



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**Motion 16738**

**Proposed No.** 2024-0293.2

**Sponsors** Barón

1           A MOTION acknowledging receipt of the second of two  
2           reports on progress toward addressing the legal system  
3           backlog that resulted from the COVID-19 pandemic, in  
4           response to the 2023-2024 Biennial Budget Ordinance,  
5           Ordinance 19546, Section 17, Proviso P4.

6           WHEREAS, the 2023-2024 Biennial Budget Ordinance, Ordinance 19546,  
7           Section 17, Proviso P4, states that \$200,000 shall not be expended or encumbered until  
8           the executive transmits two reports on progress toward addressing the legal system  
9           backlog that resulted from the COVID-19 pandemic, and

10          WHEREAS, the 2023-2024 Biennial Budget Ordinance, Ordinance 19546,  
11          Section 17, Proviso P4, requires that the second report cover April 1, 2023, to June 30,  
12          2024, and include positions supported by Coronavirus State and Local Fiscal Recovery  
13          ("CLFR") revenues, the amount of CLFR appropriation that has been expended as of  
14          June 30, 2024, the anticipated date by which the backlog of cases will be addressed  
15          assuming various funding scenarios for 2025 through 2026, the identification and  
16          discussion of barriers or system challenges to addressing the case backlog, data on  
17          superior court felony backlog and pending unlawful detainer cases, and the status of the  
18          district court backlog, and

19          WHEREAS, the King County executive hereby transmits to the council the  
20          COVID-19 Legal System Backlog: 2023-2024 Report 2;

Motion 16738

---

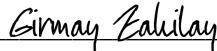
21 NOW, THEREFORE, BE IT MOVED by the Council of King County:  
22 The council hereby acknowledges receipt of the COVID-19 Legal System  
23 Backlog: 2023-2024 Report 2 proviso response, Attachment A to this motion, as required  
24 by the 2023-2024 Biennial Budget Ordinance, Ordinance 19546, Section 17, Proviso P4.

Motion 16738 was introduced on 11/5/2024 and passed by the Metropolitan King County Council on 2/4/2025, by the following vote:

Yes: 9 - Balducci, Barón, Dembowski, Dunn, Mosqueda, Perry, Quinn, von Reichbauer and Zahilay

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Signed by:




1AEA3C5077F8485...

Girmay Zahilay, Chair

ATTEST:

DocuSigned by:



8DE1BB375AD3422...

Melani Hay, Clerk of the Council

**Attachments:** A. COVID-19 Legal System Backlog 2023-2024 Report 2, September 2024

## COVID-19 Legal System Backlog: 2023-2024 Report 2

---

September 2024



**King County**

## Contents

Proviso Text .....	4
Executive Summary .....	6
Background .....	11
Report Requirements .....	15
A. A list of positions supported by Coronavirus State and Local Fiscal Recovery ("CLFR") revenues, identified by job type and the number of vacant positions, for the department of judicial administration, the prosecuting attorney's office, the department of public defense, superior court and district court; .....	15
B. The amount of 2023-2024 biennial CLFR appropriation for district court, the department of judicial administration, the prosecuting attorney's office, the department of public defense, superior court and district court that has been expended as of June 30, 2023, as well as the total CLFR appropriations and expenditures to date; .....	16
C. The anticipated date by which the backlog of cases will be addressed assuming various funding scenarios for 2025-2026; .....	16
Projections if resources and other factors stay constant: .....	17
Discussion of possible funding changes: .....	18
D. The identification and discussion of barriers or system challenges to addressing the backlog; .....	19
Staffing and scheduling challenges .....	19
Challenges to felony case processing .....	22
Challenges and barriers to addressing eviction cases .....	29
Current and anticipated funding constraints .....	30
Continued effect of the pandemic on operations .....	30
E. For superior court cases the report should also include the following data for the reporting period, by quarter, with pre-pandemic data from 2019 as comparison: .....	31
F. For district court cases, the report should also include the status of backlog cases, including the number of unfiled criminal cases. ....	39
Conclusion .....	39
Appendices .....	41
Appendix A: Most Serious Crimes Detail .....	41
Appendix B: Positions Supported by CLRF funds as of June 30, 2024 .....	44
Table 1: Summary of CLFR funded Positions .....	15
Table 2: CLFR appropriation expended as of June 30, 2024 .....	16
Table 5: Felony pending caseload .....	32
Table 6: Most serious pending caseload .....	32
Table 7: Felony case resolutions .....	33
Table 8: Most serious case resolutions .....	33
Table 9: Unlawful detainers .....	38

Table 10: Unfiled misdemeanors ..... 39

Figure 1: Projected filed felony backlog assuming continuation of past rates of change ..... 18

Figure 2: DAJD Corrections Officer Staffing ..... 22

Figure 3: Age of pending felony cases, days (DJA) ..... 23

Figure 4: Age of pending felony cases, days (PAO) ..... 24

Figure 5: Gun-related injuries and homicides ..... 25

Figure 6: Most Dangerous Offender Project Call Outs ..... 26

Figure 7: Filed and unfiled felony backlog ..... 34

Figure 8: Pending filed caseload ..... 35

Figure 9: Pending cases, by type ..... 35

Figure 10: Felony case resolutions ..... 36

Figure 11: Felony trial resolutions ..... 37

Figure 12: Monthly felony filings ..... 37

Figure 13: Unlawful detainers (evictions) pending cases ..... 38

Figure 14: Unlawful detainer (evictions) cases filed ..... 39

## Proviso Text

Ordinance 19546, Section 17, P4<sup>1</sup>

P4 PROVIDED FURTHER THAT:

