

WASHINGTON STATE SUPREME COURT

INTRODUCTION

As the state's "court of last resort," the Washington State Supreme Court reviews over 1,300 cases each year. The Supreme Court has almost total discretion in deciding which cases it will hear, although it automatically reviews those cases involving the death penalty. The Court also has administrative responsibility for the state court system as well as supervisory responsibilities over certain activities of the Washington State Bar Association, including attorney discipline.

The case-related activity of the Court is most publicly visible when cases have reached the oral argument stage. Before cases ever reach this stage, Court staff must screen potential cases, document and research issues, compile typewritten trial records which include court papers filed in the case and the printed arguments (briefs) of the attorneys. Only then is the case scheduled for oral argument.

At a private conference held after the oral argument, the justices reach their preliminary decision and assign one justice to write the Court's opinion. Writing an opinion is a complex process, often involving months of additional research and discussion. If the Court's decision on a case is not unanimous, other justices may write either a dissenting opinion or a concurring opinion. The Court's decision, when published, becomes a legal precedent to serve as a guide to lawyers and judges in future cases.

Deciding cases is only one of the Court's functions. The Court is also responsible for administering the state's entire judicial system. The Court establishes the rules of operation for all other courts in the state – district, municipal, superior, and appellate – and governs the admission, practice, and conduct of attorneys and judges. More than 200 courts with 2,500 judicial and court personnel comprise the Washington State Court System.

The ultimate responsibility for the administration of Washington State's judicial system resides with the Chief Justice, who is selected by the Court every four years. The Chief Justice presides at all Supreme Court sessions, administers the judicial branch of state government, chairs the state judicial conference, and represents the Court and the judicial system in public appearances. Because much of the administrative decision making is collegial, it is necessary for the Chief Justice to establish and coordinate numerous activities and committees.

The mandate of the Supreme Court is to provide for the prompt and orderly administration of justice in the state and to rule on issues properly brought before it. To accomplish this, the Court decides cases, publishes opinions, adopts rules of procedure, and provides continuing guidance for the judiciary and the bar.

Primary Functions Performed and Clients Served

In its role as the state's highest court, the Supreme Court performs these three major functions:

- Hearing cases.
- Interpreting and applying the law.
- Writing opinions setting forth its interpretation and application of the law.

In its role as the administrative body for the state's judicial system, the Supreme Court performs these two additional functions:

- Providing leadership for Washington's judicial system.
- Promulgating rules governing Washington's judicial system.

The citizenry of the state of Washington are served by the Supreme Court.

2013-15 Current Biennium Total

CL AH Carry Forward Level	60.9	14,089	14,089
Total Carry Forward Level	60.9	14,089	14,089
Percent Change from Current Biennium			
M1 90 Maintenance Level Revenue			
Carry Forward plus Workload Changes	60.9	14,089	14,089
Percent Change from Current Biennium			
M2 AA Reinstatement of Merit Increments		128	128
M2 AB Step Increase (M)		72	72
M2 AC Court Operations		100	100
Total Maintenance Level	60.9	14,389	14,389
Percent Change from Current Biennium			
PL A1 Employee Salary Adjustment			
PL A2 Security for the Supreme Court			
Subtotal - Performance Level Changes	0.0		
2015-17 Total Proposed Budget	60.9	14,389	14,389
Percent Change from Current Biennium			

M2 AA Reinstatement of Merit Increments

The Supreme Court requests funding to reinstate salary step increases for eligible employees. Staff salaries were frozen four years ago as part of the austerity measures necessitated by severe budget reductions. Employees did not advance to the next salary step within their salary ranges, as is customary for state employees.

M2 AB Step Increase (M)

Funding is requested to implement the additional step increase approved by the legislature. Because of the magnitude of the budget cuts sustained by the Supreme Court in recent years, there is no additional money for the increase to Step M.

M2 AC Court Operations

Funding is requested to more fully support the constitutionally mandated operations of the Washington Supreme Court. Having sustained reductions totaling 17% of its operating budget since 2009, it is increasingly difficult for the Court to carry out its mission.

PL A1 Employee Salary Adjustment

Funding is requested to bring selected Supreme Court staff salaries to the appropriate level as determined by a salary survey.

PL A2 Security for the Supreme Court

Funding is requested to provide a security detail for the Temple of Justice on the Washington State Capitol Campus.

