

Superior Court
The Honorable Ellen Clark, Presiding Judge
Ron Miles, Superior Court Administrator

2011 Accomplishments/Challenges

Superior Court has weathered a 15% budget reduction over the last 3 years, most of which was accomplished through significant reductions in treatment services funds in Superior Court's Drug Court (Behavioral Health Therapeutic Drug Court), and through strategic reductions in our operating budget. These reductions were felt in all areas of our court. Nonetheless, Superior Court is extremely pleased and proud of our significant accomplishments during this past year.

Consolidation of Docket Assignments

During 2011, Superior Court judges and senior staff participated in a regional Caseflow Management training conference. As a result of our efforts following the conference, and by using established case management principles, Superior Court initiated changes in judicial docket assignments. Our goals were to develop efficient case management techniques and to equalize workload among our 12 judicial departments. The Early Case Resolution (ECR) and Therapeutic Drug Court programs were combined. The court also combined its Juvenile Court and the Civil Presiding dockets. These changes allow the court to focus on resolving cases more efficiently and with an ongoing emphasis on a "best practices" approach to recidivism.

Civil Commitment Filings Increased by 54% since 2009

Our most daunting challenge during the past two years and for the foreseeable future is our lack of judicial resources in the Civil Commitment arena. Spokane County's Community Services Department has opened two Evaluation and Treatment facilities in these past two years to cope with the dramatic demand for mental health services in the community. One of our six court commissioners is dedicated full-time to presiding over civil commitment hearings at these facilities, at Sacred Heart Hospital and Eastern State Hospital, and conducting other hearings in the Courthouse.

Pro Tem Judge and Commissioner Funding Reduced

Budget reductions in our judge pro tem and commissioner pro tem line items have left the court with a shortage of judicial resources. We have been able to address this problem by assigning judges to ex parte and to protracted family law trials, thereby freeing up court commissioner time and staying within our pro tem budget. Obviously, this is a short-term solution that has resulted in civil and criminal trial delays. This situation will continue to have dire consequences for the court's ability to adjudicate cases in a timely manner.

Success in Unified Family Court

We are pleased to report that our Unified Family Court continues to experience success in several areas, most notably in assisting pro se litigants with family law matters arising out of dependency actions and in our handling of termination cases.

The court has taken a more proactive approach to its method of handling and managing those cases where termination of a parent's rights has occurred and the child is

legally free and available for adoption. This has resulted in quicker completion of the adoption process and placement of these children in their permanent homes. This new approach has resulted in significant benefit to these children as well as a cost savings to the county and supporting agencies.



Commissioner Steve Grovdahl
convenes a dependency hearing

In 2011, the Court Commissioners devoted significant effort to improve their rate of adoptions within the national and state standard of six months after relinquishment or termination of parental rights. In 2010, 60% of these children were adopted within six months. The state average in this same time period was 36%. In 2011, Spokane County jumped to 71% compared to the state average of 53%. Some changes that have affected the improvement in timeliness include improving communication and accountability between the adoption unit of DCFS and the court through mandated post-term review hearings scheduled with the original Commissioner. When a dependency case is dismissed due to termination of parental rights, the case remains with the originating Commissioner and shows up on the docket for a review after two months. We are fortunate to have the services of a grant-funded Family Juvenile Court improvement Coordinator to assist in these efforts.

Therapeutic Drug Court now designated as a Behavioral Health Therapeutic Court

Our Therapeutic Drug Court is finishing its third year of a SAMHSA/CSAT-funded project for expanding and enhancing Drug Court's effectiveness. In recognizing upcoming changes to the health care system, we have also modified our name to include "behavioral health", in order to reflect the national changes that link together the full range of mental health and substance abuse services. Additionally, we have been proactive in addressing addiction to prescription opiates through updated policy changes and strong collaborative work with community groups, including hospital emergency departments and the CHAS clinic. Our Co-Occurring Disorders (COD) docket continues to expand in recognition of the high correlation between mental illness and addiction.



Judge Harold Clarke III presides over
the Early Case Resolution (ECR)
docket and the Behavioral Health
Therapeutic Drug Court.

