes designed for an adversarial setting may undermine some of the more rehabilitative and therapeutic outcomes. Moreover, in order to evaluate the effectiveness of the Court's work processes and the adequacy of its resources, the Court must develop performance measures tied to desired outcomes.

Theme 2: Importance of the Front End

It is especially important to pay attention to the front end of the process, including how cases are referred to the courts by other agencies and how litigants obtain information about how to file and what they can expect throughout the process. What happens at the beginning of the process can affect caseloads, workload, case processing, and outcomes. When errors are made early on, the Court will have to take corrective actions that can lengthen and complicate work processes.

Theme 3: Meeting the Needs of Pro Se Litigants

Pro se litigants are common in family law and UFC cases. Their ability or inability to navigate the process can affect the length of the process, the workload of the judges and other system actors, and the case outcomes, both legal and human. Many case processes are not intuitive and can pose unnecessary obstacles for pro se litigants. More information to pro se litigants is needed, both as to their legal rights and as to what to expect in the court process.

Theme 4: Coordinating Multiple Cases Involving a Family

The UFC Intensive Case Management Program is just one approach to coordinating multiple cases involving a single family. There are needs and opportunities for coordinating cases and a variety of approaches to achieving that coordination outside of the purview of the UFC.

Theme 5: Infrastructure Limitations

There are areas of the court process that are driven by limitations of resources, including facilities, staffing, and service availability. Further, resource limitations or requirements can hinder coordination among different types of cases and between different Court programs.



UFC Family Law Case Flow Policy Themes

Aligning Work Processes With Desired Outcomes

The ability to keep people whole after a divorce can be affected by the adversary nature of the process. In particular, the parenting plan can sometimes provide a source of contention that may carry over into other aspects of the relationship between the parties. Further, provisions of a parenting plan that are based on speculation regarding future needs of the children can give rise to later conflicts in the context of a modification hearing.

The way that cases are assigned to judges for trial can negatively impact accessibility for both litigants and attorneys. Through brokerage a trial in a UFC family law case can be assigned to a judge in a courthouse other than the courthouse where the case was filed, although this is rare and is not a usual practice. Traveling to Seattle can be burdensome for people living in the southern and eastern parts of the County, and traveling to the Regional Justice Center (RJC) in Kent can be burdensome for people living in the northern part of the County.

It was also pointed out to us that the way that cases are assigned to judges for trial can negatively impact accessibility for both litigants and attorneys. Through brokerage a trial in a UFC family law case can be delayed for several weeks with the parties on standby status. When on standby the parties may be called to commence their trial on as little as two hours notice. This makes it difficult to schedule expert witnesses and others who will testify. As a worst case, a trial could be assigned to a judge in a courthouse other than the courthouse where the case was filed.

The requirement of the final hearing can also affect access, particularly as related to time and cost, by requiring at least one party (and his/her attorney) to appear in person for a hearing that some system actors feel is redundant. These hearings are typically one to two minutes in length.

Importance of the Front End

The stage in which temporary orders are determined is a critical point in the family law process. Although the orders can be modified at later stages in the process, the temporary orders often are difficult to change and can have an effect on the ultimate trial. There is a perception among system actors that the temporary order hearings are sometimes rushed, particularly as the paperwork can be several inches thick. The forms for the temporary order hearing may be filed in hard copy, in person, or by mail, or they may be filed electronically. However, hard copy working papers are required to be submitted to the commissioner hearing the calendar. Electronic submissions are not permitted for working papers at this time.

The parent seminar which is required of all parties in any case filed with children is an attempt to educate parents as to the issues they may face during their cases.



Meeting the Needs of Pro Se Litigants

One of the major problem areas for pro se litigants in the UFC family law process is the development of the parenting plan. Parenting plans cover a lot of detail, including schooling, visitation both generally and on special occasions such as birthdays and holidays, payment for emergency expenses, and other contingencies. They can be overly complex, requiring the parties to anticipate future contingencies that they have no current basis for estimating. For low income parties, the parenting plan form has questions that are not relevant, such as who will pay for private school tuition. There is an eight-page state form, and unrepresented parties have a difficult time figuring out how to fill in the form and typically need assistance. A number of steps in the Court process are solely for parties who are unable to agree on a parenting plan.

A problem for pro se litigants in the downtown courthouse is moving the paperwork around the courthouse after the temporary relief motion hearing. Although the Court discourages having pro se litigants take signed orders from the courtroom, we were told that litigants sometimes end up carrying the paperwork from the courtroom to the sixth floor of the courthouse to get copies made of the Commissioner's order and to file the order with the court. Pro se litigants sometimes get lost in the courthouse.

Coordinating Multiple Cases Involving a Family

UFC family law cases that are not placed into the intensive case management program will be treated as separate cases regardless of whether the family is involved in other court cases. Conflicts between the family law case and another case can sometimes develop.

Infrastructure Limitations

The family law commissioners in UFC family law cases want all copies of documents filed with the clerk to be submitted as working papers in hard copy form to them, rather than electronically. There is no use of telephone conferencing for hearings or electronic submissions of working papers, although there is a provision in the local rules for hearings without oral argument where the motion and argument is submitted to the commissioner and no appearance is necessary. Some documents other than for new domestic cases can be filed electronically.

UFC Intensive Case Management Case Flow Policy Themes

Aligning Work Processes With Desired Outcomes

Through the use of the Planning Conference and the case monitoring, the UFC Intensive Case Management program appears well designed to increase compliance with court orders, decrease the number of times that the parties have to come to court, and contain the behavior of the families. This should all lead to better outcomes for families. As it is presently designed, however, the UFC Intensive Case Management program is limited in scope, and many system actors saw potential opportunities for broadening the reach of the program.



Importance of the Front End

As UFC rules provide that cases with trial dates less than five months away cannot be accepted into the program, it is important to identify cases for consideration as early as possible.

Meeting the Needs of Pro Se Litigants

Cases involving pro se litigants are given preference for acceptance into the UFC intensive case management program. The case managers provide a substantial amount of assistance to pro se litigants, assuring that they understand what they need to do and monitoring their compliance with court orders.

Coordinating Multiple Cases Involving a Family

While the UFC intensive case management program is designed to help coordinate multiple cases involving a family, the program is limited to certain types of cases. In particular, no criminal cases, including juvenile offender cases, are included, although the case manager will make the UFC judge aware of any orders in those cases. In addition, dependency cases are typically linked but are not consolidated, in the sense of being incorporated into a single case file, and are processed as separate cases on their own timetables. This is due to the difference in the sealing level (confidentiality) of the record. Family Law cases are typically public record, except paternity, and dependency are confidential records.

One issue with regard to linked cases is that all of the system actors involved in every linked case may be required to attend all UFC hearings. Some system actors believe that their attendance at some of the hearings is unnecessary.

If one case involving the family gets continued, all of the other cases that are linked in the UFC may be continued as well.

Infrastructure Limitations

The major limitation on the UFC Intensive Case Management program is the number of case managers. Each of the two case managers is allowed a maximum of 50 case groups and are currently full, meaning no additional cases can be accepted.

Child Support Case Flow Policy Themes

Meeting the Needs of Pro Se Litigants

There are no PAO resources to assist pro se litigants, but the PAO directs litigants doing business with its office to resources that can help them with forms, as well as with the court process. These resources can include the King County Bar Association's Self-Help program, the CASA program, Family Court Facilitator's Office, and Family Court Services.



Civil Domestic Violence Protection Order Case Flow Policy Themes

Aligning Work Processes With Desired Outcomes

When courts only allow limited windows or certain days during the week during which petitioners can file protection orders, they are in many cases forcing a petitioner to choose between potentially losing a job or at least many hours of pay and staying safe. Furthermore, the forms required to request a TPO can be confusing to petitioners who do not have any assistance in completing the forms. In some instances, a request for a TPO may be denied if the victim fails to state the request or supporting facts correctly. In those courts where there is a designated Protection Order Advocacy Program, petitioners can get help filling out the forms. In the absence of direct assistance, clear instructions and tools that help people determine whether an order will be helpful in their case would be beneficial.

Importance of the Front End

These cases usually involve emergency situations and as such are processed quickly. Despite this, filing an order may have both short and long term implications which is why it is important for petitioners to have assistance (either lay or through an attorney) to ensure that they are making informed decisions and can anticipate some of the shortcomings of the process (serving the respondent) and limitations of the actual order (firearms, lack of enforcement, no guarantee of safety). . Given the complexity of these cases, there is a lack of ongoing, comprehensive training on domestic violence for court staff.

Meeting the Needs of Pro Se Litigants

DJA staff are mandated by law to assist petitioners filing for domestic violence protection orders but that does not include having expertise in assessing and knowing how to respond to the lethality concerns of a particular case, providing DV education, safety planning or referral to other appropriate resources. A source of assistance for pro se petitioners that does assist with the filing of orders and the latter listed above is the Protection Order Advocacy Program in Seattle Superior Court, the Regional Justice Center and King County District Court in Redmond. As mentioned previously, although a valuable service, it is over-prescribed and does not provide legal advice. Cases that involve complex situations or extreme cases of domestic violence are often referred to Family Court Services for a further assessment but due to resource limitations, not every case that should be referred to FCS actually is. The Family law Facilitators are available to assist with obtaining legal forms for family law actions but they typically do not assist on protection orders. There is no source of assistance for unrepresented perpetrators, although many will have assistance from their criminal defense attorney or will hire counsel to represent them on the protection order matter.

Coordinating Multiple Cases Involving a Family

Civil domestic violence cases can be linked with a family law case involving the same parties. If cases are eligible, they can be transferred into the UFC Intensive Case Management program.



Infrastructure Limitations

Law enforcement officers do not have direct access to the Court's database and may sometimes call the clerk's office to verify the validity of a protection order (civil) or a no contact order (criminal).

Dependency Case Flow Policy Themes

Aligning Work Processes With Desired Outcomes

The hectic atmosphere of Dependency calendar calls are not conducive to calming down stressed families. Further, there is no quiet or private place in the Juvenile Court for a party to meet with an attorney.

The travel time from the southern and eastern parts of the county to the Juvenile Court can put substantial pressure on a parent who is trying to hold a job. The strain can undermine the positive outcomes for the family that the court is seeking.

Non-English speaking people and people from different cultures need more assistance. Often they do not understand the U.S. court system, as other countries, particularly in Latin America, do not have multiple courts. Some countries have very different laws as well. For example, in Mexico a woman who leaves the home to escape an abusive husband may be open to liability for abandoning the home. In addition, as interpreters can only translate word for word and not explain meaning, non-English speaking people often do not understand what has happened in court and what they are being ordered to do.

Importance of the Front End

The vast majority of reported incidences of child abuse or neglect do not result in any formal legal action.

Meeting the Needs of Pro Se Litigants

A parent in a dependency case who cannot afford an attorney will be appointed counsel. That parent, however, may still be a pro se litigant in a companion family law case if a dissolution of marriage is being sought or in a child support case following establishment of paternity. The appointed counsel may be asked to assist the client in preparing a parenting plan for the family in those cases, and some attorneys who are public defenders are uncomfortable about doing this because this area of law is outside of their expertise. The dependency judge has assisted parents in preparing parenting plans in open court.

Coordinating Multiple Cases Involving a Family

At the shelter care hearing the commissioner checks the criminal histories of the parents, especially domestic violence cases. There is no check of juvenile offender history at this point.



A criminal case pending against a parent may cause a dependency case to be put on hold pending the completion of the criminal case. If a family has both a criminal and a civil child abuse case, the parents may be advised not to testify to anything in the civil case that might be used against them in the criminal case. After determination of guilt in the criminal case, there has been at least one instance in which the sentencing decision in the criminal case was referred to the dependency judge.

While the court has a stated goal of combining dependency and juvenile offender cases in the same family before a single judge, this is not happening.

On occasion, a judge in a criminal case might bring in the social worker from a dependency case involving the defendant. Also, the social worker in a dependency case might confer with a parent's probation officer to coordinate services. There have a few occasions when the youth's offender hearing is combined with a dependency review or dispositional hearing.

Infrastructure Limitations

Dependency cases are included in brokerage, and a trial may be assigned to a judge based on availability rather than knowledge in the area of juvenile dependency law.

With the limited number of dependency commissioners, there are times when it is difficult to have longer hearings and sometimes hearings are backed up. There are also occasions when the morning calendar is completed well before noon and the afternoon calendar is completed by 2:30 pm. New commissioners are about to be added, so this may allow each commissioner to hold more meaningful hearings.

The 30-day review hearing is considered to be a waste of time by some system actors, but it provides an opportunity for the public defender to meet with a client who has been difficult to contact otherwise.

One cause for continuances is the transfer of a public defender from the Dependency unit to another unit, so that a new public defender enters the case and must become familiar with the family and the issues in the case.

Juvenile Offender Case Flow Policy Themes

Aligning Work Processes With Desired Outcomes

A critical need for holding juvenile offenders accountable is a system that processes cases expeditiously, consistently, and logically, so that the juvenile can understand how the outcome of the case relates to the criminal act committed. The court loses its impact on the juvenile if a case takes too long, if the process seems random, or if the outcome doesn't fit the crime. While we need more information, including case processing data, to assess the extent to which this may be a problem, the juvenile offender process appears to provide a lot of potential for delay and variable outcomes. Juvenile filings in King County have decreased by about 50 percent



over the last ten years, and it is not clear how much of this drop is due to a perception by law enforcement that not much happens to a juvenile who is arrested unless the crime is serious.

Arraignment days are both hectic and long. Scheduling is not for a time certain, so the offenders and their families appear and sit until their case is called. Juveniles and their parents could wait for several hours, and some parents have lost jobs because of this. Travel to the Juvenile Court from the southern part of King County by public transportation can take several hours.

The restitution requirement may place too heavy a burden on the juvenile, making it difficult to get his or her life back on track. When a juvenile turns 18, a restitution order becomes a civil debt. This can affect an offender's credit.

The restrictive rules governing which juveniles can be held in detention, coupled with time that it takes to transport a juvenile to the Juvenile Detention Center from the southern or eastern part of the county, may deter law enforcement officers from bringing juveniles to detention.

Importance of the Front End

The decision by law enforcement whether to detain a juvenile may be affected by the fact that there is no juvenile detention facility in South County. Officers in smaller police departments may be reluctant to be off the street for the time it takes to transport a juvenile to Seattle.

Meeting the Needs of Pro Se Litigants

The juvenile will have a public defender, but the parents of the juvenile may not have access to attorney advice.

Coordinating Multiple Cases Involving a Family

While the court has a stated goal of combining dependency and juvenile offender cases in the same family before a single judge, this is not happening.

The judge in a juvenile offender case may not know that there is a parenting plan in a dissolution case involving the family. The juvenile may be released from detention to a non-custodial parent or a parent who has either no visitation rights or only supervised visitation rights.

The judge in a juvenile offender case may not know that the juvenile is also a dependent. This may result in the juvenile being released to a parent when the child has been removed from his or her care. Further, it is possible to get different placement orders in the juvenile offender case and the dependency case. There have been a few occasions when a hearing involving a juvenile offender has been combined with a dependency hearing, but this is not common. The DSHS social worker is not normally notified of a juvenile's offender hearings.



A juvenile offender may also be a parent in a dependency case. The judge in the juvenile offender case will likely know this for girls who are teenage mothers but not necessarily for boys who are teenage fathers. The caseworker in the dependency case may or may not appear in the offender case, and the JPC may or may not know.

The JPC has a file on the juvenile, but not on the whole family. In addition, the JPC will not know if a parent is involved in a criminal case. The Systems Integration Project is working on creating an information system that will provide information on the family, including information from DSHS.

On occasion a juvenile offender case has been brought into the UFC Intensive Case Management program after the juvenile has been sentenced. The JPC will then attend all UFC hearings, to assure that orders in the family law case do not conflict with the probation orders.

There have been occasions where a juvenile was required to be in one place and the parent in another at the same time.

Infrastructure Limitations

For juveniles in detention, the lack of a juvenile facility near the RJC and transportation costs for transporting juveniles from the Juvenile Detention Center to the RJC make it difficult to hold juvenile offender trials at the RJC. Out of custody hearings were held at the RJC at one time but proved to be confusing to parents rather than helpful, as only certain hearings were scheduled at the RJC and others were at the Juvenile Court.

Therapeutic Courts Policy Themes

Aligning Work Processes With Desired Outcomes

A major problem for achieving consistency of treatment for individuals throughout the life of their participation in the programs is the rotation of system actors, including judges, prosecutors, public defenders, juvenile probation counselors, and social workers.

Importance of the Front End

Entrance into any of the therapeutic court programs is voluntary. For the Family Treatment Court, the parties must agree to a dependency finding. For the Juvenile Drug Court, the juvenile must agree to the supervision of the Juvenile Court.

Meeting the Needs of Pro Se Litigants

These courts all deal with cases for which a public defender will be appointed for a party who cannot afford an attorney.



Coordinating Multiple Cases Involving a Family

The therapeutic court programs are all designed to provide more intensive services for a particular case type, dependency for the Family Treatment Court and juvenile offender for the Juvenile Treatment Court and Juvenile Drug Court. The programs do not coordinate other cases involving the family or juvenile.

Infrastructure Limitations

Because of the staff time demands to determine the best mix of services for and monitor the progress of the participants, all of the therapeutic programs have limited spaces available.

Becca Case Policy Themes

Aligning Work Processes With Desired Outcomes

In all of these cases, but particularly for truancy cases, a dismissal does not necessarily equate with a successful resolution of the underlying issues. The court presently has no outcome measures to assess performance, and the schools do not have a consistent method of tracking referrals.

Importance of the Front End

Truancy filings must come from the schools, so school policies and resources determine the caseload. If a child misses seven days in a month or ten days in a year, the school must file a petition, but the school can request a 45-day stay to work with the family.

Meeting the Needs of Pro Se Litigants

The parents may be unrepresented in these cases.

Coordinating Multiple Cases Involving a Family

All of the Becca caseload has a stand-alone case management system that does not link to non-Becca cases involving the family.

Infrastructure Limitations

The schools don't have the resources to file on all of the potential cases.



Performance. Service. Integrity.

NEXT STEPS

This paper is intended to be a description of current operations and facilities. Working Paper Three will move to an assessment of operational and facilities needs and will present the discussion in terms of best practices from other jurisdictions, as they might be adapted to King County.

WORKING PAPER #3



KING COUNTY TARGETED OPERATIONAL MASTER PLAN

WORKING PAPER THREE

By Steven Weller, John A. Martin, Dan L. Wiley, and Joseph R. Kabel

Policy Studies Inc. (PSI) is working with King County to produce an Operational Master Plan (OMP) to develop and evaluate alternatives for the delivery of justice services and make recommendations for the efficient and effective delivery of justice services for children and families in King County. Specifically, the OMP will examine how to: (1) improve the individual operations of the Juvenile Court, Family Court, and related courts; and (2) better integrate and coordinate the Juvenile, Family, and related Courts for families that have cases in more than one court, where such integration can occur.

The project will produce a series of working papers that will serve as building blocks for the final OMP. Those papers are as follows:

- Working Paper One: goals and desired outcomes for cases involving children and families;
- Working Paper Two: description of current operations and facilities;
- Working Paper Three: operational and facility needs, options for meeting those needs, and forecasting of potential future caseloads and workloads;
- Assessment Report: combined three working papers and feedback from County; and
- Draft OMP: document based on final assessment report recommendations.

The following logic model summarizes the flow of the project work products, reflecting a synthesis of guiding principles, qualitative and quantitative analyses, and alternative practices.

Figure 1. Logic Model

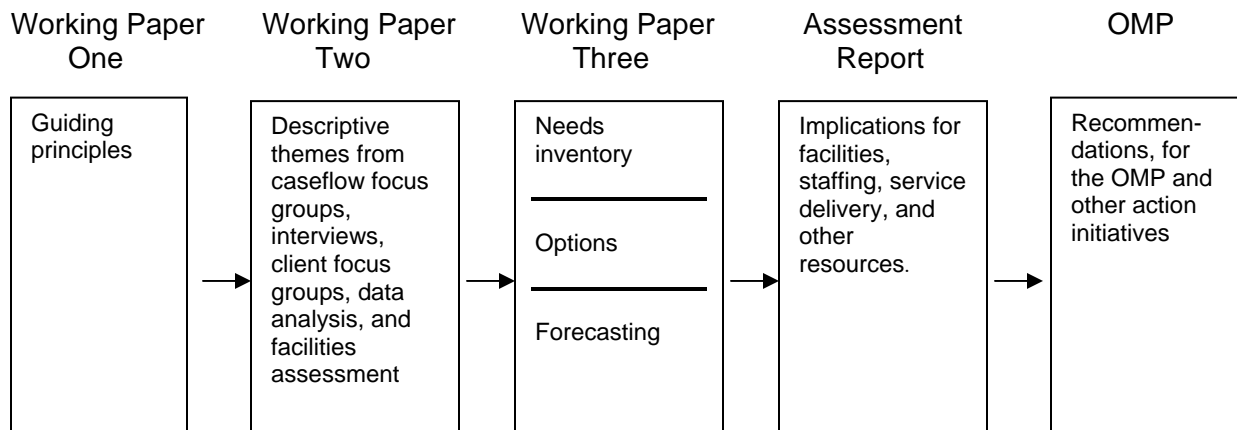




Figure 2 summarizes the guiding principles articulated by the Cabinet Oversight Group and described in Working Paper One.

Figure 2. Guiding Principles

Accessible

- A process that is convenient, timely, and affordable to everyone.
- Optimal outcomes with minimal appearances.
- Accessible treatment services, counseling, and education throughout King County.

Understandable

- Families able to navigate system and understand outcomes of court sessions and the outcomes' implications.

Comprehensive

- Cases linked to provide comprehensive responses to multiple family problems
- A comprehensive, coordinated service network.

Effective

- Responses and interventions tailored to meet the particular needs of families.
- Coordination of orders and the requirements placed on litigants.
- Outcomes that address the causes as well as symptoms of problems.

Culturally Competent

- Understanding of where, how, and why culture matters when assessing court user problems and fashioning responses.
- Individual and institutional capacity for providing culturally appropriate service delivery that helps court users successfully navigate the system, make wise decisions, and comply with court orders.

The analysis that follows is based on the descriptive themes presented in Working Paper Two. Those themes are derived from four sources of data: (1) interviews and caseflow processing work groups with system actors; (2) focus groups of litigants; (3) quantitative analysis of automated case data; and (4) facilities tours and meetings. Multiple drafts of Working Paper Two were produced and reviewed by the Project Work Group and the members of the Cabinet Oversight Group. Figure 3 summarizes the major themes from the above data sources.



Figure 3. Descriptive Themes Summary

Caseflow and Interview Assessment Themes

- Work Process Alignment With Principles and Desired Outcomes
- Importance of the Front End of the Juvenile and Family Justice System
- Meeting Pro Se Litigant Needs
- Coordinating Multiple Cases Involving a Family
- Infrastructure Limitations

Litigant Focus Group Themes

- Appropriate and Effective Service
- Achievable Requirements
- Continuity and Consistency Among Justice Actors
- Need for Quality Control
- Information and Education to Help Litigants Navigate the Justice System
- Timeliness and Predictability

Quantitative Analysis Themes

- Limited Increase in Filings but Increasing Workload
- Case Geographic Dispersion Throughout King County
- Disproportionate Case Growth in Central Seattle and South Eastern King County
- Future Case Growth Generators Suggest Increased Growth In South and Eastern King County

Facility Assessment Themes

- Adequacy of Juvenile Court Facility
- Capacity to Reconfigure Kent Detention Facility to Accommodate Juveniles
- Match Between Population and Service Site Locations

This remainder of this Working Paper Three is divided into two sections: (1) an inventory of need and options for addressing those needs; and (2) a forecast of future caseloads and workload.



NEEDS INVENTORY AND OPTIONS FOR ADDRESSING NEEDS

The following discussion presents: (1) an inventory of the major needs emerging from the review of court operations, client focus groups, data analysis, and facilities analysis; and (2) potential options for addressing those needs. The needs fall into the following categories:

- Litigant Access and Convenience
- Litigant Knowledge and Understanding
- Coordinated Court Responses to Multiple Family Problems
- Effective Service Delivery
- Adequate Staffing and Other Resources
- Accessible Court Facilities for Litigants, Families, and Justice System Actors
- Effective Outcomes for Children and Families

Some of the options presented in the following discussion may be achievable through changes in work processes or allocations of present resources. Others may not be achievable without additional resources and infrastructure, rule changes, changes in contractual relationships, or changes in state statutes. In this paper we present all options regardless of their resource, infrastructure and legal implications. Our subsequent Assessment Report will present the analysis of implications for those options selected by the Cabinet Oversight Group for further analysis and potential inclusion in the OMP.

Where we have indicated a potential for work process improvements, a substantially more detailed study and a facilitated improvement development and implementation process involving line staff will be needed to develop the specific improvements.

Where we refer to dependency cases in the following discussion, we include termination of parental rights cases and guardianship cases in the definition of dependency.

LITIGANT ACCESS AND CONVENIENCE

The court process can put enough of a burden on some litigants to constitute punishment in and of itself. The burdens come from the time and travel required to attend court hearings and required service programs, wasted court appearances, multiple requirements that the litigant must meet, and high expenses for some court-ordered requirements.

Summary of Needs

A process designed to minimize litigant time and expense

There is a need for timeliness and predictability with regard to three aspects of the legal process: (1) the length of time from the start of a case to final resolution or disposition; (2) the time spent waiting in court for a case to be called on hearing days; and (3) the number of times that an event in a case is scheduled to take place but does not happen when scheduled.



For family law and dependency cases, the way that cases are assigned to judges for trial can negatively impact accessibility for both litigants and attorneys. Through brokerage a trial in a family law or dependency case can be assigned to a judge in a courthouse other than the courthouse where the case was filed, although this is rare and is not a usual practice. Traveling to Seattle can be burdensome for people living in the southern and eastern parts of the County, and traveling to the Regional Justice Center (RJC) in Kent can be burdensome for people living in the northern part of the County. Further, through brokerage a trial in a family law case can be delayed for several weeks with the parties on standby status. When on standby the parties may be called to commence their trial on as little as two hours notice. This makes it difficult to schedule expert witnesses and others who will testify.

Also in family law cases, the requirement of the final hearing can affect time and cost, by requiring at least one party (and his/her attorney) to appear in person for a hearing that some system actors feel is redundant.

In juvenile offender cases, scheduling on arraignment days is not for a time certain, so the offenders and their families appear and sit until their case is called. Juveniles and their parents could wait for several hours, and some parents have lost jobs because of this.

Avoidance of continuances

Continuances are another source of cost, wasted time and frustration for litigants.

In dependency or termination of parental rights cases, one cause for continuances is the transfer of a public defender from the Dependency unit to another unit, so that a new public defender enters the case and must become familiar with the family and the issues in the case. Other potential system-related causes of continuances in those cases include the unavailability of counsel, lack of a CASA, or lack of an available judge. A parent who fails to appear or who appears late at a hearing can also result in a continuance.