State of Washington
Decision Package Revenue Detail

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Budget Period: 2015-17
Agency: 045 Supreme Court
Version: B1 15-17 Budget Request
Package Program:
Budget Level: M1
Decision Package Code: 90
Decision Package Title: Maintenance Level Revenue

Last Updated: Oct 23 2014 10:26AM

Fiscal Year: 2016

Fund-Source

	Agency Level	Total
001-0525 Filing Fees - Priv/L	50,400	50,400
Total	50,400	50,400

Fiscal Year: 2017

Fund-Source

	Agency Level	Total
001-0525 Filing Fees - Priv/L	50,400	50,400
Total	50,400	50,400

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Supreme Court

Decision Package Title Reinstatement of Merit Increments

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

The Supreme Court requests funding to reinstate salary step increases for eligible employees. Staff salaries were frozen four years ago as part of the austerity measures necessitated by severe budget reductions. Employees did not advance to the next salary step within their salary ranges, as is customary for state employees.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 64,000	\$ 64,000	\$ 128,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

In order to achieve reductions totaling 17% of its budget, the Supreme Court was forced to eliminate salary step increases for current employees.

There are approximately 55 employees at the Supreme Court, including the commissioner, staff attorneys, security officer, judicial assistants, and court clerk. Those employees who are at the top of their salary ranges are not eligible for further step increases. This request seeks to provide step increases for those employees who are not yet at the top of their salary ranges

and who are eligible for step increases, but who did not receive increases due to the budget reductions implemented by the Supreme Court.

Allowing each of these eligible employees to receive a step increase on the next Periodic Increment Date (PID) would begin the process of bringing them to the salary they should be receiving based on their tenure in the job class. Restoring step increases would assist in the retention of these skilled employees.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objectives as identified below.

Appropriate Staffing and Support. *Washington courts will be appropriately staffed and effectively managed, and court personnel, court managers and court systems will be effectively supported.*

Supreme Court staff salaries were frozen the past four years to enable the Court to operate on a severely reduced budget. The affected employees have continued to carry out their duties despite the fact that they did not receive step increases as they were earned. Restoring the Court's ability to provide step increases to eligible employees will ensure that court personnel are effectively supported.

Measure Detail

Impact on clients and service

None

Impact on other state services

None

Relationship to Capital Budget

None

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None

Alternatives explored

Although increases have been frozen for some time, Supreme Court staff cannot be expected to serve indefinitely without receiving the merit increments they have earned.

Distinction between one-time and ongoing costs and budget impacts in future biennia

These are ongoing costs.

Effects of non-funding

It will be difficult to recruit and retain qualified employees if merit increments cannot be provided.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 64,000	\$ 64,000	\$ 128,000
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 64,000	\$ 64,000	\$ 128,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Supreme Court

Decision Package Title Step Increase as Authorized by the Legislature

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested to implement the additional step increase approved by the legislature. Because of the magnitude of the budget cuts sustained by the Supreme Court in recent years, there is no additional money for the increase to Step M.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 36,000	\$ 36,000	\$ 72,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Since 2009, the Supreme Court has sustained a 17% reduction to its operating budget. In order to achieve those reductions the Supreme Court made significant reductions in programs and operating expenditures. During the 2011-2013 biennium, step increases were halted due to lack of funding.

Now that an additional step has been added to the salary schedule, funding is requested to enable eligible employees to move to Step M.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objectives as identified below.

Appropriate Staffing and Support. *Washington courts will be appropriately staffed and effectively managed, and court personnel, court managers and court systems will be effectively supported.*

Many long-term employees of the Supreme Court are eligible for the increase to Step M as provided by the legislature. The Supreme Court wishes to provide this increase earned by its employees.

Measure Detail

Impact on clients and service

None

Impact on other state services

None

Relationship to Capital Budget

None

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None

Alternatives explored

Implementation of this increase has been delayed due to lack of funding.

Distinction between one-time and ongoing costs and budget impacts in future biennia

The costs are ongoing.

Effects of non-funding

Recruitment and retention will continue to be challenging as other state agencies continue to provide both ordinary salary increments as well as the additional increment (step M) for their employees.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 36,000	\$ 36,000	\$ 72,000
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 36,000	\$ 36,000	\$ 72,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Supreme Court

Decision Package Title Court Operations

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested to more fully support the constitutionally mandated operations of the Washington Supreme Court. Having sustained reductions totaling 17% of its operating budget since 2009, it is increasingly difficult for the Court to carry out its mission.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 50,000	\$ 50,000	\$ 100,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Since 2009, the Washington Supreme Court (Supreme Court) has sustained substantial reductions to its operating budget. In order to achieve reductions totaling 17% of its operating budget, the Supreme Court was forced to freeze staff salaries, reduce department head salaries, eliminate costs resulting from holding court in areas other than Olympia, virtually eliminate funding for Access to Justice programs, and reduce other operating expenditures by as much as 50%.

Over 86% of the non-staff budget is redistributed to central service agencies. These services and the associated costs are established by the central service agencies, and as such are beyond the control of the Supreme Court. They cannot be managed in a manner that would allow for service reductions leading to cost reductions. The remaining 14% of the non-staff budget is dedicated to ensuring that the Supreme Court

can operate. This category includes the costs of telephones, document reproduction, postage and other business necessities.