Of this appropriation, \$200,000 shall not be expended or encumbered until the executive transmits two reports on progress toward addressing the legal system backlog that resulted from the COVID-19 pandemic and a motion with each report that should acknowledge its receipt and both motions are passed by the council. Each motion should reference the subject matter, the proviso's ordinance number, ordinance section and proviso number in both the title and body of the motion. Both reports shall include information from the department of judicial administration, the prosecuting attorney's office, the department of public defense, district court and superior court.

The first report shall cover the period from October 1, 2022, through March 31, 2023, and report on the following:

- A. A list of positions supported by Coronavirus State and Local Fiscal Recovery ("CLFR") revenues, identified by job type and the number of vacant positions, for the department of judicial administration, the prosecuting attorney's office, the department of public defense, superior court and district court;
- B. The amount of 2023-2024 biennial CLFR appropriation for district court, the department of judicial administration, the prosecuting attorney's office, the department of public defense, superior court and district court that has been expended as of March 31, 2023, as well as the total CLFR appropriations and expenditures to date;
- C. The anticipated date by which the backlog of cases will be addressed assuming various funding scenarios for 2024;
- D. The identification and discussion of barriers or system challenges to addressing the backlog;
- E. A plan, developed in consultation with the department of judicial administration, superior court, the prosecuting attorney's office and the department of public defense for how to address the felony criminal backlog in cases given the appropriation amount provided in this ordinance;
- F. Funding options to address the backlog in felony criminal cases;
- G. For superior court cases, the report should also include the following data for the reporting period, by quarter, with prepandemic data from 2019 as comparison:
  1. The pending caseload for all criminal cases;
  2. The pending caseload for the most serious felonies, defined as homicides, sex crimes, robbery in the first degree and assault in the first degree and in the second degree;
  3. The number of total resolutions for all criminal cases by jury trial, by nonjury trial, resolved by plea and dismissed;
  4. A summary of resolutions for the most serious felony cases, by jury trial, by non-jury trial, resolved by plea and dismissed; and
  5. The number of filings and total pending cases for unlawful detainer cases; and

---

<sup>1</sup> [Link to Ordinance 19546](#)

- H. For district court cases, the report should also include the status of backlog cases, including the number of unfiled criminal cases.

The executive should electronically file the first report and motion required by this proviso no later than May 15, 2023, with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the law, justice, health and human services committee or its successor.

The second report shall cover the period from April 1, 2023, through June 30, 2024, and include, but not be limited to, the following information from the district court, the department of judicial administration, the prosecuting attorney's office, the department of public defense and superior court:

- A. A list of positions supported by CLFR revenues for the department of judicial administration, the prosecuting attorney's office, the department of public defense and superior court district court, identified by job type and the number of vacant positions;
- B. The amount of 2023-2024 biennial CLFR appropriation for district court, the department of judicial administration, the prosecuting attorney's office, the department of public defense and superior court district court has been expended as of June 30, 2024, as well as the total CLFR appropriations and expenditures to date;
- C. The anticipated date by which the backlog of cases will be addressed assuming various funding scenarios for 2025-2026;
- D. Identification and discussion of barriers or system challenges to addressing the backlog;
- E. For superior court cases, the report should also report the following data for the reporting period, by quarter, with prepandemic data from 2019 as comparison:
  - 1. The pending caseload for all criminal cases;
  - 2. The pending caseload for the most serious felonies, defined as homicides, sex crimes, robbery in the first degree and assault in the first degree and in the second degree;
  - 3. Total resolutions for all criminal cases by jury trial, by nonjury trial, resolved by plea and dismissed;
  - 4. Resolutions for the most serious felony cases, by jury trial, by nonjury trial, resolved by plea and dismissed; and
  - 5. Filings and total pending cases for unlawful detainer cases; and
- F. For district court cases, the report should also include the status of backlog cases, including the number of pending unfiled criminal cases.

The executive should electronically file the second report and motion required by this proviso no later than September 16, 2024, with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the law, justice, health and human services committee or its successor.

## Executive Summary

This is the second of two reports prepared by the Office of Performance, Strategy and Budget on progress toward addressing King County's legal system case backlog related to the COVID-19 pandemic, as called for by Ordinance 19546, Section 17, Proviso P4.<sup>2</sup> All information in this report is current as of June 30, 2024, or as otherwise specified. Note that three additional reports on the backlog were submitted to the King County Council in 2021 and 2022 as required by Ordinance 19318, Section 2, Proviso P4.<sup>3</sup>

**Background:** The COVID-19 pandemic-related backlog of King County legal system cases directly affects operations of the County's Prosecuting Attorney's Office (PAO), the Department of Public Defense (DPD), Superior Court, the Department of Judicial Administration (DJA; also known as the County Clerk's Office), and District Court.<sup>4</sup> The Council appropriated federal Coronavirus Local Fiscal Recovery (CLFR) Fund resources to address the backlog to these five agencies in 2020-2024 budgets. Legal system backlog is defined as an excess of pending legal cases above pre-pandemic levels affecting PAO, DPD, DJA, Superior Court, and District Court operations. Most pending cases as of June 30, 2024 were filed after the most acute operational impacts of the pandemic.

