

# Judicial

## **Expansion of Parents' Representation Program in Dependency and Termination Cases**

The budget adds \$1.8 million to expand the current parents' representation program beyond Benton-Franklin and Pierce counties. The Program provides for representation of indigent parents who are in danger of losing permanent custody of their children and connects parents with services they need to keep or regain custody. Results in the existing counties have shown improved successful reunifications and reduced foster care time pending trial. The new funding also helps relieve the burden on the counties, as counties currently pay 100 percent of defense costs.

## **Maintain and Improve Judicial Information System**

The budget provides \$3.9 million in near general funds to replace outdated and obsolete computer equipment for local courts used to operate the judicial information system (JIS). Also, \$9.7 million in dedicated JIS funds paid by special assessments on traffic fines are used to continue to expand the JIS system.

## **Separate Legislation – Justice Funding Appropriated by Chapter 457, Laws of 2005 (E2SSB 5454)**

Separate from the budget, \$12.7 million in funding is appropriated by E2SSB 5454 for a variety of items to assist local governments, to improve the quality of trial courts, to increase access to civil justice, and to improve indigent defense services. For the 2005-07 biennium, increased court fees are expected to raise over \$19 million in funds for counties and cities and \$12.7 million in state funds for deposit into the new Equal Justice Subaccount of the Public Safety and Education Account. The legislation appropriates the \$12.7 million in Equal Justice Subaccount funds as follows:

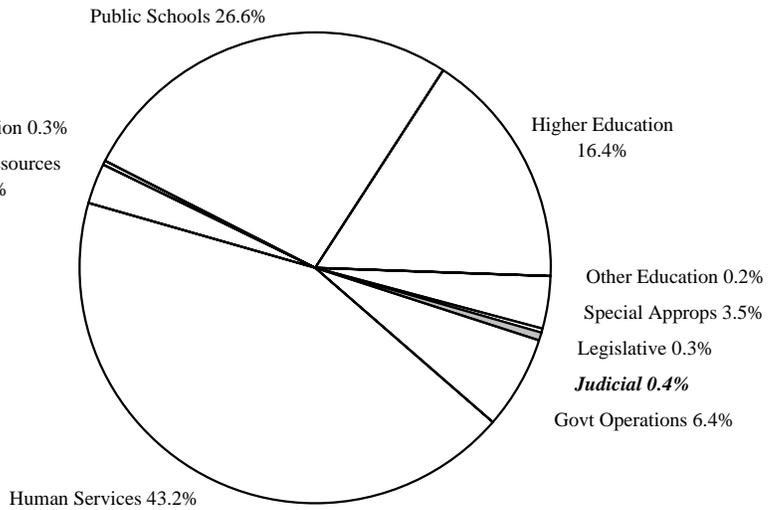
- \$2.4 million to the Office of the Administrator for the Courts for distribution to local governments for salaries for district and certain elected municipal court judges. In subsequent biennia, this amount is estimated to increase to \$6.3 million, or 50 percent of the projected revenue from the fee increases. Local governments must match the full amount in local trial court improvement accounts, to be appropriated by the local legislative authority.
- \$5 million to the Office of Public Defense (OPD) to assist with a partial statewide expansion of the parents' representation program for dependencies and terminations. This funding is in addition to \$1.8 million in new funds added separately as noted above.
- \$1.3 million to OPD to provide training and technical assistance to counties to improve trial-level criminal indigent defense.
- \$1 million to OPD to perform a pilot project to improve criminal indigent defense in one or more counties.
- \$3 million to the Office of Civil Legal Aid to expand the level of contracted civil legal services provided to indigent persons.