As noted above, the Supreme Court has implemented budget austerity initiatives to enable it to function within the confines of its legislative appropriations. It is increasingly difficult for the Supreme Court to focus on and carry out its core mission under the present constraints. As an example, normal operating supply purchases have been cancelled due to increased Attorney General litigation costs.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objectives as identified below.

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

Washington courts will openly, fairly, efficiently and effectively administer justice in all criminal and civil cases, consistent with constitutional mandates and the judiciary's duty to maintain the highest level of public trust and confidence in the courts.

The Supreme Court must have adequate base funding in order to carry out its constitutional mandate. Additional funding will enable the Court to operate effectively and efficiently.

Measure Detail

Impact on clients and service

The Supreme Court budget has been reduced to a level that impedes its ability to effectively operate. Almost all of the Court's non-staff funding is dedicated to non-controllable costs such as rent, Attorney General services, statewide information technology service costs, and other non-discretionary costs.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

The Supreme Court has implemented a number of cost reduction initiatives (see above). However the budget has been reduced to a point that does not allow for efficient and effective operation.

Distinction between one-time and ongoing costs and budget impacts in future biennia

This request is ongoing in nature.

Effects of non-funding

If additional funding is not provided, certain costs will not be paid.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 50,000	\$ 50,000	\$ 100,000
Total Objects	\$ 50,000	\$ 50,000	\$ 100,000

Washington State Judicial Branch
2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Supreme Court

Decision Package Title Employee Salary Adjustment

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to bring selected Supreme Court staff salaries to the appropriate level as determined by a salary survey.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ TBD	\$ TBD	\$ TBD
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Budget reductions sustained by the Supreme Court have made staff salary increases impossible over the past several years. Staff salaries have not been compared to those of public and private employees in parallel positions for more than six years and staff have not received a cost of living increase since September 2007.

A compensation survey will be carried out to compare judicial staff salaries with salaries of comparable public and private sector positions. Funding is requested to bring selected salaries to an appropriate level as determined by the survey.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objectives as identified below.

Appropriate Staffing and Support. *Washington courts will be appropriately staffed and effectively managed, and court personnel, court managers and court systems will be effectively supported.*

The Washington Supreme Court is staffed by a skilled workforce. Many of the employees are now paid at a rate below salaries paid in equivalent positions elsewhere. The Supreme Court requests funding to bring selected salaries to an appropriate level, supporting valued staff and improving the ability of the Court to recruit and retain skilled employees.

Measure Detail

Impact on clients and service

None

Impact on other state services

None

Relationship to Capital Budget

None

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None

Alternatives explored

Staff salaries have been frozen for several years.

Distinction between one-time and ongoing costs and budget impacts in future biennia

These costs are ongoing in nature.

Effects of non-funding

Further delaying salary increases will make recruitment and retention of qualified staff more difficult.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ TBD	\$ TBD	\$ TBD
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 0	\$ 0	\$ 0

Washington State Judicial Branch
2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Supreme Court

Decision Package Title Security for the Supreme Court

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to provide a security detail for the Temple of Justice on the Washington State Capitol Campus.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 State General Fund	TBD	TBD	TBD
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Although the Washington State Patrol provides security for the Legislative Building and the Capitol Campus, there has been no dedicated security presence in the Temple of Justice.

Housed in the Temple of Justice are the nine elected Supreme Court justices, the Clerk and Commissioner of the Supreme Court, the Reporter of Decisions, the Law Library and approximately 60 staff. Because tourists and visitors are invited to observe court proceedings and tour the facility, the public, justices and court staff are frequently exposed and vulnerable.

Funding is requested for a State Patrol presence to protect the public, justices, Supreme Court staff, Law Library staff and those conducting business and visiting the Temple of Justice. Washington State Patrol personnel on site would have the ability to anticipate

and deter threats and to act quickly when assistance is needed. In addition to providing surveillance and protection during court proceedings, trained law enforcement personnel would ensure a rapid and safe response in an emergency situation or natural disaster.

Narrative Justification and Impact Statement

Measure Detail

Impact on clients and service

A State Patrol presence would provide security not only for the elected judicial officers but for staff, attorneys, and visitors to the Temple of Justice.

Impact on other state services

None

Relationship to Capital Budget

None

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None

Alternatives explored

The Supreme Court is also working with the Department of Enterprise Services to implement security features recommended by DES and the U.S. Marshal’s Service.

Distinction between one-time and ongoing costs and budget impacts in future biennia

Costs are ongoing.

Effects of non-funding

Continuing to leave the state’s highest court unprotected could have disastrous results.

Expenditure calculations and assumptions and FTE assumptions

The request is a placeholder. More information will be provided at a later date.

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	TBD	TBD	TBD
Total Objects	TBD	TBD	TBD