

Annual
Report

April

2012

**Snohomish County
Superior/Juvenile Court**

JUDGES
THOMAS J. WYNNE
ANITA L. FARRIS
LINDA C. KRESE
GEORGE N. BOWDEN
ELLEN J. FAIR
MICHAEL T. DOWNES
ERIC Z. LUCAS
DAVID A. KURTZ
BRUCE I. WEISS
GEORGE F.B. APPEL
JOSEPH P. WILSON
RICHARD T. OKRENT
JANICE E. ELLIS
MARYBETH DINGLEDY
MILLIE M. JUDGE

SNOHOMISH COUNTY COURTHOUSE
M/S #502
3000 Rockefeller Avenue
Everett, WA 98201-4060
(425) 388-3421

PRESIDING JUDGE
MICHAEL T. DOWNES

COURT COMMISSIONERS
ARDEN J. BEDLE
LESTER H. STEWART
JACALYN D. BRUDVIK
TRACY G. WAGGONER
SUSAN C. GAER

COURT ADMINISTRATOR
SUPERIOR AND JUVENILE COURT
BOB TERWILLIGER

April 2013

To the Citizens of Snohomish County:

The Snohomish County Superior/Juvenile Court is pleased to present its 2012 Annual Report. 2012 marked a year of significant transition for the Court. It was also a year of continued budget restrictions. However, by the end of 2012 significant decisions were made by the Snohomish Council regarding the future of new courthouse facilities in Snohomish County.

In 2012 two senior judges retired from the Court. In February, Judge Ronald L. Castleberry retired after serving as a superior court judge for 20 years. In July, Judge Larry McKeeman retired after serving as a superior court judge for 21 years. With their retirement, coupled with retirements that took place in 2009, 2010 and 2011, the Snohomish County Superior/Juvenile Court has welcomed six (6) new judges to the bench since 2009.

In 2012 the Court, along with all other entities in the county, was charged with managing its budget with the goal of under expending by \$293,000. Through frugal decision making, holding vacant positions open and operating with one vacant superior court judge position for six months, the Court was able to meet its under expenditure goal for 2012.

In 2012, the County Council adopted a package of revenue options, which included using banked property tax capacity, which resulted in a funding decision to build a replacement for the existing courthouse, remodel the existing Mission Building and demolish the existing courthouse. This project will provide a new courthouse with the safety, security, technology and courthouse design elements to effectively serve the judges, staff and the public in the 21st century. The expectation is that the new courthouse will be ready for occupancy in late 2015 or early 2016.

The Court also operates the Denney Juvenile Justice Center. The Court is supportive of the many programs at the Denney Juvenile Justice Center which have resulted in a reduction of the average daily population at the center over the last five (5) years from 80-90 detained juveniles to 35-45 detained juveniles. Multiple programs such as Drug Court, Reclaiming Futures, Aggression Replacement Theory, Detention Alternative Programs, Truancy and At Risk Youth programs and participation in the Juvenile Detention Alternatives to Incarceration have all played a significant part in the reduction of juveniles in detention and lowered the recidivism rate among juveniles in Snohomish County.

Finally, the Court continues to strive to make access to the criminal justice system transparent and understandable. The Court provides much information including lists, locations, forms and processes on its website. The Court's website can be accessed at http://www1.co.snohomish.wa.us/Departments/Superior_Court.

The Court is honored to serve the citizens of Snohomish County. It looks forward to the opportunities to continue that service as the county embarks on constructing a new courthouse which will meet the demands and expectations of the citizens in the 21st century and which will be a building all of the citizens of the county will be proud of.

Michael Downes

Presiding Judge
Snohomish County Superior/Juvenile Court

TWO VETERAN JUDGES RETIRE IN 2012



Judge Ronald L. Castleberry retired in January, 2012. Judge Castleberry 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. He also served as the court's Presiding Judge.



Judge Larry E. McKeeman began his service as a Superior Court Judge on May 1, 1991. He was honored with the 2008 Outstanding Judge Award from the Washington State Bar Association and was awarded the honor of Snohomish County Judge of the Year in 1995. He served as the Court's elected Presiding Judge for three terms. Judge McKeeman is a 1976 graduate of the University Of Washington School Of Law. Judge McKeeman initiated the At Risk Youth Drug Treatment Court, a program not found in any other court in the state. He presided over that court from its inception in 2001 to 2006.

