

Annual
Report

March 1

2011

Snohomish
County
Superior/Juvenile
Court

January 2012

To the Citizens of Snohomish County:

The Snohomish County Superior/Juvenile Court has had another productive, yet challenging, year. As is the case with the County in general, the Court has seen its funding cut back for both state and local programs. Fortunately the Court has been very successful in applying for and being awarded grant funding that has helped in keeping many programs operating at sustainable levels.

In 2011 the Court completed the second year of a two year \$3 million dollar grant that was instrumental in keeping the Drug Court program for adults and juveniles in operation. In addition, the Court received notice of additional grants for Drug Courts that are directed towards enhanced treatment and program options totaling close to \$1 million over the next 2-3 years. The Court will continue to be active in seeking out and applying for grant opportunities to keep Drug Court program viable in Snohomish County for both adults and juveniles.

The Court has expanded on programs for providing detention alternatives for juveniles convicted of low risk crimes or subject to the Truancy Program. One such program has resulted in 135 juveniles receiving their GED over the last 18 months.

The Court has added a full time mental health professional at the Denney Juvenile Justice Center which has enhanced the ability to identify juveniles needing mental health services.

The good news is criminal activity and trials are down over the last few years. One result is that over the last ten years the average daily population in detention at the Denney Juvenile Justice Center has been reduced from 81 detainees to 38 detainees. This decline in average daily population is attributable to evidence based programs, an overall decline in the rate of recidivism and the alternative sentencing practices of the Court through the Detention Alternatives Program. The impact on the Court's budget has been the reduction in overtime costs from approximately \$600,000 in 2006 to approximately \$300,000 in 2011.

The Court also embarked on a pilot program with the Juvenile Offender and ARY Drug Court Program to enhance treatment options through implementation of the Reclaiming Futures model. This program partners with the community to provide a safety net and support for juveniles as they complete their obligations, with the goal of these youth never being involved with the criminal justice system again. This 4 year pilot project is being supported by a grant from the federal government.

The Court implemented the findings from a grant it received in 2010 to review and assess why there was such a backlog in unresolved domestic relations cases. The steps that were implemented in 2011 have significantly reduced the backlog and have resulted in more timely resolution of domestic relations cases.

In the Court's ongoing effort to use technology to be more efficient and accessible, the process of selecting arbitrators and processing arbitration claims and outcomes has been automated and made available via the internet. The Court continues to experience savings and efficiencies in the assigning and payment of interpreters, while at the same time the need for interpreters is escalating.

The Court has fully implemented a Drug Court data base which now provides information that demonstrates the effectiveness of Drug Courts in changing peoples' lives.

The Court experienced significant personnel changes in 2011. The Court was saddened upon the passing of retired Judge Gerry Knight in 2011. In addition, Judge Ken Cowser retired effective November 30, 2011 and Judge Ron Castleberry indicated his intention to retire effective January 31, 2012. Governor Gregoire has appointed former Snohomish County Prosecutor Janice Ellis to replace Judge Cowser and Marybeth Dingley with the Public Defender's Association to replace Judge Castleberry.

As we move into 2012, the Court finds itself redefined through its reduced budget and loss of staff. Other impacts are sure to come as the state solves its \$1.2 billion budget shortfall. However, through it all, judges, commissioners, administrative staff, juvenile court probation staff and juvenile court detention staff continue to provide the high level of service, professionalism, transparency and access that the citizens of Snohomish County are entitled to and have come to expect over the years.

This annual report is a brief story about our year 2011. Thank you for giving us the honor of serving you.

Respectfully submitted,

Ellen J. Fair, Presiding Judge

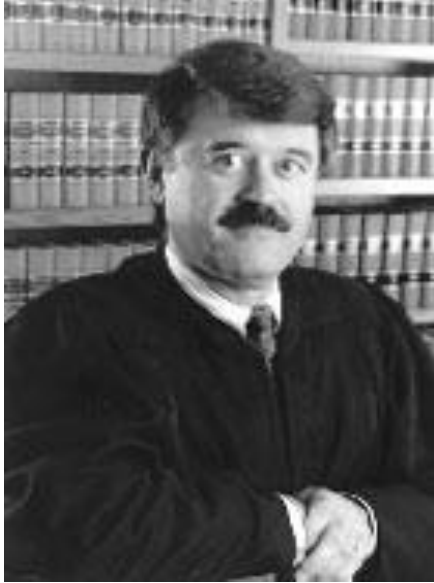
Snohomish County Superior/Juvenile Court