In family law cases, a litigant may appear at a hearing only to have the hearing continued at the request of the other party or have the hearing not produce any action that contributes to moving the case toward resolution. Further, some hearings are for temporary actions that are not designed to move the case toward resolution. This costs the litigant time and, if represented by an attorney, money as well.

Options for Meeting Needs

Administrative case management to eliminate unproductive court hearings

More effective case management could help to eliminate wasted time going to court for a hearing that is continued or does not move a case forward. **We define case management as action by the court to assure that the parties do what they are supposed to do when they are supposed to do it.** Through the use of the Planning Conference and the case monitoring, the UFC Intensive Case Management program appears well designed to decrease the number



of times that the parties have to come to court. Better case management could also reduce the need for continuances by assuring that: (1) the necessary information for each hearing, including assessments, chemical tests, etc., is produced in a timely manner; and (2) that all the necessary system professionals are all available and present at hearings.

Some staffing options for providing more effective administrative case management include the following.

- For all cases involving children, including UFC intensive case management cases, families involved in other family law cases, dependency cases, juvenile offender cases, and Becca cases, the court might assign a case manager to every family.
- For all cases, the judges' personal staff might take on greater case management duties for cases assigned to their judge.
- For dependency cases or family law cases with appointed CASAs, the CASA volunteer could take on case management duties.
- For all family law and dependency cases, the court might appoint a guardian ad litem (GAL) in addition to a CASA volunteer to assist the court in managing cases. The GALs could be attorneys employed by the court, private attorneys appointed as pro bono service, private attorneys paid in part by the court and in part by the litigants on a sliding scale, attorneys attached to a legal aid agency, or attorneys obtained in some other manner.
- For dependency cases the court and county might develop methods for either reducing the number of transfers of public defenders and DSHS caseworkers or facilitating the smooth exchange of information if such a transfer is necessary.

Work process improvements

The court could undertake an intensive work process improvement effort, in order to eliminate unnecessary or duplicative hearings, improve trial scheduling, and assure that judges have the necessary information to accomplish something at every hearing, all with the goal of reducing continuances, litigant travel, and litigant time lost from work or school.

Some of the areas where we believe the court could develop work process improvements for different types of cases include the following:

- For all case types, developing methods to identify multiple cases involving a single family and coordinate the progress of related cases;
- For family law cases, developing the use of pretrial conferences or other judicial case management hearings at an early enough date in the process to assure that, to the extent possible, the issues for each hearing are defined and attorneys and parties come prepared for hearings;
- For all case types, designing the system for assigning cases to judges for trial so that the trial judge can manage a case from filing through trial, and so that the trial is held in the court of original venue, so that continuity of assignment is not allowed to break down at brokerage;



- For family law cases, attaching each commissioner to specific judges, to create teams of commissioners and judges;
- For dependency, termination of parental rights, and family law cases, expanding the use of alternative dispute resolution methods to resolve cases without trials and to improve cooperation of families with treatment orders;
- For all case types, improving assessment processes for determining family needs and assigning families to appropriate services;
- For all case types, developing processes to identify the level of assistance that a family requires to understand and participate effectively in the system;
- For family law cases and dependency cases, determine why the cases in the RJC have a higher average number of hearings and longer average case processing time and address the work process issues that lead to those differences;
- For juvenile offender cases, streamlining the warrant process; and
- Adopting changes to the calendaring process such as offering night court, calendaring hearings by subject matter, and allowing commissioners to hear trials.

LITIGANT KNOWLEDGE AND UNDERSTANDING

For families to participate effectively in developing appropriate and achievable resolutions to their own cases, the court process needs to be understandable to them. This encompasses the following elements.

Summary of Needs

Litigant information and assistance

A consistent theme that arose was the need for more information and education for the parents and children. People do not know what their rights are, what to expect from the process, what is going to happen at each hearing, why particular decisions have been made, and what they are expected to do after a court hearing. Litigants need to know how to:

- navigate the process;
- fill out forms;
- learn their legal rights;
- understand the consequences of choices they have to make; and
- learn about available treatment programs and other services.

In family law cases pro se litigants are common. Their ability or inability to navigate the process can affect the length of the process, the workload of the judges and other system actors, and the case outcomes, both legal and human. Many case processes are not intuitive and can pose unnecessary obstacles for pro se litigants. More information to pro se litigants is needed, both as to their legal rights and as to what to expect in the court process. Some issues regarding pro se litigants in family law cases include the following.



- Pro se litigants in family law cases at present may get information, formally or informally, from clerk staff, Family Court Facilitators, the Family Law Information Center, written informational materials, and even the judge in their case during a hearing.
- In a family law case, preparing the parenting plan is a problem area for a pro se litigant. If the parent is also involved in a dependency case and has a public defender for that case, the parent may ask his or her public defender to assist in preparing the parenting plan for the family. Some public defenders are uncomfortable about doing this because this area of law is outside of their expertise and because their contract does not cover family law representation. The parents may also receive information or advice with regard to the family law case informally from the assistant attorney general prosecuting the dependency case, their social worker, or their UFC case manager if the case is selected for intensive case management. The dependency judge has assisted parents in preparing parenting plans in open court.
- In child support cases there are no PAO resources to assist pro se litigants, but the PAO directs litigants doing business with its office to resources that can help them with the underlying family law case. These resources can include the King County Bar Association's Self-Help program, the CASA program, Family Court Facilitator's Office, and Family Court Services.
- In family law cases the need for more information even extended to parties who were represented by private, paid counsel. People with private attorneys still did not understand what was coming, what they were going to be expected to do, why hearings were continued, and a variety of other substantive and process issues. This should be a particular concern for the courts, as in cases where the welfare of children is at stake, the outcomes cannot just be left up to the skill and diligence of the attorneys. The parties need to be able to participate effectively.
- In the family law process, the stage in which temporary orders are determined is a critical point where even represented litigants may not fully understand what is happening. Although the orders can be modified at later stages in the process, the temporary orders often are difficult to change and can have an effect on the ultimate trial.

For the UFC intensive case management program, cases involving pro se litigants are given preference for acceptance. The case managers provide a substantial amount of assistance to pro se litigants, assuring that they understand what they need to do and monitoring their compliance with court orders.

With regard to domestic violence protection orders, DJA staff are mandated by law to assist petitioners. Another source of assistance for petitioners is the Protection Order Advocacy Program, which has offices in Seattle Superior Court, the Regional Justice Center and King County District Court in Redmond.



Juveniles and parents involved in family law, dependency, Becca, and juvenile offender cases need to be better prepared for their hearings. They need to know what will happen and they need help to be comfortable, mentally prepared to talk to the judge, and able to control their emotions. Public defenders provide legal representation but may not provide assistance to juveniles in dealing with the practical and emotional issues involved in their cases.

For all types of cases, non-English speaking people and people from different cultures need more assistance. Often they do not understand the U.S. court system, as other countries, particularly in Latin America, do not have multiple courts. Some countries have very different laws as well. For example, in Mexico a woman who leaves the home to escape an abusive husband may be open to liability for abandoning the home. In addition, as interpreters can only translate word for word and not explain meaning, non-English speaking people often do not understand what has happened in court and what they are being ordered to do.

An understandable and user-friendly court process

In the family law process, parenting plans are complex and cover a lot of detail, including schooling, visitation both generally and on special occasions such as birthdays and holidays, payment for emergency expenses, and other contingencies. They require the parties to anticipate future contingencies that they may have no current basis for estimating. For low income parties, the parenting plan form has questions that are not relevant, such as who will pay for private school tuition. There is an eight-page mandated state form, and unrepresented parties have a difficult time figuring out how to fill in the form and typically need assistance. A number of steps in the Court process are solely for parties who are unable to agree on a parenting plan.

For Domestic Violence Protection Order (DVPO) cases, the state-mandated forms can be confusing to petitioners who do not have any assistance in completing the forms. In some instances, a request for a DVPO may be denied if the victim fails to state the request or supporting facts correctly. In those courts where there is a designated Protection Order Advocacy Program, petitioners can get help filling out the forms. In the absence of direct assistance, clear instructions and tools that help people determine whether an order will be helpful in their case, promote safety planning, and provide information about resources would be beneficial.

Options for Meeting Needs

Expanded sources of information for litigants

With regard to all types of cases, litigants need three primary types of information and advice: (1) on the process; (2) on their legal rights and obligations, including understanding court orders; and (3) on the consequences of choices that they make regarding entry into court and treatment programs. These three types of information require different expertise and thus will likely have to be provided through different means.



- Information and advice on the process could be provided by an attorney, trained court clerical staff, staff of an information center, specially trained case managers, on-line, through printed informational materials, or a combination of the above;
- Information on a person's legal rights and obligations would most likely need to be provided by an attorney, either the attorney representing the litigant or a court-attached attorney hired to assist unrepresented litigants;
- Information on the consequences of choices could be provided by an attorney, a social worker, court-hired facilitators, or possibly other trained professionals.

Further, the court might consider instituting a parent orientation for dependency cases, either in person, by video, or through other technology.

The court could also work with community organizations across the county, with a special focus on minority communities, to develop court information centers staffed by individuals trained by the court who are from the relevant culture and able speak the languages in the community.

Simplified case procedures to facilitate pro se representation

There are a variety of ways in which court processes could be simplified or streamlined, although some may require changes in state law. The court might consider the following:

- Simplifying the parenting plan by identifying the parts of the plan that are the most difficult to complete or tend to be the most contentious and either simplifying the requirements or providing special assistance to parties in completing those parts;
- Identifying and eliminating duplicative or unnecessary hearings, including possible the 30-day shelter hearing in dependency cases and the final hearing in family law cases;
- Identifying and eliminating or simplifying procedures that litigants have the most difficulty understanding;
- Allowing litigants to deal with multiple issues at a single hearing where appropriate; and
- Identifying the most common mistakes that litigants make and developing methods to reduce litigant and attorney errors.

COORDINATED COURT RESPONSES TO MULTIPLE FAMILY PROBLEMS

Families with multiple court cases pose special difficulties for the courts. Dealing with those multiple problems in a comprehensive and coordinated manner is an important guiding principle. This includes link cases so families can have as many of their legal problems as possible dealt with at one time.

Summary of Needs

Need for flexibility to link cases where appropriate

The UFC intensive case management program is designed to help coordinate multiple cases involving a family. It coordinates cases in two ways: (1) consolidated cases, which are treated



as a single case record; and (2) linked cases, which are tracked by the UFC case manager but processed as separate cases on their own timetables. The program, however, is limited to certain types of cases. In particular, no criminal cases, including juvenile offender cases, are consolidated or linked, although the case manager will make the UFC judge aware of any orders in those cases. In addition, dependency cases are typically linked but are not consolidated. This is due to the difference in the sealing level (confidentiality) of the record. family law cases are typically public record, except paternity, while dependency records are confidential. Further, any attempt to consolidate cases would have to reconcile the need to keep some files closed and recognize that state statutes and court rules impose different schedules on different case types.

Expanding the UFC intensive case management program to include juvenile offender cases poses several issues for prosecutors and defense attorneys. At present juvenile offender cases are treated as criminal offenses, with the possibility of incarceration and a criminal record. This requires providing the whole panoply of defendant's rights and makes linking problematical. If on the other hand these cases did not result in criminal records, there would be less of a barrier to linking them in the UFC. This, of course, would require a change in present state law and a change in the philosophy of dealing with juvenile offenders. Under present law, some attorneys believe that juvenile offender cases should not be integrated into the UFC intensive case management program until the sentencing stage after adjudication.

Multiple locations may pose problems for the clerk's office with regard to operational structure and the deployment of staff. Expansion of the intensive case management program may actually cause more expense for the clerk, if the full panoply of clerical operations have to be duplicated in multiple locations. Family cases have special cashiering and docketing requirements that are not now offered in the juvenile court but may be needed if family cases are included there. The ex-parte department may also have to be expanded to provide service in every location. On the positive side, the clerk's office has electronic records for all cases filed in 2000 and later. This includes full imaging and electronic filing capability. There are firewalls for access to protect confidentiality, but all of the judges have blanket access. Older records, however, still have paper files, so the clerk's office has couriers to go between the downtown courthouse, the RJC, and the juvenile court.

When cases are linked, scheduling of hearings is an issue in circumstances where system actors overlap between cases, but in different combinations. This includes scheduling hearings so that attorneys and social workers don't have to wait for an hour or more for a ten-minute hearing, and scheduling hearings so that the system actors can attend just the hearings that pertain to their part of the case.

Need to coordinate cases that are not included in the present UFC

There are a variety of needs for coordinating juvenile offender cases with other cases involving the family.

- The judge in a juvenile offender case may not know that there is a parenting plan in a dissolution case involving the family. The juvenile may be released from detention to a



non-custodial parent or a parent who has either no visitation rights or only supervised visitation rights.

- The judge in a juvenile offender case may not know that the juvenile is also a dependent. This may result in the juvenile being released to a parent when the child has been removed from his or her care. Further, it is possible to get different placement orders in the juvenile offender case and the dependency case.
- A juvenile offender may also be a parent in a dependency case.
- The parent of a juvenile offender may be involved in a criminal case, but the JPC may not be aware of this. and the JPC has a file on the juvenile, but not on the whole family.

The therapeutic court programs are all designed to provide more intensive services for a particular case type, dependency for the Family Treatment Court and juvenile offender for the Juvenile Treatment Court and Juvenile Drug Court. The programs do not coordinate other cases involving the family or juvenile.

All of the Becca caseload has a stand-alone case management system that does not link to non-Becca cases involving the family.

Where both a civil dependency case and a criminal child abuse and neglect case are filed against the same family, two prosecuting attorneys will be involved, the State Attorney General for the dependency case and the King County Prosecuting Attorney for the criminal case. At present there is no mechanism in place for coordination between the two attorneys, except in cases that fit within the King County Sexual Assault protocol.

Options for Meeting Needs

Broadened scope of the UFC Intensive Case Management Program

Through the use of the Planning Conference and the case monitoring, the UFC Intensive Case Management program appears well designed to increase compliance with court orders, decrease the number of times that the parties have to come to court, avoid treatment plans with excessive or conflicting requirements, and contain the behavior of the families. This should all lead to better outcomes for families.

As it is presently designed, however, the UFC intensive case management program is not a true unified family court by standards applied in other states. Many system actors saw potential opportunities for broadening the reach of the program. Other states have broader jurisdictions for their family courts, including different combinations of the following case types:

- family law;
- dependency;
- guardianship;



- termination of parental rights;
- adoption;
- paternity;
- civil protection orders;
- juvenile offender;
- juvenile status offenses (truancy, ARY, and CHINS);
- criminal child abuse and neglect; and
- misdemeanor domestic violence.

While the UFC intensive case management program in King County is based on a family law case, other jurisdictions use the dependency case as the trigger. As a start, the court might consider broadening the UFC Intensive Case Management Program by linking juvenile offender cases and/or criminal child abuse cases, at least at the sentencing stage after guilt has been determined.

Commissioners assigned to hold combined dependency and family law hearings

While the court has commissioners trained and authorized to hear both family law cases and dependency cases, they are not presently assigned to hold combined dependency and family law hearings if a family is involved in both cases. The court could consider assigning commissioners to hold such combined hearings.

Further, family law facilitators and public defenders should be trained to able to assist and represent parties in both types of cases.

Processes for facilitating coordination among judges handling different cases involving a family

The UFC intensive case management program is just one approach to coordinating multiple cases involving a single family. There are needs and opportunities for coordinating cases and a variety of approaches to achieving that coordination outside of the purview of the UFC program. Some of these are already in use in the King County Superior Court.

- On occasion a juvenile offender case has been brought into the UFC intensive case management program after the juvenile has been sentenced. The JPC will then attend all UFC hearings, to assure that orders in the family law case do not conflict with the probation orders.
- On occasion, a judge in a criminal case will bring in the social worker from a dependency case involving the defendant. Also, the social worker in a dependency case might confer with a parent's probation officer to coordinate services. There have a few occasions when the youth's offender hearing is combined with a dependency review or dispositional hearing.



- After determination of guilt in a criminal child abuse case, there has been at least one instance in which the sentencing decision in the criminal case was referred to the dependency judge.

The court might develop better methods of communication and coordination among judges to assure that the court is responding in a coordinated way to families with multiple cases. Some possible techniques for assisting judges in coordinating cases, in addition to technology solutions discussed later in this paper, include:

- Use of central case oversight teams and interagency coordination teams;
- Social workers, guardians ad litem, and CASA volunteers charged with investigating and informing the court of other cases involving the family;
- Lawyers, including prosecuting attorneys, attorneys general, and defense attorneys provided with a means to obtain information on other cases involving the family; and
- Schools and other entities who are dealing with the family brought into the process.

Part of the better communication should be to develop methods to inform judges and the staff of the juvenile detention center in juvenile offender cases if there is a parenting plan in a dissolution case involving the family, so that juveniles are not released from detention to a non-custodial parent or a parent who has either no visitation rights or only supervised visitation rights.

Technology improvements could play a major role here. At present there is no single case management system in place that shares information across the whole court. SCOMIS shares some information, but it lacks some important pieces of information. Further, SCOMIS lists only the parties as defined for the particular type of cases. Some possible information sharing approaches that might be investigated include:

- Data sharing across the court, probation, and social service information systems;
- Cross indexing of cases involving a single family; or
- A unique file number assigned to each family.

Further, the court might provide training for judges, bailiffs, and court staff aimed at making better use of the existing technology.

EFFECTIVE SERVICE DELIVERY

Treatment services, counseling, and education must be accessible to children and families throughout King County.



Summary of Needs

A range of services tailored to specific individual and family needs

With regard to all cases in which families are sent to some type of treatment or counseling services, the need for the court to set up services tailored to the specific needs of the parties that are appropriate to address the parties' particular problems was a consistent theme across the focus groups. Some participants felt that the courts were too automatic in determining what services to order, chosen from a set and limited menu.

There was also concern expressed regarding the quality of some of the service providers. The main complaint was that some treatment providers assume that everyone has the same problem, and to the same degree, without investigating the particular circumstances of the individual program participants and whether the program is appropriate to their needs.

Some service providers were concerned that performance measures might serve as an impediment to taking chances. They expressed a concern that performance measures may encourage programs to focus solely on the numbers and make them unwilling to try new ideas if there is a risk to achieving the numbers.

Access to services

Access to services was also raised as an issue. Some treatment programs can have waiting lists as long as a year, which may make them effectively unavailable in the context of the timing of a particular case.

The cost of treatment services and court-ordered sanctions such as supervised visitation and restitution put a severe strain on some individuals. Supervised visitation can cost \$150 for a two-hour visit, and most treatment programs have a cost associated with them.

Court-ordered restitution for a juvenile offender often amounts to over \$1,000, requiring that the juvenile work as well as attend school and treatment. The amount of court-ordered restitution in King County is relatively high and is disproportionately burdensome for low income juveniles.

The juveniles also expressed a need for better access to emergency services, including having an emergency number to call and access to emergency funds for clothing and other needs.

Some special treatment services are available only in one location in the county, requiring long bus trips for people who live in other areas of the county and do not have a car or are too young to drive.

Achievable Requirements

Another need with regard to services is avoiding overloading individuals or families with multiple services. Some participants, both adults and juveniles, felt overburdened by the number of service programs they were required attend. The time each week that people spent traveling to



and attending counseling, classes, and other types of treatment programs put a strain on jobs, school, and family time and left little leisure time.

Culturally appropriate services

Providing culturally competent services to families is a critical need of the system. King County is becoming an increasingly culturally diverse county, and culture can affect family cases in a variety of ways, including raising issues of language, extended family relationships, gender roles and relationships, tribal issues, and child rearing practices.

Coordination of services

The courts, prosecution attorneys, defense attorneys, law enforcement, social services, treatment providers, and schools all make different contributions to the handling of family and juvenile cases. As a whole, they form a complete system. Each actor has its own individual perspectives, goals and needs, but they all need the cooperation and assistance of other actors to fulfill their roles. If each acts in a vacuum without coordination with the other actors, the system's ability to achieve desired outcomes for families is weakened.

With regard to juvenile offender and Becca cases, King County has a wide array of services available for youth that are likely to present a challenge to coordinate. The greater the responsibility that the court is expected to take in coordinating the services provided to or required of a family, the more the court will have to be aware of the challenges to coordinating services that are listed below.

- Different service provider organizations receive referrals from different sources, including schools, social services and the courts. As a result, individuals may be referred to more than one program without coordination of services.
- Different programs have different entry criteria, including some that require payment, either through Medicaid or a fee, so that individuals may be ineligible for a program that could be helpful to them.
- Different programs have different sources of funding that may demand different and possibly conflicting performance goals.
- Some programs may have children who are also under the supervision of a Juvenile Probation Counselor or court-attached program that may impose different performance criteria.
- Some programs, such as those funded by the county, are being required to emphasize evidence-based approaches, including Multi-systemic Family Therapy and Functional Family Therapy, while other programs may use other approaches.



In addition, a family may be placed in a separate set of service providers for adults in the dependency or criminal systems as well as service providers in the juvenile system.

There is a need for better communication among all of the actors in the family and juvenile system, including the courts, probation, DSHS, DCHS, law enforcement, service providers, and schools. Confidentiality requirements need to be clarified. The schools, particularly, seem to be out of the communication loop.

There is a need to coordinate actions taken under the Becca statute with other interventions. The schools are responsible for truancy filings. The statute provides a means for removing a truant youth from the home without a criminal filing where there is a lack of parental control in the home. In the City of Seattle, a social worker and police officer work as a team on each case. A judge oversees the case. The school, however, may not be notified that the youth is in the court system.

With regard to all types of cases, another aspect mentioned was coordinating the separately funded programs aimed at children and families in King County, all of which are aimed at different and discrete populations and have different goals and measures of performance. The following needs for achieving coordination were raised.

- Identify the target populations and goals of each program.
- Identify potentially overlapping clientele and conflicting performance goals.
- Develop mechanisms for information exchange to identify families involved with more than one program.
- Develop mechanisms to coordinate the services provided to the family.

Options for Meeting Needs

A comprehensive scope of affordable services at multiple locations across the County

To the extent possible, service programs should be offered in multiple locations throughout the county, to minimize the time that clients have to spend traveling to services. Further, the county could develop adequate means of support for programs beyond fees for service to assure that all clients have access to necessary services regardless of ability to pay.

There are a variety of options that the court and the county could consider to address the issue of adjacency of services to the courts and litigants.

- For services that do not require access to a fixed facility (such as a hospital), the county may be able to help the providers of those services find space in multiple locations in different parts of the county so that their staff could offer services at different locations around the county on different days.
- For families that may have different family members required to attend different services (such as adult anger management and youth counseling), the county might develop



service centers offering different types of services in one place so that all family members can receive services in the same location.

- For some types of services, it may be desirable to connect people to services before they leave the courthouse, to improve compliance with court ordered services. The court should identify those services and assure that provider staff are available in the courthouse to meet with clients after their hearings. This will require space in the courthouses for provider staff.
- The county could enhance its support for community service providers in providing wrap-around services.
- Possible court facilities options to improve service delivery are discussed in a later section of this paper. The options discussed include: (1) a new juvenile court facility; (2) a new court campus to house all cases involving families and children and related service providers; and (3) the adaptation of present District Court facilities to handle Superior Court juvenile and family cases.

Culturally appropriate services

Expanding the scope of culturally competent services could include: (1) developing and presenting cultural competency training for judges and court staff; (2) developing and providing support for culture-based treatment service programs; (3) collaborating with community-based non-profit organizations from minority communities; and (4) identifying ICWA and other tribal issues. Cultural competency goes beyond mere sensitivity training and encompasses services that are designed to work with and, where appropriate, adapt to the particular behavioral norms, values, and beliefs of the culture.

Processes to coordinate multiple treatment providers dealing with a family

For families with multiple court cases, the court could develop a means to: (1) coordinate programs for an individual to assure consistency and appropriateness; and (2) continually assess an individual's progress and move an individual from one program to another when a program appears to be failing to meet and individual's needs.

Effective and efficient assessment and triage to lead to efficient use of services that target family needs

Judges need to have more knowledge about the services available in the county. Training and supplemental information for judges on the service programs available, what conditions they are designed to treat, their entry criteria and costs, and their organizational and outcome performance goals and measures, would help judges send parties to appropriate services.

Judges may need to take a more effective leadership role and responsibility for assuring that families are matched with appropriate services.



Alternatives to restitution in juvenile offender cases

There are alternatives to restitution in juvenile offender cases that the court might consider, including, among others, the provision of in-kind services to victims where the victim feels safe and is willing to accept the services, community service, and other restorative justice programs.

ADEQUATE STAFFING AND OTHER RESOURCES

There are areas of the court process that are driven by limitations of staffing and other resources. Further, resource limitations or requirements can hinder coordination among different types of cases and between different Court programs.

Summary of Needs

Technology

Working Paper Two and the report by MTG contain descriptions of the present technology available to the court. One issue that emerges from those sources is the large number of different and sometimes incompatible systems for different aspects of the court's business.

The major technology effort underway at present is the Systems Integration Initiative, which is working at developing data exchange between Juvenile Probation Counselors and the state DSHS caseworkers. It is looking at a variety of issues with regard to the juvenile court involving problems of information sharing, such as confidentiality, information technology and the ability to share data. This initiative could eventually be broadened into other initiatives aimed at creating technological solutions to coordinating cases.

The court at present is not making effective use of user-friendly web-based technology. Other jurisdictions have greater capabilities for e-filing, web access to court calendars, and other web-based means for facilitating litigant access to the courts.

Other potential technology solutions are discussed throughout this report in relation to specific operational needs.

Staffing

The major limitation on the UFC Intensive Case Management program is the number of case managers. Each of the two case managers is allowed a maximum of 50 case groups and are currently full, meaning no additional cases can be accepted.

With the limited number of dependency commissioners, there are times when it is difficult to have longer hearings, and sometimes hearings are backed up. There are also occasions when the morning calendar is completed well before noon and the afternoon calendar is completed by 2:30 pm. New commissioners are about to be added, so this may allow each commissioner to hold more meaningful hearings.



As discussed earlier in this paper, public defenders are not trained in divorce law, particularly with regard to preparing parenting plans, which are complex. Further, the public defender agencies' contracts with the county does not allow reimbursement for assistance in family law matters, and the public defender agencies' malpractice insurance policies do not cover family law matters.

Because of the staff time needed to determine the best mix of services and monitor the progress of the participants, all of the therapeutic programs have limited spaces available.

Other Resources

The capability to conduct initial substance abuse and mental health assessments and continuing drug and alcohol evaluations is an issue, particularly for juveniles when an individual is first picked up by law enforcement. There is a need for assessment centers for juveniles that are more convenient than the juvenile detention center for South King County.