HON. JANICE E. ELLIS

SWORN IN AS

SUPERIOR COURT JUDGE



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.

HON. MARYBETH DINGLEDY

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.

Hon. Millie M. Judge Elected

Judge Millie M. Judge was elected to the Superior Court bench in 2012. She earned a bachelor's degree in political science from the University of Washington in 1987 and earned her law degree from Pepperdine University School of Law in California in 1990. She is admitted to practice in both the States of Washington and California. Prior to joining the court, she served as an administrative law judge for three years as the Snohomish County Hearing Examiner, and spent 11 years as a member of the Civil Division of the Snohomish County Prosecuting Attorney's Office. She also worked in private practice at Ogden Murphy Wallace and has owned her own law practice and an environmental consulting firm. At the start of her career, she served in the Thurston County Prosecutor's Office, Civil Division and clerked for Chief Justice Fred H. Dore on the Washington State Supreme Court.

Prior to her election to the court, Judge Millie Judge was Chair of the WSBA's Environmental and Land Use Law Section; she served as an elected Commissioner and Vice Chair of Snohomish County Fire District No. 1, and served on the board of directors of SNOCOM, the 911 Dispatch service provider for south Snohomish County. Judge Millie Judge currently serves on the international board of directors of the Starlight Children's Foundation, a nonprofit organization serving seriously ill children and their families, and was previously the Chair of the Washington State Chapter.

Ms. Judge was sworn in on January 3, 2013.

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 2012 Caseload of the Snohomish County Superior and Juvenile Court.

Case Type	2012 Filings	Changes from 2011
Criminal	2,601	-7%
Civil	15,415	-6%
Domestic	3,271	.5%
Probate-Guardianship	1,750	2%
Mental Illness-Alcohol	809	2%
Adoption/Paternity	931	-2%
Juvenile Dependency	2,684	-6%
Juvenile Offender	1,335	-16%

- *There was a 5% decrease in total case filings in 2012 over 2011 from 30,390 to 28,796*
- *214 criminal cases proceeded to trial*
- *102 civil cases proceeded to trial*
- *172 domestic cases proceeded to trial*
- *Superior and Juvenile Court resolved 29,573 cases in 2012*

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 2012 the court provided interpreter services for **41** languages including American Sign Language. The top five languages include: Spanish, Korean, Russian, American Sign Language, and Vietnamese. **Sixty-two (62)** 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.

TECHNOLOGY

Superior and Juvenile Court judges and staff participated in several important technology projects in 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 questionnaire 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, judges and management staff participated actively with other county court staff and judges throughout 2012 to evaluate potential vendors for a proposed statewide case management system. In November 2012, Judge Wynne and two Superior Court Administrative staff travelled with other Washington judges, administrators and clerk to both Arizona and Minnesota to view and evaluate case management systems recommended by vendors. The vendor selection processes continue into 2013.

HISTORIC PHOTO PROJECT

In 2012 an historic photo project continued from 2011 with the final collection of photos of judges missing from the collection of judges' photos displayed outside Courtroom C-201. The photo collection was complete and represents all judges that have served and are now deceased or retired since statehood in 1889 (32). The former chair of the Judges' Facilities Committee, Retired Judge Kenneth L. Cowser unveiled pictures of the currently serving judges (15) on the 1st floor of the courthouse in the spring of 2012.

JURY DUTY IN SNOHOMISH COUNTY

Superior Court continues to recognize the concerns raised by our jurors. Citizens are the unsung heroes of our justice system responding weekly to civic responsibility. Most do not give much thought to jury service until the summons appears with their name on it. Recently the National Center for State Courts reported that approximately 15% of adult Americans will be summoned for jury service annually in the Federal and State Courts. An estimated 8 to 10 million citizens make up the largest cohort of court users. When one reflects on those numbers these citizen's experiences count in regards to how they perceive the court and what message they share in our community.

Within Snohomish County the Clerk's Office (separate elected clerk) summonses 800 citizens per term for jury service. The jury term for the court is defined as one week or one trial. Potentially 200 to 225 citizens respond on average for our 15 trial departments. In 2012 we had 127 jury trials with 36,657 jurors brought in and 5,478 sent on panels.

