

Superior Court
The Honorable Sam Cozza, Presiding Judge
Ron Miles, Superior Court Administrator

2013 Annual Report

Superior Court is pleased to deliver this 2013 Annual Report to the Board of County Commissioners.

During 2013, Superior Court continued to focus on efficiencies utilizing electronic solutions and technological improvements. Examples of these efficiencies include electronic criminal case forms, increased use of videoconferencing testimony, development of shared calendaring systems in Juvenile Court, the development of electronic search warrants and probable cause determinations, and improvements in our juror check-in processes. Superior Court acknowledges the outstanding support and guidance provided by our county's Information Systems Department, without which none of this would have been possible.

Superior Court is also proud of the continuing success of the Therapeutic Felony Drug Court, recently highlighted as a "pocket of excellence" in county government by the Regional Criminal Justice Commission. In addition, the Court's Family and Juvenile Court (FJCIP) Program continues to experience success in its compliance with the state's six (6) dependency processing performance measures. As a complement to the FJCIP program, a parent mentoring program was initiated and serves as a model for other courts.

Finally, Superior Court judges, commissioners and administrative staff serve on a variety of statewide and local committees, bringing our expertise to other courts and organizations. Members of our court serve on or chair several local committees, including the Campus Security Committee, the Electronic Document Flow Workgroup, the Electronic Courtroom Committee, the Employee Recognition Committee and the DV Problem-Solving Committee, among others.

Behavioral Health Adult Felony Therapeutic Drug Court named "Pocket of Excellence"

The Regional Criminal Justice Commission, in its preliminary and final reports, identified Superior Court's Drug Court as one of two "pockets of excellence" in the regional criminal justice system. The Commission noted the Drug Court's commitment to evidence-based practices and the use of independent evaluations to ensure ongoing excellence.

The Therapeutic Drug Court (TDC) has been implementing projects supported by its three-year, \$975,000 SAMHSA/CSAT grant funding. We continue to be pro-active in addressing addiction to prescription opiates and the extensive needs of participants with Co-Occurring Disorders. And, we are always engaged in community-based efforts and organizations that help enhance our successes, such as the Greater Spokane Substance Abuse Council (GSSAC), Celebrate Recovery, the Recovery Walk, etc.

Our most recent evaluation shows that our graduates recidivate at a rate of 8%, compared to 85% for addicts who are incarcerated. In addition, defendants who participate in our program but do not graduate, recidivate at a rate of 40%. For this evaluation, “recidivism” was defined as any new felony charges filed within two years following a defendant’s end date of participation.



Judge Ellen Clark presides over the Early Case Resolution (ECR) docket and the Behavioral Health Therapeutic Drug Court.

New Felony Mental Health Court- Modeled after Drug Court

Superior Court has begun a felony mental health court, modeled after its own felony drug court. The court opened its docket in December, 2013, after extensive collaborative efforts involving representatives from Prosecuting Attorney, Public Defender, Department of Corrections and a community-based substance abuse/mental health treatment agency. The Felony Mental Health Court is developed based on the best practice recommendations from the National Association of Drug Court Professionals.

Family and Juvenile Court Improvement Program(FJCIP) Grant

Funded with a state grant, the FJCIP Coordinator assists families involved in a dependency with intensive help to obtain a parenting plan for children ready to leave the dependency system. In 2013, the Coordinator assisted with plans for 196 children. 107 of these were Petitions to Establish a Residential Schedule, 46 were for non-parental custody, 20 were dissolutions, 20 were modifications of a parenting plan, one was vacating a 3rd party custody order, and two were establishing/disestablishing paternity. Since this practice began in 2010, hundreds of challenged families have been able to get a parenting plan to protect their children and leave the dependency system as early as possible.

The cohesive efforts of all team members involved in dependencies have helped to accommodate an 18% increase in Dependency filings in 2013. Since 2009, there have been no additional judicial officers or staff added to help with the dependency process despite a 62% increase in number of filings. The six federally mandated timeliness measures continue to remain fairly consistent regardless of these dramatic increases.

