

Municipal Courts

ASSOCIATION OF WASHINGTON CITIES WEBINAR
MAY 18, 2021

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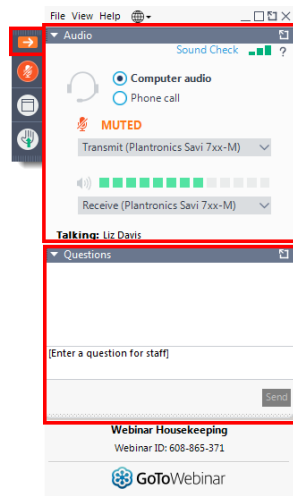
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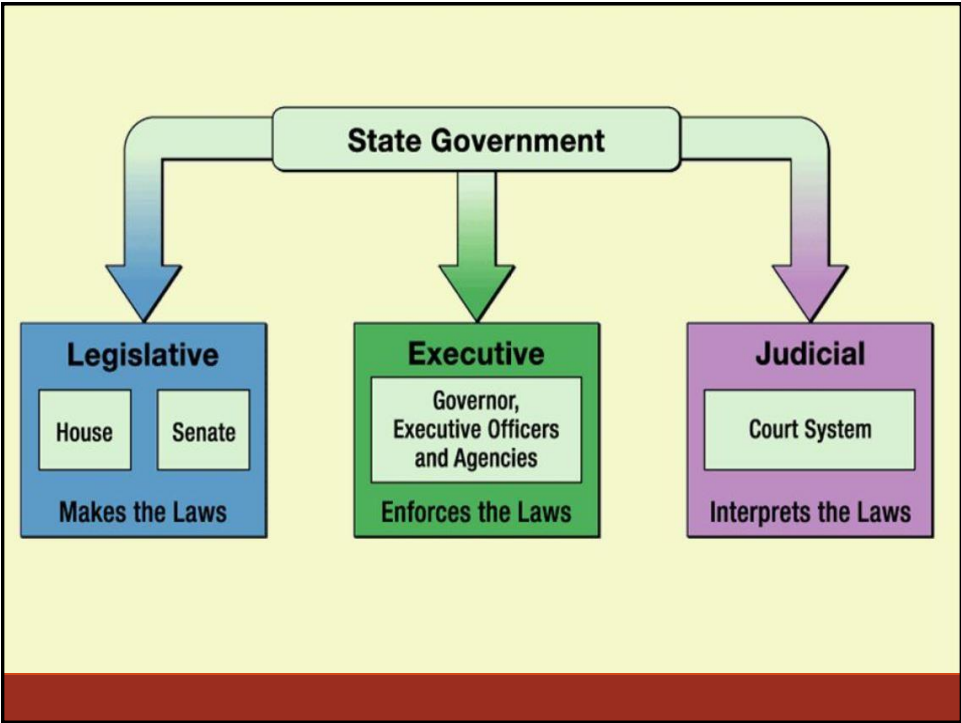
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District & Municipal Court Judges' Association (DMCJA)

- ❖ Judge Doug Fair (Snohomish County)
- ❖ Judge Rebecca Robertson (Federal Way)
- ❖ Mayor Jim Ferrell (Federal Way)



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Executive Duties

Mayor/City Manager

- - Chief Executive Officer/Administrator of the City.
- - Drafts and presents proposed budget.
- - Manages daily operations of the City.
- - Supervises all of the Department Directors.
- - Represents the City locally and regionally.
- - Presides over all City Council meetings.

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Legislative Duties

City Council

- Adopting the budget.
- Defines the functions, powers and duties of the City officers and employees;
- Fixes salary and working conditions of employees and establishes or maintains civil service or merit systems, retirement and pension systems as allowed by law, as well as collective bargaining agreements.
- Adopts ordinances relating to and regulating City affairs
- Adopts local ordinances regarding misdemeanor and gross misdemeanor crimes.
- Exercises allowed powers in regard to real property.
- Exercises taxation powers for local purposes.