The COVID-19 pandemic resulted in unprecedented operational challenges and backlogs in the legal system. King County legal system agencies have utilized temporary federal resources to reduce the number of pending cases in the legal system, reduce pandemic-related delays, and provide access to justice for King County residents, even as the legal system continues to grapple with operational challenges. As of June 2024, operations are less directly affected by pandemic conditions, but substantial challenges related to staffing, limited resources, and legal changes continue to delay case resolution and impact all legal system agencies. All legal system CLFR resources will be spent by the end of 2024 and most agencies' General Fund budgets are affected by financial constraints in the General Fund caused by state law that prevents property tax from keeping up with inflation. General Fund budgets were reduced in 2024 and further reductions in the 2025 budget were pending as of June 30, 2024.

Court backlogs result in increased time to case resolution. This has implications for criminal defendants, particularly those awaiting case resolution in custody, and for victims of crime who must wait longer to receive case outcomes. Since many parts of the legal system disproportionately affect Black, Indigenous, and other People of Color (BIPOC) residents, reducing the backlog is consistent with the County's equity and social justice efforts.

---

<sup>2</sup> First 23-24 report: PSB - COVID-19 Legal System Backlog: 2023-2024 Report - Ordinance 19546 [\[LINK\]](#)

<sup>3</sup> First 21-22 Report COVID-19 Legal System Backlog Report [\[LINK\]](#); Second 21-22 Report COVID -19 Legal System Backlog Report [\[LINK\]](#); Third 21-22 Report: COVID-19 Legal System Backlog Report [\[LINK\]](#).

<sup>4</sup> Other King County legal system agencies (the Department of Adult and Juvenile Detention, King County Sheriff's Office) and social service agencies (Department of Community and Human Services and King County Public Health) are indirectly affected by the case backlog but are out of scope for this and previous reports.



**Report Methodology:** The Office of Performance, Strategy and Budget (PSB) coordinated with PAO, DPD, Superior Court, DJA, and District Court to gather data on backlog cases, staff hired, and resources expended through June 30, 2024, and to report on the status of and challenges of addressing the backlog.<sup>5</sup>

**Report Requirements**

**Positions supported by CLFR revenues:** The 2023-2024 budget allocates CLFR funds supporting 73 positions as of June 30, 2024, 61 of these positions are filled with 12 vacancies. These positions have not been consistently filled over the course of the biennium. Agencies employ different strategies for spending CLFR funds and the number of direct positions funded by CLFR is not a reliable indicator of resources dedicated to resolving cases.

Agency	June 30, 2024	
	Total filled positions	Total vacant positions
District Court	2	0
DJA	13	10
DPD	30	2
Superior Court	16	0
PAO	N/A	N/A
<b>Total</b>	61	12

**Appropriation expended as of June 30, 2024:** Agencies spent a total of \$20,645,000 CLFR funding through June 30, 2024. Agencies anticipate spending all appropriated CLFR funding by the end of 2024 and no additional federal funding is expected in 2025.

	2023-2024 Revised Biennial Appropriation	2023-2024 Appropriation Expended as of June 30, 2024	Total CLFR allocated*	Total CLFR Expended as of June 30, 2024
District Court	820,000	823,000	3,657,000	3,660,000
DJA	2,571,000	2,044,000	4,852,000	4,325,000
PAO	6,847,000	7,043,000	14,644,000	14,840,000
DPD	6,265,000	5,460,000	16,632,000	15,827,000
Superior Court	7,296,000	5,276,000	15,765,000	13,744,000
<b>Total</b>	23,179,000	20,645,000	54,929,000	52,395,000

**Anticipated date backlog will be addressed:** The District Court filed backlog was fully addressed as of March 31, 2023. If the volume of filed pending cases continues to decline at the rate since Q1 2023, the filed felony pending caseload would reach 2019 levels in Q2 2026. This projection is highly uncertain and unlikely to be achieved, as resources to address cases will likely decrease in 2025 and other factors affecting filings and resolutions are difficult to predict.

**Barriers or system challenges to addressing the backlog and new evictions:** The key barriers and system challenges to addressing the backlog and new evictions identified by all agencies are:

- Staffing and scheduling challenges
- Challenges specific to felony criminal case processing, including longer time to resolution and high serious crime rates
- Challenges specific to eviction case processing after the expiration of eviction moratoriums
- Anticipated resource reductions caused by the expiration of federal CLFR resources and continued financial challenges in the General Fund

Direct effects of the pandemic on operations have mostly resolved or resulted in operational changes that are expected to be permanent, such as remote court appearances.

**Superior Court backlog:** Superior Court’s pandemic-related case backlog<sup>6</sup> is the number of pending cases exceeding pre-pandemic volume. All active cases,<sup>7</sup> regardless of filing date, are counted from the time of filing to the time of resolution. As of June 2024, most backlog cases are not directly related to pandemic closures and moratoriums, but this report uses the same definition of pandemic backlog as previous reports. The number of unfiled pending cases is similar to pre-pandemic volume as of June 30, 2024.