## 2005-07 Washington State Operating Budget

### Total Budgeted Funds

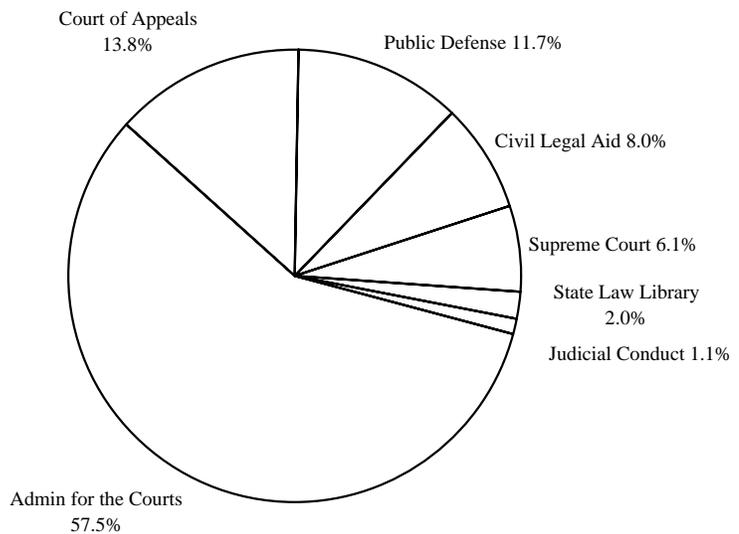
(Dollars in Thousands)

Legislative	148,103
<b>Judicial</b>	<b>205,183</b>
Governmental Operations	3,188,651
Human Services	21,370,163
Natural Resources	1,296,763
Transportation	145,790
Public Schools	13,147,661
Higher Education	8,105,412
Other Education	105,940
Special Appropriations	1,736,187
<b>Statewide Total</b>	<b>49,449,853</b>



### Washington State

Admin for the Courts	117,885
Court of Appeals	28,224
Office of Public Defense	24,043
Civil Legal Aid	16,407
Supreme Court	12,431
State Law Library	4,031
Judicial Conduct Comm	2,162
<b>Judicial</b>	<b>205,183</b>



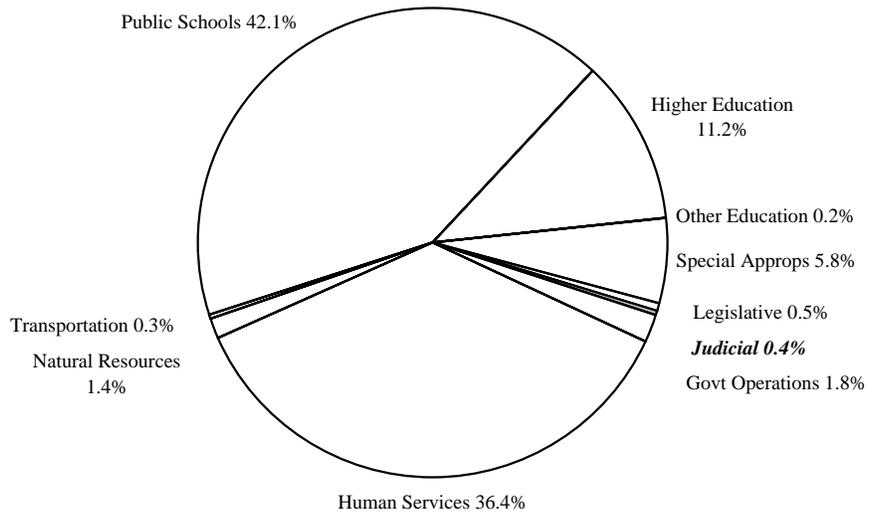
### Judicial

## 2005-07 Washington State Operating Budget

### General Fund-State

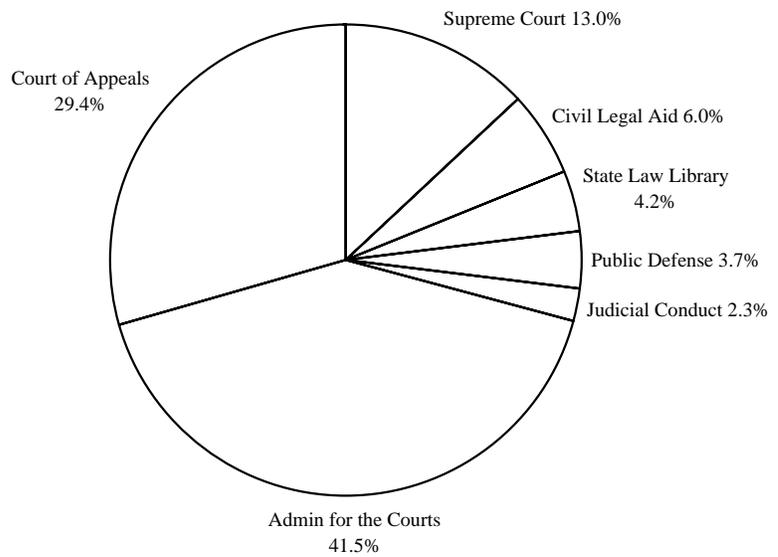
(Dollars in Thousands)

