



**King County
District Court
Office of the Presiding Judge**

W1034 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
Telephone: (206) 205-2820
Fax: (206) 296-0596

**The Honorable Barbara Linde
Chief Presiding Judge**

**Tricia Crozier
Chief Administrative Officer**

August 30, 2010

Andy Prazuch
Executive Director
King County Bar Association
1200 5th Avenue, Suite 600
Seattle, WA 98101

Dear Andy-

As you know King County District Court is undergoing considerable budget stress and the court must do what it needs to do to charge appropriate fees within the statutory authority provided. I would like to notify KCBA members of changes to some King County District Court fee policies.

In 2010 the legislature passed SHB 2487 amending RCW 10.01.160, to increase the administrative fee for Deferred Prosecutions in criminal cases from \$150 to \$250 per Deferred Prosecution. Effective immediately, the King County District Court's administrative fee for Deferred Prosecutions is \$250.

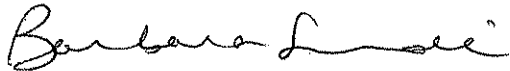
In 2009, the legislature passed SHB 5277 which amended RCW 3.62.060 allowing fees for District Court clerk's services such as processing civil ex parte orders, performing historical searches, compiling statistical reports, and conducting exceptional record searches. In July 2009, the King County District Court adopted a policy, through General Administrative Order 09-125, setting "a fee of \$20.00 for clerk's services for processing civil ex parte orders *that are not presented before a judge in the courtroom*". The italicized language created an exemption to the fee policy, for attorneys who presented civil ex parte orders directly to the judge on a "walk-in" basis.

King County District Court can no longer justify this fee exemption while facing the prospect of budget cuts, layoffs, and elimination of court services. The Court has recently revised this policy, through General Administrative Order 10-128, which will become effective January 1, 2011. The new GAO 10-128 (see attached) supersedes GAO 09-125 and deletes the fee exemption for civil ex parte orders presented by attorneys to the judge in the courtroom.

We hope that KCBA members will understand the need for these changes, and that the *Civil Ex Parte Bench Bar Summit* held last December, and communication with the participants since then, has prepared those that will be most impacted for this change. Attached is some information about improvements to the District Court's civil ex parte processing since the Summit.

I would appreciate you bringing these changes to the attention of your membership. We appreciate all of your efforts to assist the courts in these challenging times.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Linde".

Barbara Linde
Chief Presiding Judge
King County District Court

Enclosures

KING COUNTY DISTRICT COURT
KING COUNTY, STATE OF WASHINGTON
OFFICE OF THE PRESIDING JUDGE

) GENERAL ADMINISTRATIVE ORDER

) Clerk's Action Required

) No. 10- 128

) Order Establishing Fees

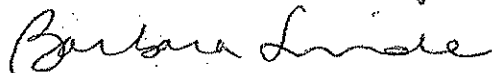
) (This policy supersedes GAO 09-125 effective
January 1, 2011)

IT IS HEREBY ORDERED THAT, pursuant to SB 5277 amending RCW 3.62.060, the Court shall charge a fee of \$20.00 for clerk's services for processing civil ex parte orders and shall charge a fee of \$20.00 per hour, or portion of an hour, for clerk's services to perform historical searches, compile statistical reports, and conduct exceptional searches. The Court shall charge \$5.00 for un-archiving up to five cases from the Judicial Information System (JIS). This does not include fees for providing copies.

IT IS HEREBY ORDERED THAT, pursuant to SB 5610 amending RCW 46.52.130, the Court shall charge a fee of \$5.00 for furnishing an abstract of driving record to a person requesting his or her own record, or to the person's attorney, if the attorney represents the person in a case pending before the King County District Court. A Judge may waive the \$5.00 fee in any case pending before the court.

EFFECTIVE January 1, 2011

SIGNED this 21 day of May, 2010



Barbara Linde
Chief Presiding Judge
King County District Court



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TO: Civil Ex Parte Summit Participants

RE: Improvements to Civil Ex Parte Processing

DATE: March 16, 2010

King County District Court wishes to thank the attorneys who attended the Bench Bar Civil Ex Parte Summit in December. Listed below are some of the issues identified at the summit, the steps the Court has already taken to address issues, and plans for future improvement.