**1. Pending caseload for all criminal cases**

	<b>2019 Average</b>	<b>Q2 2024</b>	<b>Difference from 2019</b>
Criminal Filed Pending Cases <sup>8</sup>	3,435	4,131	696
Pending Unfiled Criminal Cases	1,800	1,756	-44
Total Pending Cases	5,235	5,887	652

**2. The pending caseload for the most serious felonies, defined as homicides, sex crimes, robbery in the first degree, and assault in the first degree and in the second degree;**

	<b>2019 Average</b>	<b>Q2 2024</b>	<b>Difference from 2019</b>
Most Serious Felonies Pending Cases <sup>9</sup>	948	1,057	109

<sup>6</sup> This definition is used for the purposes of this report, specifically in the context of the COVID-19 pandemic. Legal agencies use the term “backlog” in different ways.

<sup>7</sup> Cases are active if they do not have a disposition and they are not in an inactive status (for example, on warrant).

<sup>8</sup> Includes RALJ (appeals from limited jurisdiction courts).

<sup>9</sup> Homicides, sex crimes, Robbery 1, Assault 1 and 2. Also included in criminal. See Appendix A for a full list of homicide and sex offenses.

**3. The number of total resolutions for all criminal cases by jury trial, by nonjury trial, resolved by plea and dismissed;<sup>10</sup>**

	<b>2019 Average</b>	<b>Q2 2024</b>	<b>Difference from 2019</b>
Criminal Total Resolved (includes Most Serious)	1,447	1,296	-151
<i>Resolved by Jury Trial</i>	3.0%	1.6%	-1.4%
<i>Resolved by Non-Jury Trial</i>	0.4%	0.7%	0.3%
<i>Resolved by Guilty Plea</i>	77.1%	68.4%	-8.7%
<i>Dismissal</i>	19.1%	29.0%	9.9%
<i>Others</i>	0.5%	0.3%	-0.2%

**4. A summary of resolutions for the most serious felony cases, by jury trial, by non-jury trial, resolved by plea, and dismissed;<sup>11</sup>**

	<b>2019 Average</b>	<b>Q2 2024</b>	<b>Difference from 2019</b>
Most Serious Felonies Resolved <sup>12</sup>	365	341	-24
<i>Resolved by Jury Trial</i>	6.4%	3.5%	-2.9%
<i>Resolved by Non-Jury Trial</i>	0.1%	0.9%	0.7%
<i>Resolved by Guilty Plea</i>	78.9%	73.9%	-5.0%
<i>Dismissal</i>	14.0%	21.4%	7.4%
<i>Others</i>	0.6%	0.3%	-0.3%

**5. The number of filings and total pending cases for unlawful detainer cases;**

	<b>2019 Average</b>	<b>Q2 2024</b>	<b>Difference from 2019</b>
Pending Unlawful detainer (evictions) <sup>13</sup>	461	2423	1,962
Quarterly filings	1,156	1,981	825

<sup>10</sup> Percentages are percent of total resolutions.

<sup>11</sup> Percentages are percent of most serious cases resolutions.

<sup>12</sup> Homicides, sex crimes, Robbery 1, Assault 1 and 2, also included in Criminal, above.

<sup>13</sup> Also included in Civil.

**District Court filed backlog:** District Court’s filed backlog was fully resolved in Q1 2023.

**PAO District Court unfiled backlog:**

	<b>2019 Average</b>	<b>Q2 2024</b>	<b>Difference from 2019</b>
Unfiled District Court PAO Backlog <sup>14</sup>	830	3,850	3,020

**Next Actions:** As reported in the May 2023 report, District Court has resolved all pandemic-related filed backlogs. Backlogs in felony criminal cases and in unlawful detainer cases remain. Reducing the remaining pending cases to 2019 levels is dependent on a variety of factors, including available financial resources. CLFR funds for the legal system backlog will end by the end of 2024 and deficits in the General Fund make allocating additional resources to the legal system challenging. As of June 30, 2024, the Executive Office was developing the 2025 Proposed Budget. The 2025 budget will be adopted by Council in November 2024.

---

<sup>14</sup> PAO estimates. Data limitations prevent precise reporting.

## Background

The pandemic-related backlog of cases in the King County legal system directly affects operations in the Prosecuting Attorney's Office (PAO), the Department of Public Defense (DPD), Superior Court, the Department of Judicial Administration (DJA; also known as the County Clerk's Office), and District Court.<sup>15</sup> The King County Council appropriated federal Coronavirus Local Fiscal Recovery (CLFR) Fund resources to address the backlog to these five agencies in 2021-2024 budget appropriations. Legal system backlog is defined as excess pending cases above pre-pandemic levels affecting PAO, DPD, DJA, Superior Court, and District Court operations.

**The Office of Performance, Strategy and Budget Overview:** The King County Office of Performance, Strategy and Budget (PSB) provides comprehensive planning, management, budgeting, and performance assessment for King County government. PSB's work is guided by best practices in financial stewardship and performance management, which includes enhancing accountability and transparency, and integrating strategic planning, business planning, resource allocation, and continuous improvement into a systematic approach throughout the County.

PSB staff coordinated with legal system agencies to draft report content.

**Prosecuting Attorney's Office Overview:** The King County Prosecuting Attorney's Office (PAO) employs more than 500 people, including more than 260 attorneys. The PAO is led by the King County Prosecutor, who is a separately elected official.

