

SEQUIM CITY COUNCIL AGENDA COVER SHEET

First Discussion Date	Second Discussion Date	Third Discussion Date	Other Dates
September 22, 2007	November 7, 2007	December 10, 2007	September 22, 2008 October 13, 2008

MEETING DATE: September 22, 2008

TO: Mayor and City Council Members

THRU: Robert Spinks, Interim City Manager/Chief of Police

Initials

FROM: Marci Protze, Executive Assistant to the Chief of Police

MEP
Initials

SUBJECT/ISSUE: End the Current Contract for Municipal Court Services with Clallam County and Re-establish the Sequim Municipal Court

BACKGROUND INFORMATION:

Currently the City contracts with Clallam County for its municipal court services, prior to the 1980's the City had previously operated its own Sequim Municipal Court. Clallam County District Court I handles the City's adjudication of infractions, misdemeanors and gross misdemeanor cases. The latest agreement for services was signed in December 2001. In January 2008, the City of Sequim received a notice from the Clallam County District Court I that the filing fees for criminal and civil cases had increased to \$68.55 for misdemeanor cases and to \$20.56 for all infractions filed by the City. This increased was tied to the Seattle CIP-W Index in the intervening years there has been an average increase in filing fee costs of about 3% per a year.

As Sequim has grown to 6,200 in population (according to City estimates), the police department and City Attorney began a review of the contract for municipal court services. Currently 127 cities operate independent municipal courts across the state. Far fewer contract for services with County District Courts.

The review of the current contract was triggered in part by the growing volume of arrests and infractions which have nearly doubled over the past several years. With the cost to the City escalating both in filing fees, other lost revenues and the sometimes intangible but very real costs in travel time, round trips to Port Angeles, police staff being out of the

city for court, and the lack of a visible and accessible municipal court within the city limits – it soon became apparent that the cost-benefit of re-establishing a municipal court in Sequim was extremely viable.

The primary focus of re-establishing the municipal court in Sequim is for the benefit of victims and witnesses of crimes occurring in Sequim; to ensure local access to court services such as domestic violence protection and anti-harassment orders; and a rural small town personalization in meeting the needs of citizens.

Based on the 2007 and 2008 increased caseload of at least 10% annually and the increasing cost in filing fees, fuel cost, attorney time and cost in driving back and forth to Port Angeles several times each week, and police staff time – the opportunity to re-establish a municipal court are now significant. There is a limited opportunity to initiate the process to re-establish the Court; because of contractual and state law requirements the City will have to give notice by the end of 2008 or the next opportunity to re-establish the court will not come around again until 2014. Such a delay will also be costly for Clallam County which has already publically stated that the rise in cases being generated in Sequim will force the hiring of a new District Court Judge and Court Clerk.

TABLE OF CONTENTS OR LIST OF ATTACHMENTS:

1. [2008 Requested Information for Council reference Strategic Plan: Municipal Court Services](#)

DISCUSSION/ANALYSIS:

After the presentation to the City Council on September 22, 2008 there were some follow up questions that required research prior to answering. One Councilor requested the long term estimates with expenses and revenues. Those estimates are now completed until the year 2013. From the charts it is illustrated that remaining in the current contract will decrease the City of Sequim's remittance net payment starting in 2012 and in the year 2013 by an estimated \$5,400. The explanation for the estimated decrease in revenue is a result of higher crime (resulting in more bookings), higher filing fees, and increased Washington State fee remittance.

Another topic referenced from Mayor Dubois addressed the rebooking fees when an in custody inmate request to be transported to the municipal court for an appearance. In 2007 there were 414 bookings and with the appearance/preparation fee of 40.00. If all of the in custody inmates were to appear the cost would estimate \$16,500. If 50% of the inmates taken to jail are booked and released leading to the cost of \$8,500. According to the County Jail contract that was signed by Council September 22, 2008 the expense will be \$20.00 for video arraignments. The estimated cost \$4,250 for the year 2007 of actual in custody inmates.

Lastly, the question was raised of establishing a Violations Bureau. Completing the initial research the cost to purchase the JIS from the Administration of the Courts cost \$10-12K and the estimated numbers of infractions that are paid are one-third. In 2008 the estimated number of infractions paid without appearance would be 215 infractions at \$20.56 per fee filing would save the City of Sequim \$4,400. It would take over three years to pay for the Judicial Information System (JIS the primary information system for courts in Washington).

Option two is to leave the Municipal Court at the Clallam County District Court I. This option is not the optimal solution for all parties involved. Due to the overall court volume and processing times for services will increase as will the cost of filing fees, fuel, attorney and staff time. The 2010 estimates are imbedded in the strategic plan.

BUDGET IMPLICATIONS:

As the 2009 budget process is undergoing this is the time and opportunity to re-establish our Municipal Court within the city limits of Sequim. There will be an estimated \$45,000 in start-up costs that would be part of the FY2009 budget; these would have the Court staffed and operational for business effective January 1, 2010. This budgeted amount includes the hiring of a Court Administrator who would be hired on October 1, 2009.

Note that the estimated revenues will decrease by 3% commencing in the year 2012 if the City Council decides that the City of Sequim will remain in the contract with District Court I. This is the same percent that the filing fees increase annually.

RECOMMENDATION:

Requesting the City Council terminate the current contract for municipal court services with Clallam County effective December 31, 2009 (such notice having to be sent to the County no later than December of this year); adopt the ordinance re-establishing the municipal court; and to adopt funding in the FY2009 to fund the Court of \$45,500, which would begin accepting court cases on January 1, 2010.