JUDICIAL NEWS

HON. GERALD L. KNIGHT

The Snohomish County community was saddened to learn of the death of Judge Gerald L. Knight during the summer of 2011. Judge Knight earned his B.A at the University of Washington in 1965 and followed that with graduation from the University of Washington School of Law in 1969. He served as a law clerk at the Court of Appeals, Division II and then entered private practice with emphasis in litigation and family law. In 1980 he became the first full-time Superior Court Commissioner for Snohomish County. Judge Knight was appointed and elected to the Snohomish County Superior Court bench in 1982 and subsequently re-elected ever since. After Judge Knight's retirement in December 2010, Richard T. Okrent was appointed by Governor Gregoire to fill Judge Knight's position on the bench and assumed his duties in January 2011.





HON. KENNETH L. COWSERT RETIRES

December 1, 2011 marked the end of Judge Kenneth L. Cowsert's distinguished career on the Snohomish County Superior Court bench. Judge Cowsert was appointed to his judicial position on September 1, 1999, after serving four and one-half years as a Snohomish County Superior Court Commissioner. He is a 1970 graduate of the University of Washington and a 1973 graduate of Gonzaga University School of Law. After graduation from law school, he served as a Deputy Prosecuting Attorney in Cowlitz, Clallam and Snohomish Counties. Judge Cowsert currently serves on the Superior Court Judges Criminal Law and Rules Committee and the Civil Law and Rules Committee. He has two grown children. Governor Gregoire appointed former Snohomish County Prosecutor, Janice E. Ellis, to succeed Judge Cowsert.

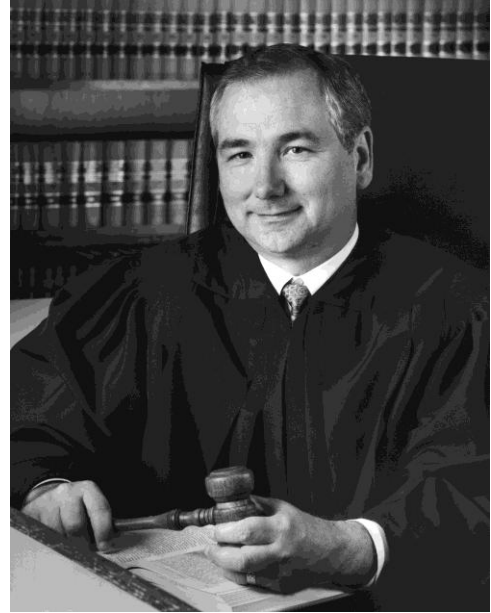
HON. RICHARD T. OKRENT APPOINTED

Judge Richard T. Okrent was appointed by Governor Christine Gregoire on January 18, 2011 in the position previously held by the Hon. Gerald L. Knight. Prior to that, he was a commissioner pro tem, arbitrator and mediator in Snohomish County courts. Judge Okrent received his B.A. from the University of Washington in 1978, an M.A. from UCLA in 1981 and his law degree from the University of Puget Sound (now Seattle University) in 1986. He was employed by the Island County and Snohomish County Prosecutor's Offices from 1986 to 1991. Judge Okrent was an Associate of the Law Offices of David Kastle from 1991 to 2005. From 2005 to 2010 he was a partner in the Law Office of Okrent and Wogsland and is a former president of the Snohomish County Bar Association. Judge Okrent is married to Rita and lives in Lynnwood. He has four adult children and one grandchild.



HON. RONALD L. CASTLEBERRY TO RETIRE IN EARLY 2012

Judge Ronald L. Castleberry announced that he would be retiring at the end of January 2012. He was appointed a Superior Court Judge on January 1, 1992. He obtained his Bachelor of Arts Degree from the University of Portland in 1966 and his J.D. degree from the University of Washington law school in 1969. He was admitted to the Washington State bar in 1969. He served 4 years in the Army Judge Advocate Corps from 1969 to 1973. He was at the Snohomish County Public Defender's office for approximately 2 years. He was then in private practice until his judicial appointment. First, he was a partner in the law firm of Williams, Novack, and Hansen, P.S. Then, he was a partner in the law firm of Newton, Kight, Adams, and Castleberry, P.S.