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CITIZENS OF CITY


Municipal Court	Mayor/City Manager	City Council
Misdemeanors and Gross Misdemeanors Traffic and non-traffic infractions Probation Services Code Compliance Management of Court Administration, probation, and court staff.	Administer City-wide budget Coordinate Regional Affairs Emergency Management Human Resources City Clerk Departments Under Executive Police Public Works Finance Economic Development Law Parks and Recreation Information Technology	Adopt ordinances and Resolutions Grant Franchises Levy Taxes and Appropriate Funds Establish Policies and Guidelines

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THE SUPREME COURT 9 justices, elected to six-year terms (staggered)
<ul style="list-style-type: none"> • Appeals from the Court of Appeals • Administers state court system
COURT OF APPEALS 22 judges, elected to six-year terms (staggered) Division I, Seattle; Division II, Tacoma; Division III, Spokane
<ul style="list-style-type: none"> • Appeals from lower courts except those in jurisdiction of the supreme court
SUPERIOR COURT 194 judges elected to four-year terms in 32 judicial districts
<ul style="list-style-type: none"> • Civil matters • Domestic relations • Felony criminal cases • Juvenile matters • Appeals from courts of limited jurisdiction
COURTS OF LIMITED JURISDICTION 207 judges (district court judges elected to four-year terms; municipal court judges elected or appointed to four-year terms) 1,950,853 cases in 2019
<ul style="list-style-type: none"> • Misdemeanor criminal cases • Traffic, non-traffic, and parking infractions • Domestic violence protection orders • Civil actions of \$100,000 or less • Small claims up to \$10,000

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Judges and Court Staff
Part of the Judicial Branch of State Government



Education and Training
Ensure adherence to standards for supervision, discipline, and conduct.

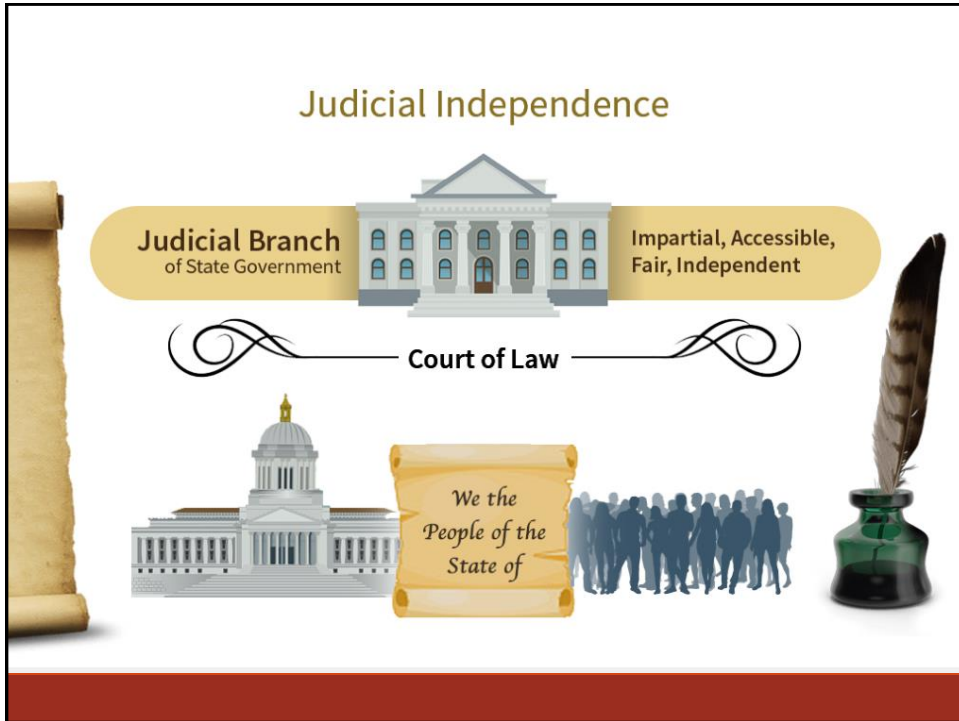
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GR 29 (f)(6) Presiding Judge Duties

1. Cannot be delegated to persons in either the legislative or executive branches of government.
2. May delegate performance of ministerial duties to court employees.
3. Presiding Judge's responsibility to ensure they are performed in accordance with this rule.
4. Supervise the budget process.

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JUDICIAL CANONS

CANON 1

A judge shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

CANON 2

A judge should perform the duties of judicial office impartially, competently, and diligently.

CANON 3

A judge shall conduct the judge's personal and extrajudicial activities to minimize the risk of conflict with the obligations of judicial office.

CANON 4

A judge or candidate for judicial office shall not engage in political or campaign activity that is inconsistent with the independence, integrity, or impartiality of the judiciary.