The PAO Criminal Division represents the State and the County in criminal matters in the King County District and Superior Courts, the state and federal courts of appeal, and the Washington and U.S. Supreme Courts. The Criminal Division is responsible for prosecuting all felonies in King County and all misdemeanors in unincorporated areas of King County. The Economic Crime and Wage Theft Division and the Gender Based Violence and Prevention Division are also integral to addressing criminal cases.

The PAO also includes the Civil Division, which is the County's law firm; the Family Support Division, which is an integral part of the federal and state child support system; and the Juvenile Division, which handles juvenile cases.

**Department of Public Defense Overview:** The Department of Public Defense (DPD) provides legal representation to adults and juveniles who have been charged with a crime and cannot afford an attorney, as well as people facing civil commitment, parents who could lose their children in a dependency action, and people seeking to vacate a past felony or misdemeanor conviction. DPD works to address racial disproportionality in the criminal legal system, the collateral consequences of system involvement, and other structural and systemic issues that undermine the rights of clients.

DPD is part of the executive branch and operates as an independent voice that promotes justice and equity for its clients and advocates for their objectives and interests.

---

<sup>15</sup> Other King County legal system agencies (the Department of Adult and Juvenile Detention, King County Sheriff's Office) and social service agencies (Department of Community and Human Services and King County Public Health) are indirectly affected by case backlog but are out of scope for this and subsequent reports.

**King County Superior Court Overview:** King County Superior Court is King County’s general jurisdiction trial court. Under the Washington Constitution and state statutes, Superior Court has responsibility for:

- Felony criminal cases;
- Civil matters involving more than \$300, unlawful detainers, and injunctions;
- Family law, including dissolutions, child support, adoptions, parentage, and domestic-violence protection matters;
- Probate and guardianship matters;
- Juvenile offender cases;
- Juvenile dependencies, including abused and neglected children, children in need of services, at-risk youth, and truancies, and
- Mental illness and involuntary commitment matters.

Superior Court operates locations at the King County Courthouse, Maleng Regional Justice Center, the Involuntary Treatment Act Court, and the Judge Patricia H. Clark Children and Family Justice Center. Superior Court is part of the judicial branch of government. Superior Court judges are elected, and the Court is led by the Superior Court Presiding Judge.

**Department of Judicial Administration Overview:** The Department of Judicial Administration (DJA) is commonly known to the public and the King County Bar Association as the Superior Court Clerk’s Office or the County Clerk’s Office. The department serves as the customer service office of the King County Superior Court and is responsible for:

- Maintaining the official case files, records, and indexes necessary to enable the efficient administration of the Court, indefinitely;
- Facilitating the public’s right to record inspection;
- Managing funds deposited in the registry of the Court;
- Handling all fees, fines, and other monies, and
- Performing the accounting functions related to all funds related to Superior Court cases.

DJA is a unique and purposefully placed department within the County’s organizational structure (King County Charter 350.20.20). The department is administered by the Superior Court Clerk, a Superior Court-appointed judicial branch employee, but the department is an executive branch department and all DJA personnel are executive branch employees.

**King County District Court Overview:** King County District Court is the County’s court of limited jurisdiction. The Court’s legislatively mandated jurisdiction includes:

- Misdemeanor and gross misdemeanor criminal cases;
- Domestic violence, stalking, and anti-harassment protection orders;
- First appearance felony bookings;
- Civil cases (up to \$100,000 per claimant);
- Small claims cases (up to \$10,000);
- Name changes;
- Impound hearings;
- Traffic and other civil infractions;
- Parking cases, and

- Search warrant authorizations.

King County District Court considers the above civil cases for all of King County and addresses infractions and criminal misdemeanors for unincorporated King County. District Court is also contracted by 12 cities to provide infraction and misdemeanor services: Auburn, Beaux Arts, Bellevue, Burien, Carnation, Covington, Duvall, Kenmore, Redmond, Sammamish, Shoreline, and Skykomish. District Court operates courthouses in 10 facilities throughout King County: Auburn, Bellevue, Burien, Issaquah, King County Courthouse (Seattle), King County Jail (Seattle jail calendars only), Redmond, Maleng Regional Justice Center (Kent), Shoreline, and Vashon Island (one day per month).

District Court is part of the judicial branch of government. District Court judges are elected, and the Court is led by the District Court Presiding Judge.

**Context:** The COVID-19 pandemic resulted in unprecedented operational challenges and backlogs in the legal system. King County legal system agencies have utilized temporary federal resources to reduce the number of pending cases in the legal system, reduce pandemic-related delays, and provide access to justice to King County residents, even as the legal system continues to grapple with operational challenges caused directly and indirectly by the pandemic.

Court backlogs result in increased time to case resolution. This has implications for criminal defendants, particularly those awaiting case resolution in custody, and for victims of crime who must wait longer to receive case outcomes. Since many parts of the legal system disproportionately affect Black, Indigenous, and other People of Color (BIPOC) residents, reducing the backlog is consistent with King County's equity and social justice efforts.

Some changes, such as the 2021 Washington State Supreme Court Decision that ruled the state's drug possession law was unconstitutional (*State vs. Blake*) coincided with pandemic related changes and led to significant changes in case volume but were not directly related to COVID-19 or the public health response.