Options for Meeting Needs

A cadre of judicial officers specially trained to handle the full range of family cases

The court could develop and present training to assure that all judicial officers who deal with family matters, including Superior Court judges, portability judges from District Court, and commissioners, are trained to handle all types of children and family cases, including family law, dependency, juvenile offender, and civil domestic violence matters. The training could also be required of all judges who are rotating into family or juvenile duty.

The court might also consider longer rotations for judges in juvenile and family court assignments. In addition the court might encourage the creation of teams of judges, social workers, public defenders, and prosecutors who stay together.

Public Defenders contracted to provide assistance to litigants in family law

While the law does not provide a right to appointed counsel in family law cases, a pro se party in a family law case might have a public defender in a dependency case. The county might consider expanding the scope of representation in its contracts with the public defender agencies to allow public defender attorneys representing clients in a dependency case to represent those clients in their family matters. The contracts might also be expanded to allow such representation by public defenders representing clients in criminal matters who have a family law case as well.

An automated case management system that can identify all cases involving a single family

The Systems Integration Project is a limited project. The court needs to develop an automated case management system that is capable of identifying all the cases involving a family. Two obstacles that have to be overcome are (1) confidentiality requirements and how to maximize information exchange within those requirements; and (2) a means to develop common



identifiers across cases that may involve parties with different last names. The court has some capability to identify multiple cases involving a family but not all that is needed.

The court also needs to expand the use of web-based technology and make its use of the web more user-friendly.

Expanded staff assistance to litigants

The court might consider expanding Family Court operations staff in three ways: (1) increasing the number of staff to enable them to offer information services to represented as well as unrepresented litigants in family law cases; (2) expanding the scope of facilitator staff to provide advice to litigants in dependency matters as well as family law matters; and (3) adding a staff attorney to advise and assist litigants.. The court might also consider expanding the number of UFC case managers.

ACCESSIBLE COURT FACILITIES FOR LITIGANTS, FAMILIES, AND JUSTICE SYSTEM ACTORS

It is a fundamental concept that facilities/space should support services and that deployment patterns should be determined by service delivery priorities. Facilities and space should serve rather than drive preferred functional patterns. It is very common that the reverse is the reality; that available space defines service delivery patterns.

Summary of Needs

Multiple court locations for different case types

Accessibility for families to the courthouses varies across sites for different case types. While the King County Courthouse and the RJC handle all cases other than juvenile offender cases, all families must go to the YSC facility for any hearing relating to juvenile offenders, regardless of where they live in the county and how long or complicated the trip. family law cases cannot be heard in the YSC.

With regard to all types of cases involving families and children in King County, geography and demographics affect the needs of the private family law bar in King County. For family law cases, the attorneys in the southern part of King County tend to have most of their cases at the RJC, while the attorneys in the remainder of King County tend to have most of their cases at the downtown courthouse. Their practices do not overlap much geographically. Transportation from the downtown courthouse to the RJC is difficult, as traffic can be heavy, parking is limited at both sites but especially downtown, and there is no direct public transportation between the two courthouses. Moving all of the cases in the intensive case management program to one location, as some judges and administrators would like to do, will likely meet resistance from one or the other of these groups of attorneys.

Geography and demographics also affect the needs of clients. family law cases can be heard at either the downtown courthouse or the Regional Justice center (RJC) in Kent. Dependency fact-finding hearings are presently held at all three Superior Court locations, the juvenile court,



the downtown courthouse, and the RJC. family law cases are spread throughout the county, but the dependency caseload is heavier in the southern part of the county. There are daycare facilities in the RJC but not in the juvenile court or downtown courthouse.

With regard to juvenile offender cases, the travel time to the Juvenile Court from the southern and eastern parts of King County by public transportation can take several hours.

Work space in the Courthouses

Here are a series of observations and impressions based on our preliminary tour of the Juvenile and Family Court facilities.

- The Regional Justice Center is the newest facility and planned in keeping with modern best practices. The KCCH (because of its age and configuration) is limited in its ability to accommodate the most functional arrangement of courtrooms, judges and services. Notably, the delivery of prisoners to all courtrooms is through the public corridors. The YSC Tower is 40-years old and inadequate in almost every respect.
- At this point there is no unused space in any of the court facilities. In the KCCH this complicates adjacencies and makes it very difficult to co-locate related services.
- Only the YSC and Regional Justice Center sites offer any opportunity to consider external expansion. Internal expansion at the KCCH is limited unless other agencies can be relocated from the building. Some limited internal expansion is possible at RJC.
- The current conditions at YSC point to the need for the development of updated/revised courtroom related standards and for serious consideration of full replacement of the court related facilities.
- The limitations on the availability of space within the court facilities has led to some fragmentation of services with some functions being located off site (in leased space) or if within the building, on a different level from their ideal deployment and adjacencies.
- There is a lack of office space in the courthouses for service providers to meet with clients or enroll clients in programs before they leave the courthouse. This is an important adjacency need.

For parties who are homeless or transient, hearings may provide the primary or even only opportunity for the Public Defender attorney to meet the client. One facilities issue is the extent to which the juvenile court facilities should be designed to meet that need.

Juvenile risk assessment capability and juvenile detention in South County

The capability to conduct substance abuse and mental health assessments, as opposed to just releasing juveniles, and continuing drug and alcohol evaluations is an issue, particularly for



juveniles when an individual is first picked up by law enforcement. There is a need for assessment centers for juveniles, aimed at assessing risk by law enforcement officers for purposes of detention and referral to services, that are more convenient than the juvenile detention center for South King County.

For juveniles in detention, the lack of a juvenile facility near the RJC and transportation costs for transporting juveniles from the Juvenile Detention Center to the RJC make it difficult to hold juvenile offender trials at the RJC. Out of custody hearings were held at the RJC at one time but proved to be confusing to parents rather than helpful, as only certain hearings were scheduled at the RJC and others were at the Juvenile Court.

There is a perception among some law enforcement personnel that the lack of a juvenile detention facility in South King County is a deterrent for law enforcement to detain a youthful offender.

Options for Meeting Needs

Juvenile holding cells and related infrastructure in the RJC

If the court wants the capability to hold hearings in the Regional Justice Center for juvenile offenders who are in detention, the RJC needs holding cells for juveniles brought from the detention center for hearings that are separated by sight and sound from adult holding cells, along with related infrastructure such as medical services. The juvenile drug court hearings, for example, included several juveniles who were brought up to the courtroom from the Juvenile Detention Center and then returned to the JDC after the hearing.

A juvenile assessment center with overnight detention facility in South County

Our facilities analysis determined that the present adult detention facility in Kent would be difficult to remodel to accommodate a juvenile detention center that met the requirement of separation of juveniles from adults by sight and sound. One option for South County might be to build an assessment center for law enforcement to bring a juvenile, with the capacity to hold a small number of juveniles in secure residential detention for a short period of time. The assessment center could provide capability to conduct substance abuse and mental health assessments and continuing drug and alcohol evaluations, both when a juvenile is first picked up by law enforcement and on a continuing basis while the juvenile is under the jurisdiction of the court.

Replacement of the Youth Service Center (Juvenile Court) facility

The YSC could be replaced to provide: (1) courtrooms that are better designed for adversary hearings; (2) workspace for the Prosecuting Attorneys, Public Defenders, Assistant Attorneys General, and DSHS caseworkers; (3) an assessment lab for UA; (4) expanded clerical space; (5) additional courtrooms to accommodate the new commissioners; (6) space for treatment programs; (7) availability of day care and food for people waiting for hearings; and (8) adequate parking for litigants.



This option could be aimed at just the present juvenile court caseload, or the new facility might be one of the options for locating a family court facility, as described in the following option.

A new facility to house all cases involving children and families

This could be a single facility or a hybrid model, with identical facilities in Seattle and Kent. The facility might include family law, the UFC intensive case management program, juvenile offender, dependency, Becca cases, and the therapeutic courts. The DJA would have to provide clerical structure to handle family cases in the new facility. The new facility could also house an assessment center and treatment programs. Some have a vision of a “campus” with all services available in one place, to meet adjacency needs, including:

- juvenile detention;
- juvenile and adult probation;
- drug and alcohol evaluation;
- a UA lab;
- paternity testing;
- interpreters;
- family court facilitators;
- mediation;
- a holding cell for incarcerated parents attending hearings; and
- food and day care for litigants and their families.

Other services that might be included in the campus, to further both efficiency and effectiveness through adjacencies of services, are:

- a transition center;
- a residential treatment facility;
- public defender eligibility screening;
- genetic testing for parentage, with a clear chain of custody of test results;
- facilities and staff for supervised visitation;
- an assessment center for law enforcement; and
- a mental health facility.

Under the King County code, such a facility would require that a Facilities Master Plan be developed. That plan would have to consider where the facility would be located, which might be where the present Juvenile Court facility is located, but also might be in a completely different location in the county. It will also have to develop more detailed regional forecasts of demand than is presented later in this paper.

Use of present District Court facilities

The King County District Court has facilities located throughout the county. The court should explore if it is feasible and desirable for the Superior Court and the District Court to collaborate



in using their facilities to provide better geographic access to litigants in both courts. A new facility might be designed jointly to meet both Superior Court and District Court needs. Alternatively, some Superior Court operations, including juvenile court operations, might be housed in one of the present South County District Court facilities, with District Court operations moved to the RJC.

DECISION-MAKING QUALITY AND CONSISTENCY

There is broad agreement among system actors that the ultimate goal of the justice system should be to produce high quality decisions for children and families in King County. The courts, law enforcement, prosecution, defense, social services, probation, and treatment providers all play a role in the decision-making process. The quality of decisions is a factor of the following needs.

Summary of Needs

Consistency of decisions

Judicial rotation poses an issue for the UFC intensive case management program. When judges rotate out of the juvenile and family areas, they do not keep their caseloads. There is one judge hearing dependency cases full time at the juvenile court.

With regard to the juvenile, dependency, UFC, and therapeutic courts, as judges rotate into and out of juvenile and family duties, there is a need for consistency across judges, particularly in cases that span more than one judge. The experiences of judges in other jurisdictions across the country show that when the judge in a case changes, the formal record that the successor judge has for review will not contain the informal “warning shots” that the prior judge may have given to a litigant. The record simply cannot reflect the entire interaction or the level of rapport between the prior judge and the litigant.

There is a similar problem in achieving consistency of treatment for individuals throughout the life of their participation in court programs due to the rotation of system actors, including judges, prosecutors, public defenders, juvenile probation counselors, and social workers.

With regard to all case types there is also a need for consistency for the litigants across social workers, probation officers, foster care and other placements. The system actors involved in the lives of children and families who are in the justice system often change during the life of a case. Parents may have more than one judge, multiple social workers, and multiple public defenders. Juveniles may have multiple probation counselors and multiple foster home placements. Many have multiple treatment providers to satisfy. The actors sometimes change due to attrition or the transfer of a person from one assignment to another. A caseworker may move a child from one foster home to another when the juvenile is misbehaving, even in circumstances where the foster parents are not at fault. Changing a foster home often results in changing the school that the child attends.



When the people in a litigant's case change, so does the way the litigant is treated and what is required of them. One caseworker or probation counselor may be willing to tolerate behavior that another is not, and the change may come as a surprise, with negative consequences.

Where different family members are involved in different cases, a quality decision in each of the separate cases may not lead to a quality decision for the family as a whole.

High quality decisions

Some participants expressed dissatisfaction with the quality of the decision-making by some system actors, including judicial officers, social workers, Juvenile Probation Counselors, and other system actors who can affect the outcome of cases. Further, a concern was expressed that it is difficult for a parent to challenge the assessment of a social worker.

For example, a Family Court Services social worker conducting a custody investigation applies different legal criteria to determine the placement of a child than does a caseworker in a dependency case, but in either case the result is that the child may be removed from a parent. It may be desirable for the court to review the quality of the result as well as the legal criteria for reaching it.

A predictable process with clear reasons for outcomes communicated to the parties

The hectic atmospheres of the juvenile arraignment and dependency calendars are not conducive to calming stressed families, and they make the process appear random and irrational to litigants. Further, there is no quiet or private place in the Juvenile Court for a party to meet with an attorney or a social worker to meet with the assistant attorney general on his or her case.

A critical need for holding juvenile offenders accountable is a system that processes cases expeditiously, consistently, and logically, so that the juvenile can understand how the outcome of the case relates to the criminal act committed. The court loses its impact on the juvenile if a case takes too long, if the process seems random, or if the outcome doesn't fit the crime. The same principle applies to holding families accountable in other types of cases as well.

The restitution requirement may place too heavy a burden on the juvenile, making it difficult to get his or her life back on track. When a juvenile turns 18, a restitution order becomes a civil debt. This can affect an offender's credit. To the extent that the amount of restitution is determined by state law rather than at the discretion of the judge, legislation may be needed if the court wishes to change the restitution requirement.

Options for Meeting Needs

Mechanisms for quality control over system actors

With regard to all types of cases, the first line of quality control is judicial review and oversight of the decisions of social workers, juvenile probation counselors, and treatment providers. Review



might be made available on motion of a party, to provide of a process for a litigant to reopen a bad choice or decision. The court might also consider creating an ombudsman's office to which a litigant might appeal the action of a system actor.

A common set of performance measures across service providers

With regard to all types of cases, but particularly juvenile offender, therapeutic court, and Becca cases, the court could take the lead in developing a common set of performance measures across system actors. This will require a collaborative effort by a wide range of stakeholders, including the judicial officers, the PAO, the OPD, DSHS, the JPCs, Family Court Services, county and private service providers, law enforcement, the schools, community organizations, and other stakeholders. It will also require continuing input and feedback from litigants and continuing self-assessment by system actors.

Performance measures must also take into account public health quality assurance mechanisms

SUMMARY OF OPTIONS

The following is a summary of the options discussed above, as presented to the Cabinet Oversight Group on April 7, 2006. Options added at the COG meeting are designated by letter rather than number, and revisions to the original listed options are indicated in parentheses. The COG members were asked to indicate the options that they most wanted to see move forward for further development by placing dots on flip chart pages. The list below also indicates the number of dots that each option received. Further analysis will place more emphasis on those selected options, although at this time no options will be excluded from consideration. In addition, the COG discussed their criteria for selecting options, and further analysis of options for the Assessment Report will also consider those criteria.

LITIGANT ACCESS AND CONVENIENCE

- 1) Improve case management to reduce the need for continuances by assuring that: (1) the necessary information for each hearing, including assessments, chemical tests, etc., is produced in a timely manner; and (2) that all the necessary system professionals are all available and present at hearings. (Include the discovery process.) (8 dots)
- 2) For all cases involving children, including UFC intensive case management cases, families involved in other UFC family law cases, dependency cases, juvenile offender cases, and Becca cases, assign a case manager to every family. (0 dots)
- 3) For all cases, have the judges' bailiff take on greater case management duties for cases assigned to their judge. (0 dots)
- 4) For dependency cases or UFC family law cases with appointed CASAs, assign the CASA volunteer case management duties. (0 dots)



- 5) For all family law and dependency/termination cases, appoint a guardian ad litem (GAL) in to assist the court in managing cases in addition to a CASA. The GALs could be attorneys employed by the court, private attorneys appointed as pro bono service, private attorneys paid in part by the court and in part by the litigants on a sliding scale, attorneys attached to a legal aid agency, or attorneys obtained in some other manner. (1 dot)
- 6) For all case types, conduct intensive work process improvement efforts, in order to eliminate unnecessary or duplicative hearings, improve trial scheduling, and assure that judges have the necessary information to accomplish something at every hearing, all with the goal of reducing continuances, litigant travel, and litigant time lost from work or school. (5 dots)
- 7) For all case types, develop methods to identify multiple cases involving a single family and coordinate the progress of related cases. (6 dots)
- 8) Assign commissioners to a specific judge. (0 dots)
- 9) Allow commissioners to hear trials. (1 dot)
- 10) Streamline the juvenile warrant process. (1 dot)
- 11) Provide evening hours for court hearings. (5 dots)
- 12) For family law cases, developing the use of pretrial conferences or other judicial management techniques at an early enough date in the process to assure that, to the extent possible, the issues for each hearing are defined and attorneys and parties come prepared for hearings. (2 dots)
- 13) For all case types, design the system for assigning cases to judges for trial so that the trial judge can manage a case from filing through trial, and so that the trial is held in the court of original venue. (0 dots)
- 14) For dependency, termination of parental rights, and UFC family law cases, expand the use of alternative dispute resolution methods to resolve cases without trials and to improve cooperation of families with treatment orders. (1 dot)
- 15) For dependency, termination of parental rights, and UFC family law cases, have judges conduct hearings rather than commissioners at targeted decision points for case management purposes. (0 dots)
- 16) For all case types, create specific calendars based on subject matter and for pro se litigants. (1 dot)
- 17) For all case types, improve assessment processes for determining family needs and assigning families to appropriate services. (3 dots)



- 18) For all case types, develop processes to identify the level of assistance that a family requires to understand and participate effectively in the system. (1 dot)
- 19) For UFC family law cases and dependency cases, determine why the cases in the RJC have a higher average number of hearings and longer average case processing time and address the work process issues that lead to those differences. (0 dots)
 - A. Develop a way to have more CASAs available for cases. (1 dot)
 - B. Improve the discovery process and other front-end activities so that critical points happen earlier. (2 dots)
 - C. Add weekend hours and access. (2 dots)
 - D. Expand the use of non-attorney GALs. (1 dots)

LITIGANT KNOWLEDGE AND UNDERSTANDING

- 20) Provide information and advice on the process by an attorney, trained court clerical staff, staff of an information center, specially trained case managers, on-line, through printed informational materials, or a combination of the above. (1 dot)
- 21) Provide information on a person's legal rights and obligations by an attorney, either the attorney representing the litigant or a court-attached attorney hired to assist unrepresented litigants. (1 dot)
- 22) Provide information on the consequences of choices regarding entry into court and treatment programs by an attorney, a social worker, facilitators in Family Court Services, or possibly other trained professionals. (0 dots)
- 23) Provide parent orientation in dependency cases, either through a seminar or by a video. (3 dots)
- 24) Work with community organizations in minority communities to develop court information centers within those communities, staffed by individuals who are from the relevant culture and able speak the languages in the community. (4 dots)
- 25) Simplify the parenting plan by identifying the parts of the plan that are the most difficult to complete or tend to be the most contentious and either simplifying the requirements or providing special assistance to parties in completing those parts. (6 dots)
- 26) Identify and eliminate duplicative or unnecessary hearings. (5 dots)



- 27) Identify and eliminate or simplify procedures that litigants have the most difficulty understanding. (6 dots)
- 28) Allow litigants to deal with multiple issues at a single hearing where appropriate. (2 dots)
- 29) Identify the most common mistakes that litigants (and attorneys) make and developing methods to reduce litigant errors. (2 dots)
- A. Provide information in different languages. (5 dots)
- B. Provide information in ways that address the varying degrees of litigant literacy. (2 dots)

COORDINATED COURT RESPONSES TO MULTIPLE FAMILY PROBLEMS

- 30) Create a true Unified Family Court, with the following characteristics: (8 dots)
- inclusion of the following case types: family law; dependency; termination of parental rights; adoption; paternity; guardianship; civil domestic violence protection orders; juvenile offender; juvenile status offenses (Becca cases); criminal child abuse and neglect; misdemeanor domestic violence; and adult drug cases
 - one family/one judge;
 - judges elected or assigned to the family court;
 - trained teams of prosecutors, defense attorneys, and social workers;
 - case managers to monitor the progress of every family;
 - *a comprehensive social service network*; and
 - outcome oriented performance measurement.
- 31) Assign commissioners to hold combined dependency and family law hearings *and train dependency system professionals in family law.* (02dots)
- 32) Develop methods to coordinate cases outside of the purview of the UFC program, including: (0 dots)
- Use of central case oversight teams and interagency coordination teams;
 - Social workers, guardians ad litem, and CASA volunteers charged with investigating and informing the court of other cases involving the family; and
 - Lawyers, including prosecuting attorneys, attorneys general, and defense attorneys provided with a means to obtain information on other cases involving the family.
 - Sharing data across the court, probation, and social service information systems;
 - Cross indexing cases involving a single family; and
 - Assigning a unique file number to each family.
- A. Train the private bar in the intricacies and nuances of the family system in King County across all case types. (1 dot)



EFFECTIVE SERVICE DELIVERY

- 33) For services that do not require access to a fixed facility (such as a hospital), find space in multiple locations in different parts of the county so that service provider staff could offer services at different locations around the county on different days. (1 dot)
- 34) For families that may have different family members required to attend different services (such as adult anger management and youth counseling), develop service centers offering different types of services in one place so that all family members can receive services in the same location. (4 dots)
- 35) For some types of services, connect people to services before they leave the courthouse, to improve compliance with court ordered services. The court should identify those services and assure that provider staff are available in the courthouse to meet with clients after their hearings. This will require space in the courthouses for provider staff. (6 dots)
- 36) Expand the scope of culturally competent services, including: (1) developing and presenting cultural competency training for judges and court staff; (2) developing and providing support for culture-based treatment service programs; (3) collaborating with community-based non-profit organizations from minority communities; and (4) identifying ICWA and other tribal issues. (1 dots)
- 37) For families with multiple court cases, develop a means to: (1) coordinate treatment programs for an individual to assure consistency and appropriateness; and (2) continually assess an individual's progress and move an individual from one program to another when a program appears to be failing to meet and individual's needs. (6 dots)
- 38) Promote effective and efficient assessment and triage to lead to efficient use of services that target family needs through training and supplemental information for judges on the service programs available, what conditions they are designed to treat, their entry criteria and costs, and their organizational and outcome performance goals and measures. (3 dots)
 - A. Explore, expand, and promote transportation and transit alternatives, such as vouchers and shuttles dedicated to transit to and between court locations. (3 dots)
 - B. Develop mechanisms to provide up to date relevant service recommendations for parties, allowing for location matching and other key litigant and family needs. (4 dots)
 - C. Develop mechanisms for follow-up information on the performance and quality of services. (1 dot)
 - D. Prepare a preferred provider list. (3 dots)



- E. Generally increase service capacity, particularly for mental health and substance abuse. (3 dots)

ADEQUATE STAFFING AND OTHER RESOURCES

- 39) Develop and present training to assure that all judicial officers *and other system professionals* who deal with family matters, including Superior Court judges, portability judges from District Court, and commissioners, are trained to handle all types of children and family cases, including UFC family law, dependency, juvenile offender, and civil domestic violence matters. The training could also be required of all judges who are rotating into family or juvenile duty. (4 dots)
 - 40) Expand the scope of representation in its contracts with the public defender agencies to allow public defender attorneys representing clients in a dependency case to represent those clients in their family matters. The contracts might also be expanded to allow such representation by public defenders representing clients in criminal matters who have a UFC family law case as well. (2 dots)
 - 41) Develop an automated case management system that is capable of identifying and providing complete information on all the cases involving a family. Two obstacles that have to be overcome are (1) confidentiality requirements and how to maximize information exchange within those requirements; and (2) a means to develop common identifiers across cases that may involve parties with different last names. (7 dots)
 - 42) Expand and improve web-based information and access. (0 dots)
 - 43) Expand Family Court operations staff in three ways: (1) increasing the number of staff to enable them to offer information services to represented as well as unrepresented litigants in UFC family law cases; (2) expanding the scope of facilitator staff to provide advice to litigants in dependency matters as well as UFC family law matters; and (3) adding a staff attorney to advise and assist litigants.. The court might also consider expanding the number of UFC case managers. (5 dots)
- A. Expand legal assistance agencies to provide support to family law litigants. (5 dots)

ACCESSIBLE COURT FACILITIES FOR LITIGANTS, FAMILIES, AND JUSTICE SYSTEM ACTORS

- 44) Provide holding cells *and related infrastructure* in the RJC for juveniles brought from the detention center for hearings that are separated by sight and sound from adult holding cells. (2 dots)
- 45) Build a *risk/needs* assessment center in south county for law enforcement to bring a juvenile, with the capacity to hold a small number of juveniles in secure residential



detention for a short period of time. The assessment center could provide capability to conduct substance abuse and mental health assessments and continuing drug and alcohol evaluations, both when a juvenile is first picked up by law enforcement and on a continuing basis while the juvenile is under the jurisdiction of the court. (3 dots)

- 46) Replace the YSC to provide: (1) courtrooms that are better designed for adversary hearings; (2) workspace for the Prosecuting Attorneys, *Assistant Attorneys General*, Public Defenders, and DSHS caseworkers; (3) an assessment lab for UA; (4) expanded clerical space; (5) additional courtrooms to accommodate the new commissioners; (6) space for treatment programs; and (7) *child care, food, parking, and other amenities*. (03dots)
- 47) Build an entire family law facility to include UFC family law, the UFC intensive case management program, juvenile offender, dependency, Becca cases, and the therapeutic courts. The DJA would have to provide clerical structure to handle family cases in the new facility. The new facility could also house an assessment center and treatment programs. Some have a vision of a “campus” with all services available in one place, to meet adjacency needs, including: (6 dots)
- juvenile detention;
 - juvenile and adult probation;
 - drug and alcohol evaluation;
 - a UA lab;
 - paternity testing;
 - interpreters;
 - family court facilitators;
 - mediation;
 - a holding cell for incarcerated parents attending hearings;
 - a transition center;
 - a residential treatment facility;
 - facilities and staff for supervised visitation;
 - an assessment center for police;
 - a mental health facility;
 - schools;
 - educational programs for parents; and
 - child care, food, parking, and other amenities.
- 48) Build a facility that encompasses some but not all of the above features. (0 dots)
- 49) Convert the RJC and the Kent jail into a juvenile/family center and juvenile detention center. (0 dots)
- 50) Superior Court and the District Court collaborate in using their facilities to provide better geographic access to litigants in both courts. A new facility might be designed jointly to meet both Superior Court and District Court needs. Alternatively, some Superior Court operations, including juvenile court operations, might be housed in one of the present



South County District Court facilities, with District Court operations moved to the RJC. (3 dots)

- A. Explore the use of regional facilities for juveniles (municipal, cross jurisdiction, INS, Federal) (4 dots)

DECISION-MAKING QUALITY AND CONSISTENCY

- 51) Increase judicial review and oversight of the decisions of social workers, juvenile probation counselors, and treatment providers. Review might be made available on motion of a party, to provide of a process for a litigant to reopen a bad choice or decision. The court might also consider creating an ombudsman's office to which a litigant might appeal the action of a system actor. (1 dot)
- 52) With regard to all types of cases, but particularly juvenile offender, therapeutic court, and Becca cases, develop a method for *monitoring outcomes* across system actors. This will require a collaborative effort by a wide range of stakeholders, including the judicial officers, the PAO, the OPD, DSHS, the JPCs, Family Court Services, county and private service providers, law enforcement, the schools, community organizations, and other stakeholders. (3 dots)
- 53) Conduct periodic stakeholder focus groups. (0 dots)



PROJECTING FUTURE CASELOADS AND WORKLOAD

The project team has collected a variety of data relevant to projecting future caseloads of the Juvenile and Family Courts of King County. First, the team has collected basic historical and projected population data using the PSRC as its primary source. Population and population trends have repeatedly proven to be important elements of any analysis of court workload. This is common sense, of course, because it is people and their problems that are the fundamental business of the courts.

