

# SPOKANE COUNTY DISTRICT COURT 2014



Presiding Judge Patti Connolly Walker

# Washington Court System

## THE SUPREME COURT Six-year terms, staggered

- Appeals from the Court of Appeals
- Administers state court system

## COURT OF APPEALS Six-year terms, staggered Division I, Seattle; Division II, Tacoma Division III, Spokane

- Appeals from lower courts except those in jurisdiction of the Supreme Court

## SUPERIOR COURT Four-year terms

- Civil matters
- Domestic relations
- Felony criminal cases
- Juvenile matters
- Appeals from courts of limited jurisdiction

## COURTS OF LIMITED JURISDICTION Four-year terms District and Municipal Courts

- Misdemeanor criminal cases
- Traffic, non-traffic and parking infractions
- Domestic violence protection orders
- Civil actions of \$75,000 or less
- Small claims up to \$5,000

# COURT ORGANIZATION

## Courts of Limited Jurisdiction

Courts of limited jurisdiction include district and municipal courts. District courts are county courts and serve defined territories, both incorporated and unincorporated, within the counties. Municipal courts are those created by cities and towns.

More than two million cases are filed annually in district and municipal courts. Excluding parking infractions, seven out of every eight cases filed in all state courts are filed at this level. This is due primarily to the broad jurisdiction these courts have over traffic violations and misdemeanors.

## District Courts

District courts have jurisdiction over both criminal and civil cases. Criminal jurisdiction includes misdemeanors and gross misdemeanors cases that involve traffic or non-traffic offenses. Examples include: Driving while under the influence of intoxicating liquor or drugs (DUI), reckless driving, driving with a suspended driver's license and assault in the fourth

# COURT ORGANIZATION

## District Courts (Continued)

degree. Preliminary hearings for felony cases are also within the jurisdiction of the district courts. The maximum penalty for gross misdemeanors is one year in jail and a \$5,000 fine. The maximum penalty for misdemeanors is 90 days in jail and a \$1,000 fine. A defendant is entitled to a jury trial for these offenses. Juries in courts of limited jurisdiction are composed of 6 people as opposed to superior court juries, which have 12 people.

Jurisdiction in civil cases includes damages for injury to individuals or personal property and contract disputes in amounts of up to \$75,000. District courts also have jurisdiction over traffic and non-traffic infractions, civil proceedings for which a monetary penalty—but no jail sentence—may be imposed. There is no right to a jury trial for an infraction. District courts have jurisdiction to issue domestic violence and anti-harassment protection orders and no-contact orders. They also have jurisdiction to hear change-of-name petitions and certain lien foreclosures.

# COURT ORGANIZATION

## District Courts (Continued)

Small claims are limited to money claims of up to \$5,000. These are filed and heard in the Small Claims Department of the district court. Generally, each party is self-represented—attorneys are not permitted except with the permission of the judges. Witnesses may not be subpoenaed, but may be allowed to voluntarily testify for a party. Examples of cases heard: Neighborhood disputes, consumer problems, landlord/tenant matters and small collections. The district court clerk can provide specific information on these procedures or about filing a claim. have jurisdiction to issue domestic violence and anti-harassment protection orders and no-contact orders.

## JUDGES

District court judges are elected to four-year terms. Municipal court judges may be elected or appointed to a four-year term, depending on state law

# COURT ORGANIZATION

## JUDGES (Continued)

provisions. All judges are required to attend 45 hours of judicial training every three years.

## COURT SUPPORT PERSONNEL

Courts of limited jurisdiction are served by an administrative support staff. Under the direction of the presiding judge, the staff is responsible for maintaining the court's fiscal, administrative and court records.

## PROBATION

Courts of limited jurisdiction have authority to order probation for up to two years, except in DUI convictions where a court can order probation for up to five years. A probation counselor administers programs that provide pre-sentence investigations, supervision and probationary treatment for misdemeanor offenders in a district or municipal court.

# COURT ORGANIZATION

## PROBATION (Continued)

Probation counselors can make sentencing recommendations to the court, including appropriate treatment (i.e., drug and alcohol counseling) that an offender should receive. The probation counselor periodically advises the district/municipal court judges of an offender's progress while the offender is on supervision.

