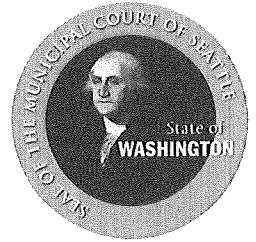


# THE MUNICIPAL COURT OF SEATTLE

**Yolande E. Williams**  
Court Administrator



April 26, 2010

To: David G. Jones, Acting City Auditor  
Fm: Yolande E. Williams, Court Administrator *Y. Williams*  
Re: **Fact Paper: Seattle Municipal Court Judicial Workload Indicators**

Last year, you made it clear that your **Fact Paper** was not **"an assessment of the Court's judicial workload"**. Your report states that "the Court should request an annual assessment of its judicial workload by the Washington State Center for Court Research (WSCCR)." It seemed clear to us, with your clarification, that your report was no more than a partial description of the court's workload. Because of these factors, the court did not issue a formal response to your document. Instead, the Court requested and has shared a judicial workload assessment from the WSCCR.

Now, it appears that your report is being used to determine judicial workload. We understand that it is also being used as the basis for the erroneous conclusion that the court can lose one judicial position. It is incumbent on us to state our objection to the report.

The court actually received two copies of this report.

The first copy was a draft that you sent to us last year requesting additional data. This draft was how the Court first learned that your office had been asked by the City Council to undertake a judicial workload study of the Court. Appropriately, and in accordance with GR 32, the Court alerted the Administrative Office of the Courts (AOC) and the Supreme Court about its concerns that this audit violated the separation of powers doctrine. The AOC and Supreme Court agreed, and advised your office and the City Council that you lacked the authority to conduct a judicial workload study. The Court then suggested that if a true workload study was needed, the Court would be happy to collaborate, pursuant to GR 32.

During the week of April 5, 2010, the Court received a copy of your Judicial Workload Indicators report from Council member Tim Burgess. (You also forwarded a copy to Bob White at his request.) This second report was dated December 16, 2009, and appears to be a final report. Attached to this second report is Appendix B, which consists of a copy of Chief Justice Alexander's September 25, 2009 letter to you and your response to that letter.

This second report states that the purpose of your report is to **"provide Council with information about judicial workload indicators currently or previously used for analyses of workloads at Seattle Municipal Court and other jurisdictions. We did not seek to define what the appropriate indicators should be for evaluating the Seattle Municipal Court's judicial workload nor is the fact paper an assessment of the Court's judicial workload."**

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Although your report contains some workload indicators typically used to assess judicial needs (e.g., case filings-to-judge ratios), the Court did not think it would be used to assess judicial workload and judicial needs, especially once the AOC finding was released.

Your **Fact Paper** is sorely lacking in other data or observations related to judicial workload and judicial needs. While true that your report lacks recommendations and conclusions and purports not to be “an assessment of the Court’s judicial workload”, it is clear to us that your report is now being used for that purpose.

On behalf of the judges, I ask that you include this exception to your report as the court’s formal response to **Fact Paper: Seattle Municipal Court Judicial Workload Indicators**. I will be sending you a detailed summary no later than this Wednesday, correcting/clarifying certain aspects of this report.

c: SMC Judges  
Seattle City Council Members  
Honorable Mike McGinn  
Darryl Smith, Deputy Mayor  
Ethan Raup, Director, Policy & External Affairs  
Carl Marquardt, Legal Counsel  
Julie McCoy, Chief of Staff  
Jeff Hall, State Court Administrator, AOC  
Dirk A. Marler, Director, Judicial Services Division, AOC