Previous reports submitted to the Council in 2021 and 2022 in response to P4 in Ordinance 19318, and in 2023 in response to this proviso, explained the factors contributing the legal system backlog, challenges and adaptations in each agency as a response to pandemic conditions, background on federal funding, and detailed background information on backlogs by case type, including evictions.<sup>16</sup>

Agencies have made progress on mitigating and reducing backlogs including under very challenging conditions during the health emergency. Operational adaptations included:

- Superior Court civil trials at Meydenbauer Convention Center;
- Proceedings and trials over video;
- Superior Court jury selection over Zoom;
- Implementing facilities changes and new processes with new video equipment, hardware, and software to support remote and socially distanced work and judicial proceedings;
- Hiring and training additional judicial officers, attorneys, and staff;
- Staff working on overlapping cases with little downtime;

---

<sup>16</sup> COVID-19 Legal System Backlog - Report 3 November 2022 [\[LINK\]](#)

- Collaboration with public health experts to implement safety procedures.

As of June 30, 2023, most state and local pandemic restrictions have been lifted and King County COVID case rates have little direct effect on court operations. Most operational changes implemented during the pandemic that remain in place, such as remote jury selection, are expected to continue indefinitely.

The Executive oversees crucial criminal justice facilities like the County jail; the Executive's Office coordinated with all relevant agencies to develop recommendations and plans to address the backlog. However, the State Constitution, the County Charter, and applicable ordinances grant the Executive no authority over criminal legal operations of the courts, the PAO, or DPD.

**Report Methodology:** PSB coordinated with PAO, DPD, Superior Court, DJA, and District Court to compile data on backlog cases and resources expended through June 30, 2024, and to report on status and challenges addressing the backlog. DJA and PAO provided case data and all agencies provided staffing and financial information.

Each of the above agencies provided feedback and reviewed report contents. DAJD provided feedback on information related to DAJD staffing. In addition to the first report required by Ordinance 19546, Section 17, P4 transmitted to Council in May 2023, several required elements of this report were also reported to the Council in 2021 and 2022 over three reports required by P4 in Ordinance 19318.



## Report Requirements

**A. A list of positions supported by Coronavirus State and Local Fiscal Recovery ("CLFR") revenues, identified by job type and the number of vacant positions, for the department of judicial administration, the prosecuting attorney's office, the department of public defense, superior court and district court;**

As of June 30, 2024, DJA, PAO, DPD, District Court, and Superior Court have a total of 61 filled positions and 12 vacancies that are currently funded by Ordinance 19546. The full list of positions can be found in Appendix B. Work to resolve pending cases is handled by both CLFR-funded and General Fund funded positions and the number of positions whose compensation is supported by CLFR is not a direct reflection of resources expended on resolving the backlog.

*Table 1: Summary of CLFR funded Positions*

Agency	March 31, 2023		June 30, 2024	
	Total filled positions	Total vacant positions	Total filled positions	Total vacant positions
District Court	5	0	2	0
DJA	12	11	13	10
DPD	27	0.5	30	2
Superior Court	27	3	16	0
PAO	56	0	N/A	N/A
<b>Total</b>	<b>127</b>	<b>14.5</b>	<b>61</b>	<b>12</b>

Some positions have been vacant for various periods of time. The vacant positions do not necessarily reflect challenges with hiring and recruiting, as some agencies fund base budget positions with CLFR funds, in some cases in special duty roles, rather than designating specific term limited temporary (TLT) positions.

Agencies employ differing strategies in type and funding structure for these staff. Positions include TLT positions, full time equivalent (FTE) positions, and FTE positions on special duty. As CLFR funding ends, some CLFR FTE positions continue to be funded by the General Fund, while some current temporary positions funded by the General Fund end.

Some positions have been filled intermittently, as agencies have experienced challenges with retention and employees hired in temporary positions have transitioned to permanent positions. Agencies are also hiring for regular vacant positions open through normal attrition and those currently employed in CLFR TLT positions are typically competitive for FTE openings.

PAO had spent all CLFR funding as of June 30, 2024 and there were no positions billed to CLFR at that time.

DPD, in hopes of attracting more and better qualified candidates and ensuring a more stable workforce, has largely ceased hiring attorneys into TLT positions, filling vacant career service positions instead. DPD

continues to face significant recruiting difficulties, resulting in severe staffing challenges, particularly in the area of experienced attorneys able to handle complex felony caseloads.

DPD CLFR-funded FTEs are in the base budget and will revert to General Fund when CLFR funds end.

**B. The amount of 2023-2024 biennial CLFR appropriation for district court, the department of judicial administration, the prosecuting attorney’s office, the department of public defense, superior court and district court that has been expended as of June 30, 2023, as well as the total CLFR appropriations and expenditures to date;**

King County criminal legal agencies spent a total of \$20.6 million in CLFR funds through June 30, 2024, of the \$23.2 million appropriated in the 2023-2024 budget. Total legal system CLFR funds spent through June 30, 2023, is \$ 52.4 million. All \$54.8 million of CLFR funding is expected to be spent by the end of 2024 and additional CLFR funds are not expected to be allocated in 2025.