HON. JANICE E. ELLIS SWORN IN

Judge Janice E. Ellis graduated from Dartmouth College in 1981 and Northeastern University School of Law in 1987. She began her practice with the Seattle firm of Lane Powell Moss & Miller in 1987 and moved to the Snohomish County Prosecuting Attorney's Office in 1990, where she worked in both the Criminal and Civil Divisions of the office until 1995.



Judge Ellis was a member of the Torts Division of the Washington State Office of the Attorney General from 1995 to 1999, and continued as a Special Assistant Attorney General until 2001. She also served as an MAR arbitrator and a Guardian *ad litem* during that period of her career.

Judge Ellis was elected Prosecuting Attorney for Snohomish County in 2002 and took office on January 1, 2003. She ran unopposed in 2006, and was honored with the Snohomish County Bar Association's Attorney of the Year award in 2009. Judge Ellis served as the Prosecuting Attorney for the Tulalip Tribes from December 1, 2009 until she was appointed to the bench by Governor Gregoire in December, 2011. Judge Ellis began her service on the Snohomish County Superior Court bench on January 3, 2012.

Judge Ellis has served the community in a number of ways, notably through volunteer participation on a number of local boards, including the Dawson Place Child Advocacy Center Board of Directors, the YMCA Board of Trustees, and the Deaconess Children's Services Board of Directors. During her tenure as Prosecuting Attorney, she was Chair of the Governor's Council on Substance Abuse, and served on the Attorney General's Operation Allied Against Meth Task Force.

Judge Ellis has two children and resides in East Snohomish County.



MARYBETH DINGLEY SWORN IN AS SUPERIOR COURT JUDGE

Judge Marybeth Dingley was appointed to the Superior Court Bench by Governor Chris Gregoire in 2012. She graduated in 1991 from Middlebury College with a double major in history and political science and earned her law degree from The College of William & Mary in 1995. Prior to her appointment to the bench, Judge Dingley

worked as a prosecutor in King County and then as a public defender in Snohomish County for sixteen years. During her tenure at the Public Defender's office, Judge Dingley served as the misdemeanor supervisor, the drug court liaison, and as a mentor for new attorneys. In 2010, she was honored by her peers as the Snohomish County attorney of the year for her contributions to the community and the legal profession. Judge Dingley is an active member of the Everett Mountaineers Climbing Committee, the Sierra Club Inner City Outings, and serves on the board of the Climb to Fight Breast Cancer. In her spare time, she leads backpacking trips and climbs local, national and international mountains. Judge Dingley serves on the Court Operations and Drug Court committees for Superior Court.

Superior/Juvenile Court

Mission Statement

The Mission of the Superior and Juvenile Court is to serve the public by adjudicating its cases in a fair, timely and efficient manner.

The graphic below represents the 2011 Caseload of the Snohomish County Superior and Juvenile Court.

Case Type	2011 Filings	Changes from 2010
Criminal	2,802	2%
Civil	16,432	2%
Domestic	3,252	4%
Probate-Guardianship	1,718	5%
Mental Illness-Alcohol	793	-17%
Adoption/Paternity	954	-13%
Juvenile Dependency	2,849	-10%
Juvenile Offender	1,603	5%

- *There was a 1% increase in total case filings in 2011 over 2010 from 29,974 to 30,403*
- *196 criminal cases proceeded to trial*
- *101 civil cases proceeded to trial*
- *155 domestic cases proceeded to trial*
- *Superior and Juvenile Court resolved 30,170 cases in 2011*

GUARDIANSHIP MONITORING PROGRAM

The Snohomish County Superior Court Guardianship Monitoring Program offers a vital service to the residents and judges of Snohomish County. Under the leadership and direction of retired judges Robert Bibb and Richard Thorpe this valuable program staffed by community volunteers celebrated 10 years of service in 2011.