Legislative	140,970
<b>Judicial</b>	<b>95,869</b>
Governmental Operations	460,076
Human Services	9,458,768
Natural Resources	366,902
Transportation	70,464
Public Schools	10,914,763
Higher Education	2,900,607
Other Education	43,974
Special Appropriations	1,500,021
<b>Statewide Total</b>	<b>25,952,414</b>



### Washington State

Admin for the Courts	39,738
Court of Appeals	28,224
Supreme Court	12,431
Civil Legal Aid	5,715
State Law Library	4,031
Office of Public Defense	3,568
Judicial Conduct Comm	2,162
<b>Judicial</b>	<b>95,869</b>



### **Judicial**

## Supreme Court

(Dollars in Thousands)

	GF-S	Other	Total
<b>2003-05 Expenditure Authority</b>	<b>11,195</b>	<b>0</b>	<b>11,195</b>
<b>2005-07 Maintenance Level</b>	<b>12,028</b>	<b>0</b>	<b>12,028</b>
<b>Policy Changes</b>			
1. COLA-Non-Represented	346	0	346
2. Non-Represented Health Benefit Chg	94	0	94
3. General Inflation	-5	0	-5
4. Access to Justice	200	0	200
5. Pension Rate for Gain Sharing	-56	0	-56
6. Suspend Unfunded Liability Contribs	-176	0	-176
<b>Total 2005-07 Biennium</b>	<b>12,431</b>	<b>0</b>	<b>12,431</b>
Fiscal Year 2006 Total	6,085	0	6,085
Fiscal Year 2007 Total	6,346	0	6,346

**Comments:**

1. **COLA-Non-Represented** - Funding is provided to give cost-of-living adjustments (COLAs) of 3.2 percent on September 1, 2005, and 1.6 percent on September 1, 2006, to non-represented employees. (General Fund-State)
  
2. **Non-Represented Health Benefit Chg** - Funding is provided for the current health benefit package and level of cost sharing during the 2005-07 biennium for both represented and non-represented employees. More detailed information about this item is provided in the general comments for "State Employee Compensation." (General Fund-State)
  
3. **General Inflation** - Agencies are required to find sufficient efficiencies in their operations to cover the cost of inflation in the goods, services, and supplies needed for performance of their mission.
  
4. **Access to Justice** - Funding is provided for one and a half staff for the Access to Justice Board (AJB). The AJB was created by court rule in 2000 and has operated since using volunteers; state funding is needed to continue services. Recently, the AJB has taken on a greater coordinating role, doing statewide planning to improve civil indigent legal services.
  
5. **Pension Rate for Gain Sharing** - Contributions toward the future costs of gain sharing are suspended for the 2005-07 biennium, consistent with Chapter 370, Laws of 2005 (ESHB 1044). (General Fund-State)
  
6. **Suspend Unfunded Liability Contribs** - Funding levels for employer contributions to the Public Employees' Retirement System (PERS), the Teachers' Retirement System (TRS), and the School Employees' Retirement System (SERS) are adjusted consistent with ESHB 1044 (Pension Funding Methodology). For employers and members of retirement plans unaffected by ESHB 1044, funding levels are provided consistent with the contribution rates recommended by the Pension Funding Council. Additional detail on pension contribution rates is provided in the general comments for "State Employee Compensation." (General Fund-State)

**State Law Library**

(Dollars in Thousands)

	<u>GF-S</u>	<u>Other</u>	<u>Total</u>
<b>2003-05 Expenditure Authority</b>	<b>4,099</b>	<b>0</b>	<b>4,099</b>
2005 Supplemental *	39	0	39
<b>Total 2003-05 Biennium</b>	<b>4,138</b>	<b>0</b>	<b>4,138</b>
<b>2005-07 Maintenance Level</b>	<b>4,000</b>	<b>0</b>	<b>4,000</b>
<b>Policy Changes</b>			
1. COLA-Non-Represented	46	0	46
2. Non-Represented Health Benefit Chg	21	0	21
3. General Inflation	-3	0	-3
4. Pension Rate for Gain Sharing	-8	0	-8
5. Suspend Unfunded Liability Contribs	-25	0	-25
<b>Total 2005-07 Biennium</b>	<b>4,031</b>	<b>0</b>	<b>4,031</b>
Fiscal Year 2006 Total	2,011	0	2,011
Fiscal Year 2007 Total	2,020	0	2,020