In 2012 the National Center for State Courts in cooperation with Snohomish County Superior Court conducted a study on our jury program and juror stress. Jurors responded to a survey detailing 57 questions and freeform text fields for additional comments. The outcome of this project has allowed Superior Court to establish a baseline for juror response to various elements of jury service. The survey validated the deficiencies of our courthouse: lack of adequate space, poor ventilation, deficient heating and cooling in jury rooms, uncomfortable furnishings, and inadequate public address system/technology for orientation, too much waiting and ADA issues with accessibility. It also highlighted that programmatic steps taken related to on-line services, managing juror stress, cleanliness, signage, changes in jury management and security measures have been positive. We continue to work our jury processes to provide a comfortable and safe environment for those serving in this capacity.

DRUG COURT

Drug courts in Snohomish County participated in several evaluation processes. Some began in 2011 and several will continue until 2014.

As part of our Reclaiming Futures grant, we contracted with the National Center for State Courts (NCSC) to evaluate our Juvenile Offender and At Risk Youth Drug Treatment Courts. That evaluation was completed and a report issued in late 2012. While there were some minor recommendations for improvement, overall, the report was very favorable. A second part of the NCSC contract is to evaluate how well we are implementing the Reclaiming Futures model. This evaluation will be conducted during 2013 and 2014 with a report issued soon after the end of our Reclaiming Futures grant.

This is not the only evaluation of our Juvenile Offender and At Risk Youth Drug Treatment Courts. The federal Bureau of Justice Administration, Office of Juvenile Justice and Delinquency Prevention, one of two funding sources for our Reclaiming Futures grant, has contracted with the University of Arizona to conduct a two year evaluation of Reclaiming Futures/Drug Court sites. The intent is to see if a drug court that is partnered with a Reclaiming Futures model provides better outcomes than a standalone drug court. Snohomish County is one of 6 of federally funded Reclaiming Futures/Drug Court sites. The results of this evaluation will help the Bureau of Justice Administration make future funding decisions.

Also in 2012, our Adult and Family Drug Treatment Courts became involved in evaluations. All four of our drug courts receive funding through the local 1/10th of 1% sales and use tax, approved by the County Council in 2008. As the drug courts had not had any evaluations since 2005, the County Council requested that they be evaluated in 2012. Since the Juvenile Offender and At Risk Youth Drug Treatment Courts were already part of two evaluations, the decision was made to evaluate the Adult and Family Drug Treatment Courts only. The County Council contracted with Washington State University to conduct the evaluation. The process began mid 2012 and should be completed by mid to late 2013.

Our Adult Drug Treatment Court is involved in one other evaluation process. Currently, there is no one data collection system or common definitions across drug courts in our state. There is no way to compare drug courts either statewide or nationally. At the request of superior court judges across the state, the Washington State Center for Court Research has been engaged to develop a statewide view of activity in adult felony drug courts. The purpose is to provide useful information to judges and court managers in order to enable performance measurement, assess effectiveness, identify areas for improvement and help sustain the therapeutic court model across the state. This evaluation should be completed in 2013.

Juvenile Detention Services - Updates

Juvenile Educational Transition Services + (J.E.T.S+): J.E.T.S. + is the detention alternative that offers goal based support, including an educational alternative and job procurement services to at-risk youth. Working in conjunction with a teacher from the [Everett School District](#), and an educational advocate, at-risk youth can be court ordered into the program for up to 30 day increments and receive assistance with preparing for and/or receiving a General Education Diploma or transitional services back into a community school. After hours, J.E.T.S. participants are given a curfew call or are monitored by the voice verification system, all depending on the court's intent. Juveniles will complete the J.E.T.S. program with a goal of continuing their education or career path; this is the "+" of the J.E.T.S. program.

Program Alternative to Secure Sentencing (P.A.S.S.): P.A.S.S. is a detention alternative that operates as a day reporting program. This program operates all year and has a full time certificated teacher. G.E.D. testing is available to P.A.S.S. participants along with the assistance of an educational advocate from the ESD 189. When applicable, JCCO's assist with bridging participants back into their community schools and obtaining a G.E.D.

P.A.S.S. Day-for-Day option: Participants ordered to P.A.S.S. may receive classroom instruction and earn Day-to Day Credit while attending their community school. In qualified cases, juveniles may leave their home to attend classes and then return home to be monitored on house arrest. This program operates on a juvenile's home school schedule.