Guardianship Laws Changed and so has the Guardianship Monitoring Program

In July 2011, changes came fast and furiously to the Court and Guardianship Monitoring Program as a result of the Legislature's revision to the Guardianship laws. These laws govern the management of cases involving alleged incapacitated persons – that is, those persons who may lack the ability to appropriately care for themselves and/or their financial affairs and therefore need a guardian appointed to assist them. Once appointed, the Guardian must provide the Court with periodic reports on the Incapacitated Person's health and well-being, accountings for their estate, or both. Guardians may be "Certified Professional Guardians" known as CPGs, or non-professional guardians. Non professional guardians are usually family members of the Incapacitated Person.

Changes to the laws included: Expiring Letters of Guardianship, a new hearing set at 90 days of a guardian's appointment to review the incapacitated person's initial care plan, ability to sanction guardians, new court forms displaying the various due dates for reports, new deadlines and finally, mandatory training for all non professional guardians.

Online training: The State's Administrative Office of the Courts (AOC) created and implemented the online training for non professional guardians. Participants register through the Washington Courts website, then sit through approximately two hours of narrated PowerPoint, including two brief tests, in order to learn the role, expectations and requirements for being a Guardian. Upon successful completion, the Guardian is issued a Certificate of Completion.

"Crisis into Opportunity": The Court Commissioners, Clerk's Office and Guardianship Monitoring Program all worked expeditiously and in coordination with each other to implement these changes within the one week timeframe given by the Legislature. Court Administration, under the direction of Retired Judges Bibb and Thorpe and their team of volunteers, responded to these changes by creating a database in SharePoint of all non professional guardians and their case information. This database will enable the Court to communicate with non

professional guardians regarding changes and also send reminder notices to guardians 3-4 months in advance of when reports and accountings are due.

Court Administration is also responding to the needs of guardians who may not have access to computers by offering training in house, transferring the training to a narrated DVD, and translating to most frequently used languages (Spanish, Russian, Vietnamese).

INTERPRETER SERVICES

Mandated by RCW 2.42-2.43 and the Americans with Disabilities Act, Snohomish County Superior/Juvenile Court provides interpreter services for non-English and hearing-impaired litigants. In 2011 the court provided interpreter services for 38 languages including American Sign Language. The top five languages include: Spanish, Korean, American Sign Language, Vietnamese and Russian. Sixty-five (65) different language interpreters were utilized by Superior Court and Juvenile Court, Superior Court Facilitators, Office of Public Defense, Snohomish County Victim Advocates, and the Family Support Division of Prosecutor's office. Snohomish County Superior/Juvenile Court facilitated "refresher" training for users of the Interpreter Scheduling Web Application. In March 2011 Snohomish County Superior Court sponsored a community forum for interpreters, court staff and interested community members to share the Court's Language Assistance Plan. Presenters at the forum included the Presiding Judge and the Interpreter Manager for the Administrative Office of the Courts in Olympia. As a part of the court's updated 2010-2012 Language Assistance Plan together with county facilities staff new interpreter and ADA signage was installed in the courthouse building.

TECHNOLOGY

Superior and Juvenile Court judges and staff participated in several important technology projects in 2011. On the local level an online Drug Court Case Management system was implemented along with the use of IPADS for Drug Court staffing. Staff created additional SharePoint lists for the Guardian ad Litem Program, Guardianship Monitoring Program, Expert Witness services and to assist with Judicial Information System background checks for judges. Staff developed and implemented Superior Court Policy 3.71 for Electronic Portable Devices. In addition, technological changes were made to the Interpreter Web application at the request of both staff and interpreters. These changes will be implemented on 2/1/2012. Working with the Snohomish County Clerk's Office staff and the software vendor jury staff and programs manager facilitated and implemented on-line juror questionnaires for use by judges and litigants in the courtroom. A new technology committee was created in order to review current and future technology proposals such as electronic working copies and electronic case filing. Revisions to the public Superior and Juvenile Court web pages were implemented as needed to increase the transparency of court services.

On the state level administrators and management staff participated actively with other county court staff and judges throughout 2011 to draft a business requirements document for a proposed statewide case management system.

HISTORIC PHOTO PROJECT

In 2011 the Court completed a project to track down photos of judges missing from the collection of judges' photos displayed outside Courtroom C-201. The photo collection is now complete and represents all judges that have served and are now deceased or retired since statehood in 1889 (32). The plan is to display the pictures of the currently serving judges (15) on the 1st floor of the courthouse. Subject to funding it is expected that this will be accomplished by the end of 2012.