*Table 2: CLFR appropriation expended as of June 30, 2024<sup>17</sup>*

	<b>2023-2024 Revised Biennial Appropriation<sup>18</sup></b>	<b>2023-2024 Appropriation Expended as of June 30, 2024</b>	<b>Total CLFR allocated<sup>19</sup></b>	<b>Total CLFR Expended as of June 30, 2024</b>
District Court <sup>20</sup>	820,000	823,000	3,657,000	3,660,000
DJA	2,571,000	2,044,000	4,852,000	4,325,000
PAO	6,847,000	7,043,000	14,644,000	14,840,000
DPD	6,265,000	5,460,000	16,632,000	15,827,000
Superior Court	7,296,000	5,276,000	15,765,000	13,744,000
<b>Total</b>	<b>23,179,000</b>	<b>20,645,000</b>	<b>54,929,000</b>	<b>52,395,000</b>

**C. The anticipated date by which the backlog of cases will be addressed assuming various funding scenarios for 2025-2026;**

*Note: King County Council will adopt an annual budget for 2025, rather than a biennial budget. The below section assumes various funding scenarios for the 2025 budget only.*

Pandemic-related legal system backlog is defined as excess pending cases above pre-pandemic levels affecting PAO, DPD, DJA, Superior Court, and District Court operations.<sup>21</sup>

<sup>17</sup> Expended amounts in the table are based on monthly totals as of June 30, 2024 and reflect adjustments since the previous report was submitted to council.

<sup>18</sup> Includes supplemental changes.

<sup>19</sup> Unspent 2021-2022 CLFR funds were reappropriated in 2023-2024, so adding total appropriated amount from multiple budgets overstates the total amount of CLFR funding allocated.

<sup>20</sup> Amounts reflect Q3 actuals and will be adjusted to appropriated amount.

<sup>21</sup> This definition is used for the purposes of this and subsequent reports, specifically in the context of the COVID-19 pandemic. Legal agencies use the term “backlog” in different ways.

Each agency's workload is driven by responsibilities for different case types and stages in the legal system. For the purposes of tracking progress towards resolving current pending cases and avoiding delays in resolving new cases, this report provides measures of pending case volume (both filed cases and unfiled criminal cases referred to the PAO) and volume of resolutions. The backlog measures assess the rate at which current legal system operations are resolving cases and whether there are changes in total backlog volume. Superior Court backlog is compared to a 2019 reference period of pre-pandemic volume.

**District Court Backlog:** The District Court filed backlog is fully resolved as of Q1 2023.

**Superior Court Backlog:** Pandemic-related felony backlog is defined as pending caseloads above 2019 volume. Individual cases are not designated backlog or non-backlog based on the age of the case. Even under pre-pandemic conditions, the time to resolution was highly variable. Backlog is influenced by various factors, including new incoming cases.

Substantial progress was made in reducing the backlog between Q1 2023, when the previous report<sup>22</sup> was submitted to Council, and Q2 2024. The PAO reports unfiled pending felony case volume is similar to pre-pandemic levels in Q2 2024. Much of the filed backlog reduction has been in the most serious case types, even though these cases take substantially longer to resolve than other case types. Agencies have prioritized allocating resources to these case types.

While the rate and direction of change in the volume of pending felony cases is related to funding and resource allocation, it is also influenced by operational changes, policy decisions, and factors outside the control of County agencies. This includes prioritization decisions by individual agencies on how limited resources are allocated within their organizations, changes in filing decisions, law enforcement staffing, and underlying crime rates.

The discussion and graph below provide projections of filed felony backlogs assuming all factors influencing the rate of decline, including funding, stay constant. Resources allocated to case processing will likely be smaller in 2025 and beyond, as federal CLFR funding will end and General Fund base budgets will likely decrease due to General Fund financial challenges.

#### Projections if resources and other factors stay constant:

If the rate of decline in pending cases remains similar to the past year, pending cases could return to pre-pandemic levels in about two years (see blue line in the chart below).

Using different assumptions regarding the past rate of change (yellow and orange lines below), the projected time to eliminate the filed felony backlog is longer.