Second, the team collected data related to the operations of the court including:

- Demand - as indicated by filings (by case type by location),
- Workload - as indicated by the average number of hearings (by case type, by location), and,
- Performance - as indicated by two different measures of time to resolution and time to completion (by case type by location).

This data was collected for the purpose of understanding the levels and time consumption of court activity. We will use this information as a basis for projecting future workload and demand for services, and in turn as a basis for projecting the number of needed judicial officers, staff and space. Also, for this last data set (demand, workload and performance), the team developed tables and text displaying and describing the data and in addition, developed a series of maps created from case completion data (2000–2004) that documented the geographical distribution of participants by case type.

Third, the team collected information about the numbers and utilization of judicial officers (judges and commissioners) at the various locations providing juvenile and family court services. Changes in operations that affect the distribution of court services can be expected to change the needs for judicial officers and their related space requirements.

The team also investigated the availability and utility of demographic data to assess the potential correlation between juvenile and family court case types and such factors as poverty, housing costs, size of family, race, ethnicity and others. Unfortunately, it proved impossible to correlate the geographical origins of case filing data to the planning regions. Further, there are no official projections of demographic data other than total population. As a consequence of this latter fact, even if historical correlations could be established between case types and the desired factors (ethnicity, income, etc.), these correlations could not be developed as forecast trends.

PROJECTION METHODOLOGY

The following discussion defines the methodology that will be used to develop the anticipated projections of caseload, judges, staff and space by court location. This is a refinement of the process outlined in Working Paper #2 and is based on a more complete understanding of the data actually available (as well as its limitations) and additional thinking about how best to support the objectives of the operational master plan.



The projection process starts with population. We now know that historical and projected population data is available by three (3) planning regions (per the PSRC) but that all three cannot be correlated with filing data. Thus, for purposes of this analysis, the north and east region data will be combined into a single value, which we are labeling as “north”. The filing data is available by filing location (Seattle or Kent) and the filing boundaries, per the court’s venue rules, roughly parallel the geographic boundaries of the (composite) East/North and South regions. We will use this data to establish an historical trend line between population by region and filings by region. This relationship will be used to project future caseload by region, which is far more valuable than county-wide caseload alone, since an important study interest is the appropriate distribution of services. We now know that since demographic projections other than total population are simply not available, it will not be possible to make caseload or workload projections on any other basis of change than pure population numbers.

Note that the filing data is for new cases and does not include modifications, which are filed within a case and not reflected in the court’s filing data.

Before taking the next step in the process it is important to review the most important parts of what we know from the caseload, workload and performance data thus far developed. Over the historical period analyzed:

- All case types have declined.
- The decline has been larger in Seattle than in Kent.
- The decline has leveled off in the past three years.
- Density of parties have increased in proximity to Kent.
- All times to completion are up.
- Kent increases in time to completion are higher than those in Seattle for each comparable case type (juvenile offenders are not handled in Kent).
- UFC case management does not reduce time to completion.

The decline in caseloads and the present leveling off of the decline are reflected in national trends as well as trends in King County.

These observations impact the refinement of the projection methodology. The consistent decline of all case types makes it impossible to use internal caseload trends to reliably project future caseloads. Any selected methodology whether based on real number changes or percentage changes will yield a continuing downward trend and deliver an irrational result over time (i.e. no more cases). This will clearly not happen. Likewise, any trend based on historical ratios between filings and population will yield a continuing downward direction.

No knowledgeable observer and certainly no one who works in the juvenile and family court system would predict a continuing decline. So the question becomes whether there is a projection methodology available for caseload that provides a common sense limit on the downward trend and a responsible, conservative forecast of the future. Our answer to this question is framed by two considerations:



- The data we have is very limited in time and is certainly part of a larger and longer set of trends which in all probability are rising. The absence of consistent long term data makes this difficult to confirm, but all experienced forecasters will explain that caseload trends seem to have cycles. Sometimes they grow rapidly and sometimes they decline, both for no apparent reason. What does seem clear is that over the long term, if population is rising, caseload will rise as well, absent some major policy (or other) variable that definitively influences the trend in one direction or the other. Population change is consistently cited and understood as an underlying influence of caseload in the long term, and as a consequence it cannot be discounted simply because in some particular segment of time it does not appear to be operative.
- There is simply no rational way to identify the bottom of a caseload decline cycle. More often than not, the decision is anecdotally rather than analytically driven. System observers will take into consideration the length of time the decline has been in progress, the sense developed from daily contact with cases and clients that conditions are changing or that new dynamics may be at work and the realization from experience (though not possible to forecast) that changing communities and compositions produce an environment more conducive to caseload growth than decline. If this seems imprecise, it is, but in the absence of hard data, it is the best alternative. There is no substitute for experience.

With these considerations in mind, we will use the ratio of 2005 filings to population (by region) as the baseline for caseload projections. This ratio is the lowest it has been throughout the historical period, and even if it is not the lowest ebb that will be reached, is seen by system professionals as very close. Filings may decline a bit further or a bit longer, but no one in a position to understand the cases and the larger county trends believes that this will continue for long. It is expected that a corner will be turned very soon and a period of extended growth will take place. An important characteristic of using the lowest ratio of filings to population as a predictor of future demand is that it produces the most conservative estimate of growth of all the available forecasting methodologies. Under the circumstances, it is the most responsible way to define the lower limit of the trend and the most reasonable of growth trends.

Projection methodology

With reference to the data understanding and methodological considerations above, it is now possible to update the projection methodology outlined in Working Paper #2.

- Projections of demand are usually based on filings alone. Though technically sound, this approach usually feels incomplete to those who work in the courts as it does not account for the differences in work effort from one case type to another or for changes in work effort within a particular case type over time.
- Our projection methodology addresses this concern by combining demand trends (filings) with activity indicators (average number of hearings/case type by location) to



produce a value that we are calling “adjusted workload value” (AWV). This value will be computed by multiplying the filings by case type (by location) times the average number of hearings by case type (by location), using the 2005 data on number of hearings (the only year for which hearing information is available) for each case type.

- The AWV by case type by location will be used to generate a ratio of case activity to population by region (north or south).
- The ratio to population will then be multiplied times the future population values to compute a projected AWV by case type by region for the future years.
- The AWV will also become a basis for analyzing the present and future distribution of judicial officers by location.

With regard to the data on the number of hearings, paper reviews conducted in dependency cases for the mid-year reviews are not reflected in the hearing data. The court is now conducting these reviews as in-court hearings. It is estimated that this change in process will add 2,100 new hearings per year in dependency cases.

This value of this methodology is that:

- It provides a better measure of workload by combining pure demand (filings) with an activity indicator (average number of hearings).
- It provides a clear and simple basis for projection (low ratio to population) that can be easily retested for reliability from year to year as additional real time data is developed. The calculation is not complex and can be reviewed and revised as necessary on an ongoing basis.
- It is regionally sensitive. The differences between real growth numbers in the north and south regions (if any) will be accounted for and accommodated.
- It is useful in all other calculations needed for this study. It will serve as a basis for the evaluation of existing judicial officer deployment and a basis for the projection of future judicial officer numbers and deployment. These in turn will be the basis for staff projections and (combining both judicial officers and staff) for space projections using the formulas identified in Working Paper #2.

THE CONFOUNDING EFFECTS OF POTENTIAL POLICY CHANGES

A major limitation on the ability to project future caseloads is the inability to predict future statutory and policy changes regarding the ways that different types of cases are handled, and the potential impact of those changes on caseloads. A forecasting work group consisting of court staff and the county project managers identified some of the potential policy changes on the horizon that, if adopted, could influence caseloads. The potential impacts of those changes



cannot be projected with any degree of certainty. The following is a summary of the changes identified.

Domestic Violence Protection Order Cases

- The state legislature has passed a new cause of action for sexual assault protection orders that may affect the caseloads for DVPOs and anti-harassment POs.

Family Law Cases

- Family law cases in South County are more complex, with more multiple fathers and a higher incidence of sexual abuse, domestic violence and drugs. Hearings take longer. Also there is a higher percentage of hearings that are noted but not heard, where the commissioner has to read the file anyway.
- Relocation legislation passed in 2003 required a custodial parent who moves to provide notice, even if the move is within the county. This also created a new cause of action for filing an objection to the relocation.
- There was a filing fee increase in 2005.
- The effects of changes in the laws regarding gay marriage cannot be predicted.

Paternity Cases

- A change to the Uniform Parenting Act requires that a petition to establish a parenting plan be filed as part of a paternity action.
- Paternity can now be determined by affidavit, which has caused paternity filings to drop.

Juvenile Dependency Cases

- Dependency filings in the county are very low compared to similar sized jurisdictions around the country and can be expected to increase in the future.
- The DSHS Court Liaison Unit is being cut, so certain aspects of the work currently done by court liaison staff may fall on court staff.
- The DSHS has been encouraging family members to file third-party custody petitions in lieu of having a dependency petition filed against the parents (e.g. a grandmother filing for custody when the parents are in prison). The legislature is looking into making this more difficult to do.
- The mid year (sixth-month) review hearings in dependency cases are now court hearings rather than paper reviews.



- The court added two family law commissioners, one of whom is assigned to hear dependency cases. The dependency commissioner calendar is now heard five days per week in the juvenile court and four days per week in Kent.
- If Family Treatment Court is expanded, the dependency cases that are put into that program have more intensive staffing and more hearings.

Juvenile Becca Cases

- There is a lot of discussion in the state legislature regarding possible changes to the truancy, ARY, and CHINS laws, but the direction of the changes cannot be predicted at this time.
- There is a possibility of new Federal legislation regarding children of immigrants, but again the direction and content of such legislation cannot be predicted at this time.
- The Superior Court is encouraging the Seattle School District to increase its truancy filings. As the Becca venue is by school district, all Seattle School District truancy filings are in Seattle.
- Becca filings are very low now, so there is a potential for a substantial increase in the future.
- The WASL test is now required of all high school students in order to graduate. This may be encouraging dropouts.

Juvenile Offender Cases

- There is no major legislation pending at present.
- The auto-decline legislation passed in the late 1990s has not had much effect on the juvenile offender caseloads as yet.
- The court is thinking about expanding the Juvenile Drug Court and Juvenile Treatment Court programs, as well as increasing the use of intensive mental health treatment.
- Law enforcement is giving more attention to juvenile automobile theft.
- Gang issues are starting to increase.

WORKLOAD AND CASELOAD PROJECTIONS

Keeping in mind the above limitations on our ability to project caseloads and workloads, the following discussion presents our forecast calculations.



Preliminary Projections (Caseload and Workload)

As previously noted, the consulting team has developed an extensive set of background data. The following discussion presents a set of projections based on these data that can be utilized in the development of the operational master plan and the spatial estimates required as part of that plan. Two tables are provided:

- Alternative Caseload Projections – this analyzes the filing data; and
- Alternative Workload Projections – this analyzes the workload index data.

Both tables work in the same way. First, for simplicity's sake population is divided by 100,000. Second, each case type is listed together with its respective filing or work index value. Third, each filing or workload index is divided by the population value to create a rate/100,000 population by area. Juvenile Offender data is not by area but by the county as a whole. Fourth, the average filing or workload index rate is used to generate an Average Value for filings and workload. Fifth, the calculated rates by location and the average rate are used to generate alternative filing or workload projections for the target years. Lastly, at the bottom of the tables, totals are provided both with and without Juvenile Offender data under each of the forecast alternatives.

Observations/Analysis

The following are the major results of the analysis.

- The filing rate/100,000 pop is uniformly higher in Kent than in Seattle for every case type.
- This suggests that there are some demographic differences between the two areas of the county, although separate calculations cannot be made to validate this since projections by demographic factor are not available.
- The workload factor for every case type is higher in Kent than in Seattle as well. This is a function of the fact that, for every case type, the average number of hearings/case is higher in Kent than in Seattle.
- We cannot determine from the data why there are more hearings (on average) for the same case types in Kent than in Seattle. Among the possibilities are:
 - The cases in Kent are more complex;
 - There is a higher percentage of pro se litigants in Kent;
 - It is the result of idiosyncratic judicial behavior, policy, or philosophy; or
 - There is some other reason.
- The combination of higher rates of filing and higher levels of case activity (number of hearings) has implications for future resource allocation (judicial officers, staff and space).



- Computing workload projections for the county as a whole based on a countywide filing rate per 100,000 population and hearings per case yields a higher projected total workload than computing projections separately for Seattle and Kent based on their respective filing rates and hearings per case

Projection Issues

The differential rates of filing and workload for the same case types raise questions about the projection assumptions and alternatives, particularly as these may influence the projection of judicial officers.

- Should it be assumed that these differences will continue? Will filings/case type always (for the projection period) be higher in Kent than they are in Seattle? If it is, then the differential rates of filing should be used for the projections and the judicial officer needs in Kent calculated against the higher filing rate expectation.
- Will workload continue to be higher in Kent than in Seattle for the same case types? The answer to this depends on why they are different now (see the observations section preceding). If the answer to this is “yes” then the differential rates of workload would require a higher number of judicial officers in Kent than if the answer were “no”.
- Would it make better sense to use a single countywide “average” value for each area, recognizing that it would increase the filing and workload expectation in Seattle and decrease the parallel expectations in Kent?
- Should the “average” be used for Seattle (increasing its projection values) and the differential rate used for Kent? This would produce an overall forecast expectation above both the combined individually and the average rate.

The apparent differences in the workload index may raise questions about the consistency and uniformity of process that will affect the projection of judicial officers, staff and space.

As we do not have clear answers to the above questions, the tables below present projections both based on different filing rates and hearings per case for Seattle and Kent (the “Calc rates”) and based on a single countywide filing rate and hearings per case (the “Avg rate”). To show how the overall caseload and workload projection totals might be different if the policies, procedures, and practices now operative in either area were equally applied to both, we calculated an average countywide rate per 100,000 population by applying each rate individually to the respective portion of the county and then totaling them and dividing by 2, that is, by calculating an average of the rates.

Caseload Projections

	Existing				Projected						
	2005			Avg.	2010			2020			
	North	South	Total		North	South	Total	North	South	Total	
Population	1132153	671104	1803257		1174039	695440	1869479	1280592	758888	2039480	
Pop/100,000	11.3	6.7	18.0		11.7	7.0	18.7	12.8	7.6	20.4	
Caseload Category	Filings	Filings			Filings	Filings	Alt.Totals	Filings	Filings	Alt.Totals	
Paternity	1320	920	2240	2287	<i>At Calc rates</i>	1369	953	2322	1493	1040	2533
Ratio/100,000 pop	117	137		127	<i>At Avg rate</i>	1489	882	2371	1624	963	2587
Civil DVPO	1295	982	2277	2351	<i>At Calc rates</i>	1343	1018	2361	1465	1110	2575
Ratio/100,000 pop	114	146		130	<i>At Avg rate</i>	1530	907	2437	1669	989	2659
Family Law w/kids	1838	1342	3180	3267	<i>At Calc rates</i>	1906	1391	3297	2079	1518	3597
Ratio/100,000 pop	162	200		181	<i>At Avg rate</i>	2127	1260	3387	2320	1375	3695
Family Law wo/kids	3089	1567	4656	4565	<i>At Calc rates</i>	3203	1624	4827	3494	1772	5266
Ratio/100,000 pop	273	233		253	<i>At Avg rate</i>	2972	1761	4733	3242	1921	5163
BECCA - ARY/CNS	192	207	399	431	<i>At Calc rates</i>	199	215	414	217	234	451
Ratio/100,000 pop	17	31		24	<i>At Avg rate</i>	281	166	447	306	181	487
BECCA - Truancy	725	1078	1803	2026	<i>At Calc rates</i>	752	1117	1869	820	1219	2039
Ratio/100,000 pop	64	161		112	<i>At Avg rate</i>	1319	781	2100	1439	852	2291
Juv Dependencies	342	253	595	612	<i>At Calc rates</i>	355	262	617	387	286	673
Ratio/100,000 pop	30	38		34	<i>At Avg rate</i>	399	236	635	435	258	692
Juv. Terminations	176	116	292	296	<i>At Calc rates</i>	183	120	303	199	131	330
Ratio/100,000 pop	16	17		16	<i>At Avg rate</i>	193	114	307	210	125	335
Juv. Offenders	4085	0	4085	4085	<i>At Calc rates</i>	4235		4235	4620		4620
Ratio/100,000 pop	227	0		227	<i>At Avg rate</i>	4235		4235	4620		4620
Sub-total (wo/Juv Offenders)	8977	6465	15442	15835	<i>At Calc rates</i>	9309	6699	16009	10154	7311	17465
					<i>At Avg rate</i>	10310	6107	16416	11245	6664	17909
Total (w/Juv Offenders)	13062	6465	19527	19920	<i>At Calc rates</i>	13544	6699	20244	14774	7311	22085
					<i>At Avg rate</i>	14545	6107	20651	15865	6664	22529

Workload Projections

	Existing				Projected						
	2005				2010			2020			
	North	South	Total		North	South	Total	North	South	Total	
Population	1132153	671104	1803257		1174039	695440	1869479	1280592	758888	2039480	
Pop/100,000	11.3	6.7	18.0		11.7	7.0	18.7	12.8	7.6	20.4	
Workload Category	Wk Index	Wk Index	Avg.		Wk Index	Wk Index	Alt.Totals	Wk Index	Wk Index	Alt.Totals	
Paternity	2244	1564	3808	3888	At Calc rates	2327	1621	3948	2538	1769	4307
Ratio/100,000 pop	198	233		216	At Avg rate	2532	1500	4031	2761	1636	4398
Civil DVPO	1943	1473	3416	3526	At Calc rates	2015	1526	3541	2198	1666	3863
Ratio/100,000 pop	172	219		196	At Avg rate	2296	1360	3656	2504	1484	3988
Family Law w/kids	3308	2550	5858	6060	At Calc rates	3430	2642	6073	3742	2884	6625
Ratio/100,000 pop	292	380		336	At Avg rate	3946	2337	6283	4304	2550	6854
Family Law wo/kids	3707	2351	6058	6111	At Calc rates	3844	2436	6280	4193	2659	6852
Ratio/100,000 pop	327	350		339	At Avg rate	3979	2357	6335	4340	2572	6911
BECCA - ARY/CNS	768	642	1410	1474	At Calc rates	796	665	1462	869	726	1595
Ratio/100,000 pop	68	96		82	At Avg rate	960	569	1528	1047	620	1667
BECCA - Truancy	2103	2372	4475	4862	At Calc rates	2181	2458	4639	2379	2682	5061
Ratio/100,000 pop	186	353		270	At Avg rate	3165	1875	5040	3452	2046	5498
Juv Dependencies	2257	1948	4205	4415	At Calc rates	2341	2019	4359	2553	2203	4756
Ratio/100,000 pop	199	290		245	At Avg rate	2874	1703	4577	3135	1858	4993
Juv. Terminations	352	232	584	592	At Calc rates	365	240	605	398	262	660
Ratio/100,000 pop	31	35		33	At Avg rate	385	228	614	420	249	670
Juv. Offenders	13481	0	13481	13481	At Calc rates	13976		13976	15247		15247
Ratio/100,000 pop	748	0		748	At Avg rate	13976		13976	15247		15247
Sub-total (wo Juv Offenders)	16682	13132	29814	30928	At Calc rates	17299	13608	30907	18869	14850	33719
					At Avg rate	20136	11928	32064	21964	13016	34980
Total (w/Juv Offenders)	30163	13132	43295	44409	At Calc rates	31275	13608	44883	34116	14850	48966
					At Avg rate	34112	11928	46040	37211	13016	50227



Preliminary Projections of Judicial Officers

We used the previous caseload and workload projections to generate preliminary projections of judges and commissioners by location. We were provided the judge and commissioner counts by location and case type and used the figures to create measures of filings and workloads per judge and per commissioner by case type and location. Those ratios then are applied to the projected future filings to yield a projected number of judges and commissioners by location, assuming the existing service delivery pattern is maintained and all ratios stay the same.



Computation of Filings and Workload per Judge

2005 Filings per Judge by Case Type									
Case Type	King County Courthouse			Regional Justice Center			Youth Services Center		
	Filings	# of Judges	Filings per Judge	Filings	# of Judges	Filings per Judge	Filings	# of Judges	Filings per judge
Types 2,3,5 - Paternity, Civil DVPO, Family Law	7,542	7	1,077	4,811	5	962	N/A	0	N/A
Type 7a – Becca	N/A	0	N/A	N/A	0	N/A	N/A	0	N/A
Type 7b – Dependency, Termination	518	2*	259	369	0.75	492	N/A	*	N/A
Juvenile Offender	N/A	0	N/A	N/A	0	N/A	4,085	4.75	860

* 0.75 at KCCH, 1.25 at YSC

2005 Workload per Judge by Case Type									
Case Type	King County Courthouse			Regional Justice Center			Youth Services Center		
	Work-load	# of Judges	Work-load per Judge	Work-load	# of Judges	Work-load per Judge	Work-load	# of Judges	Work-load per judge
Types 2,3,5 - Paternity, Civil DVPO, Family Law	11,202	7	1,600	7,938	5	1,588	N/A	0	N/A
Type 7a – Becca	N/A	0	N/A	N/A	0	N/A	N/A	0	N/A
Type 7b – Dependency, Termination	2,609	2*	1,305	2,180	0.75	2,907	N/A	*	N/A
Juvenile Offender	N/A	0	N/A	N/A	0	N/A	13,481	4.75	2,838

*0.75 at KCCH, 1.25 at YSC



Computation of Filings and Workload per Commissioner

2005 Filings per Commissioner by Case Type									
Case Type	King County Courthouse			Regional Justice Center			Youth Services Center		
	Filings	# of Comm'r's	Filings per Comm'r	Filings	# of Comm'r's	Filings per Comm'r	Filings	# of Comm'r's	Filings per Comm'r
Types 2,3,5 - Paternity, Civil DVPO, Family Law	7,542	3.5	2,155	4,811	2.5	1,924	N/A	0	N/A
Type 7a – Becca	N/A	0	N/A	1,285	0.5	2,570	917	0.5	1,834
Type 7b – Dependency, Termination	N/A	0	N/A	369	1	369	518	1	518
Juvenile Offender	N/A	0	N/A	N/A	0	N/A	N/A	0	N/A

2005 Workload per Commissioner by Case Type									
Case Type	King County Courthouse			Regional Justice Center			Youth Services Center		
	Work-load	# of Comm'r's	Work-load per Comm'r	Work-load	# of Comm'r's	Work-load per Comm'r	Work-load	# of Comm'r's	Work-load per Comm'r
Types 2,3,5 - Paternity, Civil DVPO, Family Law	11,202	3.5	3,201	7,938	2.5	3,175	N/A	0	N/A
Type 7a – Becca	N/A	0	N/A	3,014	0.5	6,028	2,871	0.5	5,742
Type 7b – Dependency, Termination	N/A	0	N/A	2,180	1	2,180	2,609	1	2,609
Juvenile Offender	N/A	0	N/A	N/A	0	N/A	N/A	0	N/A



Projections of Judges Based on Filings and Workloads, King County Courthouse

Projected Judges by Case Type Based on Filings, King County Courthouse									
Case Type	2005			2010			2020		
	Filings	Filings per Judge	Judges	Projected Filings	Filings per Judge	Judges	Projected Filings	Filings per Judge	Judges
Types 2,3,5 - Paternity, Civil DVPO, Family Law	7,542	1,077	7	7,821	1,077	7.26	8,531	1,077	7.92
Type 7b – Dependency, Termination*	518	259	2	538	259	2.08	586	259	2.26

* For both KCCH and YSC

Projected Judges by Case Type Based on Workload, King County Courthouse									
Case Type	2005			2010			2020		
	Work-load	Work-load per Judge	Judges	Projected Workload	Work-load per Judge	Judges	Projected Workload	Work-load per Judge	Judges
Types 2,3,5 - Paternity, Civil DVPO, Family Law	11,202	1,600	7	11,616	1,600	7.26	12,671	1,600	7.92
Type 7b – Dependency, Termination*	2,609	1,305	2	2,706	1,305	2.07	2,951	1,305	2.26

*For both KCCH and YSC



Projections of Commissioners Based on Filings and Workload, King County Courthouse

Projected Commissioners by Case Type Based on Filings, King County Courthouse									
Case Type	2005			2010			2020		
	Filings	Filings per Comm'r	Comm's	Project-ed Filings	Filings per Comm'r	Comm's	Project-ed Filings	Filings per Comm'r	Comm's
Types 2,3,5 - Paternity, Civil DVPO, Family Law	7,542	2,155	3.5	7,821	2,155	3.63	8,531	2,155	3.96

Projected Commissioners by Case Type Based on Workload, King County Courthouse									
Case Type	2005			2010			2020		
	Work-load	Work-load per Comm'r	Comm's	Project-ed Work-load	Work-load per Comm'r	Comm's	Project-ed Work-load	Work-load per Comm'r	Comm's
Types 2,3,5 - Paternity, Civil DVPO, Family Law	11,202	3,201	3.5	11,616	3,201	3.63	12,671	3,201	3.96



Projections of Judges Based on Filings and Workload, Regional Justice Center

Projected Judges by Case Type Based on Filings, Regional Justice Center									
Case Type	2005			2010			2020		
	Filings	Filings per Judge	Judges	Projected Filings	Filings per Judge	Judges	Projected Filings	Filings per Judge	Judges
Types 2,3,5 - Paternity, Civil DVPO, Family Law	4,811	962	5	4,986	962	5.18	5,440	962	5.65
Type 7b – Dependency, Termination	369	492	0.75	382	492	0.78	417	492	0.85

Projected Judges by Case Type Based on Workload, Regional Justice Center									
Case Type	2005			2010			2020		
	Work-load	Work-load per Judge	Judges	Projected Workload	Work-load per Judge	Judges	Projected Workload	Work-load per Judge	Judges
Types 2,3,5 - Paternity, Civil DVPO, Family Law	7,938	1,588	5	8,225	1,588	5.18	8,978	1,588	5.65
Type 7b – Dependency, Termination	2,180	2,907	0.75	2,259	2,907	0.78	2,465	2,907	0.85



Projections of Commissioners Based on Filings and Workload, Regional Justice Center

Projected Commissioners by Case Type Based on Filings, Regional Justice Center									
Case Type	2005			2010			2020		
	Filings	Filings per Comm'r	Comm's	Project-ed Filings	Filings per Comm'r	Comm's	Project-ed Filings	Filings per Comm'r	Comm's
Types 2,3,5 - Paternity, Civil DVPO, Family Law	7,542	2,155	3.5	7,821	2,155	3.63	8,531	2,155	3.96
Type 7a – Becca	1,285	2,570	0.5	1,332	2,570	0.5.2	1,453	2,570	0.5.7
Type 7b – Dependency, Termination	369	369	1	382	369	1.04	417	369	1.13

Projected Commissioners by Case Type Based on Workload, Regional Justice Center									
Case Type	2005			2010			2020		
	Work-load	Work-load per Comm'r	Comm's	Project-ed Work-load	Work-load per Comm'r	Comm's	Project-ed Work-load	Work-load per Comm'r	Comm's
Types 2,3,5 - Paternity, Civil DVPO, Family Law	11,202	3,201	3.5	11,616	3,201	3.63	12,671	3,201	3.96
Type 7a – Becca	3,014	6,028	0.5	3,123	6,028	0.5.2	3,408	6,028	0.57
Type 7b – Dependency, Termination	2,180	2,180	1	2,259	2,180	1.04	2,465	2,180	1.13



Projections of Judges Based on Filings and Workload, Juvenile Offender Cases (YSC)

Projected Judges by Case Type Based on Filings, King County Courthouse									
Case Type	2005			2010			2020		
	Filings	Filings per Judge	Judges	Projected Filings	Filings per Judge	Judges	Projected Filings	Filings per Judge	Judges
Juvenile Offender	4,085	860	4.75	4,235	860	4.92	4,620	860	5.37

Projected Judges by Case Type Based on Workload, King County Courthouse									
Case Type	2005			2010			2020		
	Work-load	Work-load per Judge	Judges	Projected Workload	Work-load per Judge	Judges	Projected Workload	Work-load per Judge	Judges
Juvenile Offender	13,481	2,838	4.75	13,976	2,838	4.92	15,247	2,838	5.37

CONCLUSIONS

Since the tables are nearly identical whether by caseload or workload, the conclusions are the same. Note that for space planning purposes all fractions are rounded upwards.