## APPEALS FROM COURTS OF LIMITED JURISDICTION

Cases are appealed from "the record" made in the lower court. The record is made from an electronic recording of the original proceedings and court documents. The cases are appealed to superior court where only legal errors from the proceeding below are argued. There is no additional evidence or testimony presented on appeal. The one exception is an appeal from a small claims case. Small claims cases are heard *de novo* (or *anew*) in superior court on the record from the court of limited jurisdiction.



# 2014 District Court Judges



Top Row: Richard M. Leland, Randy A. Brandt, Debra R. Hayes, Patti Connolly Walker

Bottom Row: Gregory J. Tripp, Sara B. Derr, Donna Wilson, Vance W. Peterson



# INTRODUCTION

Spokane District Court handles:

- Traffic and non-traffic infractions,
- Misdemeanor, and gross misdemeanors,
- Felony reductions and some felony first appearance hearings.

Cases are filed by the Washington State Patrol, the Sheriff's Department and Animal Control, Fish & Wildlife, Liquor Control and Burlington Northern Railroad.

The Court's Civil Department processes countywide :

- Civil cases up to \$75,000 in value, and,
- Small Claims cases up to \$5,000 in value.

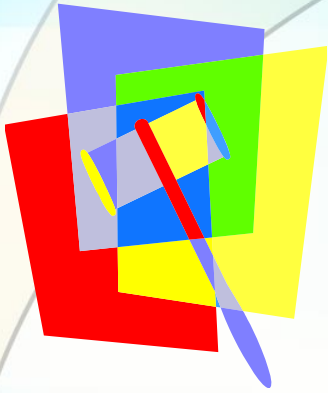


# INTRODUCTION - Continued

District Court contracts to provide court services for the:

- City of Spokane Valley
- City of Cheney
- Town of Fairfield
- City of Liberty Lake
- City of Millwood
- Town of Spangle
- City of Deer Park
- City of Rockford
- Town of Latah

All jurisdictions direct file their cases through District Court except the City of Cheney, (which maintains its own Municipal Court and contracts with District Court for judicial services).



# MISSION STATEMENT

The mission of Spokane County District Court is to serve our citizens through the prompt, courteous, and fair dispensation of justice by adjudicating cases in a timely manner using effective and efficient case management techniques, adhering to the highest standards, monitoring enforcement of judgments and being responsible stewards of public funds.