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GR 29 (I) Contract Provisions

1) Term of Office and Salary

- Term shall be four years
- Salary is fixed by ordinance and shall not be diminished during term

2) Judicial Duties

- All legally prescribed by state law, court rules, canons, and Commission on Judicial Conduct (CJC)

3) Judicial Independence and Administration

- Court is an independent branch of government
- Judge shall supervise all court operations and all personnel
- Retention decisions cannot be based on generating revenue

4) Termination and Discipline

- Only upon action of the Supreme Court per Article IV, Section 31 (CJC)

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Local Courts Are Not Revenue Generators



Ferguson Abuses

- Abused its authority in **generating revenue**
- **Incarcerated** people who did not pay fines and fees **without considering their ability to pay**

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Legal Financial Obligations (LFOs) are:

Fines, fees, costs, and restitution that can be imposed by the court.

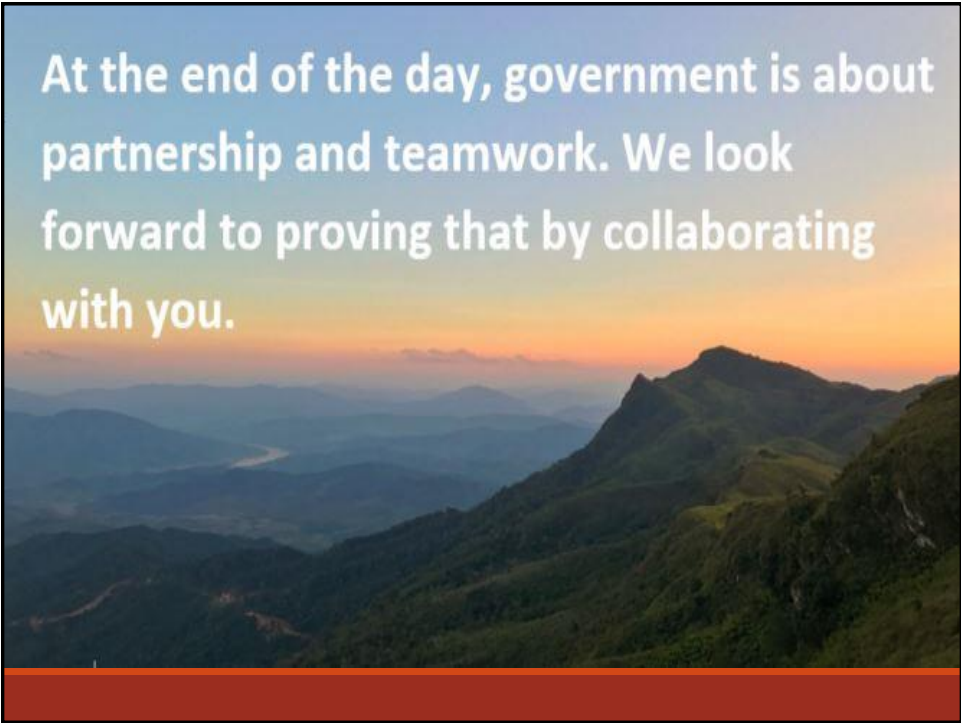
Judges are limited in what they can impose and collect by statute, case law, and the judicial canons.

RCW 9.94A.760: The court may not order an offender to pay costs... if the court finds that the offender at the time of sentencing is indigent.

RCW 10.01.160: ...the court shall take account of the financial resources of the defendant and the nature of the burden that payment of costs will impose.

The Washington State Supreme Court held in **State v. Blazina** that trial courts must make “an individual inquiry into the defendant’s current and future ability to pay” before imposing court costs, and must “consider important factors, such as incarceration and the defendant’s other debts.” Moreover, the Court stated that if a person meets established criteria for determining indigence (like receiving needs-based public assistance or having an income at or below the poverty level), courts should “seriously question that person’s ability to pay LFOs.”

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At the end of the day, government is about partnership and teamwork. We look forward to proving that by collaborating with you.

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Additional Resources

Contact us:

❖ Judge Doug Fair

▪ douglas.fair@co.snohomish.wa.gov

❑ Court Rules:

https://www.courts.wa.gov/court_rules/

❖ Judge Rebecca Robertson

▪ Rebecca.Robertson@cityoffederalway.com

❑ Court Directory:

https://www.courts.wa.gov/court_dir/

❖ Mayor Jim Ferrell

▪ Jim.ferrell@cityoffederalway.com