- The total number of judges, excluding juvenile offender related judges, could be expected to grow from 14.5 to 16.68 in 2020.
- The total number of commissioners could be expected to grow from 9 to 9.62 in 2020.
- The number of judicial officers needed for juvenile offender cases could be expected to grow from 4.75 to 5.37 in 2020.

These projections would be substantially affected by any changes in assumptions about filings/workload per judicial officer or by changes in the location of services.

ASSESSMENT REPORT



KING COUNTY TARGETED OPERATIONAL MASTER PLAN ASSESSMENT REPORT

By Steven Weller, John A. Martin, and Dan L. Wiley

OVERVIEW OF PROJECT METHODOLOGY

Purpose of the Project

Policy Studies Inc. (PSI) is working with King County to produce an Operational Master Plan (OMP) to develop and evaluate alternatives for the delivery of justice services for children and families in King County and make recommendations for the efficient and effective delivery of those justice services. Specifically, the OMP will examine how to: (1) improve the individual operations of the Juvenile Court, Family Court, and related courts; and (2) better integrate and coordinate the Juvenile, Family, and related Courts for families that have cases in more than one court, where such integration can occur.

The project was designed to produce a series of working papers to serve as building blocks for the final OMP. Those papers are as follows:

- Working Paper One, which discussed (1) the major guiding principles for the Superior Court with regard to resolving cases involving children and families; (2) the present organization of the King County Superior Court with regard to cases involving children and families; and (3) the major issues affecting the ability of the Superior Court to achieve those guiding principles;
- Working Paper Two, which described current operations and facilities;
- Working Paper Three, which discussed operational and facility needs, options for meeting those needs, and forecasting of potential future caseloads and workloads; and
- This Assessment Report, which discusses five packages of options selected by the COG, including achievement of guiding principles and criteria, resource implications, and tradeoffs.

Sources of data

The project findings are based information collected by project staff through the following sources of data.

- (1) Interviews and focus groups with a range of family and juvenile judicial system actors representing groups listed in the following table.



<ul style="list-style-type: none">• Superior Court judges;• District Court judges;• Superior Court commissioners;• Superior Court administration;• The Department of Judicial Administration;• Superior Court Family Support Services;• District Court administration;• King County Prosecuting Attorney's Office;• State Attorney General's Office;• State Department of Social and Human Services;• Office of the Public Defender;• King County Executive;• King County Council;• King County Sheriff;• Seattle and Kent Police Departments;• Adult and Juvenile Detention;• Family Law Court Appointed Special Advocate (CASA) Program;• Auburn Youth Resources;• Youth and Family Services Association;• Casey Family Foundation;	<ul style="list-style-type: none">• Renton School District;• Public Defender attorneys;• Prosecuting Attorney's Office (PAO) criminal and family support attorneys;• Assistant Attorneys General in dependency cases;• Private family law attorneys;• Dependency Court Appointed Special Advocates (CASAs);• Family Law CASAs;• Dependency social workers for the State Department of Social and Human Services (DSHS);• DSHS treatment providers;• Unified Family Court case managers and staff;• Clerk's Office/Judicial Administration Staff;• Court staff involved in the Systems Integration Project;• Adult detention administrative staff;• Juvenile detention administrative staff;• Juvenile Probation Counselors;• Youth agency representatives; and• Staff from the various therapeutic courts.
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(2) Focus groups and interviews of clients, including:

- teens in foster care;
- female juveniles in detention
- male juvenile offenders out of detention;
- juveniles from Juvenile Drug Court and their families;
- parents in Family Treatment Court;
- parents in divorce cases;
- parents in the UFC intensive case management program;
- a parent in dependency court; and
- a parent in dependency and drug court.

(3) Facilities tours and meetings with the County Facilities Management Department (FMD).

(4) Case processing/caseload meetings with various system actors to discuss the steps in case processing for the following types of cases:

- family law;



- UFC intensive case management;
- dependency;
- juvenile offender;
- Becca cases (truancy, at-risk youth, and children in need of services);
- civil domestic violence;
- child support; and
- therapeutic courts (Family Treatment Court, Juvenile Treatment Court, and Juvenile Drug Court).

(5) Data from SCOMIS and other case management systems.

(6) Comments and suggestions from detailed reviews of all project work products by the Project Work Group (PWG) and the Cabinet Oversight Group (COG).

The remainder of this Assessment Report first reviews the key findings from the three Working Papers and then presents a discussion of four preferred packages of options developed by the COG at the meeting on May 5, 2006.



REVIEW OF GUIDING PRINCIPLES

The following are the five guiding principles for cases involving families that emerged from our interviews of system actors across King County and discussions with the Cabinet Oversight Group:

- accessibility;
- understandability;
- comprehensiveness;
- effectiveness; and
- cultural competency.

Accessibility

Accessibility means that the justice system should be convenient, timely, and affordable to everyone with a legitimate concern. One aspect of accessibility in family cases that was raised by actors from different parts of the system was to make the court less burdensome for families. The following elements were raised.

- ✓ Reduce the number of hearings.
- ✓ Schedule hearings to take into account transportation and day care needs.

A second broad aspect of accessibility that was raised was to make treatment services, counseling, and education more accessible to families throughout King County. This included the following elements.

- ✓ Provide the following services, either centrally or duplicated in multiple sites for accessibility:
 - a transition center;
 - a residential treatment facility;
 - facilities and staff for supervised visitation;
 - an assessment center for police; and
 - a mental health facility.
- ✓ Provide treatment services on-site to connect people to services before they leave the courthouse, to improve compliance with court ordered services.



Understandability

For families to participate effectively in developing appropriate and achievable resolutions to their own cases, the court process needs to be understandable to them. This encompasses the following elements.

- ✓ Assure that families understand the terminology used in the court and what they are being ordered to do.
- ✓ Make the court more personalized and less intimidating, hectic, and confusing, including providing rooms where attorneys and caseworkers can meet privately with the parties, so that the families don't have to discuss their intimate problems in a public hallway or waiting room.

Comprehensiveness

Families with multiple court cases pose special difficulties for the courts. Dealing with those multiple problems in a comprehensive and coordinated manner is an important guiding principle. This includes the following elements.

- ✓ Link cases so families can have all of their legal problems dealt with at one time, in an ideal world including any criminal cases and family-related cases in the District Court that could affect the family case.
- ✓ Assure that all of the court-related support services necessary for the court case are available when needed, in the courthouse if possible, including, but not limited to the following:
 - juvenile detention;
 - juvenile and adult probation;
 - drug and alcohol evaluation;
 - paternity testing;
 - interpreters;
 - family court facilitators;
 - mediation; and
 - a holding cell for incarcerated parents.

Effectiveness

In King County there was broad agreement that the ultimate goal of the courts should be to produce better outcomes for families in King County. Within this broad goal, however, different



system actors identified different components of what constituted better outcomes for families. Those differences reflected the different professional perspectives of the various actors. The courts, law enforcement, prosecution, defense, social services, probation, and treatment providers all play different but interrelated roles in achieving the following outcomes.

The following are some of the key outcomes that were identified.

- ✓ Help families stay together, or when necessary, assist families with the separation process.
- ✓ Create stronger and more stable families in King County by improving their problem-solving skills.
- ✓ Bring some common sense into the process, by exercising appropriate discretion in circumstances that permit in order to develop interventions that make sense for the family.
- ✓ Make it possible for families to succeed, by avoiding so overburdening them with different treatment programs from multiple cases that it is not possible for them to meet all of the requirements placed on them.
- ✓ For children who must be removed from the home, provide a safe and permanent home for every child as quickly as possible, in a way that is age appropriate. For pre-adolescent children, this may mean early termination of parental rights (TPR) and adoption or other permanent placement, in order to avoid having the child move through a series of foster homes. For older children who are less likely to be adopted, this may mean preparation for early emancipation.
- ✓ Provide a way for families to get a final resolution to their cases. Dependency cases, in particular, tend to stay in the courts for a long time.
- ✓ Where necessary, help families to first stop the destructive behavior that got them into court, including domestic violence, child abuse, and substance abuse, so that they can begin to move forward in addressing their underlying problems.
- ✓ Avoid making the relationships within a family more adversarial than when the case started, so that the system does not pull families further apart.

A final approach to assuring effectiveness is to promote continuous improvement based on use of evidence-based practices and knowledge of the outcomes of children and family cases.

- ✓ Provide cross-disciplinary training.



- ✓ Provide ongoing evaluation of outcomes for children and families, based on agreed-upon performance measures and continuing data collection.
- ✓ Develop affiliations with local university graduate programs in disciplines relevant to cases involving children and families, to provide research and training.

Cultural Competency

A final guiding principle is to provide services to families and children through the justice system that are culturally competent. This includes the following elements.

- ✓ Assure the justice system's sensitivity to issues of language and culture. This could also help reduce minority overrepresentation in the juvenile and criminal justice systems and the child welfare system.
- ✓ Meet the individual needs of families and children where they are, both geographically and in terms of the problems they have and their needs, culture, income, and community.
- ✓ Use strength-based cultural resources and networks, including service providers who target the needs of families within specific cultural communities.



REVIEW OF CASEFLOW THEMES

This section reviews the descriptive themes arising from Working Paper Two.

Caseflow and Interview Assessment Themes

Five major policy themes emerged from the operational analysis. These policy themes are listed below and then discussed in detail. The themes presented below were also discussed in the January Cabinet Oversight Group.

Theme 1: Aligning Work Processes With Desired Outcomes and Guiding Principles

It is important to focus on the desired outcomes of each case flow process and the overall guiding principles articulated by the Cabinet Oversight Group for cases involving families and children. There needs to be a common understanding of the outcomes, so that all system actors are working toward the same overall goals. An effective case flow analysis will identify processes that might work to undermine desired outcomes. In particular, processes designed for an adversarial setting may undermine some of the more rehabilitative and therapeutic outcomes. Moreover, in order to evaluate the effectiveness of the Court's work processes and the adequacy of its resources, the Court must develop performance measures tied to desired outcomes.

Theme 2: Importance of the Front End

It is especially important to pay attention to the front end of the process, including how cases are referred to the courts by other agencies and how litigants obtain information about how to file and what they can expect throughout the process. What happens at the beginning of the process can affect caseloads, workload, case processing, and outcomes. When errors are made early on, the Court will have to take corrective actions that can lengthen and complicate work processes.

Theme 3: Meeting the Needs of Pro Se Litigants

Pro se litigants are common in family law and UFC cases. Their ability or inability to navigate the process can affect the length of the process, the workload of the judges and other system actors, and the case outcomes, both legal and human. Many case processes are not intuitive and can pose unnecessary obstacles for pro se litigants. More information to pro se litigants is needed, both as to their legal rights and as to what to expect in the court process.

Theme 4: Coordinating Multiple Cases Involving a Family

The UFC Intensive Case Management Program is just one approach to coordinating multiple cases involving a single family. There are needs and opportunities for coordinating cases and a variety of approaches to achieving that coordination outside of the purview of the UFC.



Theme 5: Infrastructure Limitations

There are areas of the court process that are driven by limitations of resources, including facilities, staffing, and service availability. Further, resource limitations or requirements can hinder coordination among different types of cases and between different Court programs.

Litigant Focus Group Themes

Six major themes emerged from the discussions in the focus groups. These themes were discussed in a preliminary fashion at the COG meeting on Friday, February 10, 2006:

- need for appropriate and effective services;
- need for achievable requirements;
- need for continuity and consistency among system actors;
- need for quality control;
- need for more information and education; and
- need for timeliness and predictability in the process.

Need for Appropriate and Effective Services

The need for the court to set up services tailored to the specific needs of the parties that are appropriate to address the parties' particular problems was a consistent theme across the focus groups. Some participants felt that the courts were too automatic in determining what services to order, chosen from a set and limited menu.

There was also concern expressed regarding the quality of some of the service providers. The main complaint was that some treatment providers assume that everyone has the same problem, and to the same degree, without investigating the particular circumstances of the individual program participants and whether the program is appropriate to their needs.

Access to services was also raised as an issue. Some treatment programs can have waiting lists as long as a year, which may make them effectively unavailable in the context of the timing of a particular case.

Juveniles expressed a desire to be asked what they think and how they feel. Juvenile offenders want the judge to understand who they are, what problems they have, and why they did what they did. Juveniles in foster care would like to be consulted when they are placed and when it is proposed that they be moved. The appropriateness of foster homes is important to them, including experience dealing with teenagers and the presence of other teenage children in the home.

The juveniles all expressed a desire to have people in the system who care about them and can provide guidance, including social workers, probation counselors, foster parents, and mentors. They appreciated social workers who returned their calls and checked up on them, who helped



them through the system, and who taught them how to function in society. They also appreciated foster parents who cared about their grades and other aspects of their lives. Mentors, in particular, were mentioned as having a very positive influence on juveniles, and some juveniles wished that they could have had a mentor earlier in the process.

The juveniles also expressed a need for better access to emergency services, including having an emergency number to call and access to emergency funds for clothing and other needs.

Need for Achievable Requirements

Another theme expressed with regard to services was avoiding overloading individuals or families with multiple services. Some participants, both adults and juveniles, felt overburdened by the number of service programs they were required attend. The time each week that people spent traveling to and attending counseling, classes, and other types of treatment programs put a strain on jobs, school, and family time and left little leisure time. Some special treatment services are available only in one location in the county, requiring long bus trips for people who live in other areas of the county and do not have a car or are too young to drive. (This was a problem raised with regard to attending court hearings as well, as is discussed below.)

The cost of treatment services and court-ordered sanctions such as supervised visitation and restitution put a severe strain on some individuals. Supervised visitation can cost \$150 for a two-hour visit, and most treatment programs have a cost associated with them. Court-ordered restitution for a juvenile offender often amounts to over \$1,000, requiring that the juvenile work as well as attend school and treatment.

Need for Continuity and Consistency among System Actors

Participants reported that the system actors involved in the lives of children and families who are in the justice system often change during the life of a case. Many of the parent participants in the focus groups reported having more than one judge, multiple social workers, and multiple public defenders. Juveniles reported having multiple probation counselors and multiple foster home placements. And nearly all had multiple treatment providers to satisfy.

The actors sometimes change due to attrition or the transfer of a person from one assignment to another. A caseworker may move a child from one foster home to another when the juvenile is misbehaving, even in circumstances where the foster parents are not at fault. Changing a foster home often results in changing the school that the child attends.

When the people in their lives change, so does the way they are treated and what is required of them. One caseworker or probation counselor may be willing to tolerate behavior that another is not, and the change may come as a surprise, with negative consequences.

Need for Quality Control



Some participants expressed dissatisfaction with the quality of the decision-making by some system actors. For example, a Family Court Services social worker conducting a custody investigation may deny custody to a parent based on different criteria than a caseworker would use to remove a child in a dependency case, but in either case the result is that the child is removed from the parent. Further, a concern was expressed that it is difficult for a parent to challenge the assessment of a social worker.

The quality of foster care was also raised; some juveniles reported abusive foster care homes or foster parents who simply didn't care about the welfare of the juvenile.

Need for More Information and Education

A consistent theme across all of the focus groups was the need for more information and education for the parents and children. People do not know what their rights are, what to expect from the process, what is going to happen at each hearing, why particular decisions have been made, and what they are expected to do after a court hearing.

The older juveniles in the focus groups remembered that they didn't start to understand what was going on in their cases until they reached the age of 11, and then they didn't really start to figure things out until they reached the age of 15.

Juveniles need to be better prepared for their hearings. They want to be there, but they need to know what will happen and they need help to be comfortable, mentally prepared to talk to the judge, and able to control their emotions.

The need for more information even extended to parties who were represented by private, paid counsel. People with private attorneys felt that their attorneys were not informing them of what was coming, what they were going to be expected to do, why hearings were continued, and a variety of other substantive and process issues. This should be a particular concern for the courts, as in cases where the welfare of children is at stake, the outcomes cannot just be left up to the skill of the attorneys. The parties need to be able to participate effectively.

Need for Timeliness and Predictability

The focus group discussions raised the need for timeliness and predictability with regard to three aspects of the legal process: (1) the length of time from the start of a case to final resolution or disposition; (2) the time spent waiting in court for a case to be called on hearing days; and (3) the number of times that an event in a case is scheduled to take place but does not happen when scheduled.

Sometimes people are told to do something before they can attain another privilege, but when they do what they are told to do, the privilege isn't granted.



Quantitative Analysis Themes

- Limited Increase in Filings but Increasing Workload. While filings in all areas of cases involving children and families have declined over the last ten years, the filings have leveled off in the last few years and can be expected to increase in the future.
- Case Geographic Dispersion Throughout King County. The caseloads for all types of cases are widely dispersed throughout King County.
- Disproportionate Case Growth in Central Seattle and South King County. The main areas of caseload growth, in line with population growth, have been in central Seattle and the south county area.
- Future Case Growth Generators Suggest Increased Growth In South and Eastern King County. The areas of projected growth in caseloads are the south county area and the east county areas that seem to be the next target area of development.

Facility Assessment Themes

- Adequacy of Juvenile Court Facility. The YSC and Alder Wing facilities do not meet the present needs of the court. The courtroom waiting area is noisy, hectic, and confusing, increasing the stress level of litigants. All of the courtrooms are substandard in size and not designed for an adversary process. Judges' chambers and bailiffs' offices are cramped. Further, the facility lacks office space for court support staff, workspace for the staff of related agencies, space to allow attorneys and caseworkers to meet privately with clients, and amenities such as a drop off child care center and a cafeteria food service facility.
- Capacity to Reconfigure Kent Detention Facility to Accommodate Juveniles. If juvenile detention is to be provided adjacent to the RJC, the present Kent adult detention center will be difficult to expand to accommodate the sight and sound separation required for housing juveniles and adults in the same facility.
- Match Between Population and Service Site Locations. Accommodating the transportation and adjacency needs of the geographically dispersed clientele of the courts will have to be a critical consideration in any facilities decisions.



REVIEW OF NEEDS AND OPTIONS

This section presents an overview of the key needs emerging from the analysis in Working Papers One and Two, the options for meeting those needs, and the forecasts of future caseloads and judicial officer needs.

Inventory of Needs

The categories of needs that emerged include the following.

- Litigant Access and Convenience
- Litigant Knowledge and Understanding
- Coordinated Court Responses to Multiple Family Problems
- Effective Service Delivery
- Adequate Staffing and Other Resources
- Accessible Court Facilities for Litigants, Families, and Justice System Actors
- Effective Outcomes for Children and Families

Litigant Access and Convenience

The court process can be burdensome for some litigants. The burdens come from the time and travel required to attend court hearings and required service programs, wasted court appearances, multiple requirements that the litigant must meet, and high expenses for some court-ordered requirements.

Litigant Knowledge and Understanding

For families to participate effectively in developing appropriate and achievable resolutions to their own cases, the court process needs to be understandable to them.

Coordinated Court Responses to Multiple Family Problems

Families with multiple court cases pose special difficulties for the courts. Dealing with those multiple problems in a comprehensive and coordinated manner is an important guiding principle. This includes linking cases so families can have as many of their legal problems as possible dealt with at one time.

Effective Service Delivery

Treatment services, counseling, and education must be accessible to children and families throughout King County.

Adequate Staffing and Other Resources



There are areas of the court process that are driven by limitations of staffing and other resources. Further, resource limitations or requirements can hinder coordination among different types of cases and between different Court programs.

Accessible Court Facilities for Litigants, Families, and Justice System Actors

It is a fundamental concept that facilities/space should support services and that deployment patterns should be determined by service delivery priorities. Facilities and space should serve rather than drive preferred functional patterns. It is very common that the reverse is the reality; that available space defines service delivery patterns.

Effective Outcomes for Children and Families

There is broad agreement among system actors that the ultimate goal of the justice system should be to produce high quality decisions for children and families in King County. The courts, law enforcement, prosecution, defense, social services, probation, and treatment providers all play a role in the decision-making process.

Criteria for Assessing Options

At the April 7 meeting the COG considered an extensive list of potential options for addressing the above needs. COG members indicated their individual preferences for specific reforms from the list, and articulated the criteria that they applied in making their selections. At the end of the meeting the COG requested that the project team develop a set of reform packages from the list of specific option items for consideration at the May 5 meeting.

The criteria articulated by the COG in the April 7 meeting include the following.

Accessibility

- Access and convenience for clients – minimize travel time to court and service locations, timeliness, reasonable costs to litigants
- Understandability
- Access and convenience for system actors – attorneys, social workers
- Effective use of court hearings
- Litigant assistance
- One stop shopping

Cost effectiveness

- Efficient use of resources – facilities, technology, staff, judge time
- Efficient work processes and use of court time
- Use of community-wide resources



Focus on the whole family

- Coordination of multiple cases involving a family
- Coordination of services

Effective outcomes for families

- Effective assessment of client needs
- Effective service delivery tailored to client needs
- A rational process for clients and system actors
- Engagement of families in the process
- Ability to hold clients accountable
- Cultural competence
- Evidence-based practices
- Proven practices

Quality decisions

- Accountability for all system actors
- Knowledge and training for all system actors

Achievability

- Short term
- Intermediate term
- Long term

Summary of Options and COG Preferences

The following is a summary of the options considered by the Cabinet Oversight Group on April 7, 2006. Options added at the COG meeting are designated by letter rather than number. The COG members were asked to indicate the options that they most wanted to see move forward for further development by placing dots on flip chart pages. The list below also indicates the number of dots that each option received.