Parents for Parents Program (“P4P”)

The Parents for Parents program officially started in February of 2013 as a pilot project, bringing with it a positive response from parents striving to reunify with their children involved in the dependency process. Due to the success of the program, the Children's Administration of DSHS agreed to fund the program after the grant ended on June 30, 2013. At present, the program is primarily run by a part-time extra help coordinator who is considered a "veteran parent." A Veteran Parent is someone who has had their child(ren) removed from their care by Child Protective Services, worked through the Dependency system, has been reunited with their child(ren), and then had their case closed. Along with the coordinator, there are three other veteran parents working in the program.

The P4P program and its Helping Other Parents Engage (HOPE) class is an instrumental element of Spokane County's dependency framework. In its short lifespan, the current program has surpassed all expectations and provided parents with the tools, information, and insight to successfully and quickly engage in their case. During 2013, 136 parents attended a HOPE class, Veteran Parents interacted with 570 parents waiting in the lobby for a court hearing, and 11 HOPE classes were offered.

Juvenile Court

Streamlined Processes

In 2013, the Superior Court Administrative team in Juvenile looked at ways to streamline and improve our processes. For Becca* court proceedings, the case managers and our Becca Court Facilitator collaborated with ISD to create a shared calendaring system to allow for case managers to schedule their own hearings. In addition, our facilitator has worked with other stakeholders to provide copies of assessments and orders via email instead of faxing or mailing. Not only have we cut postage and printing costs, but these improvements have sped up the communication process between the different agencies involved in Becca proceedings.

Prior to 2013, dependency hearings were scheduled by several different agencies. This led to several different court calendars being circulated and created confusion for attorneys and participants. In February, 2013 the Juvenile Court Coordinator collaborated with the different agencies scheduling hearings and developed a process to compile all of the information into one accurate docket for each courtroom. This has reduced confusion for participants and increased efficiency during the court proceedings.

* "Becca" refers to a statewide program aimed at providing funding for services to "at risk youth" (ARY), runaways, truants and other children in need of services (CHINS). This program is named after Rebecca Hedman, a Spokane runaway who was found murdered after failing to be connected to needed services.

Family Law Office

The Family Law Office Staff work closely with Court Commissioners to provide case flow management for all domestic cases including dissolution, legal separation, child support modification, parenting plan modification, non-parental third party custody, paternity, relocation and domestic violence/anti-harassment cases. During 2013, each Commissioner carried a monthly average caseload of 246 cases excluding modifications, dependencies, guardianships and terminations. This is an increase of 20% since 2011. Family Law Office Staff facilitated and coordinated 96 paternity dockets, 104 domestic violence dockets, 194 family law motion dockets, 95 child support modification dockets and 199 civil commitment dockets.

Court Facilitator

The Court Facilitator program assists self-represented family law litigants in navigating through a very complicated legal system. Despite staffing shortages, the program served more than 3000 pro se litigants in 2013. As part of the Supreme Court's Plain Language Forms Committee, our court facilitator is working to make the mandatory forms easier for the self-represented family law litigant to understand.

In early 2014, we will implement a Resource Center Board near the Family Law Office. The Resource Board will allow our customers an opportunity to identify needed forms, thereby reducing delay and allowing our facilitator to serve more people with more serious or complex questions.

Criminal Case Management

Use of Video Conferencing Testimony Increased

The Court set out with a goal of increasing the availability and use of videoconferencing equipment for the purposes of improving our efficiency for "in custody" matters, and to be able to provide technology for videoconferencing testimony. During 2013, Superior Court, worked with ISD to develop a protocol for providing testimony via videoconference equipment, purchased with grant funds. During the first year of our protocol, the court was able to accommodate several requests for video testimony. This technology will save time and save the county money by reducing costs of travel for expert witnesses and for other uses. It is likely that requests for contemporaneous video testimony will increase in the years to come. The Court and ISD are ready for this challenge.