Structured Weekend Alternative Program (S.W.A.P): S.W.A.P. is the detention alternative that operates as a weekend reporting program. It recognizes the importance of permitting the participant to attend their community school. Participants in S.W.A.P. are provided life skills education and supervised in the performance of community service activities. S.W.A.P. participants are monitored by the voice verification system. This program operates every weekend.

Drug Court Alternative Program (D.C.A.P.): D.C.A.P. is a detention alternative that operates as a weekend reporting program for Drug Court participants. Drug and alcohol testing is provided as needed. Participants in D.C.A.P. are supervised in the performance of community service activities. D.C.A.P. participants are monitored by the voice verification system. This program operates every weekend.

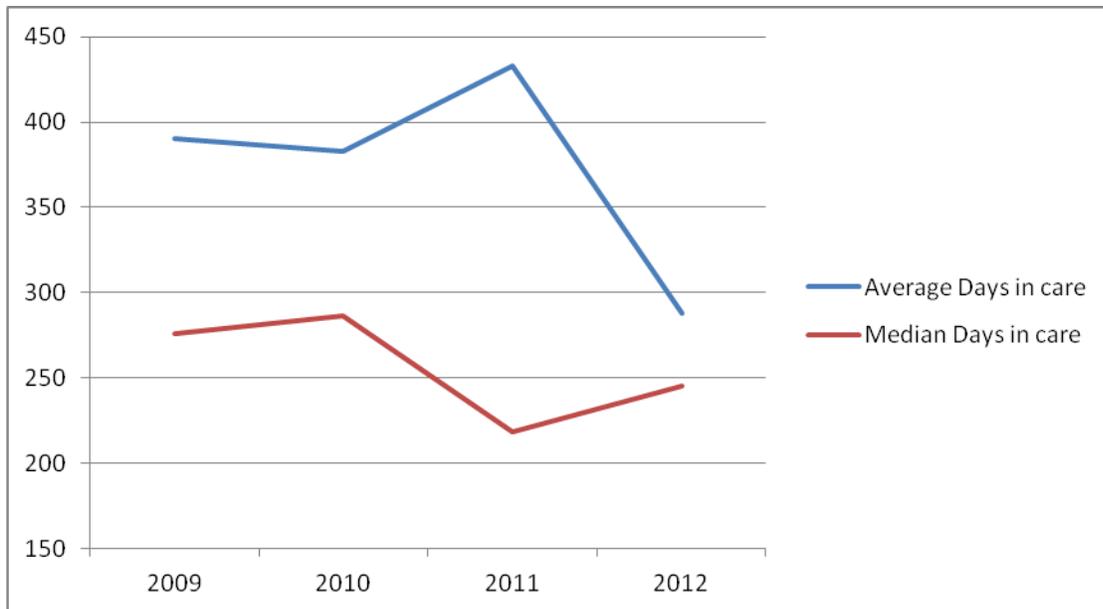
House Arrest – Shadowtrack: House Arrest monitoring is a satellite-based, tracking system that uses cellular phone technology. It is designed to assist in monitoring a juvenile ordered to home confinement. House Arrest is commonly used in conjunction with other programs but may be used as a stand-alone program.

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 part of this project is a regular meeting of stakeholders in the dependency process to focus on better practices.

One area in which this team of stakeholders is seeing tremendous improvement is the length of time children, whom are returned home, are in care. In 2009 and 2010 the length of time for a child to be returned home to a parent was 387 days on average or 281 days median. In 2011, there was a slight increase in the average, however the median days for a child to be returned home dropped to 218. In 2012, a child went home in 288 days on average with a median of 245 days. Also, with this substantial reduction in the length of out of home care, there does not appear to be an increase in the recidivism rate of children returning to care.

This is a significant change in the length of stay for a child and was achieved through the shift in attitudes, work practices and intentional focus of all the dependency players. We believe this has long reaching benefits for the children, their families and the community that children are spending less time out of home and more time reunited with their families.



THANK YOU!

A special thank you to all Superior and Juvenile Court staff. This dedicated team of professionals worked diligently in 2012 to ensure smooth operations during a challenging year.

These Superior and Juvenile employees retired in 2012:

Hon. Ronald L. Castleberry

Hon. Larry E. McKeeman

Dale Shacklett

Lois Smith

Patricia (Peggy) Odegaard

Marguerite Witten