Litigant Access and Convenience

- 1) Improve case management to reduce the need for continuances by assuring that: (1) the necessary information for each hearing, including assessments, chemical tests, etc., is produced in a timely manner; and (2) that all the necessary system professionals are all available and present at hearings. (Include the discovery process.) (8 dots)



- 2) For all cases involving children, including UFC intensive case management cases, families involved in other UFC family law cases, dependency cases, juvenile offender cases, and Becca cases, assign a case manager to every family. (0 dots)
- 3) For all cases, have the judges' bailiff take on greater case management duties for cases assigned to their judge. (0 dots)
- 4) For dependency cases or UFC family law cases with appointed CASAs, assign the CASA volunteer case management duties. (0 dots)
- 5) For all family law and dependency/termination cases, appoint a guardian ad litem (GAL) to assist the court in managing cases in addition to a CASA. The GALs could be attorneys employed by the court, private attorneys appointed as pro bono service, private attorneys paid in part by the court and in part by the litigants on a sliding scale, attorneys attached to a legal aid agency, or attorneys obtained in some other manner. (1 dot)
- 6) For all case types, conduct intensive work process improvement efforts, in order to eliminate unnecessary or duplicative hearings, improve trial scheduling, and assure that judges have the necessary information to accomplish something at every hearing, all with the goal of reducing continuances, litigant travel, and litigant time lost from work or school. (5 dots)
- 7) For all case types, develop methods to identify multiple cases involving a single family and coordinate the progress of related cases. (6 dots)
- 8) Assign commissioners to a specific judge. (0 dots)
- 9) Allow commissioners to hear trials. (1 dot)
- 10) Streamline the juvenile warrant process. (1 dot)
- 11) Provide evening hours for court hearings. (5 dots)
- 12) For family law cases, developing the use of pretrial conferences or other judicial management techniques at an early enough date in the process to assure that, to the extent possible, the issues for each hearing are defined and attorneys and parties come prepared for hearings. (2 dots)
- 13) For all case types, design the system for assigning cases to judges for trial so that the trial judge can manage a case from filing through trial, and so that the trial is held in the court of original venue. (0 dots)
- 14) For dependency, termination of parental rights, and UFC family law cases, expand the use of alternative dispute resolution methods to resolve cases without trials and to improve cooperation of families with treatment orders. (1 dot)



- 15) For dependency, termination of parental rights, and UFC family law cases, have judges conduct hearings rather than commissioners at targeted decision points for case management purposes. (0 dots)
- 16) For all case types, create specific calendars based on subject matter and for pro se litigants. (1 dot)
- 17) For all case types, improve assessment processes for determining family needs and assigning families to appropriate services. (3 dots)
- 18) For all case types, develop processes to identify the level of assistance that a family requires to understand and participate effectively in the system. (1 dot)
- 19) For UFC family law cases and dependency cases, determine why the cases in the RJC have a higher average number of hearings and longer average case processing time and address the work process issues that lead to those differences. (0 dots)
 - A. Develop a way to have more CASAs available for cases. (1 dot)
 - B. Improve the discovery process and other front-end activities so that critical points happen earlier. (2 dots)
 - C. Add weekend hours and access. (2 dots)
 - D. Expand the use of non-attorney GALs. (1 dot)

Litigant Knowledge and Understanding

- 20) Provide information and advice on the process by an attorney, trained court clerical staff, staff of an information center, specially trained case managers, on-line, through printed informational materials, or a combination of the above. (1 dot)
- 21) Provide information on a person's legal rights and obligations by an attorney, either the attorney representing the litigant or a court-attached attorney hired to assist unrepresented litigants. (1 dot)
- 22) Provide information on the consequences of choices regarding entry into court and treatment programs by an attorney, a social worker, facilitators in Family Court Services, or possibly other trained professionals. (0 dots)
- 23) Provide parent orientation in dependency cases, either through a seminar or by a video. (3 dots)



- 24) Work with community organizations in minority communities to develop court information centers within those communities, staffed by individuals who are from the relevant culture and able speak the languages in the community. (4 dots)
- 25) Simplify the parenting plan by identifying the parts of the plan that are the most difficult to complete or tend to be the most contentious and either simplifying the requirements or providing special assistance to parties in completing those parts. (6 dots)
- 26) Identify and eliminate duplicative or unnecessary hearings. (5 dots)
- 27) Identify and eliminate or simplify procedures that litigants have the most difficulty understanding. (6 dots)
- 28) Allow litigants to deal with multiple issues at a single hearing where appropriate. (2 dots)
- 29) Identify the most common mistakes that litigants (and attorneys) make and developing methods to reduce litigant errors. (2 dots)
 - A. Provide information in different languages. (5 dots)
 - B. Provide information in ways that address the varying degrees of litigant literacy. (2 dots)

Coordinated Court Responses to Multiple Family Problems

- 30) Create a Unified Family Court, with the following characteristics: (8 dots)
 - o inclusion of all children and family related case types including: family law; dependency; termination of parental rights; adoption; paternity; guardianship; civil domestic violence protection orders; juvenile offender; juvenile status offenses (Becca cases); and ; misdemeanor domestic violence;
 - o one family/one judge;
 - o judges elected or assigned to the family court;
 - o trained teams of prosecutors, defense attorneys, and social workers;
 - o case managers to monitor the progress of every family;
 - o *a comprehensive social service network*; and
 - o outcome oriented performance measurement.
- 31) Assign commissioners to hold combined dependency and family law hearings and train dependency system professionals in family law. (2 dots)
- 32) Develop methods to coordinate cases outside of the purview of the UFC program, including: (0 dots)
 - o Use of central case oversight teams and interagency coordination teams;
 - o Social workers, guardians ad litem, and CASA volunteers charged with investigating and informing the court of other cases involving the family; and



- Lawyers, including prosecuting attorneys, attorneys general, and defense attorneys provided with a means to obtain information on other cases involving the family.
 - Sharing data across the court, probation, and social service information systems;
 - Cross indexing cases involving a single family; and
 - Assigning a unique file number to each family.
- A. Train the private bar in the intricacies and nuances of the family system in King County across all case types. (1 dot)

Effective Service Delivery

- 33) For services that do not require access to a fixed facility (such as a hospital), find space in multiple locations in different parts of the county so that service provider staff could offer services at different locations around the county on different days. (1 dot)
- 34) For families that may have different family members required to attend different services (such as adult anger management and youth counseling), develop service centers offering different types of services in one place so that all family members can receive services in the same location. (4 dots)
- 35) For some types of services, connect people to services before they leave the courthouse, to improve compliance with court ordered services. The court should identify those services and assure that provider staff are available in the courthouse to meet with clients after their hearings. This will require space in the courthouses for provider staff. (6 dots)
- 36) Expand the scope of culturally competent services, including: (1) developing and presenting cultural competency training for judges and court staff; (2) developing and providing support for culture-based treatment service programs; (3) collaborating with community-based non-profit organizations from minority communities; and (4) identifying ICWA and other tribal issues. (1 dots)
- 37) For families with multiple court cases, develop a means to: (1) coordinate treatment programs for an individual to assure consistency and appropriateness; and (2) continually assess an individual's progress and move an individual from one program to another when a program appears to be failing to meet and individual's needs. (6 dots)
- 38) Promote effective and efficient assessment and triage to lead to efficient use of services that target family needs through training and supplemental information for judges on the service programs available, what conditions they are designed to treat, their entry criteria and costs, and their organizational and outcome performance goals and measures. (3 dots)



- A. Explore, expand, and promote transportation and transit alternatives, such as vouchers and shuttles dedicated to transit to and between court locations. (3 dots)
- B. Develop mechanisms to provide up to date relevant service recommendations for parties, allowing for location matching and other key litigant and family needs. (4 dots)
- C. Develop mechanisms for follow-up information on the performance and quality of services. (1 dot)
- D. Prepare a preferred provider list. (3 dots)
- E. Generally increase service capacity, particularly for mental health and substance abuse. (3 dots)

Adequate Staffing and Other Resources

- 39) Develop and present training to assure that all judicial officers and other system professionals who deal with family matters, including Superior Court judges, portability judges from District Court, and commissioners, are trained to handle all types of children and family cases, including UFC family law, dependency, juvenile offender, and civil domestic violence matters. The training could also be required of all judges who are rotating into family or juvenile duty. (4 dots)
- 40) Expand the scope of representation in its contracts with the public defender agencies to allow public defender attorneys representing clients in a dependency case to represent those clients in their family matters. The contracts might also be expanded to allow such representation by public defenders representing clients in criminal matters who have a UFC family law case as well. (2 dots)
- 41) Develop an automated case management system that is capable of identifying and providing complete information on all the cases involving a family. Two obstacles that have to be overcome are (1) confidentiality requirements and how to maximize information exchange within those requirements; and (2) a means to develop common identifiers across cases that may involve parties with different last names. (7 dots)
- 42) Expand and improve web-based information and access. (0 dots)
- 43) Expand Family Court operations staff in three ways: (1) increasing the number of staff to enable them to offer information services to represented as well as unrepresented litigants in UFC family law cases; (2) expanding the scope of facilitator staff to provide advice to litigants in dependency matters as well as UFC family law matters; and (3) adding a staff attorney to advise and assist litigants.. The court might also consider expanding the number of UFC case managers. (5 dots)
- A. Expand legal assistance agencies to provide support to family law litigants. (5 dots)



Accessible Court Facilities for Litigants, Families, and Justice System Actors

- 44) Provide holding cells *and related infrastructure* in the RJC for juveniles brought from the detention center for hearings that are separated by sight and sound from adult holding cells. (2 dots)
- 45) Build a *risk/needs* assessment center in south county for law enforcement to bring a juvenile, with the capacity to hold a small number of juveniles in secure residential detention for a short period of time. The assessment center could provide capability to conduct substance abuse and mental health assessments and continuing drug and alcohol evaluations, both when a juvenile is first picked up by law enforcement and on a continuing basis while the juvenile is under the jurisdiction of the court. (3 dots)
- 46) Replace the YSC to provide: (1) courtrooms that are better designed for adversary hearings; (2) workspace for the Prosecuting Attorneys, *Assistant Attorneys General*, Public Defenders, and DSHS caseworkers; (3) an assessment lab for UA; (4) expanded clerical space; (5) additional courtrooms to accommodate the new commissioners; (6) space for treatment programs; and (7) child care, food, parking, and other amenities. (03dots)
- 47) Build an entire family law facility to include UFC family law, the UFC intensive case management program, juvenile offender, dependency, Becca cases, and the therapeutic courts. The new facility could also house an assessment center and treatment programs. Some have a vision of a “campus” with all services available in one place, to meet adjacency needs, including: (6 dots)
- juvenile detention;
 - juvenile and adult probation;
 - drug and alcohol evaluation;
 - a urinalysis (UA) lab;
 - paternity testing;
 - interpreters;
 - family court facilitators;
 - mediation;
 - a holding cell for incarcerated parents attending hearings;
 - a transition center;
 - a residential treatment facility;
 - facilities and staff for supervised visitation;
 - an assessment center for police;
 - a mental health facility;
 - schools;
 - educational programs for parents; and
 - child care, food, parking, and other amenities.
- 48) Build a facility that encompasses some but not all of the above features. (0 dots)



- 49) Convert the RJC and the Kent jail into a juvenile/family center and juvenile detention center. (0 dots)
- 50) Superior Court and the District Court collaborate in using their facilities to provide better geographic access to litigants in both courts. A new facility might be designed jointly to meet both Superior Court and District Court needs. Alternatively, some Superior Court operations, including juvenile court operations, might be housed in one of the present South County District Court facilities, with District Court operations moved to the RJC. (3 dots)
 - A. Explore the use of regional facilities for juveniles (municipal, cross jurisdiction, INS, Federal) (4 dots)

Effective Outcomes for Children and Families

- 51) Increase judicial review and oversight of the decisions of social workers, juvenile probation counselors, and treatment providers. Review might be made available on motion of a party, to provide of a process for a litigant to reopen a bad choice or decision. The court might also consider creating an ombudsman's office to which a litigant might appeal the action of a system actor. (1 dot)
- 52) With regard to all types of cases, but particularly juvenile offender, therapeutic court, and Becca cases, develop a method for monitoring outcomes across system actors. This will require a collaborative effort by a wide range of stakeholders, including the judicial officers, the PAO, the OPD, DSHS, the JPCs, Family Court Services, county and private service providers, law enforcement, the schools, community organizations, and other stakeholders. (3 dots)
- 53) Conduct periodic stakeholder focus groups. (0 dots)

Projections of Future Judicial Officer Needs

The final section of Working Paper Three contained high level projections of future judicial officer needs (judges and commissioners) based on projected caseloads and workloads through the year 2020.

While caseloads have declined over the last decade in King County, it is clear that the decline will eventually end as population increases. We thus used the ratio of filings to population for 2005 as the base on which to build filing projections forward to 2020. Our workload computation combined filings with an activity indicator, the average number of hearings/case type by location. We multiplied the filings by case type (by location) times the average number of hearings by case type (by location), using the 2005 data on number of hearings (the only year for which hearing information is available) for each case type.



A major limitation on the ability to project future caseloads is the inability to predict future statutory and policy changes regarding the ways that different types of cases are handled, and the potential impact of those changes on caseloads. A forecasting work group consisting of court staff and the county project managers identified some of the potential policy changes on the horizon that, if adopted, could influence caseloads. The potential impacts of those changes cannot be projected with any degree of certainty.

Recognizing the above limitation, based on projected population increases and filings rates per 100,000 population, we project an 11 percent increase in caseloads and workloads from 2005 to 2020. Assuming that increase of caseload and judicial workload, the following tables present our projections of judicial officer needs through 2020.

We used the previous caseload and workload projections to generate preliminary projections of judges and commissioners by location. We were provided the judge and commissioner counts by location and case type and used the figures to create measures of filings and workloads per judge and per commissioner by case type and location. Those ratios then are applied to the projected future filings to yield a projected number of judges and commissioners by location, assuming the existing service delivery pattern is maintained and all ratios stay the same. The forecast indicated the overall magnitude of potential and future workload, and did not provide a precise nor detailed measurement. Additional analysis will be needed to refine the projections.



Computation of Filings and Workload per Judge

2005 Filings per Judge by Case Type									
Case Type	King County Courthouse			Regional Justice Center			Youth Services Center		
	Filings	# of Judges	Filings per Judge	Filings	# of Judges	Filings per Judge	Filings	# of Judges	Filings per judge
Types 2,3,5 - Paternity, Civil DVPO, Family Law	7,542	7	1,077	4,811	5	962	N/A	0	N/A
Type 7a – Becca	N/A	0	N/A	N/A	0	N/A	N/A	0	N/A
Type 7b – Dependency, Termination	518	1.75*	259	369	0.75	492	N/A	*	N/A
Juvenile Offender	N/A	0	N/A	N/A	0	N/A	4,085	4.75	860

* 0.5 at KCCH, 1.25 at YSC

2005 Workload per Judge by Case Type									
Case Type	King County Courthouse			Regional Justice Center			Youth Services Center		
	Work-load	# of Judges	Work-load per Judge	Work-load	# of Judges	Work-load per Judge	Work-load	# of Judges	Work-load per judge
Types 2,3,5 - Paternity, Civil DVPO, Family Law	11,202	7	1,600	7,938	5	1,588	N/A	0	N/A
Type 7a – Becca	N/A	0	N/A	N/A	0	N/A	N/A	0	N/A
Type 7b – Dependency, Termination	2,609	1.75*	1,305	2,180	0.75	2,907	N/A	*	N/A
Juvenile Offender	N/A	0	N/A	N/A	0	N/A	13,481	4.75	2,838

*0.5 at KCCH, 1.25 at YSC



Computation of Filings and Workload per Commissioner

2005 Filings per Commissioner by Case Type									
Case Type	King County Courthouse			Regional Justice Center			Youth Services Center		
	Filings	# of Comm'rs	Filings per Comm'r	Filings	# of Comm'rs	Filings per Comm'r	Filings	# of Comm'rs	Filings per Comm'r
Types 2,3,5 - Paternity, Civil DVPO, Family Law	7,542	3.5	2,155	4,811	2.5	1,924	N/A	0	N/A
Type 7a – Becca	N/A	0	N/A	1,285	0.5	2,570	917	0.5	1,834
Type 7b – Dependency, Termination	N/A	0	N/A	369	1	369	518	1	518
Juvenile Offender	N/A	0	N/A	N/A	0	N/A	N/A	0	N/A

2005 Workload per Commissioner by Case Type									
Case Type	King County Courthouse			Regional Justice Center			Youth Services Center		
	Work-load	# of Comm'rs	Work-load per Comm'r	Work-load	# of Comm'rs	Work-load per Comm'r	Work-load	# of Comm'rs	Work-load per Comm'r
Types 2,3,5 - Paternity, Civil DVPO, Family Law	11,202	3.5	3,201	7,938	2.5	3,175	N/A	0	N/A
Type 7a – Becca	N/A	0	N/A	3,014	0.5	6,028	2,871	0.5	5,742
Type 7b – Dependency, Termination	N/A	0	N/A	2,180	1	2,180	2,609	1	2,609
Juvenile Offender	N/A	0	N/A	N/A	0	N/A	N/A	0	N/A



Projections of Judges Based on Filings and Workloads, King County Courthouse

Projected Judges by Case Type Based on Filings, King County Courthouse									
Case Type	2005			2010			2020		
	Filings	Filings per Judge	Judges	Projected Filings	Filings per Judge	Judges	Projected Filings	Filings per Judge	Judges
Types 2,3,5 - Paternity, Civil DVPO, Family Law	7,542	1,077	7	7,821	1,077	7.26	8,531	1,077	7.92
Type 7b – Dependency, Termination*	518	296	1.75	538	296	1.82	586	296	1.98

* For both KCCH and YSC

Projected Judges by Case Type Based on Workload, King County Courthouse									
Case Type	2005			2010			2020		
	Work-load	Work-load per Judge	Judges	Projected Workload	Work-load per Judge	Judges	Projected Workload	Work-load per Judge	Judges
Types 2,3,5 - Paternity, Civil DVPO, Family Law	11,202	1,600	7	11,616	1,600	7.26	12,671	1,600	7.92
Type 7b – Dependency, Termination*	2,609	1,491	1.75	2,706	1,491	1.81	2,951	1,491	1.98

*For both KCCH and YSC



Projections of Commissioners Based on Filings and Workload, King County Courthouse

Projected Commissioners by Case Type Based on Filings, King County Courthouse									
Case Type	2005			2010			2020		
	Filings	Filings per Comm'r	Comm'r's	Project-ed Filings	Filings per Comm'r	Comm'r's	Project-ed Filings	Filings per Comm'r	Comm'r's
Types 2,3,5 - Paternity, Civil DVPO, Family Law	7,542	2,155	3.5	7,821	2,155	3.63	8,531	2,155	3.96

Projected Commissioners by Case Type Based on Workload, King County Courthouse									
Case Type	2005			2010			2020		
	Work-load	Work-load per Comm'r	Comm'r's	Project-ed Work-load	Work-load per Comm'r	Comm'r's	Project-ed Work-load	Work-load per Comm'r	Comm'r's
Types 2,3,5 - Paternity, Civil DVPO, Family Law	11,202	3,201	3.5	11,616	3,201	3.63	12,671	3,201	3.96



Projections of Judges Based on Filings and Workload, Regional Justice Center

Projected Judges by Case Type Based on Filings, Regional Justice Center									
Case Type	2005			2010			2020		
	Filings	Filings per Judge	Judges	Projected Filings	Filings per Judge	Judges	Projected Filings	Filings per Judge	Judges
Types 2,3,5 - Paternity, Civil DVPO, Family Law	4,811	962	5	4,986	962	5.18	5,440	962	5.65
Type 7b – Dependency, Termination	369	492	0.75	382	492	0.78	417	492	0.85

Projected Judges by Case Type Based on Workload, Regional Justice Center									
Case Type	2005			2010			2020		
	Work-load	Work-load per Judge	Judges	Projected Workload	Work-load per Judge	Judges	Projected Workload	Work-load per Judge	Judges
Types 2,3,5 - Paternity, Civil DVPO, Family Law	7,938	1,588	5	8,225	1,588	5.18	8,978	1,588	5.65
Type 7b – Dependency, Termination	2,180	2,907	0.75	2,259	2,907	0.78	2,465	2,907	0.85



Projections of Commissioners Based on Filings and Workload, Regional Justice Center

Projected Commissioners by Case Type Based on Filings, Regional Justice Center									
Case Type	2005			2010			2020		
	Filings	Filings per Comm'r	Comm'r's	Project-ed Filings	Filings per Comm'r	Comm'r's	Project-ed Filings	Filings per Comm'r	Comm'r's
Types 2,3,5 - Paternity, Civil DVPO, Family Law	7,542	2,155	3.5	7,821	2,155	3.63	8,531	2,155	3.96
Type 7a – Becca	1,285	2,570	0.5	1,332	2,570	0.5.2	1,453	2,570	0.5.7
Type 7b – Dependency, Termination	369	369	1	382	369	1.04	417	369	1.13

Projected Commissioners by Case Type Based on Workload, Regional Justice Center									
Case Type	2005			2010			2020		
	Work-load	Work-load per Comm'r	Comm'r's	Project-ed Work-load	Work-load per Comm'r	Comm'r's	Project-ed Work-load	Work-load per Comm'r	Comm'r's
Types 2,3,5 - Paternity, Civil DVPO, Family Law	11,202	3,201	3.5	11,616	3,201	3.63	12,671	3,201	3.96
Type 7a – Becca	3,014	6,028	0.5	3,123	6,028	0.5.2	3,408	6,028	0.57
Type 7b – Dependency, Termination	2,180	2,180	1	2,259	2,180	1.04	2,465	2,180	1.13



Projections of Judges Based on Filings and Workload, Juvenile Offender Cases (YSC)

Projected Judges by Case Type Based on Filings, King County Courthouse									
Case Type	2005			2010			2020		
	Filings	Filings per Judge	Judges	Projected Filings	Filings per Judge	Judges	Projected Filings	Filings per Judge	Judges
Juvenile Offender	4,085	860	4.75	4,235	860	4.92	4,620	860	5.37

Projected Judges by Case Type Based on Workload, King County Courthouse									
Case Type	2005			2010			2020		
	Work-load	Work-load per Judge	Judges	Projected Workload	Work-load per Judge	Judges	Projected Workload	Work-load per Judge	Judges
Juvenile Offender	13,481	2,838	4.75	13,976	2,838	4.92	15,247	2,838	5.37

CONCLUSIONS

Since the tables are nearly identical whether by caseload or workload, the conclusions are the same. Note that for space planning purposes all fractions are rounded upwards.

- The total number of judges, excluding juvenile offender related judges, could be expected to grow from 14.5¹ to 16.4 in 2020.
- The total number of commissioners could be expected to grow from 9 to 9.62 in 2020.
- The number of judicial officers needed for juvenile offender cases could be expected to grow from 4.75² to 5.37 in 2020.

The above judicial officer projections could be substantially affected by any changes in assumptions about filings/workload per judicial officer, by changes in filing rates for all cases or for specific case types, or by changes in the location of services.

¹ There are 19.25 total judicial officers in 2006 for children and family matters. The 14.5 figure is arrived at by subtracting the 4.75 (Chief juvenile judge and four juvenile offender judges) from the 19.25 total.

² 4.75 is the total number of juvenile offender judges, including the Chief juvenile judge.



DISCUSSION OF OPTION PACKAGES AND IMPLICATIONS

This section presents the final option packages selected by the COG in the May 5 meeting and discuss the criteria that each package meets and the resource implications and tradeoffs associated with each package.

The resource implications that are discussed include the following;

- Facilities;
- Staffing and Workload;
- Work processes;
- Legal requirements;
- Access to service programs; and
- Court security

The remainder of this section: (1) presents an overview the option packages considered by the COG; (2) discusses common elements to all of the packages; and (3) discusses the four packages selected by the COG at the May 5 meeting for detailed analysis and, for comparison, a fifth package based on where the court is at present.

Overview of Option Packages

The options packages were organized by two categories, variations in service delivery models and variations in case management models. All of the packages recommend addressing the significant facility and space issues in the present Juvenile Court building at the Youth Services Center (YSC) with the potential of replacing it. The specific facility recommendation will be developed in a subsequent Facilities Master Plan. All of the packages also include work process improvements and improved litigant information and assistance.

The COG considered three service delivery models involving families and children:

- Centralized Service Delivery - One new full-service family court and support services facility, as described in detail later in this section, to handle all types of cases involving families and children;
- Regional Service Delivery - Two full-service facilities to handle all types of cases involving families and children, one site at an expanded RJC, and one new full service site to replace the YSC, with juvenile detention at both sites; and
- Dispersed Service Delivery – Essentially maintaining the present configuration but with the YSC's significant facility issues resolved, with juvenile offender cases limited to a new YSC and juvenile detention center and other types of cases involving families and children divided among other court facilities.

The COG considered three case management models for cases involving families and children:



- Unified Case Management - Cases involving families and children combined into a single unified family court, with multiple cases involving a family consolidated into a single proceeding (as described later in this section);
- Coordinated Case Management – Different types of cases involving families and children processed separately but coordinated through effective information exchange among the judges to assure consistency of orders and avoid duplicated, conflicting, or overly burdensome requirements (maintaining the UFC intensive case management program at its present level and scope); and
- Discrete Case Management - Each type of case involving families and children processed independently, even for families with multiple cases.

The following matrix summarizes the features of the nine resulting option packages.

<div style="text-align: center;">Service Delivery</div> <div style="text-align: center;">Case Management</div>	Centralized Service Delivery <ul style="list-style-type: none"> • One full service facility • New family court and support services facility 	Regional Service Delivery <ul style="list-style-type: none"> • Two full service facilities • YSC replaced with a new full service family court • Juvenile detention at both sites 	Dispersed Service Delivery <ul style="list-style-type: none"> • Multiple facilities with varying functions • Address YSC Facility Needs
Unified Case Management <ul style="list-style-type: none"> • Cases treated as a single unit 	Package 1 <ul style="list-style-type: none"> • All family cases heard in a single location • All cases for a single family processed as a single case • Connection to service providers on site • Assessment capability, juvenile detention on site 	Package 4 <ul style="list-style-type: none"> • All family cases heard in each of two locations • All cases for a single family processed as a single case • Connection to service providers at each site • Assessment capability, juvenile detention at each site 	Package 7 <ul style="list-style-type: none"> • Multiple court locations with all case types heard in every location • All cases for a single family processed as a single case • Connection to service providers not available in every site • Juveniles in detention transported to some locations for hearings
Coordinated Case Management <ul style="list-style-type: none"> • Cases processed separately with coordination to assure consistency of results • UFC intensive case management program maintained at its present level 	Package 2 <ul style="list-style-type: none"> • All family cases heard in a single location • Cases involving a single family processed as separate cases but coordinated • Connection to service providers on site • Assessment capability, juvenile detention on site 	Package 5 <ul style="list-style-type: none"> • All family cases heard in each of two locations • Cases involving a single family processed as separate cases but coordinated • Connection to service providers at each site • Assessment capability, juvenile detention at each site 	Package 8 <ul style="list-style-type: none"> • Multiple locations, with not all case types heard at all locations • Cases involving a single family processed as separate cases but coordinated • Connection to service providers not available in every site • Juvenile offender cases limited to court sites attached to juvenile detention



<div style="text-align: right;">Service Delivery</div> <div style="text-align: left;">Case Management</div>	Centralized Service Delivery <ul style="list-style-type: none"> • One full service facility • New family court and support services facility 	Regional Service Delivery <ul style="list-style-type: none"> • Two full service facilities • YSC replaced with a new full service family court • Juvenile detention at both sites 	Dispersed Service Delivery <ul style="list-style-type: none"> • Multiple facilities with varying functions • Address YSC Facility Needs
Discrete Case Management <ul style="list-style-type: none"> • Each case type processed independently 	Package 3 <ul style="list-style-type: none"> • All family cases heard in a single location • Cases involving a single family processed as independent cases • Connection to service providers on site • Assessment capability, juvenile detention on site 	Package 6 <ul style="list-style-type: none"> • All family cases heard in each of two locations • Cases involving a single family processed as independent cases • Connection to service providers at each site • Assessment capability, juvenile detention at each site 	Package 9 <ul style="list-style-type: none"> • Multiple locations, with not all case types heard in all locations • Cases involving a family processed as independent cases • Connection to service providers not available in every site • Juvenile offender cases limited to court sites attached to juvenile detention

The COG selected four of the above packages for detailed analysis, Packages 1, 2, 4, and 5. In addition, the COG asked for a brief analysis of the package closest to the present system, which they labeled as Package 8.5, a combination of some aspects of Package 8 and some aspects of Package 9.

Common Elements of All Option Packages

Three common elements appeared in all packages selected by the COG: (1) improving litigant information and assistance; (2) work process improvement, including simplifying the process; and (3) expansion of the therapeutic court programs. These common elements are not tied to a specific service delivery or case management model and can be addressed regardless of the final model chosen. In addition, a third common element could be the expansion of the therapeutic courts, which operate independently from the rest of the caseload.

Improving Litigant Information and Assistance

Litigants lack knowledge about: (1) their legal rights and obligations; (2) what to expect from the process; (3) what is going to happen at each hearing; (4) why particular decisions have been made; (5) the meaning of court orders; (6) what they are expected to do after a court hearing; and (7) the consequences of choices that they make regarding entry into court and treatment. While unrepresented litigants exhibited the greatest need for more information, the need even extended to litigants who were represented by private, paid counsel. Approaches to improving litigant information and assistance include:

- Surveying litigants and attorneys to better understand litigant needs;
- Preparing written, audio, video, and web-based informational materials; and
- Creating expanded roles for in-court staff and public defenders.



A survey of litigants and attorneys is a first step to help the court identify the gaps between the information litigants need and the information that they are presently getting by: (1) determining where litigants have the greatest need for information; and (2) identifying the most common errors that litigants make and the areas where they seem to have the greatest misunderstanding of the judicial process. The gaps may be a result of missing information or of the ways in which information is made available.

Once a detailed needs analysis has been completed, the next step would be to develop and assess the effectiveness of written, audio, video, and web-based materials to provide the information to litigants. The information must be both understandable (including information in multiple languages) and presented in a format and medium that is accessible to litigants.