**Comments:**

1. **COLA-Non-Represented** - Funding is provided to give cost-of-living adjustments (COLAs) of 3.2 percent on September 1, 2005, and 1.6 percent on September 1, 2006, to non-represented employees. (General Fund-State)
2. **Non-Represented Health Benefit Chg** - Funding is provided for the current health benefit package and level of cost sharing during the 2005-07 biennium for both represented and non-represented employees. More detailed information about this item is provided in the general comments for "State Employee Compensation." (General Fund-State)
3. **General Inflation** - Agencies are required to find sufficient efficiencies in their operations to cover the cost of inflation in the goods, services, and supplies needed for performance of their mission.
4. **Pension Rate for Gain Sharing** - Contributions toward the future costs of gain sharing are suspended for the 2005-07 biennium, consistent with Chapter 370, Laws of 2005 (ESHB 1044). (General Fund-State)
5. **Suspend Unfunded Liability Contribs** - Funding levels for employer contributions to the Public Employees' Retirement System (PERS), the Teachers' Retirement System (TRS), and the School Employees' Retirement System (SERS) are adjusted consistent with ESHB 1044 (Pension Funding Methodology). For employers and members of retirement plans unaffected by ESHB 1044, funding levels are provided consistent with the contribution rates recommended by the Pension Funding Council. Additional detail on pension contribution rates is provided in the general comments for "State Employee Compensation." (General Fund-State)

\* Please see the 2005 Supplemental Operating Budget Section for additional information.

## Court of Appeals

(Dollars in Thousands)

	GF-S	Other	Total
<b>2003-05 Expenditure Authority</b>	<b>25,454</b>	<b>0</b>	<b>25,454</b>
2005 Supplemental *	55	0	55
<b>Total 2003-05 Biennium</b>	<b>25,509</b>	<b>0</b>	<b>25,509</b>
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<b>2005-07 Maintenance Level</b>	<b>27,405</b>	<b>0</b>	<b>27,405</b>
<b>Policy Changes</b>			
1. COLA-Non-Represented	740	0	740
2. Non-Represented Health Benefit Chg	205	0	205
3. General Inflation	-84	0	-84
4. Salary Reclassification	120	0	120
5. Additional Staff	293	0	293
6. Division III Security	28	0	28
7. Division III Local Hearings	16	0	16
8. Pension Rate for Gain Sharing	-120	0	-120
9. Suspend Unfunded Liability Contribs	-379	0	-379
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<b>Total 2005-07 Biennium</b>	<b>28,224</b>	<b>0</b>	<b>28,224</b>
Fiscal Year 2006 Total	13,866	0	13,866
Fiscal Year 2007 Total	14,358	0	14,358

**Comments:**

1. **COLA-Non-Represented** - Funding is provided to give cost-of-living adjustments (COLAs) of 3.2 percent on September 1, 2005, and 1.6 percent on September 1, 2006, to non-represented employees. (General Fund-State)
2. **Non-Represented Health Benefit Chg** - Funding is provided for the current health benefit package and level of cost sharing during the 2005-07 biennium for both represented and non-represented employees. More detailed information about this item is provided in the general comments for "State Employee Compensation." (General Fund-State)
3. **General Inflation** - Agencies are required to find sufficient efficiencies in their operations to cover the cost of inflation in the goods, services, and supplies needed for performance of their mission.
4. **Salary Reclassification** - Funding is provided for salary increases for job classifications identified as being compensated at a rate lower than the market rate identified in the Court of Appeals Salary Survey. Also, funding is provided in the Office of the Administrator for the Courts budget to contract with the Department of Personnel (DOP) for a more comprehensive salary survey of all judicial agencies, so that judicial salary reclassifications can be reconsidered in future budget requests. The DOP has provided similar functions for other non-executive agencies in the past, such as the House of Representatives.
5. **Additional Staff** - Funding is provided for three additional staff to enable the Court of Appeals (COA) to keep its current staff to workload ratio, preventing additional delays in turnaround. Unlike the Supreme Court, the COA does not have the discretion to turn down cases and mitigate its workload, which has continued to grow.
6. **Division III Security** - Funding is provided to ensure staffing of metal detectors and x-ray equipment at Division III, on days the court is in session. Security staffing will improve public safety during appellate proceedings and make the level of security at Division III consistent with the other divisions.
7. **Division III Local Hearings** - Funding is provided to allow the COA Division III to resume hearing oral arguments in cities other than Spokane several times per year, in locations such as Yakima and the Tri-Cities. This service was cut back in response to across-the-board cuts during the 2003-05 biennium. Division III is the largest of the three geographic divisions, and includes most of eastern Washington. By traveling to these locations a few times per year, COA can save higher combined travel costs for local prosecutors, attorneys general, and appellate defense attorneys.
8. **Pension Rate for Gain Sharing** - Contributions toward the future costs of gain sharing are suspended for the 2005-07 biennium, consistent with Chapter 370, Laws of 2005 (ESHB 1044). (General Fund-State)
9. **Suspend Unfunded Liability Contribs** - Funding levels for employer contributions to the Public Employees' Retirement System (PERS), the Teachers' Retirement System (TRS), and the School Employees' Retirement System (SERS) are adjusted consistent with ESHB 1044 (Pension Funding Methodology). For employers and members of retirement plans unaffected by ESHB 1044, funding levels are provided consistent with the contribution rates recommended by the Pension Funding Council. Additional detail on pension contribution rates is provided in the general comments for "State Employee Compensation." (General Fund-State)