DRUG COURT

2011 saw continued growth in our four drug treatment courts and have been at capacity in our Adult Drug Treatment Court since mid-year. Our Family Drug Treatment Court has also been successful in increasing program numbers and is near capacity.

We also implemented a number of new initiatives and received additional federal funding in 2011. In February, we began using a web based data collection system for all of our drug courts. Previously, data was housed in standalone data bases, spreadsheets or paper files. Compiling data and statistics was slow and cumbersome. This system allows us to collect a wide variety of data on our participants and it is easily accessible for our drug court teams, the Bench and Court Administration. It also provides reports quickly and accurately for reporting to our funders, stakeholders and the community. What used to take many hours or days to gather statistics now is done much quicker, in some cases in mere minutes. This is a multi-year project which is a credit to Judge Castleberry's vision for Drug Courts.

We received 2 federal grant awards in 2011. \$200,000 over 2 years to provide a dedicated acute detoxification bed for our ADTC and \$550,000 over 3 years to provide expanded and enhanced services to parents and their children in our Family Drug Treatment Court.

Highlights:

- 40 participants successfully graduated from ADTC in 2011. Since its inception in 1999, there have been 507 graduates. Graduates successfully complete all drug court requirements including education and employment.
- Over \$14,947 in restitution was paid to victims by ADTC participants in 2011
- Over \$59,000 in community services (4,248 hours) was performed by ADTC participants in 2011
- 13 participants successfully graduated from Family Drug Treatment Court
- 2 drug free babies were born to our FDTC participants

This is what one of our ADTC graduates has to say about the program: "I have a relationship with my family today; most importantly my son is living with me again. I have a full time job for the first time in 8 years and I'm happy. This program offers the opportunities to gain your life back and to be a functioning member of society."

Our juvenile drug treatment courts were also growing in 2011. During 2011, we increased our participants by almost 14%. The average age of the participants in our Juvenile Offender Drug Treatment Court (JODTC) was 16 in 2011, the youngest age 13 and the oldest age 18.

Jurisdiction may be extended if a youth turns 18 while in drug court to allow them to complete the program successfully.

Highlights:

- 17 youth successfully graduated from JODTC. Since its inception in 2000, there have been 189 youth graduate.
- JODTC youth paid over \$5,331 in restitution to victims in 2011
- Youth in At Risk Youth Drug Treatment Court (ARYDTC) had a much lower rate of positive drug testing than the control group – 21.27% vs. 52.82%
- ARYDTC had 8 youth successfully graduate.

We continue to face challenges with changing drug trends, funding and a slow economy that is making it more difficult for our participants to get a living wage job.

Juvenile Detention Services - Updates

Sexual Abuse Advocacy and Sex Trafficking Prevention and Suppression:

An advocate of Providence Intervention Center for Assault and Abuse (PICCA) housed at Denney provides advocacy, prevention and referral services to youth in detention who are victims (or survivors) of sexual and physical violence, physical abuse or sex trafficking. The program promotes emotional and physical healing for people victimized by sexual and physical violence and child abuse. Services include a 24-hour crisis line; general, medical and legal advocacy; medical and forensic examinations; support group services; community education; and, referral. Since August of 2011 over 200 youth have received referral services when advocacy intervention was provided by PICCA.

Mental Health Services:

Through the one tenth of a cent sales tax initiative DJJC received mental health counseling and referral services for youth in Detention via County Human Services Department. Services are provided by a full time Licensed Mental Health Counselor also credentialed as a Child Mental Health Specialist. The services are comprehensive, culturally relevant, and evidence-based.

Detention Alternatives:

Through a combination of probation program interventions and detention alternatives, the population in secure detention has been reduced by over 50% over the past 10 years - from an average daily population of 82 in 2001 to an average daily population of 37 in 2011.

Program Alternative to Structured Sentencing (PASS) – weekday reporting, certified teacher on-site, plus VV monitoring in the evening.

Day-for-Day Credit – credit for attending community school, attendance monitored by officers, plus VV monitoring in the evening.

Juvenile Educational Transition Services (JETS) – GED, plus future goal setting or educational transitional services, plus curfew check(s) in evening.

Special Weekend Alternative Program (SWAP) – weekend reporting, life skill education and community service, plus VV monitoring in the evening.