Three methods for broadening the provision of direct assistance to litigants are the following:

- Improving the written and on-line materials available to litigants. The court might consider developing new materials targeted to the areas of the process where the litigants have the greatest difficulty, identified as discussed above. In addition, the court might provide workspaces for litigants, with on-line access, at the court.
- Expanding the roles for court staff. Family Court operations staff might be expanded by: (1) increasing the number of staff available to assist unrepresented litigants in family law cases; (2) expanding the scope of facilitator staff, with court rule changes if necessary, to provide advice to litigants in dependency matters as well as UFC family law matters; and (3) adding a staff attorney to advise and assist litigants; and (4) expanding the number of UFC case managers and extending their role to assisting litigants post-adjudication.
- Developing contracts and rules for expanded representation by public defenders. Public defenders might be authorized to assist clients who have a companion family law case in preparing the parenting plan, as these parties typically are not represented in their family law cases.

Relation to Selection Criteria

Providing better litigant information and assistance promotes accessibility, a focus on the whole family, and effective outcomes for families. On the other hand, depending on the approach taken it can increase staffing costs.

Resource Implications

Resources that will be needed for the information gathering and the initial development of materials include staff time to develop and conduct surveys, staff time to research and prepare informational materials, programming time for the web site, production costs of any audio or video presentations, and printing costs for written materials. Further, there will be costs associated with periodically updating materials to reflect changes in procedures or state statutes.



For expanding court assistance to litigants, there will be costs associated with the hiring of any additional court staff, staff training, office space, and ongoing salaries of staff.

The cost of expanding the role of the public defenders will include costs associated with the hiring of additional attorneys, training costs for new areas of representation, costs for support staff and space, and attorney time in providing the assistance. In addition, there will be the costs of negotiating and preparing a new contract between the County and the Public Defender offices.

Work Process Improvements

An intensive work process improvement effort was one of the highest rated improvement options selected by the COG. Work process improvements would help eliminate unnecessary or duplicative hearings, improve trial scheduling, and assure that judges have the necessary information to accomplish something at every hearing, all with the goal of reducing continuances, litigant travel, and litigant time lost from work or school. The following are work process areas that a work process improvement effort could investigate, all of which could apply to all option packages. All of these work process improvements were among the 15 most highly rated options by the COG.

- Case management techniques to reduce continuances;
- Methods to Identify all cases involving a single family;
- Elimination of non-productive hearings and improved trial scheduling;
- Expanded use of alternative dispute resolution;
- Methods to monitor and coordinate treatment programs; and
- Simplification of entries required for state-mandated parenting plan.

Improve case management to reduce the need for continuances by assuring that: (1) the necessary information for each hearing, including assessments, chemical tests, etc., is produced in a timely manner; and (2) that all the necessary system professionals are all available and present at hearings. This includes managing the discovery process. Case management techniques to reduce continuances include the use of pretrial conferences, telephone conferencing, or other judicial case management hearings at an early enough date to assure that, to the extent possible, the issues for each hearing are defined and attorneys and parties come prepared for hearings. In order to achieve this option, the court will also have to develop a more effective master calendar system for assigning cases to judges for trial, to assure that the trial judge can manage a case from filing through trial, the trial is held in the court of original venue, and the continuity of assignment does not break down at brokerage.

For all case types, develop methods to identify multiple cases involving a single family and coordinate the progress of related cases. In the short term, with the present multiple case management systems in the county that do not interconnect, identifying those cases will likely be staff intensive and depend on the knowledge of the outside system actors, such as caseworkers and attorneys, to advise the court. In particular, Becca cases and the therapeutic courts operate on separate case management systems. Over the longer term this includes



developing a comprehensive automated case management system that is capable of identifying and providing complete information on all the cases involving a family. Two obstacles that have to be overcome are (1) confidentiality requirements and how to maximize information exchange within those requirements; and (2) a means to develop common identifiers across cases that may involve parties with different last names.

Conduct intensive work process improvement efforts, in order to eliminate unnecessary or duplicative hearings, improve trial scheduling, and assure that judges have the necessary information to accomplish something at every hearing, all with the goal of reducing continuances, litigant travel, and litigant time lost from work or school. Part of the improvement process would include identifying as candidates for simplification those procedures that litigants have the most difficulty understanding. Calendaring techniques to promote access and efficiency could include night court, calendaring hearings by subject matter, and allowing commissioners to hear trials. Identifying and eliminating duplicative or unnecessary hearings could include: (1) possibly eliminating the 30-day shelter hearing in dependency cases and the final hearing in family law cases; and (2) allowing litigants to deal with multiple issues at a single hearing where appropriate.

Based on the experiences of other jurisdictions around the country, there is opportunity to make greater use of alternative dispute resolution (ADR) methods for dependency, termination of parental rights, and family law cases. ADR has been used successfully both for each the above case types individually and for families with multiple cases. Expanded use of ADR would provide a means to resolve cases without trials. It has also been shown to produce better outcomes for families and improve cooperation of families with treatment orders. In TPR cases, for example, mediation has enabled parents to consent to TPR and develop workable methods for remaining involved in the child's life. In some jurisdictions mediators in dependency and TPR cases either serve pro bono or are paid by the court.

For families with multiple court cases, develop a means to: (1) coordinate treatment programs for an individual to assure consistency and appropriateness; and (2) continually assess an individual's progress and move an individual from one program to another when a program appears to be failing to meet an individual's needs. Methods to monitor and coordinate treatment programs could include adding a post-adjudication case management role for the UFC case managers. It might also include creating a formal procedure for coordinating system actors who might be involved in the different cases, such as a JPC or DSHS caseworker, who at present may or may not coordinate with each other, depending on personalities and other factors. One feature that might be incorporated into a new automated case management system to aid this effort would be to provide a capability for treatment programs to connect to the court electronically.

Simplify the parenting plan by identifying the parts of the plan that are the most difficult to complete or tend to be the most contentious and either simplifying the requirements or providing special assistance to parties in completing those parts. A major problem for pro se litigants in family law cases is filling out the eight-page state-mandated parenting plan. One solution is to make it easier for litigants to complete the parenting plan by identifying the parts of the plan that are the most difficult to complete or tend to be the most contentious and either simplifying what



needs to be entered or providing special assistance to parties in completing those parts. A more extreme solution is to promote new legislation aimed at simplifying the issues.

Relation to Selection Criteria

The above work process improvements promote accessibility for litigants and system actors and cost effectiveness for judges and other court staff.

Resource Implications

All of the above work process improvement efforts require: (1) staff time to develop the details and prepare any required documentation such as rule changes or descriptions of procedures; (2) training for staff in new processes and procedures; (3) additional staff for case monitoring; (4) added judicial time for case management; (5) costs of mediators if ADR is expanded; and (6) added costs related to additional calendars such as night hours. In addition, statutory change may be required to modify the requirements of the parenting plan.

In addition in the longer term, the court should investigate a new comprehensive automated case management system that permits the court to: (1) identify all cases involving a single family; (2) connect, with appropriate confidentiality safeguards, to the PAO, AG, OPD, the public defender agencies, and DSHS so that data can be entered at the point of creation and be accessed system-wide; and connect to service providers for monitoring purposes.

Optimize Therapeutic Courts

Methods to monitor and coordinate treatment programs could include expanding the use of therapeutic courts. The King County Superior Court has a number of specialty therapeutic courts. Cases from those courts are not linked into the UFC intensive case management program. Those courts include:

- the juvenile drug court;
- the juvenile treatment court, for youth with co-occurring substance abuse and mental health issues;
- the adult drug court; and
- the family treatment court.

The therapeutic courts are staff intensive, and at present they are supported largely by outside funding. Expanding the size of their caseloads will require added funding, either from outside grants or the county. Further, sustaining those programs will likely require county funding if grant funds are no longer available.

Court Safety and Security

Every courthouse has three critical areas that need to be protected: people, property, and information.



- Protecting People. Key leaders will need to be identified and prepared to lead the court after any disaster. The court must also be concerned about the public. Every individual who has business before a court, whether voluntarily or under court order, is entitled to feel safe. The courthouse must be a safe place for litigants and their families, jurors, witnesses, victims of crime, judges, staff and the general public to conduct their business.
- Protecting Property. The courthouse physical plant and equipment represent a major investment. The court must consider how different disaster scenarios could affect the courthouse building rendering it wholly or partially unusable. If equipment is damaged how it will be repaired or replaced, and who will make that decision quickly come into play.
- Protecting Information. Record keeping is a central function of any court. The information maintained by the courts is critical to the functioning of an orderly society. Courts must maintain the ability to restore information while simultaneously creating new records as part of any disaster recovery plan.

Programs to promote courthouse safety and security must serve the objectives of the judicial process, not dominate them. One major objective is to attain an appropriate balance between access to court facilities and public safety. It is imperative that the people see courthouses as places where problems are resolved. The court system can ill afford to convey a message of fear from fortress like facilities. That is why training and awareness must be stressed. Proper and effective security design of courthouse facilities can contribute substantially to the safety of persons within the courthouse in a way that enhances access.

There are two aspects of preparedness for court safety and security, emergency planning and contingency planning. Emergency planning means being prepared to take immediate action due to a traumatic event. It is aimed at stabilizing things to mitigate damage. Contingency planning means having options for different possible future events. It is aimed at moving forward once things have been stabilized. Specific security needs inevitably will vary from location to location due to local conditions and changing circumstances.

In developing approaches to improving court safety and security, the court must pay attention to three categories of resources:

- Policies and procedures;
- Adequate staffing; and
- Appropriate technology.

Policies and procedures. Court safety starts with good business practice. Policies and procedures must be developed to assure that security and safety issues are considered in the routine activities of not only those assigned to provide courthouse security but also judges, court staff, and other building occupants. Policies and procedures should include specific guidelines



on how routine activities should be undertaken to prevent injury or damage to property, including workplace inspections, handling of prisoners, handling of money, etc. The goal of all activities should be to deter, detect, or prevent potentially dangerous situations.

Adequate staffing. Adequate staffing goes beyond law enforcement or other specialized security staff assigned to the court. A major component of any security program is the realization that individuals must assume a degree of personal responsibility to ensure their own safety and security and that of the people around them. Proper staffing and staff training are the keys to a safe and secure court facility. Security equipment is not a substitute for alert and observant staff. Alarm systems are only useful if staff know how to use them, what the response will be, and where it will come from. A closed circuit camera is of little value if no one is available to monitor it and respond when necessary. All court staff should have training in preventing and handling violence in the workplace and responding appropriately to potentially threatening situations.

Appropriate technology. Technology includes equipment for screening people and packages entering the courthouse, closed circuit television cameras both inside and outside the courthouse, and duress alarms. Cameras can be active, with someone watching the screens, or passive, attached to recording equipment. In addition, architectural design features to deter violent behavior should be assessed. It is important to keep in mind that all equipment requires appropriate staffing and proper testing and maintenance.

Next Steps

- Conduct assessments of the buildings and court policies and procedures.
- Identify gaps in policies and procedures, staffing, and technology.
- Implement improvements.

Culture and Cultural Competency

Why Culture Matters

Understanding culture is fundamental to effective court and justice service provision because people's beliefs and expectations about the essence of justice -- that is, people's views about what is right or wrong, appropriate or inappropriate, and fair or unfair -- along with expectations for how justice is established and maintained, and how the institutions of justice should work and be changed, are all shaped by the complicated interplay among ethnic/national, professional, and organizational cultures. By culture, we mean the commonly shared, largely taken for granted assumptions about goals, values, means, authority, ways of knowing, and the nature of reality and truth, human nature, human relationships, and time and space, that a group has learned throughout its history.

Ethnic/national culture refers to groups whose individual members' common affiliation is defined by reference to ethnicity or nation. Professional culture refers to groups of people with affiliations defined by occupation and profession, such as police officers, soldiers, priests,



computer scientists, and social workers. Organizational culture refers to groups of individuals interacting within particular administrative units or agencies which together form the institutions of justice within a society such as courts, police departments, and human rights organizations.

Ethnic/National Culture Matters

Ethnic/national culture matters because notions of culture greatly impact how people:

- define justice, conflict, and disorder, and determine when it is appropriate to involve third parties, including the state, in resolving problems and conflicts;
- describe events or “what happened;” and
- fashion responses or solutions to problems and conflicts.

In addition, ethnic/national culture matters because when cultures meet within a justice system, notions of culture often present paradoxical opportunities both for misunderstanding, on the one hand, and creative problem-solving, on the other hand. Thus the potential impacts of culture must be acknowledged and accommodated. For example, the behavior for helping ill children which one culture might define as appropriate use of herbal and other forms of traditional medicine might be defined in another culture as child neglect and even abuse. Notions of extended family inherent in some cultures might provide opportunities to link troubled family members with far more extensive family-based support resources than might be available in cultures where family is more narrowly defined. For people of some cultures, attending batterers' classes conducted by a highly trained, "objective" professional might be an effective technique for addressing some aspects of domestic violence, while being counseled by a "subjective" but respected peer might be more appropriate for people of another culture.

Cultural Competency

Cultural competency means first understanding where, how, and why culture matters. In particular, as suggested previously cultural competency means understanding how culture influences people when they:

- define justice, conflict, and disorder;
- determine how and when it is appropriate to involve third parties, including the state, in resolving problems and conflicts;
- describe events or what happen; and
- fashion responses or solutions to problems and conflicts.

In addition understanding culture means assessing how culture might influence:

- the ways people communicate;
- perceptions about the sources of legitimate authority;
- beliefs about individual and group responsibility;
- beliefs about what are fair processes;



- fundamental, underlying beliefs about cause and effect – such as the causes and treatment of illness; and
- beliefs about people and their motivations.

Table 1 summarizes some of the aspects of culture more likely to influence beliefs, values, and behaviors associated with the courts and justice system.

Figure 1: Cultural Variations in the Courts and Justice System		
Assumptions and Beliefs	Values	Behaviors
<u>Fundamental assumptions and beliefs about:</u> Time Causality Illness Gender Roles Authority Human nature Motivation How to learn/gain knowledge Life partners	<u>The meaning of:</u> Respect Dignity Fairness Integrity Honesty Justice Punishment Family Obedience Compliance Reciprocity Intervention	<u>Types of behavior focused on:</u> Appropriate attire/dress Engagement Deference Oral communication Written communication Contrition Coercion Time management/scheduling Use of technology

Moreover, cultural competency also means developing individual, organizational, and system capacity for culturally appropriate service delivery that helps individuals successfully navigate the courts and justice system, process information, make wise decisions, and comply with court orders.

Finally, cultural competency stresses that it is important to avoid stereotyping people on the basis of ethnic identity. For example, while there are aspects of a particular culture that can have a significant effect on both the sources and the treatment of family violence, not all families within a culture will fit the same patterns. Cultural competency does not mean that one can understand the motivations, needs, and expectations of a particular individual simply because one has a general understanding of the individual's cultural background. Instead, cultural competency provides tools to help unravel the complexity of individual circumstances. The focus should be on helping the people who work for the courts and justice system to increase their *awareness* and understanding of culture in general and of particular cultures in order to better assess the individual circumstances of a specific case and to help develop appropriate responses in a case. This includes understanding the characteristics, nuances, and implications of one's own culture. Understanding the nuances of a particular culture, for example, can provide judges and other justice agency personnel with useful information about both the context of events and the potential for shaping appropriate responses.



Performance. Service. Integrity.

Next Steps

- Identify key organizations and individuals in the minority communities to work in partnership with the court.
- Examine and redesign work processes to make them more culturally appropriate and responsive to the needs of a culturally diverse court clientele.
- Develop and conduct staff cultural competency training.
- Develop and conduct training on court processes for community members who might serve as advisors or mentors.



Discussion of Selected Option Packages

This section describes the four option packages selected by the COG for more detailed analysis, Packages 1,2, 4, and 5. In addition, it includes a brief analysis of the package closest to the present system, a combination of some aspects of Package 8 and some aspects of Package 9. The analysis of each package includes: (1) how well it satisfies the guiding principles and selection criteria articulated by the COG; and (2) its resource implications. All packages include replacing the present YSC facility. A separate section discusses the tradeoffs inherent in selecting each package over the others.

Package 1. Centralized Service Delivery, Unified Case Management

The following table summarizes the elements of Package 1.

Package 1: Summary of Elements
<p>Centralized Service Delivery</p> <ul style="list-style-type: none"> • A new single family court facility and juvenile detention center to replace the present YSC and detention center, at the Alder Street site or on a new site to be chosen. • Holding cells for both juveniles and adults in children and family cases • Assessment capability on site for UA testing and other assessments needed by the judge to assign families to treatment options • Connection to service providers on site to enroll families in service programs • Office space on site for all agencies providing services to the court or the litigants, such as prosecutors, public defenders, assistant attorneys general, DSHS caseworkers, family law counselors, Juvenile Probation Counselors, and Family Court Services • Adequate amenities for litigants, such as parking, day care, and food
<p>Unified Case Management</p> <ul style="list-style-type: none"> • One family/one judge • Consolidating all of the following case types: family law; dependency; guardianship; termination of parental rights; adoption; paternity; civil protection orders; and juvenile status offenses (truancy, ARY, and CHINS); and juvenile offender cases • Creation of a single case file for all cases that do not require closed files
<p>Work Process Improvements</p> <ul style="list-style-type: none"> • Consolidation of hearings • Broadened use of commissioners to hear both dependency and family cases • Creation of a true individual calendar for case assignment to judges

Scope of a Full Service Facility.

The single family court facility option entails building an entire family law facility to include UFC family law, the UFC intensive case management program, juvenile offender, dependency, Becca cases, and the therapeutic courts. The DJA would have to provide clerical structure to handle family cases in the new facility. The new facility could also house an assessment center for UA and other testing required by a judge, and connection to treatment programs.

Some system actors on King County expressed a vision of a “campus” with all services available in one place, to meet adjacency needs. Our space needs analysis breaks down the support service needs into priority interests and expansion interests, with the categories defined as follows.



Interests include:

- juvenile detention;
- juvenile probation;
- an assessment center for drug and alcohol evaluation, UA testing, and paternity testing;
- interpreters;
- family court facilitators;
- mediation;
- a holding cell for incarcerated parents attending hearings;
- facilities and staff for supervised visitation;
- offices for initial connection to treatment providers;
- child care, food, parking, and other amenities;
- an alternative school; and,
- educational programs for parents.

Discussion of a previous draft of the Assessment Report by the Project Work Group and the Cabinet Oversight Group indicated that some of the above features, including adult probation, a transition center, and a mental health facility, should not be considered for inclusion in a family court facility. They also indicated that the facility should not include services to deal with immigration issues.

Scope of a Unified Family Court.

The concept of a unified family court arose in response to the challenge to treat troubled families in a comprehensive way, taking into account all of the interrelated legal problems faced by the family each time the family appears in court, to try to achieve outcomes that enhance the quality of life of all members of the family. This means providing comprehensive and coordinated court and social services to families with multiple cases. The literature on Unified Family Courts proposes a model that, in its most extensive form, includes the following characteristics: (1) consolidation of the following case types: family law; dependency; termination of parental rights; adoption; paternity; guardianship; civil domestic violence protection orders; juvenile offender; and juvenile status offenses (truancy, ARY, and CHINS); (2) one family/one judge; (3) judges assigned to the family court; (4) trained teams of prosecutors, defense attorneys, and social workers; (5) case managers to monitor the progress of every family; (6) a comprehensive social service network; and (7) outcome oriented performance measurement.

We know of no jurisdiction that has adopted the above model in all aspects, and not all aspects of the above model are universally accepted as desirable. Here are some variations that King County could consider as part of Package 1 (and Package 4).

- ✓ *Cases to be included in a Unified Family Court.* In redesigning its approach to family cases, King County needs to take into account which types of cases are most likely to co-occur within a single family. Statistically, the family cases most likely to involve families with other court actions are child abuse and neglect cases. These cases are most often



associated with delinquency, divorce or domestic violence. Delinquency cases are the second most likely cases to be associated with other cases involving the same family, with divorce cases a somewhat more distant third. At present, the trigger case for the UFC intensive case management program in the King County Superior Court is the family law case. Further, the existence of a dependency case along with a family law case does not necessarily bring the case into the UFC. In determining how to design an expanded Unified Family Court, the court might make the dependency case the primary trigger for inclusion.

- ✓ *The level of case management.* The present UFC intensive case management program may be applied just to the most problematical cases, as it is now. Other cases in the reconstituted Unified Family Court limited would be managed by the judges. A triage protocol would have to be developed as part of this approach, to identify the cases for intensive management. More intensive case management might also be brought in during a case if the family exhibits difficulty navigating the court process.
- ✓ *A phased approach.* Cases that are not formally included in the Unified Family Court but can affect the overall outcomes for the family, such as juvenile offender cases and Becca cases, could initially be treated as in the coordinated case management model, to assure that conflicting orders and unduly burdensome requirements are avoided.

A critical issue for unified family courts is the definition of a family. A comprehensive approach defines a family as all children of the mother and maternal grandparents, all fathers of those children, all paternal grandparents, all stepsiblings, all individuals who reside in the household of the mother, and all individuals who reside in the household where the child is living. This definition could include even individuals unrelated to the child, such as boyfriends or girlfriends of the biological parent(s) and foster parents.

Relation to Selection Criteria

The following is a summary of the degree to which this package achieves the selection criteria articulated by the COG at the April 7 meeting.

Accessibility for litigants. By having one central family court building, this package will pose varying levels of inconvenience for a substantial number of litigants living in different areas of King County depending on where the building is located and the availability of public transportation. It will not solve the present difficulties in traveling to the YSC, although a site other than the Alder Street site might alleviate the problem somewhat by providing better access to public transportation. On the other hand, the Unified Family Court case management model will allow litigants to combine hearings if they have more than one case and to access some services at the courthouse, thus reducing the number of trips that they have to make to the court and to related service providers. The court may be able to work with the County to reevaluate its transportation plan as part of this package.



Accessibility for system actors. A single facility is likely to pose travel difficulties for the family law bar, as they have located their offices for proximity to either the KCCH or the RJC, neither of which will have family law trials in this package.

Cost effectiveness: facility costs. Given that the present YSC may be replaced in any package, replacement of that facility will be less expensive than the combination of replacing that facility and a full-service facility in the south end such as expansion of the RJC.

Cost effectiveness: staffing costs. An expanded UFC intensive case management caseload will require more case managers and other support staff to provide administrative case management.

Focus on the whole family. The combination of a UFC case management and a central, full-service facility should strongly facilitate a focus on the whole family.

Effective outcomes for families. This will depend on the eventual scope of the facility. To the extent that this package provides connection to services on site and links families to services before they leave the courthouse, it will achieve more effective outcomes for families.

Quality decisions. The central facility should make staff training easier. Further, the combination of a single site and UFC case management should facilitate court monitoring of the various system actors for accountability purposes.

Achievability. Expansion of the UFC intensive case management program can be accomplished in steps, starting in the short term with some work process changes and staffing additions. The new facility will be an intermediate term solution, as it will require a Facilities Master Plan followed by site selection, building design, and construction.

Resource Implications

- Facilities

This package provides for a new, comprehensive family court facility with the features listed in the above table. It would house all judges who hear cases involving families and children, including family law, dependency termination of parental rights, paternity, adoption, truancy, at-risk youth (ARY), children in need of services (CHINS), juvenile offender, and civil domestic violence protection orders (DVPO). It would also house the family and juvenile therapeutic court programs. The facility would serve as the only court facility to process those cases.

The location of the facility must take into account travel times for the litigants across the county and for system actors. A site other than the present Alder Street site may provide a better solution for purposes of access and convenience.

There are two options for the facility: (1) using the present Alder Street site and retaining the juvenile detention center; and (2) constructing a new facility, including juvenile detention, on a different site. Some have a vision of a “campus” with all services available in one place, to meet



adjacency needs. A detailed analysis of space needs for support services would need to be conducted separately for the priority interests and the expansion interests as defined earlier. Our preliminary analysis suggests that the Alder site may not be able to fully accommodate a comprehensive Family Court Facility if all of the priority and expansion functions and interests are included.

- Staffing and Workload

To create an expanded Unified Family Court, more case managers will be needed to coordinate hearings, monitor case progress, and work with litigants to assure that they are prepared for each hearing. At present the UFC intensive case management program has two case managers, each of whom manages 50 cases. If the case manager role is to remain the same with an expanded UFC, expanding the UFC case managed cases could have a substantial effect on staffing needs.

Broadening the scope of the UFC may also involve broadening the use of commissioners to hear both family law and dependency cases, so hearings before a commissioner combining multiple cases of a family can be consolidated.

- Work processes

The following are work process improvements in addition to the case-specific work process improvements discussed earlier in this report.

Work processes will have to be designed for the court to consolidate hearings of different cases involving a family while still meeting the different statutory schedules and requirements of the different case types. Further, consideration will have to be given to which system actors need to be present at the combined hearings, to assure that people are not required to attend hearings in which they play no role.

A second work process issue that must be considered is the present brokerage system of assigning cases to judges for trial. If all family cases are to be heard at the one facility, only judges located at that facility should be eligible for assignment of family cases for trial under the brokerage system.

A third work process area to address will be ways to streamline the work of the case managers, as expanding the scope and numbers of the UFC while maintaining the present role of the case managers would require substantial increases in staffing.

- Legal requirements

Statutory changes may be needed to incorporate juvenile offender and Becca cases into the UFC, particularly with regard to access to confidential case-related information. Further, some system actors expressed concern about assuring that the rights of juvenile offenders are protected. A second legal concern is that some cases, particularly dependency cases, have their own time frames that still must be met even if the cases are consolidated.



- Access to service programs

Ideally, some service programs, such as parenting classes or counseling sessions, could be offered at the courthouse. This would possibly require keeping the court open in the evenings to enable working clients to attend the programs. In addition, this package includes providing clients with the ability in the courthouse to sign up for programs.

With regard to access to services, the COG noted that initial access should be centralized, to assure that people are connected to services before they leave the courthouse. For continuing services, service provision should be decentralized to provide better access. Decentralized service delivery may also facilitate locating culturally directed services closer to the communities that they are designed to serve.

- Court security

Family cases statistically pose the greatest threat of violence of all case types. An expanded security force will thus likely be needed, and care will have to be taken to develop an effective and efficient plan for the deployment of these security officers. Further, attention will have to be given to the particulars of each case to identify cases that might pose a special danger, such as cases involving juvenile gang members.



Package 2. Centralized Service Delivery, Coordinated Case Management

The following table summarizes the elements of Package 2.

Package 2: Summary of Elements
<p>Centralized Service Delivery</p> <ul style="list-style-type: none"> • A new single family court facility and juvenile detention center to replace the present YSC and detention center, at the Alder Street site on a new site to be chosen • Holding cells for both juveniles and adults in children and family cases • Assessment capability on site for UA testing and other assessments needed by the judge to assign families to treatment options • Connection to service providers on site to enroll families in service programs • Space to hold mediations • Office space on site for all agencies providing services to the court or the litigants, such as prosecutors, public defenders, assistant attorneys general, DSHS caseworkers, family law counselors, Juvenile Probation Counselors, and Family Court Services • Adequate amenities for litigants, such as parking, day care, and food
<p>Coordinated Case Management</p> <ul style="list-style-type: none"> • Linking all of the following case types: family law; dependency; guardianship; termination of parental rights; adoption; paternity; civil protection orders; and juvenile status offenses (truancy, ARY, and CHINS); and juvenile offender cases • Maintaining the UFC intensive case management program at its present level and scope
<p>Work Process Improvements</p> <ul style="list-style-type: none"> • Information transfer among cases • Creation of a true individual calendar for case assignment to judges

The scope of a full service facility is described in the discussion of Package 1 above.