\* Please see the 2005 Supplemental Operating Budget Section for additional information.

### Commission on Judicial Conduct

(Dollars in Thousands)

	GF-S	Other	Total
<b>2003-05 Expenditure Authority</b>	<b>1,828</b>	<b>0</b>	<b>1,828</b>
<b>2005-07 Maintenance Level</b>	<b>2,104</b>	<b>2</b>	<b>2,106</b>
<b>Policy Changes</b>			
1. COLA-Non-Represented	46	0	46
2. Non-Represented Health Benefit Chg	10	0	10
3. General Inflation	-8	-2	-10
4. Computer Replacement	38	0	38
5. Pension Rate for Gain Sharing	-6	0	-6
6. Suspend Unfunded Liability Contribs	-22	0	-22
<b>Total 2005-07 Biennium</b>	<b>2,162</b>	<b>0</b>	<b>2,162</b>
Fiscal Year 2006 Total	1,055	0	1,055
Fiscal Year 2007 Total	1,107	0	1,107

**Comments:**

1. **COLA-Non-Represented** - Funding is provided to give cost-of-living adjustments (COLAs) of 3.2 percent on September 1, 2005, and 1.6 percent on September 1, 2006, to non-represented employees. (General Fund-State)
  
2. **Non-Represented Health Benefit Chg** - Funding is provided for the current health benefit package and level of cost sharing during the 2005-07 biennium for both represented and non-represented employees. More detailed information about this item is provided in the general comments for "State Employee Compensation." (General Fund-State)
  
3. **General Inflation** - Agencies are required to find sufficient efficiencies in their operations to cover the cost of inflation in the goods, services, and supplies needed for performance of their mission.
  
4. **Computer Replacement** - One-time funding is provided to replace and upgrade the Commission's computers, servers, firewall, and related software, which are over their life expectancy.
  
5. **Pension Rate for Gain Sharing** - Contributions toward the future costs of gain sharing are suspended for the 2005-07 biennium, consistent with Chapter 370, Laws of 2005 (ESHB 1044). (General Fund-State)
  
6. **Suspend Unfunded Liability Contribs** - Funding levels for employer contributions to the Public Employees' Retirement System (PERS), the Teachers' Retirement System (TRS), and the School Employees' Retirement System (SERS) are adjusted consistent with ESHB 1044 (Pension Funding Methodology). For employers and members of retirement plans unaffected by ESHB 1044, funding levels are provided consistent with the contribution rates recommended by the Pension Funding Council. Additional detail on pension contribution rates is provided in the general comments for "State Employee Compensation." (General Fund-State)

## Office of the Administrator for the Courts

(Dollars in Thousands)