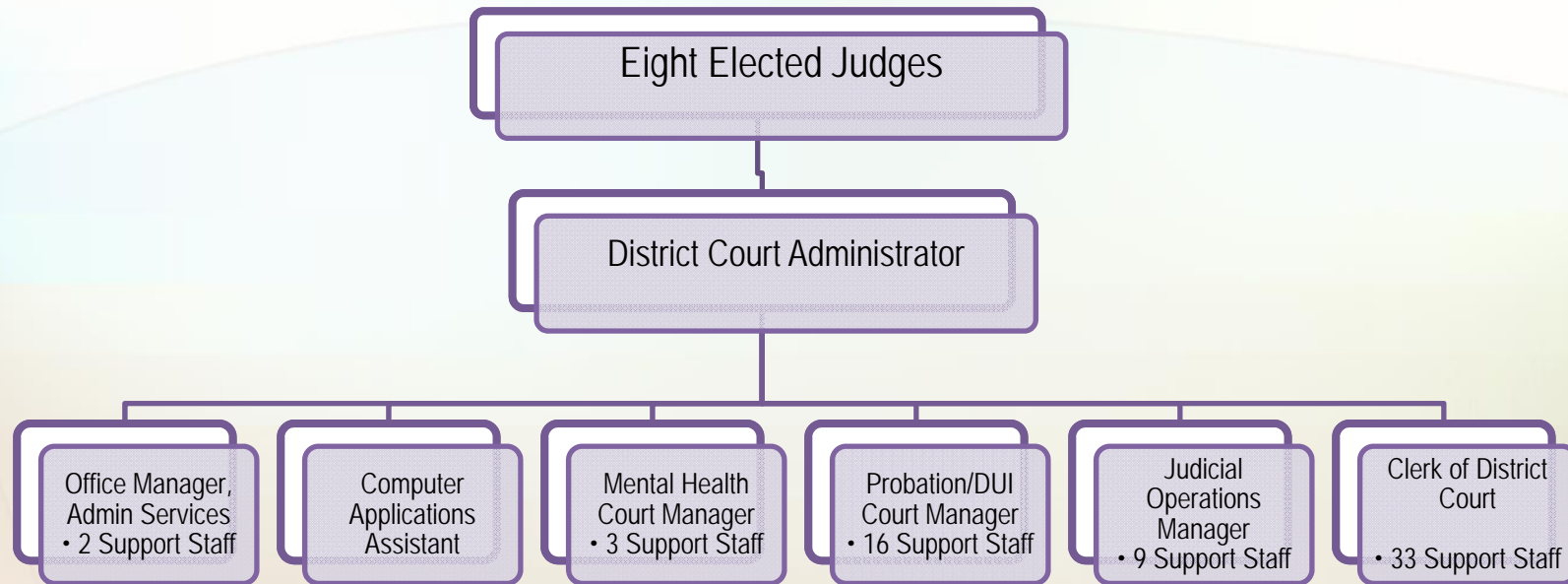


# VISION STATEMENT

## Professionalism, Accountability & Services

- Maintaining a positive and professional work environment;
- Ensuring our accountability to the public.
- Continually improving our work processes and performance, including the implementation of new technologies and innovative practices; and, providing the highest quality of service to the public.

# DISTRICT COURT ORGANIZATION CHART



# District Court Hearings (Types)

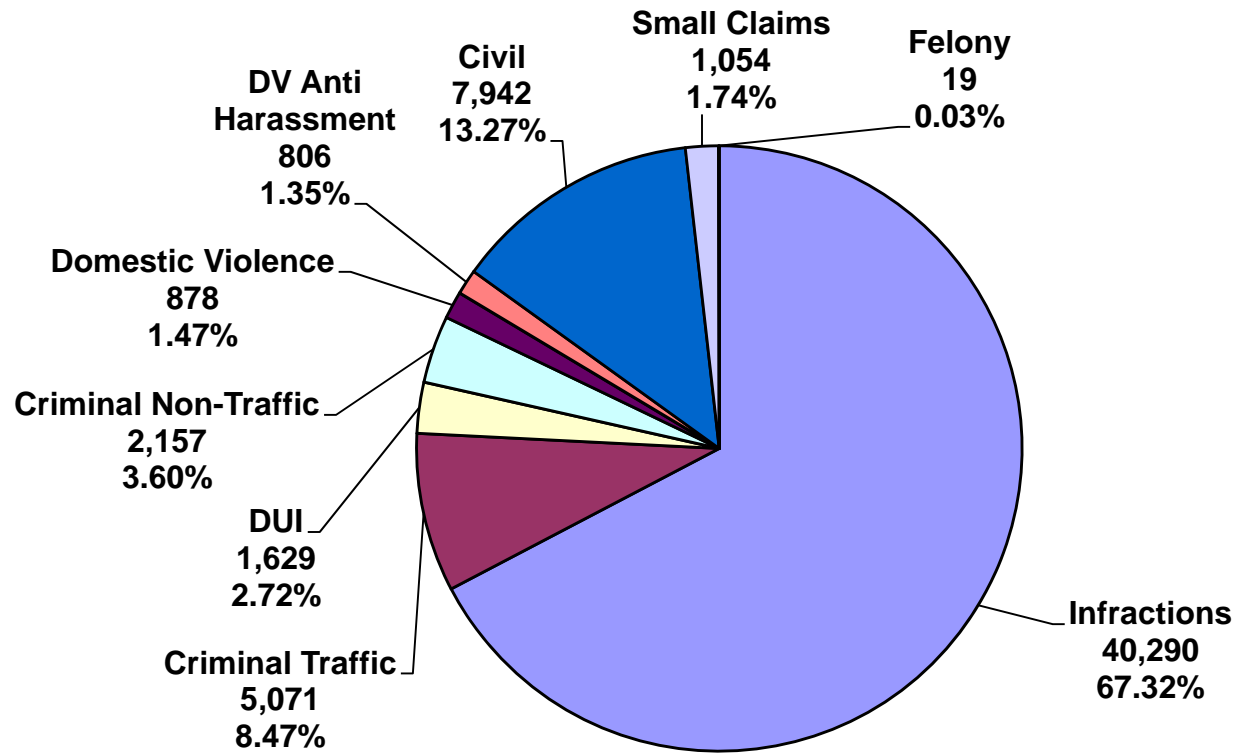
- First Appearances
- Arraignments
- Bond Hearings
- Pre-Trial – Civil & Criminal
- Trial-Jury or Bench
- Probation Violations
- Treatment Reviews
- Prosecutor Complaints
- Impounds
- Weekend Jail (Felony & Misdemeanor)
- Sealed Search Warrants
- Name Change
- Small Claims
- Infraction Mitigation
- Infraction Contested
- Mental Health Court
- Veterans Court
- Intensive Supervision  
Therapeutic Court
- Anti-Harassment/DV Protection  
Orders
- Felony First Appearances
- Felony Reductions
- Ex Parte
- Relicensing
- Alive @ 25