Drug Court Alternative Program (DCAP) – tailored to drug court participants, weekend reporting, life skill education and community service, optional UA collection and VV monitoring.

Voice Verification System Stand Alone – House Arrest (VV) – 24 hour monitoring by voice verification system

Detention Alternatives by the Numbers: 2011

Number of programs – 6

Number of days served in a program – 7,016

Combined average daily population (ADP) – 22

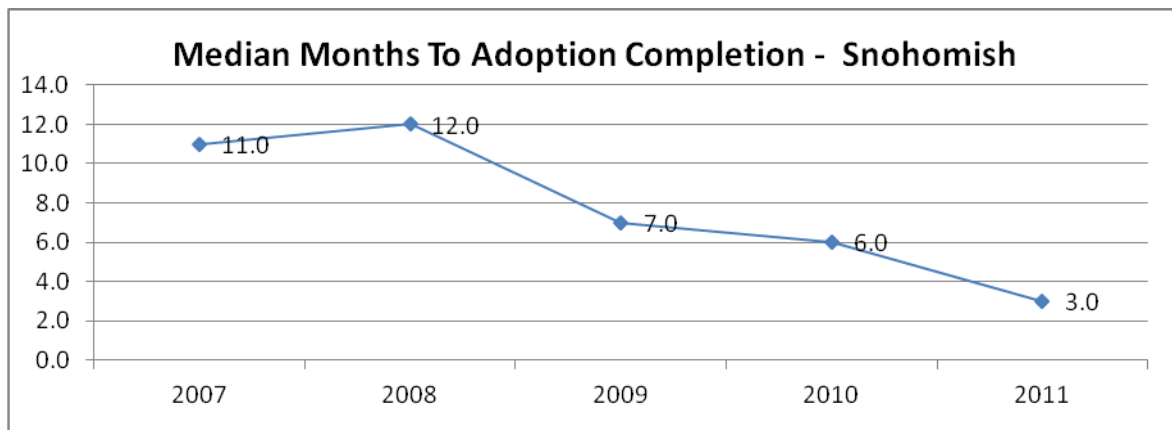
Percentage of juveniles sentenced that participate in a program – 35%

Number of juveniles who have obtained General Education Diplomas (GEDs) since 2010 while participating in a program - 135

Family and Juvenile Court Improvement Project Update

The Family and Juvenile Court Improvement Project, a grant project for which Snohomish County was selected, continues to improve court processes for dependent children and their families. A core principle of the project is **“One Judge, One Family”**, which promotes the concept of a dedicated and specially trained Judge or Judicial team hearing all of a families’ legal matters. “One Judge, One Family” is being utilized in the Snohomish County Juvenile Court with excellent outcomes for children in foster care.

Adoptions: In 2009, Judge Linda Krese began to preside over all cases where foster children were eligible for adoption. This specialized focus substantially decreased the length of time a child waited for adoption. The median months for a child to be adopted (from when they are eligible) is currently 3 months, half the time of the federal guideline of 6 months. In addition, the county is meeting the federal 6 month timeline 74% of the time, which is not only a significant improvement, but also is better than both the 57% state average and 59% average of counties who also received the grant.



Unified Family Court Coordinator: When foster children are returned home, they are often in need of family law action to continue to support the safety measures that the Dependency court has put in place. The Unified Family Court (UFC) is a specialized calendar where the child’s dependency judge also hears the family law action to improve outcomes for the child. The UFC Coordinator provides case management and facilitation of family law actions to assist with these matters. Since this position was created, the number of children having a parenting plan prior to dismissal of a dependency has nearly doubled, while the time it takes for a parenting plan to get entered and the dependency dismissed has been reduced by over 35%.

Tables of Ten: In 2009, a team was formed consisting of judges, attorneys, social services and community partners in the foster care arena to improve permanency outcomes for foster children. The group has worked together to create solutions to long standing problems and develop more efficient court processes. This has resulted in a reduction in the length of stay for foster children, the main goal of the team. The team provides all players with more education and insight into the different arms of the system, which allows not only a shorter length of stay for children, but a higher quality of care.



THANK YOU!

A special thank you to all Superior and Juvenile Court staff. This dedicated team of professionals worked diligently in 2011 to ensure smooth operations during a challenging year.