



**Snohomish County
Prosecuting Attorney
Janice E. Ellis**

Civil Division
Barbara Dykes, Chief Deputy
Admin East 7th Floor, M/S 504
3000 Rockefeller Ave
Everett, WA 98201-4060
(425) 388-6330
Fax (425) 388-6333

MEMORANDUM

TO: Snohomish County Charter Commissioners

FROM: Millie Judge 
Assistant Chief Civil Prosecuting Attorney
Land Use & Environmental Law Unit, Civil Division

DATE: April 26, 2006

RE: Request for Data on Hearing Examiner Appeals in Land Use Matters

Attached please find a chart prepared in response to the Commission's request for information relating to appeals of Hearing Examiner decisions for the past five years.

As you can see from the information, the vast majority of land use decisions rendered by the Office of the Hearing Examiner are not appealed. In those few cases each year that are appealed to the County Council, typically only one or two of the cases make their way to Superior Court for further appeal.

Of the cases our Unit has handled on appeal in Superior Court (or higher courts) for the County, the majority of cases are not Hearing Examiner appeals. Rather, our caseload consists mainly of other types of appeals filed under the Administrative Procedures Act (typically challenges to adopted land use ordinances).

We trust that this information will be of value to you in your deliberations. Please do not hesitate to contact me if you have any questions or comments.

cc: Janice E. Ellis, Snohomish County Prosecuting Attorney
Barbara Dykes, Chief Civil Deputy

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Administration
Robert G. Lenz, Operations Manager
Admin East 7th Floor
(425) 388-3333
Fax (425) 388-7172

Criminal Division
Joan Cavagnaro, Chief Deputy
Mission Building
(425) 388-3333
Fax (425) 388-3572

Family Support Division
Marie Turk, Chief Deputy
Admin East 6th Floor
(425) 388-7280
Fax (425) 388-7295