# 2010 – 2012 District Court Filings

	<u>2010</u>	<u>2011</u>	<u>2012</u>
Infractions	51,106	47,524	40,290
Criminal Traffic	5,039	5,696	5,071
DUI	1,580	1,623	1,629
Criminal Non-Traffic	2,388	2,355	2,157
Domestic Violence-Criminal	964	946	878
Civil Protection Orders	882	871	806
Civil	9,266	8,177	7,942
Small Claims	1,318	1,197	1,053
Felony Complaints	26	21	19
Total Filings	72,569	68,410	59,845

# 2012 District Court Filings



# 2012 Interpreter Usage

<u>Language</u>	<u>District/Criminal</u>	<u>Civil/Small Claims</u>	<u>TOTAL</u>
Albanian			0
Amharic			0
Arabic	15		15
ASL (American Sign Language)	14		14
Bosnian	2		2
Burmese			0
Chinese – Cantonese		1	1
Chinese – Mandarin	6		6
Chuukese	3		3
Croatian			0
Czech			0
Dinka			0
Etra (Ethiopian)	7		7
Farsi		1	1
French			0
Hindu	2		2
Hmong	2		2
Icelandic			0
Japanese			0
Italian			0
Korean	8		8

<u>Language</u>	<u>District/Criminal</u>	<u>Civil/Small Claims</u>	<u>TOTAL</u>
Laotian	1		1
Listening Equipment	1		1
Marshallese	53	1	54
Punjabi	5		5
Romanian			0
Rundi			0
Russian	123	16	139
Somali			0
Serbian			0
Spanish	222	9	231
Swahili	8	2	10
Tagalog	1		1
Tigrigna	19		19
Thai			0
Turkish			0
Ukranian	2	1	3
Vietnamese	28	2	30
Yoruba			0
<hr/>			
<b>TOTALS</b>	<b>464</b>	<b>31</b>	<b>495</b>

*Note: Zeros indicate languages used in prior years but not in 2012.*

# DISTRICT COURT OVERVIEW

- Customer Service
- Early Case Resolution
- Therapeutic Courts
- Employee Training
- Efficient Use of Jail Alternatives
- Statewide Committees/Commissions
- Pro Tem Judge Usage
- Grant Funding
- Imaging (Electronic Access)
- Electronic Tickets
- Electronic Court Orders
- Electronic Warrants
- Receivables Management
- TimeSoft Payroll Program
- Collaboration
- Community Outreach
- Courtroom Technology Systems Upgrade
- Interpreter Services
- Electronic Court Forms

# DISTRICT COURT OVERVIEW - Continued

- Customer Service – Website access, direct phone lines, customer service evaluation cards and direct service to the public.
- Early Case Resolution – Law enforcement officer sets the arraignment date and defendant comes in to apply for public defender at the arraignment. Prosecutor has the offer ready or the case is moved to regular dockets. Over 70% are resolved at arraignment.
- Therapeutic Courts – District Court has a long standing Domestic Violence Court, DUI Intensive Supervision Court and Veterans Court. The Mental Health Court is a collaboration with the City of Spokane.
- Employee Training – The Court is implementing a mandatory training program for all employees. Employees will be expected to obtain a minimum of 20 hours per year of in-house and/or online training in related subjects such as ethics, safety, diversity awareness, campus security, recording system and motivational leadership .