	GF-S	Other	Total
<b>2003-05 Expenditure Authority</b>	<b>35,410</b>	<b>75,337</b>	<b>110,747</b>
2005 Supplemental *	-38	54	16
<b>Total 2003-05 Biennium</b>	<b>35,372</b>	<b>75,391</b>	<b>110,763</b>
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<b>2005-07 Maintenance Level</b>	<b>38,766</b>	<b>61,275</b>	<b>100,041</b>
<b>Policy Changes</b>			
1. COLA-Non-Represented	921	906	1,827
2. Non-Represented Health Benefit Chg	256	251	507
3. General Inflation	-60	-235	-295
4. Office Consolidation	0	390	390
5. JIS Migration Phase III Development	0	9,700	9,700
6. Equipment Replacement	0	3,890	3,890
7. Court Interpreter Enhancements	0	143	143
8. CASA/GAL Program Support	300	0	300
9. Pension Rate for Gain Sharing	-150	-148	-298
10. Suspend Unfunded Liability Contribs	-469	-500	-969
11. JIS Costs to Implement Legislation	0	75	75
12. Superior Ct Judge-Skagit (HB 1112)	164	0	164
13. Contract for Salary Survey	10	0	10
14. Justice Funding - E2SSB 5454	0	2,400	2,400
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<b>Total 2005-07 Biennium</b>	<b>39,738</b>	<b>78,147</b>	<b>117,885</b>
Fiscal Year 2006 Total	19,657	39,086	58,743
Fiscal Year 2007 Total	20,081	39,061	59,142

**Comments:**

- |   |   |
|---|---|
| <p>1. <b>COLA-Non-Represented</b> - Funding is provided to give cost-of-living adjustments (COLAs) of 3.2 percent on September 1, 2005, and 1.6 percent on September 1, 2006, to non-represented employees. (General Fund-State, Public Safety &amp; Education-State, Judicial Information System-State)</p> <p>2. <b>Non-Represented Health Benefit Chg</b> - Funding is provided for the current health benefit package and level of cost sharing during the 2005-07 biennium for both represented and non-represented employees. More detailed information about this item is provided in the general comments for "State Employee Compensation." (General Fund-State, Public Safety &amp; Education-State, Judicial Information System-State)</p> <p>3. <b>General Inflation</b> - Agencies are required to find sufficient efficiencies in their operations to cover the cost of inflation in the goods, services, and supplies needed for performance of their mission. (General Fund-State, Judicial Information Systems Account-State, Public Safety &amp; Education Account-State)</p> <p>4. <b>Office Consolidation</b> - Funding is provided for a half of the Office of the Administrator for the Courts's (OAC's) costs to collocate and consolidate their offices in renovated facilities that will support their long-term space and technology needs. (Public Safety &amp; Education Account-State)</p> <p>5. <b>JIS Migration Phase III Development</b> - Funding from a dedicated account is provided for continuation of the Judicial Information System (JIS) migration, including replacement of the legacy mainframe court case management systems.</p> | <p>Additional funding requested by the agency from the Public Safety and Education Account is not provided at this time. (Judicial Information Systems Account-State)</p> <p>6. <b>Equipment Replacement</b> - One-time funding is provided for OAC to purchase replacement computer equipment for local courts which use the Judicial Information System. Using a five-year cycle for replacement, most counties need replacement of personal computers and printers. By funding this item, county clerks will not have to pursue local funding or risk hardware failures. (Public Safety &amp; Education Account-State)</p> <p>7. <b>Court Interpreter Enhancements</b> - Funding is provided for grants to local courts for additional court interpreter training. The trainings are necessary in order to produce a greater number of qualified court language interpreters, particularly in less-commonly known languages. (Public Safety &amp; Education Account-State)</p> <p>8. <b>CASA/GAL Program Support</b> - Funding is provided to expand training and support for the Dependency Court Appointed Special Advocate (CASA)/Guardian ad Litem (GAL) programs serving abused and neglected children throughout the state. Funds will be distributed to local CASA programs in accordance with a formula established by the state's juvenile court administrators.</p> <p>9. <b>Pension Rate for Gain Sharing</b> - Contributions toward the future costs of gain sharing are suspended for the 2005-07 biennium, consistent with Chapter 370, Laws of 2005 (ESHB</p> |
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## Office of the Administrator for the Courts

1044). (General Fund-State, Public Safety & Education Account-State, Judicial Information System-State)