Ex Parte Practices Prior to Summit

- Three Civil Judge assignments: Issaquah, Seattle and Kent (temporarily re-located to Renton)
- Ex Parte work reviewed between scheduled calendars
- Clerks prepare submitted paperwork for presentation to the civil Judge
- Once Order is signed paperwork sent to Central Processing Unit (CPU) for scanning, indexing into Electronic Court Records (ECR)
- Conformed copies sent from Seattle
- Significant backlog and delay in processing civil ex parte orders
- If ex parte paperwork is filed in the wrong courthouse, it is transported to another location

Ex Parte Practices Now

- Three Civil Judge assignments, at three locations, remain unchanged
- Ex parte work reviewed on 6 calendars per week in Seattle Pilot Project (see below) and on weekly calendars in Issaquah and Kent (Renton)
- Processes for clerks presentation to civil judge are streamlined
- Conformed copies sent from the location, Order is signed, the goal being same or next day
- Once signed and conformed copies sent, paperwork transferred to Central Processing Unit for entry into ECR

- Backlog and delay significantly reduced
- Since the Summit, if civil paperwork is filed in the wrong division, it is processed where it is filed, not transported to another location

Seattle Pilot Ex Parte Project -Effective January 2010

The Court's goal is predictable and speedy turnaround time for all Ex Parte Orders. The target is to sign Orders and process conformed copies within 24 – 48 hours of submission by mail or messenger.

Effective January 2010, significant calendar time is reserved for ex parte work in Seattle. There are 6 half-day ex parte calendars each week (reduced to 5 ex parte calendars during the civil jury week). The clerk set cases in batches of approximately 35, and delivers them to the courtroom 4 times a day.

Since the Summit, the CPU has reprioritized its daily work. Prior to the Summit, conformed copies were handled by the CPU. Now conformed copies are handled as a priority and returned by clerks at the location where the Order is signed. Conformed copies are handled on the same or next day after the signed Order is returned/picked-up from the Judge. The CPU is current on JOAs and is working to eliminate backlogs on defaults, writs, dismissals, satisfactions and summons/complaints.

The Court has met the turnaround time goal of 48 hours to date in this Pilot Project. In addition, the Court has instituted a process for expediting urgent matters, in which the clerk walks the urgent Order to the judge's courtroom, waits for the judge to review and sign it, and returns the Order to the party.

To speed the delivery of ex parte paperwork to the Civil Judge, the Seattle court re-examined processes for messenger delivery of ex parte documents, and modified signage at the clerks' office and notice to parties and messenger services.

Walk-in Civil Ex Parte Calendars

Summit participants advocated for the ability to present Orders to the Judge directly as needed. Participants noted Seattle was not favored as a location for walk-in presentations due to parking and facility access issues. Since the Summit, the Court continues to offer walk-in ex parte calendars at the Issaquah location, Thursdays at 1:30 PM.

The Court is not considering elimination of the walk-in calendar, but is considering the fee exemption for walk-in orders.

Post Summit Improvements to Attorney Access/Communication

Each of the three Civil Court locations assigns a clerk to monitor that court location's email box throughout the day. Civil attorneys should note **"CIVIL- NOTE FOR HEARING"** or **"CIVIL-STRIKE FROM CALENDAR"** in the subject line to communicate expeditiously with the civil clerk. Each Court location has an email address and telephone line for attorneys to use to contact the civil clerk.

Seattle	206-296-3551	Seattle.kcdc@kingcounty.gov
Issaquah.....	206-205-1730	Issaquah.kcdc@kingcounty.gov
Kent/Renton....	206-205-2081/ -2077	Kent.kcdc@kingcounty.gov

Future Considerations

Summit participants offered other ideas for improvement that remain under consideration:

- Request for certain document types to be exempt from the ex parte fee. Due to budget impacts, no fee exemptions have been identified at this time
- Publish civil calendars on the KCDC website
- Establish regular civil hearing times
- Create an online civil calendar that shows whether space is available on a calendar, recognizing IT and funding issues that will need to be resolved
- Create an online cover sheet, for Attorney use only to alert Judge to special circumstance
- Establish guidelines for what documents, and in what order JOA and Default documents are submitted, to make the review process more efficient
- Create a best practice for parties and messenger services to identify ex parte paperwork, to speed the time between delivery to the court, and processing for signature