Superior Court's criminal case department created a procedure with instructions and forms for Legal Financial Obligation (LFO) defendants. Pre-trial dockets were also streamlined by breaking out-of-custody pre-trial settings down from one single session of 1.5 hours to three 30-minute dockets, using alpha calendaring. This has reduced congestion in the courthouse. In-custody pretrial settings were also streamlined by creating a policy for transporting inmates in a more systematic and predictable manner, providing substantial time savings.

In 2013, the court also initiated an analysis of bail bond processes, with a goal of assisting the County Clerk and/or Prosecutor to assume monitoring and tracking the status of surety bail bonds. This project is ongoing and is heavily dependent on our partners in the justice system as well as ISD improvements to our case management systems.

Finally, our criminal department worked with the Jail and the Health Department on procedures for handling HIV testing on those defendants for whom testing is required. The Health Department is no longer performing this function, thereby requiring a new procedure to be set up to accommodate the testing.

Jury Management

Superior Court's jury office summoned a total of 22,006 individuals for jury duty to serve in Superior, District, Municipal, City of Spokane Valley and other courts within Spokane County. During 2013, a total of 5,161 individuals served on 197 jury trials, requiring 13,211 juror days.

For the 4th year in a row, the court provides bus passes to those jurors who elect to take public transportation in lieu of their private vehicles. This program is convenient for jurors, reduces traffic congestion and saves travel reimbursement expenses. Jurors used the STA bus routes a total of 601 juror days during the year.

The jury office enters its 3rd full year of a project which changed our call-in process to Friday evenings, instead of bringing all jurors in on Monday. Staff members no longer had to call off excess jurors on Friday. The Friday call-in process has reduced staff time and relieved prospective jurors from the burden of coming in when not needed.

Guardianship Monitoring Program (GMP)

The objectives of the Guardianship Monitoring Program are to reduce the potential for the abuse and exploitation of Spokane County's vulnerable citizens under guardianships, to educate guardians about their responsibilities, and to increase the community's awareness of the guardianship system and the problems faced by incapacitated people. The program utilizes volunteers to audit guardianship reports, conduct home visits and to provide other services.

The GMP coordinator and two court commissioners trained 142 potential guardians in after-hours classes. GMP staff also volunteered approximately 36 hours for volunteer training and recruitment, and to schools, organizations and community partners about the Guardianship Monitoring program.

Our 16 GMP volunteers worked over 2100 hours during the year, averaging about 41 hours a week reviewing over 1100 files. Volunteers serve as court visitors, records researchers, and financial auditors. They provide the court with reports about the person under guardianships, current status of the file and due dates for annual reports. Currently, we are down to 13 volunteers, 6 of whom have been with the program since its inception in 2000.

2014 Challenges and Goals

Superior Court faces several challenges in 2014, 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. Case management is one of our top priorities in 2014. We will continue to develop strategies for reducing delay in criminal cases.

Adjudication of cases within state time standards is linked to availability of adequate resources at the local level. Adequate funding for core court services must be addressed this year. We will work with the BoCC and the Budget Office to develop cost-efficiencies, and to secure adequate funding for our "mandated" costs, such as juror costs, guardian ad litem fees, interpreter costs and indigent defense services. The demand for these mandated services continue to increase. In 2013, for example, we experienced a

22% increase in language interpreter services and a 50% increase in use of American Sign Language Interpreters. Other “mandated” and “essential” costs are also on the rise, and, unfortunately, must be funded.

Conclusion

In the latter half of 2013, Superior Court judges and court administrator provided testimony and documentation to the Regional Criminal Justice Commission. The court supports the implementation of “best practices” throughout the criminal justice system, many of which are identified in the report “A Blueprint for Reform”. The court looks forward to working with our system partners to implement needed reform.



Presiding Judge Sam Cozza