10. **Suspend Unfunded Liability Contribs** - Funding levels for employer contributions to the Public Employees' Retirement System (PERS), the Teachers' Retirement System (TRS), and the School Employees' Retirement System (SERS) are adjusted consistent with ESHB 1044 (Pension Funding Methodology). For employers and members of retirement plans unaffected by ESHB 1044, funding levels are provided consistent with the contribution rates recommended by the Pension Funding Council. Additional detail on pension contribution rates is provided in the general comments for "State Employee Compensation." (General Fund-State, Public Safety & Education Account-State, Judicial Information System-State)
11. **JIS Costs to Implement Legislation** - One-time funding is provided for JIS programming costs required to implement Chapter 288, Laws of 2005 (SHB 1854 - Driving Privilege) and Chapter 457, Laws of 2005 (E2SSB 5454 - Court Operations). (Public Safety & Education Account-State)
12. **Superior Ct Judge-Skagit (HB 1112)** - Funding is provided to support an additional superior court position in Skagit County, as required by Chapter 95, Laws of 2005 (HB 1112 - Superior Court Positions). The level of funding provided is the state's match for half the salary for one judge and full benefits. The county pays the other half of the judge's salary.
13. **Contract for Salary Survey** - One-time funding is provided to contract with the Department of Personnel (DOP) for a comprehensive salary survey of all judicial agencies, so that judicial salary reclassifications can be reconsidered in future budget requests. DOP has provided similar functions for other non-executive agencies in the past, such as the House of Representatives.
14. **Justice Funding - E2SSB 5454** - Funding is appropriated by Chapter 457, Laws of 2005 (E2SSB 5454 - Court Operations) for a variety of items to assist local government with court operations, to improve the quality of trial courts, to increase access to civil justice, and to improve indigent defense services. For the 2005-07 biennium, increased court fees under E2SSB 5454 are expected to raise \$12.7 million for deposit into the newly established Equal Justice Subaccount of the Public Safety and Education Account. The legislation appropriates \$12.7 million in Equal Justice Subaccount funds, of which \$2.4 million is provided to OAC for distribution to local governments for salaries for district and certain elected municipal court judges. (Equal Justice Subaccount-State)

\* Please see the 2005 Supplemental Operating Budget Section for additional information.

## Office of Public Defense

(Dollars in Thousands)

	GF-S	Other	Total
<b>2003-05 Expenditure Authority</b>	<b>1,550</b>	<b>12,783</b>	<b>14,333</b>
<b>2005-07 Maintenance Level</b>	<b>1,792</b>	<b>13,072</b>	<b>14,864</b>
<b>Policy Changes</b>			
1. COLA-Non-Represented	0	30	30
2. Non-Represented Health Benefit Chg	0	9	9
3. General Inflation	-24	-237	-261
4. Equalization of Attorney Pay	0	158	158
5. Attorney Vendor Rate Increase	0	124	124
6. Dependency and Termination Program	1,800	0	1,800
7. Rate Change for Court Reporter	0	39	39
8. Pension Rate for Gain Sharing	0	-4	-4
9. Suspend Unfunded Liability Contribs	0	-16	-16
10. Justice Funding - E2SSB 5454	0	7,300	7,300
<b>Total 2005-07 Biennium</b>	<b>3,568</b>	<b>20,475</b>	<b>24,043</b>
Fiscal Year 2006 Total	1,490	10,429	11,919
Fiscal Year 2007 Total	2,078	10,046	12,124