Jury Call-In System Reduces Costs and Juror Anxiety

The Court instituted a Call-In System for jurors in December. This change allows jury management staff the flexibility to leave a message on our recording for prospective jurors. In this manner, only jurors needed for trials on the following Monday, will be instructed to appear. Since Superior Court's jury management office serves all four trial courts, jury cancellations or continuances or last minute negotiations can be expensive and an unnecessary waste of juror time. During its two month trial period, we have confirmed that this process successfully decreases juror costs, increases staff efficiency and avoids some negative impact to jurors.

New and Revised Juvenile Drug Court- Modeled after Adult Drug Court

The Juvenile Drug Court has successfully revamped itself, after extensive collaborative efforts involving representatives from Juvenile Court, Probation Services, Prosecuting Attorney, Public Defender, and three different treatment agencies. In March, 2011, the NADCP (National Association of Drug Court Professionals) provided a full two-day training for the court, prosecutors, defenders, probation staff, and treatment providers as to the protocol for an efficient and effective juvenile drug court. The Juvenile Drug Court is now modeled after best practice recommendations from the National Association of Drug Court Professionals.



Presiding Judge Ellen Clark also supervises the new and improved Juvenile Drug Court

Use of Electronic Forms/Orders in Criminal Court

With the help of the County's Information Systems Department, Superior Court has been able to expand its use of computer-generated orders. Orders are now drafted electronically at all video court proceedings and those orders are then automatically disseminated electronically to the jail, which eliminated the need to copy and fax, and thereby speeding up the release process and reducing workload.

Guardianship Monitoring Program as a Model for Other States

Superior Court's Guardianship Monitoring Program continues to serve as a model for other courts and has shared information with several other states wanting to implement similar programs. The program was heavily impacted when new legislation was passed implementing additional training and form changes for all of the 1900+ guardianship cases monitored. We work diligently to educate guardians of these new requirements and changes, including training approximately 13 potential guardians a month, and speaking to parent groups. Our GMP Coordinator participated in an Elder Abuse Conference to discuss the current challenges. With the assistance of 16 active volunteers we continue to protect the vulnerable adults in Spokane County. GMP continues to update forms on the website.

Language Assistance Planning

Superior Court administrative staff members have completed a review of our policies and procedures relating to the coordination of interpreters for those who have limited English proficiency. We believe that this will improve access to justice for all persons in our community. Recognizing that we are mandated by federal law to provide these services at public expense, we are working toward creating the most cost effective and efficient way to manage this added expense. Superior Court has partnered with Spokane Juvenile and District Courts to develop a regional trial courts' language assistance plan. This plan has been submitted to the Washington Administrative Office of the Courts.

Early Case Resolution Continues to Reduce Jail Population

Our Early Case Resolution Program has been recognized throughout the community for its success in contributing to the reduction in the jail population, reducing system redundancies, improving responsiveness to victims and reducing the "failure to appear" (FTA) rate by felony defendants. [David Bennett report to BoCC, Feb. 1, 2012]. Criminal case filings increased by more than 9% in 2011, making these changes even more important to our mission.

2012 Goals

Superior Court faces several challenges in 2012, not the least of which is to continue to fulfill our constitutional and statutory mandate to adjudicate all cases coming before the court in a timely manner. Our specific goals for 2012 are as follows:

Technology

The court has examined several function areas which will benefit from technology acquisitions. We will continue to develop court forms and orders which can be generated and distributed electronically. Since we are experiencing an increase in criminal filings (9.4%), we are focusing on criminal case processing, both in our expanded use of electronic forms and by upgrading our video arraignment courtroom equipment. Superior Court was a pioneer in the use of video technology to conduct arraignments by video feed between the courtroom and the jail. Unfortunately, our equipment has not kept pace with the times and is nearing the end of its useful life.

The court anticipates an increase in video testimony in all case types. We have seen a significant increase in requests for video witness testimony and will propose acquisition of cameras and monitors which can be utilized and reserved for this purpose as well as for use in videoconferencing. This technology will save time and save the county by reducing costs of travel for expert witnesses and for providing low-cost staff training.

Differentiated Case Management

In early 2012, Superior Court implemented docket re-alignments aimed at improving case processing time and equalizing judicial workloads. We will continue to monitor these changes for effectiveness. Our annual retreat provides a forum for discussion and problem-solving of budget and case management issues.

As Presiding Judge for the coming two years, I look forward to working with county leaders to ensure our many achievements are not lost and that we continue to strive for a court system which is able to provide timely justice for all those coming before it.

Presiding Judge Ellen Kalama Clark