Scope of Coordinated Case Management

Coordinated case management involved processing different types of cases involving families and children as separate cases but coordinating court orders and case outcomes, through effective information exchange among the judges, to assure consistency of orders and avoid duplicated, conflicting, or overly burdensome requirements.

For coordination to be effective, every judge involved with a family should be aware of all other currently active cases involving the family and at every hearing, have information about the progress of every other case. Ideally, the court will develop a case management system that will provide this information. Some family courts have created a case coordinator position assigned to search the case files and information system to identify families with multiple cases and produce a summary report for each judge involved with the family. System actors involved with a family, including prosecuting attorneys, assistant attorneys general, defense attorneys (including public defenders), DSHS caseworkers, and CASA volunteers, should also be able to provide information on other cases involving the family.

Where appropriate, a judge in one case may request the participation of a caseworker or JPC from another case involving the family at a hearing, or may request that system actors from multiple cases confer with each other and report to the judge.



With regard to juvenile offender cases, the coordination may take place in the disposition stage after entry of plea or adjudication of guilt.

The coordination could take place in a variety of ways, including the following.

- ✓ A judge in one case may defer a decision while awaiting the decision in another case involving the family.
- ✓ The court may determine priorities among cases so that one judge will defer to the judge in another case that has priority. For example, a dependency case may have priority over a family law case.
- ✓ A judge may confer with another judge to determine which outcome is the most desirable, either on his or her own motion or at the request of a party or professional in the case.

Relation to Selection Criteria

The following is a summary of the degree to which this package achieves the selection criteria articulated by the COG at the April 7 meeting.

Accessibility for litigants. As discussed above, having one central family court building will pose varying levels of inconvenience for a substantial number of litigants living in different areas of King County depending on where the building is located and the availability of public transportation. It will not solve the present difficulties in traveling to the YSC, although a site other than the Alder Street site might alleviate the problem somewhat by providing better access to public transportation. The court may be able to work with the County to reevaluate its transportation plan as part of this package.

The coordinated case management model does not contemplate combining hearings for litigants who have more than one case. The access to some services at the courthouse, however, should reduce the number of trips that litigants have to make to access service providers.

Accessibility for system actors. As discussed above, a single facility is likely to pose travel difficulties for the family law bar, as they have located their offices for proximity to either the KCCH or the RJC, neither of which will have family law trials in this package.

Cost effectiveness: facility costs. As discussed above, given that the present YSC facility has significant needs and may be replaced, replacement of that facility will be less expensive than the combination of replacing that facility and creating a full-service facility in the south end such as expansion of the RJC.

Cost effectiveness: staffing costs. The coordinated case management model is less staff intensive than the UFC case management model, although expansion of coordinated case management will still require some additional support staff to identify and compile information on related cases involving a family for the judges.



Focus on the whole family. The combination of coordinated case management and a central, full-service facility should enhance the focus on the whole family over what the court is able to accomplish now. While the coordinated approach is not as comprehensive as the unified family court approach, it offers a compromise with regard to consolidating juvenile offender cases into the UFC, as coordination of these cases could be limited to the dispositional stage after plea or adjudication.

Effective outcomes for families. As discussed above, this will depend on the eventual scope of the facility. The more that this package provides availability of direct services or connection to services on site, the more it will achieve effective outcomes for families.

Quality decisions. The central facility should make staff training easier. Further, the single site should facilitate court monitoring of the various system actors for accountability purposes.

Achievability. Expansion of coordinated case management program can be accomplished in the short term with some work process changes and staffing additions. The new facility will be an intermediate term solution, as it will require a Facilities Master Plan followed by site selection, building design, and construction.

Resource Implications

- Facilities

The analysis of facilities implications for this package is the same as for Package 1 above.

- Staffing and Workload

The coordinated case management model will require some additional support staff to identify and compile information on related cases involving a family for the judges.

Even within the context of coordinated case management there may be value in broadening the use of commissioners to hear both family law and dependency cases, so hearings before a commissioner could deal with issues from multiple cases of a family.

- Work processes

The following are work process improvements in addition to the case-specific work process improvements discussed earlier in this report.

Work processes will have to be designed to identify and exchange information among different cases involving a family.

A second work process issue that must be considered is the present brokerage system of assigning cases to judges for trial. If all family cases are to be heard at the one facility, only



judges located at that facility should be eligible for assignment of family cases for trial under the brokerage system.

- Legal requirements

Statutory changes with regard to access to confidential case-related information may be needed to permit the exchange of information from juvenile offender and Becca cases.

- Access to service programs

Ideally, some service programs, such as parenting classes or counseling sessions, could be offered at the courthouse. This would possibly require keeping the court open in the evenings to enable working clients to attend the programs. In addition, this package includes providing clients with the ability in the courthouse to sign up for programs.

With regard to access to services, the COG noted that initial access should be centralized, to assure that people are connected to services before they leave the courthouse. For continuing services, service provision should be decentralized to provide better access. Decentralized service delivery may also facilitate locating culturally directed services closer to the communities that they are designed to serve.

- Court security

Family cases statistically pose the greatest threat of violence of all case types. An expanded security force will thus likely be needed, and care will have to be taken to develop an effective and efficient plan for the deployment of these security officers. Further, attention will have to be given to the particulars of each case to identify cases that might pose a special danger, such as cases involving juvenile gang members.



Package 4. Regional Service Delivery, Unified Case Management

The following table summarizes the elements of Package 4.

Package 4: Summary of Elements	
Regional Service Delivery	<ul style="list-style-type: none"> • Two full service family court facilities with connected juvenile detention centers, one at a south-county location such as the RJC and one to replace the present YSC and detention center, at the Alder Street site on a new site to be chosen. • Holding cells for both juveniles and adults in children and family cases • Assessment capability on site for UA testing and other assessments needed by the judge to assign families to treatment options • Connection to service providers on site to enroll families in service programs • Office space at each site for all agencies providing services to the court or the litigants, such as prosecutors, public defenders, assistant attorneys general, DSHS caseworkers, family law counselors, Juvenile Probation Counselors, and Family Court Services • Adequate amenities for litigants, such as parking, day care, and food
Unified Case Management	<ul style="list-style-type: none"> • One family/one judge • Consolidating all of the following case types: family law; dependency; guardianship; termination of parental rights; adoption; paternity; civil protection orders; and juvenile status offenses (truancy, ARY, and CHINS); and juvenile offender cases • Creation of a single case file for all cases that do not require closed files
Work Process Improvements	<ul style="list-style-type: none"> • Consolidation of hearings • Broadened use of commissioners to hear both dependency and family cases • Creation of a true individual calendar for case assignment to judges by site

Relation to Selection Criteria

The following is a summary of the degree to which this package achieves the selection criteria articulated by the COG at the April 7 meeting.

Accessibility for litigants. Having two regional family court buildings will reduce the level of inconvenience for litigants living in southern areas of King County. The overall improvement may be tempered, however, by the fact that some litigants may move from one area of the county to another during the life of a case, and some cases may involve families with members living in different areas of the county. For litigants who move from one end of the county to another, the regional service delivery model may actually end up making access more difficult unless the case venue can be moved as well.

The Unified Family Court case management model will allow litigants to combine hearings if they have more than one case and to access some services at the courthouse, thus reducing the number of trips that they have to make to the court and to related service providers.

Accessibility for system actors. Two regional family court facilities will pose fewer travel difficulties for the family law bar, although moving family law cases out of the KCCH will increase travel for attorneys located in downtown Seattle.



Cost effectiveness: facility costs. The combination of a new full-service family court building to replace the YSC and a full-service south-county family court facility such as an expanded RJC will be more expensive than a single family court building. Even if the RJC is used for the south county site, there will be the need to add a juvenile detention center in addition to any required expansion of the courthouse space.

Cost effectiveness: staffing costs. As discussed earlier, the UFC case management model is more staff intensive than the coordinated case management model, as expansion of the UFC will require more case managers and other support staff to provide administrative case management. With two facilities, the UFC staffing costs would be even greater. Further, the second juvenile detention center would require staffing as well.

Focus on the whole family. The combination of a UFC case management and regional full-service facilities should strongly facilitate a focus on the whole family.

Effective outcomes for families. This will depend on the eventual scope of the facilities. The more that this package provides availability of direct services or connection to services on site, the more it will achieve effective outcomes for families.

Quality decisions. The full service facilities should help with staff training. Further, the combination of full-service sites and UFC case management should facilitate court monitoring of the various system actors for accountability purposes.

Achievability. Expansion of the UFC intensive case management program can be accomplished in steps, starting in the short term with some work process changes and staffing additions. The new facilities will be an intermediate to long-term solution, as they will require both a new building in the north end of the county and either a new building or an extensive expansion of the RJC in the south county.

Resource Implications

- Facilities

This package provides for a new, comprehensive family court facility with the features listed in the above table and a facility in the south county, such as an expansion of the RJC, to provide the same features. The two facilities would both house judges who hear cases involving families and children, including family law, dependency termination of parental rights, paternity, adoption, truancy, at-risk youth (ARY), children in need of services (CHINS), juvenile offender, and civil domestic violence protection orders (DVPO). They would also house family and juvenile therapeutic court programs. Both would have juvenile detention centers.

The location of the new facility must take into account travel times for the litigants across the county and for system actors. With that in mind, the Alder site may not be the sole central option and an expansion of the RJC may not be the sole south county option. A site other than the present Alder Street site may provide a better solution for purposes of access and convenience.



This option will require the building of a second juvenile detention center regardless of whether the RJC or another site in the south county is used.

- Staffing and Workload

To create an expanded Unified Family Court, more case managers will be needed to coordinate hearings, monitor case progress, and work with litigants to assure that they are prepared for each hearing. With two facilities, staff would be required to provide the full range of services at each facility.

Broadening the scope of the UFC may also involve broadening the use of commissioners to hear both family law and dependency cases, so hearings before a commissioner combining multiple cases of a family can be consolidated.

The second juvenile detention facility in south county would require a second full complement of staffing for both the assessment function and the management function.

- Work processes

The following are work process improvements in addition to the case-specific work process improvements discussed earlier in this report.

Work processes will have to be designed for the court to consolidate hearings of different cases involving a family while still meeting the different statutory schedules and requirements of the different case types. Further, consideration will have to be given to which system actors need to be present at the combined hearings, to assure that people are not required to attend hearings in which they play no role.

A second work process issue that must be considered is the present brokerage system of assigning cases to judges for trial. If all family cases are to be divided between the two facilities, family cases should be assigned for trial under the brokerage system only at the facility of venue.

A third work process area to address will be ways to streamline the work of the case managers, as expanding the scope and numbers of the UFC while maintaining the present role of the case managers would require substantial increases in staffing.

- Legal requirements

Statutory changes may be needed to incorporate juvenile offender and Becca cases into the UFC, particularly with regard to access to confidential case-related information. Further, some system actors expressed concern about assuring that the rights of juvenile offenders are protected.



- Access to service programs

Ideally, some service programs, such as parenting classes or counseling sessions, could be offered at each courthouse. This would possibly require keeping the courts open in the evenings to enable working clients to attend the programs. In addition, this package includes providing clients with the ability in each courthouse to sign up for programs.

In the broader concept of a family court campus, each facility might also house a substance abuse or mental health residential treatment program, an alternative school, or residential transitional program.

With regard to access to services, the COG noted that initial access should be centralized, to assure that people are connected to services before they leave the courthouse. For continuing services, service provision should be decentralized to provide better access. Decentralized service delivery may also facilitate locating culturally directed services closer to the communities that they are designed to serve.

- Court security

Family cases statistically pose the greatest threat of violence of all case types. An expanded security force will thus likely be needed, and care will have to be taken to develop an effective and efficient plan for the deployment of these security officers. Further, attention will have to be given to the particulars of each case to identify cases that might pose a special danger, such as cases involving juvenile gang members. If the south county facility is an expansion of the present RJC, this may pose fewer problems, as the present RJC has a greater presence of law enforcement officers due to its criminal caseload. Still, bringing juvenile offender cases into the RJC may require some additional security resources.



Package 5. Regional Service Delivery, Coordinated Case Management

The following table summarizes the elements of Package 5.

Package 5: Summary of Elements	
Regional Service Delivery	<ul style="list-style-type: none"> • Two full service family court facilities with connected juvenile detention centers, one at a south-county site such as the RJC and one to replace the present YSC and detention center, at the Alder Street site on a new site to be chosen. • Holding cells for both juveniles and adults in children and family cases • Assessment capability on site for UA testing and other assessments needed by the judge to assign families to treatment options • Connection to service providers on site to enroll families in service programs • Office space at each site for all agencies providing services to the court or the litigants, such as prosecutors, public defenders, assistant attorneys general, DSHS caseworkers, family law counselors, Juvenile Probation Counselors, and Family Court Services • Adequate amenities for litigants, such as parking, day care, and food
Coordinated Case Management	<ul style="list-style-type: none"> • Linking all of the following case types: family law; dependency; guardianship; termination of parental rights; adoption; paternity; civil protection orders; and juvenile status offenses (truancy, ARY, and CHINS); and juvenile offender cases • Maintaining the UFC intensive case management program at its present level and scope
Work Process Improvements	<ul style="list-style-type: none"> • Information transfer among cases • Creation of a true individual calendar for case assignment to judges by site

Relation to Selection Criteria

The following is a summary of the degree to which this package achieves the selection criteria articulated by the COG at the April 7 meeting.

Accessibility for litigants. Having two regional family court buildings will reduce the level of inconvenience for litigants living in southern areas of King County. The overall improvement may be tempered, however, by the fact that some litigants may move from one area of the county to another during the life of a case, and some cases may involve families with members living in different areas of the county. For litigants who move from one end of the county to another, the regional service delivery model may actually end up making access more difficult unless the case venue can be moved as well.

As discussed earlier, the coordinated case management model does not contemplate combining hearings for litigants who have more than one case. The access to some services at each courthouse, however, should reduce the number of trips that litigants have to make to access service providers.

Accessibility for system actors. Two regional family court facilities will pose fewer travel difficulties for the family law bar, although moving family law cases out of the KCCH will increase travel for attorneys located in downtown Seattle.



Cost effectiveness: facility costs. The combination of a new full-service family court building to replace the YSC and a full-service south-county family court facility such as an expanded RJC will be more expensive than a single family court building. Even if the RJC is used for the south county site, there will be the need to add a juvenile detention center in addition to any required expansion of the courthouse space.

Cost effectiveness: staffing costs. As discussed earlier, the coordinated case management model is less staff intensive than the UFC case management model, although expansion of coordinated case management will still require some additional support staff to identify and compile information on related cases involving a family for the judges. With two facilities, however, the staffing costs for coordinated case management would be greater than for a single facility. Further, the second juvenile detention center would require staffing as well.

Focus on the whole family. The combination of coordinated case management and regional full-service facilities should enhance the focus on the whole family over what the court is able to accomplish now. While the coordinated approach is not as comprehensive as the unified family court approach, it offers a compromise with regard to consolidating juvenile offender cases into the UFC, as coordination of these cases could be limited to the dispositional stage after plea or adjudication.

Effective outcomes for families. This will depend on the eventual scope of the facilities. The more that this package provides availability of direct services or connection to services on site, the more it will achieve effective outcomes for families.

Quality decisions. The full service facilities should help with staff training. Further, the full-service sites should facilitate court monitoring of the various system actors for accountability purposes.

Achievability. Expansion of coordinated case management program can be accomplished in the short term with some work process changes and staffing additions. The new facilities will be an intermediate to long-term solution, as they will require both a new building in the north end of the county and either a new building or an extensive expansion of the RJC in the south county.

Resource Implications

- Facilities

The discussion of the facilities implications of the two-facility option presented in Package 4 applies to package 5 as well.

- Staffing and Workload

The coordinated case management model will require some additional support staff to identify and compile information on related cases involving a family for the judges. With two facilities, staff would be required to provide the full range of services at each facility.



Even within the context of coordinated case management there may be value in broadening the use of commissioners to hear both family law and dependency cases, so hearings before a commissioner could deal with issues from multiple cases of a family.

The second juvenile detention facility in south county would require a second full complement of staffing for both the assessment function and the management function.

- Work processes

The following are work process improvements in addition to the case-specific work process improvements discussed earlier in this report.

Work processes will have to be designed to identify and exchange information among different cases involving a family.

A second work process issue that must be considered is the present brokerage system of assigning cases to judges for trial. If all family cases are to be divided between the two facilities, family cases should be assigned for trial under the brokerage system only at the facility of venue.

- Legal requirements

Statutory changes with regard to access to confidential case-related information may be needed to permit the exchange of information from juvenile offender and Becca cases.

- Access to service programs

Ideally, some service programs, such as parenting classes or counseling sessions, could be offered at each courthouse. This would possibly require keeping the courts open in the evenings to enable working clients to attend the programs. In addition, this package includes providing clients with the ability in each courthouse to sign up for programs.

In the broader concept of a family court campus, each facility might also house a substance abuse or mental health residential treatment program, an alternative school, or residential transitional program.

With regard to access to services, the COG noted that initial access should be centralized, to assure that people are connected to services before they leave the courthouse. For continuing services, service provision should be decentralized to provide better access. Decentralized service delivery may also facilitate locating culturally directed services closer to the communities that they are designed to serve.

- Court security



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Family cases statistically pose the greatest threat of violence of all case types. An expanded security force will thus likely be needed, and care will have to be taken to develop an effective and efficient plan for the deployment of these security officers. Further, attention will have to be given to the particulars of each case to identify cases that might pose a special danger, such as cases involving juvenile gang members. If the south county facility is an expansion of the present RJC, this may pose fewer problems, as the present RJC has a greater presence of law enforcement officers due to its criminal caseload. Still, bringing juvenile offender cases into the RJC may require some additional security resources.



Package 8.5. Present System of Dispersed Service Delivery, Discrete Case Management

The following table summarizes the elements of Package 8.5.

Package 8.5: Summary of Elements
<p>Dispersed Service Delivery</p> <ul style="list-style-type: none"> • Replacement of the YSC and juvenile detention facility at the Alder street site or elsewhere • Other court facilities used to hear cases involving children and families other than juvenile offender cases
<p>Discrete Case Management</p> <ul style="list-style-type: none"> • Process all cases as separate cases • Maintain the UFC intensive case management program at its present level and scope • Limit assignment of juvenile cases to judges in sites with juvenile detention
<p>Work Process Improvements</p> <ul style="list-style-type: none"> • Creation of a true individual calendar for case assignment to judges, by site where possible

Relation to Selection Criteria

This is the closest package to the court’s present service delivery and case management model and is presented as a point of comparison, not as an option selected by the COG. The following is a summary of the degree to which this package achieves the selection criteria articulated by the COG at the April 7 meeting.

Accessibility for litigants. By having just one building for juvenile offender cases, this package poses varying levels of inconvenience for a substantial number of litigants living in different areas of King County in traveling to the YSC, although replacing the YSC, in its present limited use, at a site other than the Alder Street site might alleviate the problem somewhat by providing better access to public transportation. Further, other cases involving a family may be heard at another courthouse, further complicating access.

Accessibility for system actors. The present dispersed case management model for family law cases causes the least travel difficulty for the family law bar, as they have located their offices for proximity to either the KCCH or the RJC.

Cost effectiveness: facility costs. Given that the present YSC will be replaced in any package, just replacing that building, even with enhanced amenities for litigants and improved courtrooms and related space, will be less expensive than the more comprehensive family court facilities contemplated in packages 1,2, 4, and 5.

Cost effectiveness: staffing costs. As this package does not contemplate any changes in the case management process, it would not require added staff costs until caseloads expand.

Focus on the whole family. The present discrete case management system, with the exception of a small UFC intensive case management caseload, inhibits the ability of the court to focus on the whole family.

Effective outcomes for families. The present dispersed service delivery in the county inhibits the ability of the court to achieve effective outcomes for families.



Quality decisions. The present discrete case management system and dispersed service delivery in the county inhibit the ability of the court to monitor the various system actors for accountability purposes.

Achievability. The new facility to replace the present YSC will be an intermediate term solution, as it will require a Facilities Master Plan followed by site selection, building design, and construction.

Resource Implications

- Facilities

The present YSC will require that its significant facility issues be addressed, with enhanced amenities for litigants and improved courtrooms and related space,

- Staffing and Workload
No major changes.

- Work processes

The major work process improvements will be the case-specific work process improvements discussed earlier in this report.

- Legal requirements

There would be no changes in legal requirements.

- Access to service programs

There may be expanded access to service programs in the new juvenile court facility.

- Court security

There would be no changes in court security requirements.



Discussion of Trade-Offs

Focusing on the ability of each package to achieve the criteria for selection, the major trade-offs between Packages 1, 2, 4, and 5 are with regard to the resource criteria (facility and staffing costs, speed of achievability) on the one hand, and the service quality criteria (accessibility, focus on the whole family, quality decisions) on the other hand. The two major trade-offs are the following:

- A single centralized facility is less expensive to build and staff than two regional facilities and it can be completed in a shorter time frame, but it will likely pose greater levels of inconvenience for a substantial number of litigants and system actors.
- Unified case management is more expensive to staff than the coordinated case management and it will take longer to achieve, but the UFC case management approach provides greater ability to focus on the whole family and greater ability to monitor and hold accountable the various system actors than does the coordinated case management approach.

Package 1 vs. Package 2

Packages 1 and 2 have the same service delivery model but differ on the case management model.

The UFC case management model of Package 1 has higher staffing needs, requires more office space, and will take longer to achieve than the coordinated case management model of Package 2. On the other hand, the UFC model provides greater ability to focus on the whole family and greater ability to monitor and hold accountable the various system actors.

Package 1 vs. Package 4

Packages 1 and 4 have the same case management model but differ on the service delivery model.

Package 4, with two regional service family court facilities, provides better accessibility for both litigants and system actors than does Package 1, with a single facility for all family cases in the county. On the other hand for the same features, two facilities are going to be more expensive to build than one facility and will take longer to complete. In addition for the same level of service provision, staffing two facilities will be more expensive than staffing one facility.

Package 1 vs. Package 5

Packages 1 and 5 differ on both the case management model and the service delivery model.

Package 5, with two regional service family court facilities, provides better accessibility for both litigants and system actors than does Package 1, with a single facility for all family cases in the



county. On the other hand for the same features, two facilities are going to be more expensive to build than one facility and will take longer to complete.

The UFC case management model of Package 1 is likely to have higher staffing needs, requires more office space, and will take longer to achieve than the coordinated case management model of Package 5. The difference in staffing costs, however, may be offset in part by the need to staff two buildings in Package 5. On the other hand, the UFC model provides greater ability to focus on the whole family and greater ability to monitor and hold accountable the various system actors.

Package 2 vs. Package 4

Packages 2 and 4 differ on both the case management model and the service delivery model.

Package 4, with two regional service family court facilities, provides better accessibility for both litigants and system actors than does Package 2, with a single facility for all family cases in the county. On the other hand for the same features, two facilities are going to be more expensive to build than one facility and will take longer to complete.

The UFC case management model of Package 4 has higher staffing needs, requires more office space, and will take longer to achieve than the coordinated case management model of Package 2. In addition, the higher staffing costs of Package 4 are compounded by the need to staff two buildings in Package 4. On the other hand, the UFC model provides greater ability to focus on the whole family and greater ability to monitor and hold accountable the various system actors.

Package 2 vs. Package 5

Packages 2 and 5 have the same case management model but differ on the service delivery model.

Package 5, with two regional service family court facilities, provides better accessibility for both litigants and system actors than does Package 2, with a single facility for all family cases in the county. On the other hand for the same features, two facilities are going to be more expensive to build than one facility and will take longer to complete. In addition for the same level of service provision, staffing two facilities will be more expensive than staffing one facility.

Package 4 vs. Package 5

Packages 4 and 5 have the same service delivery model but differ on the case management model.

The UFC case management model of Package 4 has higher staffing needs, requires more office space, and will take longer to achieve than the coordinated case management model of Package 5. On the other hand, the UFC model provides greater ability to focus on the whole family and greater ability to monitor and hold accountable the various system actors.



The table below summarizes the relative ranking of the four packages on the assessment criteria. The columns are the categories of criteria. For the facility and staffing cost-effectiveness, the higher rank reflects lower cost. Rankings are among the four packages.

Rank Order of Packages on Assessment Criteria						
	Facility Access	Facility Cost-Effectiveness	Staffing Cost-Effectiveness	Focus on Whole Family	Accountability	Achievability
Package 1	Lowest	Highest	Lower	Highest	Highest	Highest
Package 2	Lowest	Highest	Highest	Lowest	Lowest	Highest
Package 4	Highest	Lowest	Lowest	Highest	Highest	Lowest
Package 5	Highest	Lowest	Higher	Lowest	Lowest	Lowest

The table below summarizes the trade-offs between pairs of packages on the assessment criteria. The pairs of packages are indicated by the rows in the table. The cells indicate the preferred package between the two packages being compared.

Table of Trade-Offs						
Package Comparison	Facility Access	Facility Cost-Effectiveness	Staffing Cost-Effectiveness	Focus on Whole Family	Accountability	Achievability
1 v. 2	Even	Even	2	1	1	Even
1 v. 4	4	1	1	Even	Even	1
1 v. 5	5	1	5	1	1	1
2 v. 4	4	2	2	4	4	2
2 v. 5	5	2	2	Even	Even	2
4 v. 5	Even	Even	5	4	4	Even

The above tables illustrate that there are trade-offs inherent in choosing each of the packages. This means that the COG members will have to determine which criteria are more important to them, given that each choice of packages will result in achieving more of some criteria and less of other criteria.



CONCLUSION

The approach chosen by the COG may involve an intermediate term solution that does not preclude subsequent movement to a longer term solution. For example, building a new full-service family court facility to replace the present YSC, at the Alder Street site or another central site, still leaves open the option of building a second such facility in the south county, either a new facility or an expanded RJC with juvenile detention, at a later date.

In addition, the court could undertake some work process improvements and improved litigant assistance without waiting for the construction of a new facility.

The analysis of trade-offs shows that none of the four packages chosen by the COG for detailed analysis has a clear advantage over the others. Each package has some advantages and some disadvantages. It is important, however, to recognize that any of the four option packages, combined with the improvements included as common elements of all of the packages, will produce substantial improvements in the delivery of justice services for children and families in King County in comparison to package 8.5, the present approach in King County. Any of packages 1, 2, 4, or 5 and the steps leading up to any of the packages, will result in improved litigant access and understanding and greatly enhance the ability of the court and broader justice system to focus on the whole family and produce more effective outcomes for families. The biggest step, then, is moving from Package 8.5 to any of the four chosen packages 1, 2, 4, or 5.