**Comments:**

1. **COLA-Non-Represented** - Funding is provided to give cost-of-living adjustments (COLAs) of 3.2 percent on September 1, 2005, and 1.6 percent on September 1, 2006, to non-represented employees. (Public Safety & Education Account-State)
2. **Non-Represented Health Benefit Chg** - Funding is provided for the current health benefit package and level of cost sharing during the 2005-07 biennium for both represented and non-represented employees. More detailed information about this item is provided in the general comments for "State Employee Compensation." (Public Safety & Education Account-State)
3. **General Inflation** - Agencies are required to find sufficient efficiencies in their operations to cover the cost of inflation in the goods, services, and supplies needed for performance of their mission. (General Fund-State, Public Safety & Education Account-State)
4. **Equalization of Attorney Pay** - Funding is provided to equalize pay rates for all attorneys performing indigent appellate services. (Public Safety & Education Account-State)
5. **Attorney Vendor Rate Increase** - Funding is budgeted for an inflationary adjustment to attorneys who provide appellate defense for indigent defendants, in an amount similar to that provided in other vendor rate increases. (Public Safety & Education Account-State)
6. **Dependency and Termination Program** - Funding is provided to expand indigent parent representation in dependency and termination cases to additional counties. Effective representation in counties that currently have the program (Pierce and Benton-Franklin) has reduced the amount of time cases await trial and has increased successful family reunifications. The new funding to expand the program to additional counties will relieve the counties of the financial burden of defending the cases. Supplemental funding to expand the program even further is appropriated separately by Chapter 457, Laws of 2005 (E2SSB 5454 - Court Operations).
7. **Rate Change for Court Reporter** - Funding is budgeted for an inflationary adjustment to attorneys who provide appellate defense for indigent defendants, in an amount similar to that provided in other vendor rate increases. (Public Safety & Education Account-State)
8. **Pension Rate for Gain Sharing** - Contributions toward the future costs of gain sharing are suspended for the 2005-07 biennium, consistent with Chapter 370, Laws of 2005 (ESHB 1044). (Public Safety & Education Account-State)
9. **Suspend Unfunded Liability Contribs** - Funding levels for employer contributions to the Public Employees' Retirement System (PERS), the Teachers' Retirement System (TRS), and the School Employees' Retirement System (SERS) are adjusted consistent with ESHB 1044 (Pension Funding Methodology). For employers and members of retirement plans unaffected by ESHB 1044, funding levels are provided consistent with the contribution rates recommended by the Pension Funding Council. Additional detail on pension contribution rates is provided in the general comments for "State Employee Compensation." (Public Safety & Education Account-State)
10. **Justice Funding - E2SSB 5454** - Funding is appropriated by E2SSB 5454 for a variety of items to assist local government with court operations, to improve the quality of trial courts, to increase access to civil justice, and to improve indigent defense services. For the 2005-07 biennium, increased court fees under E2SSB 5454 are expected to raise \$12.7 million, for deposit into the newly established Equal Justice Subaccount of the Public Safety and Education Account. The legislation

## Office of Public Defense

appropriates \$12.7 million in Equal Justice Subaccount funds, of which \$7.3 million is provided to the Office of Public Defense as follows:

- 1) \$5 million to assist with a partial statewide expansion of the parents' representation program, which assists parents in dependency and termination proceedings. (This funding is in addition to \$1.8 million in new funds added separately above.)
- 2) \$1.3 million to provide training and technical assistance to counties to improve trial level criminal indigent defense.
- 3) \$1 million to perform a pilot project to improve criminal indigent defense in one or more counties.

(Equal Justice Subaccount-State)

**Office of Civil Legal Aid**

(Dollars in Thousands)

	<u>GF-S</u>	<u>Other</u>	<u>Total</u>
<b>2005-07 Maintenance Level</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Policy Changes</b>			
1. Transfer Civil Legal Svc (SHB 1747)	5,715	7,692	13,407
2. Justice Funding - E2SSB 5454	0	3,000	3,000
<b>Total 2005-07 Biennium</b>	<b>5,715</b>	<b>10,692</b>	<b>16,407</b>
Fiscal Year 2006 Total	2,883	5,321	8,204
Fiscal Year 2007 Total	2,832	5,371	8,203

**Comments:**

1. **Transfer Civil Legal Svc (SHB 1747)** - Funding for civil legal aid is transferred from the Department of Community, Trade, and Economic Development (DCTED) to the Office of Civil Legal Aid (OCLA), a new judicial agency created by Chapter 105, Laws of 2005 (SHB 1747 - Indigent Persons/Legal Aid). The OCLA will contract for civil legal services for indigent persons. Total funding is no different than the level provided in DCTED, and the new agency is expected to function more strategically as part of the judicial branch. (General Fund-State, Public Safety & Education Account-State; Violence Reduction and Drug Enforcement-State)
  
2. **Justice Funding - E2SSB 5454** - Funding is appropriated by Chapter 457, Laws of 2005 (E2SSB 5454 - Court Operations), for a variety of items to assist local government with court operation, to improve the quality of trial courts, to increase access to civil justice, and to improve indigent defense services. For the 2005-07 biennium, increased court fees under E2SSB 5454 are expected to raise \$12.7 million, for deposit into the newly established Equal Justice Subaccount of the Public Safety & Education Account. The legislation appropriates \$12.7 million in Equal Justice Subaccount funds, of which \$3 million is provided to OCLA to expand the level of contracted civil legal services provided to indigent persons. (Equal Justice Subaccount-State)