# ALTERNATIVES TO INCARCERATION

## Efficient Use of Alternatives to Incarceration

- Pre-trial Assessments (Pre-Trial Services)
- Alcohol & Drug Monitoring
  - SCRAM (Secure Continuous Remote Alcohol Monitor)
  - ETG (Urine Alcohol Testing with Ethyl Glucuronide)
  - SCRAM UA (Urinalysis)
  - Smart Start
  - PBT's (Portable Breath Tester)
- EHM (Electronic Home Monitoring/House Arrest)
- STOP Treatment Center (24-Hour DV Education Class)
- Drug & Alcohol Treatment (Inpatient/Outpatient)
- Mental Health Evaluations (Counseling & Medication)
- Co-Occurring Disorders – Drug/Alcohol & Mental Health Treatment





# Alternatives to Incarceration - Continued

## Efficient Use of Alternatives to Incarceration

- Theft Awareness Classes
- DVPP Classes
- Anger Management Classes
- DUI Victim Impact Panel
- Relicensing Program
- Court Programs
  - Community Service/Friendship Diversion
  - Alive @ 25
  - MRT (Moral Reconciliation Therapy)
  - Drug/Alcohol Monitoring
  - Treatment Programs Monitoring
  - Intense Supervision for Therapeutic Courts

# Alternatives to Incarceration - Continued

## Efficient Use of Alternatives to Incarceration

- Geiger
  - Work Crew
  - Work Release
  - Partial Confinement
  - In-Custody Drug/Alcohol Treatment
  - AA Classes
  - Community Service
  - Alcohol/Drug Evaluations
  - Treatment Placement
  - Screening for Benefits (DSHS)
  - 24-Hour Jail Alternative for DUI
  - MRT (Moral Reconciliation Therapy)

# INVOLVEMENT & INNOVATIONS

- Statewide Committees & Commissions – In order to have consistent and up-to-date court information, involvement in the State Court organizations is necessary. Judges have been Presidents of the District & Municipal Court Judges' Association (DMCJA), Board Members, Officers, Committee Chairs, Therapeutic Court Committee, Diversity Committee, Court Security Committee, Regional Courts Committee, Committee members for Legislative, Education, Long Range, Technology, Gender & Justice and Minority & Justice Commissions, Legal Foundation of Washington, Access to Justice Board and BJA (Board for Judicial Administration).
- Pro Tem Judge Usage – District Court offers accredited training on an annual basis to attorneys who wish to become pro tems judges. Pro tems are brought in to serve temporarily as a judge.
- Grant Funding – The Court actively seeks grant funding to adapt to a changing environment. Grants play a crucial role by meeting needs that are not, or cannot be, met through other financial resources.

# INNOVATIONS - Continued

- Technology (Imaging) – The Court has worked closely with the Information Systems Department (ISD) to develop an imaging program tailor-made for our processes. While full implementation has not yet been completed due to staff reductions, the Court has made steady progress in expanding the use of the system and in adding additional document types. Currently, there are projects either started or pending to incorporate electronic document generation and workflow management into this system/application. The result of these projects provides the court and related parties with increased efficiency, reduced effort and time savings.
- SECTOR Project (E-Tickets) – The Washington State Patrol (WSP) and other law enforcement agencies (LEAs), to varying degrees, have been using this system to electronically transmit criminal and infraction violations to the court. Processing these citations decreases the amount of time required to file cases. Spokane was one of the beta test sites for this project in 2006.

# INNOVATIONS - Continued

- Electronic Forms Project – In May 2012, the court implemented electronic hearings—a new system using electronic forms during arraignment and first appearance dockets. Judges utilize a pre-populated form containing case information, release conditions and future court dates utilizing electronic signature pads. The document is transmitted electronically and uploaded to the imaging system. This process saves time and eliminates the scanning of paper documents. This sets the stage for expanding development to other courtrooms, thus reducing the need for paper.
- E-Warrants – District Court reviews and signs search warrants for all jurisdictions in Spokane County. Through new technology, the Court can review search warrants after working hours and on weekends.

# INNOVATION - Continued

- Receivables Management – In 2010, the Spokane County District Court contracted with PAR Acceptance to manage time pay accounts. This was a result of severe staff reductions resulting from budget cuts. PAR offers convenient payment methods including phone payments, mail or electronic transfer, online payments or in person at the PAR office (just blocks away from the Court). In the first month alone, nearly \$600,000 in debt was paid off. The increase in revenue was due to the incentive to pay accounts in full to avoid additional fees. There are no costs to the court. Administrative costs are paid entirely by PAR.
- TimeSoft Payroll Program – TimeSoft, a payroll software program developed by the Information Systems Department (ISD), has been tested in District Court as a productivity enhancement and an accountability element for staff. The bench approved this program and it is scheduled to begin operation by July 15, 2013.



# COLLABORATION & COMMUNITY

- Collaboration: Spokane Mental Health Court is a collaboration between Spokane County and the City of Spokane. Spokane County District Court partners with the Spokane County Sheriff's Office and District Court Probation to offer two traffic safety programs: The Alive @ 25 Defensive Driving Program sponsored by the National Safety Council and the Sheriff's Traffic Safety Program. In addition, District Court collaborates with the City of Spokane with the Community Relicensing Program.
- Community Outreach – District Court judges have been guest speakers and/or have participated with Kiwanis, Rotary, Exchange Club, Hugh O'Brien Youth Leadership Program, High Schools (East Valley, Lewis & Clark High, Rogers, Mead), Glover Middle School, Havermale Alternative School, Big Brothers & Sisters, Opportunity Elementary Congressional Hearing, GU, EWU, WSU Moot Court Competition, League of Women Voters Panelist, Cheney Student Court, Domestic Violence Task Force, EWU Phi Kappa Phi Keynote Speaker, U.S. Military Special Forces, Honorary Commander/Eagle Program, FAFB and Visiting Judge Program.

# INNOVATION - Continued

- Courtroom Technology Upgrade – During 2012 and into 2013, the court undertook a project to upgrade all audio systems in courtrooms located in the Public Safety Building (PSB). All microphone cabling was replaced, existing microphones were replaced with models more suited for courtrooms, new amplifiers were added and audio mixing boards were upgraded. Courtroom #2 (video jail courtroom) was remodeled to utilize electronic services.
- Interpreter Services - The Court's judicial operations manager (JOM) arranges in-court interpreters utilizing independent contractors and interpreter agencies. The JOM coordinates and shares interpreter information with Superior Court & Municipal Court.



# THERAPEUTIC COURTS

## MENTAL HEALTH COURT

- Accountability with Compassion
- Created in 2007 & Funded by Sales Tax
- Reduce Recidivism & Increase Public Safety
- Meet the Needs of Offenders with Mental Illness
- Treatment, Community Resources & Supervision
- Incentives & Sanctions
- Five Phase Program
- Graduation





# VETERAN'S COURT

- Created in 2011
- Mentoring through Spokane Veteran's Forum
- Reduce Recidivism & Increase Public Safety
- Incentives & Sanctions
- Treatment, Community Resources & Supervision
- Collaborates with Veteran's Affairs, Goodwill Industries and the Veteran's Task Force
- Complete Phases and Graduate
- Funded by 2012 Federal Grant





## DUI INTENSIVE SUPERVISION COURT

- Created in 2009
- Reduce DUI Fatalities & Injuries
- Address Drug & Alcohol Dependent Offenders
- Comprehensive Supervision & Treatment
- Graduated Incentives & Sanctions
- Funded by The Washington Traffic Safety Commission
- Mandatory for Repeat Offenders with 3 or More DUI Offenses within 10 Years



# DISTRICT COURT

## Statutory Basis & Court Rules

- Revised Code of Washington – Title 3
- Washington State Court Rules
- Spokane County Local Rules