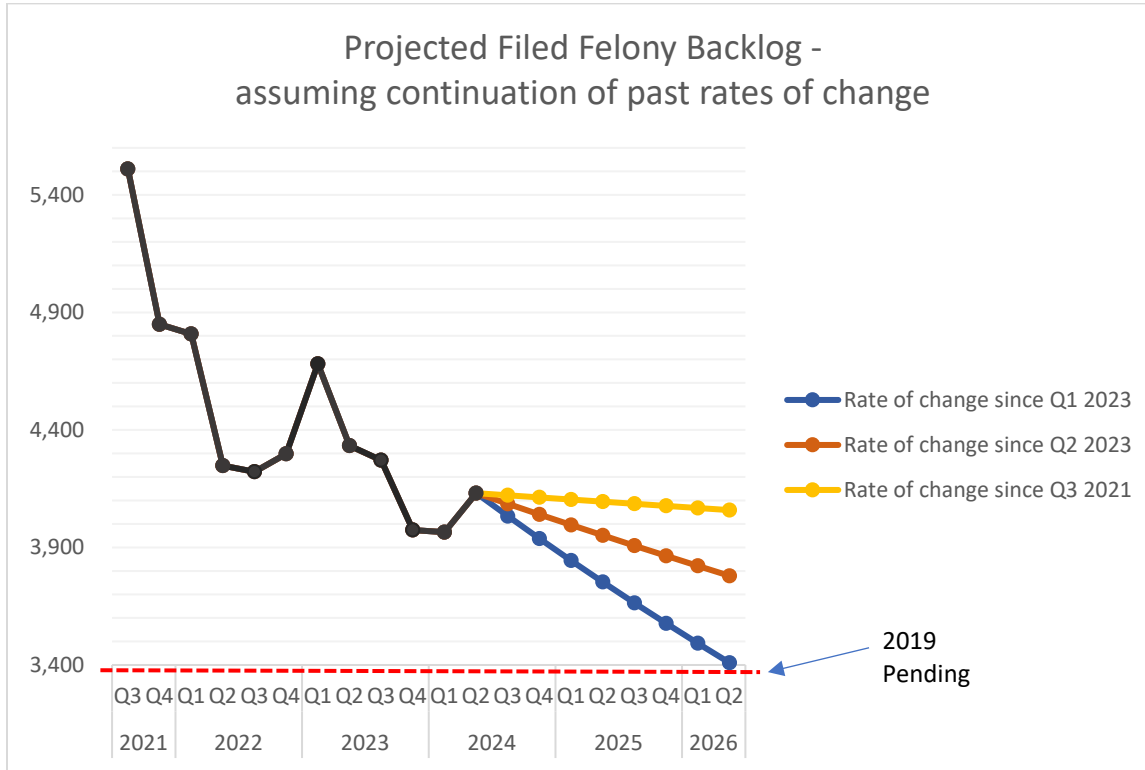
Those projections assume no major changes in the number of cases referred by law enforcement (either due to underlying changes in criminal activity or in law enforcement staffing or practices) or major policy or operational changes. It also assumes resources remain constant. Even ahead of the expiration of CLFR resources at the end of 2024, some agencies have ramped down CLFR funded positions in anticipation of

---

<sup>22</sup> 2023-RPT0051, PSB - COVID-19 Legal System Backlog: 2023-2024 Report - Ordinance 19546 [[LINK](#)]

the end of funding. For example, PAO is no longer filling CLFR TLT positions. Most agencies reduced base budgets in the 23-24 budget in response the General Fund constraints.

Figure 1: Projected filed felony backlog assuming continuation of past rates of change



Source: DJA and PSB Analysis

Discussion of possible funding changes:

All agencies report they will spend all CLRF funding in 2024 and the Executive does not plan to propose additional CLFR funds for legal system agencies in the 2025 proposed budget.

Most costs in the King County legal system are paid by the General Fund, so maintaining the current level of resources allocated to case processing would require additional General Fund spending.

The General Fund faces a shortfall caused by state law that prevents property tax from keeping up with inflation. Revenue constraints in the General Fund required budget reductions in most legal system agencies in 2024 and additional reductions are likely in the 2025 proposed budget. The Executive requested agencies submit reductions totaling \$10 million from District Court, DJA, Superior Court, and PAO.<sup>23</sup> These agencies' General Fund budgets were reduced by \$5.2 million (annualized) in Ordinance 19791 in 2024. Agencies submitted 2025 agency proposed budgets to the Executive on June 28, 2024. As of June 30, 2024, the 2025 Executive Proposed budget was in development. In addition to reduction

<sup>23</sup> Reductions were not made in the DPD General Fund budget as their costs are largely driven by staffing costs determined by legally required caseload standards.

proposals and proposals for new resources, agencies made requests for ongoing General Fund funding of some resources funded by CLFR in the 2023-2024 budget.

The Executive will make decisions on the 2025 proposed budget given up-to-date financial picture in summer 2024 and transmit the 2025 budget to Council on September 23, 2024. The Executive's goal is to minimize General Fund budget cuts. Full target reductions may not be necessary. However continuing CLFR funded resources with General Fund money will be extremely constrained by the General Fund financial situation.

If there are no changes in General Fund resources allocated to case processing in 2025, pending felony cases may increase as staff are reduced, though patterns depend on various factors, including agency resource prioritization. Pending cases might also continue to decline, but at a slower rate.

#### **D. The identification and discussion of barriers or system challenges to addressing the backlog;**

Challenges and barriers to address the backlog are interrelated, with key categories identified are:

- staffing and scheduling challenges;
- continued direct and indirect impacts of the pandemic;
- the difficulties posed by the need to address backlogged felony cases, including higher levels of serious violent crime compared to pre-pandemic;<sup>24</sup>
- challenges to addressing eviction cases, and
- factors that facilitated pending felony case reductions in 2021.

Much of the below information was included in previous reports to the Council in response to Ordinance 19318 Proviso P4 and in the first installment of this proviso report, which included information through Q1 2023. Additional issues and updated explanations are included.

##### **Staffing and scheduling challenges**

All agencies report continued challenges with recruiting and retaining qualified applicants, particularly for temporary positions, though these challenges have lessened somewhat since the last report was submitted to Council in spring 2023. Agencies cite overall labor market conditions, along with employee concerns related to in-person work in the Seattle downtown core, employee burnout due to working during the pandemic, and short timeframe of temporary positions. Limited staff in any agency can lead to challenges with scheduling court activity, ultimately slowing down case resolution.

- **Labor market constraints:** Agencies report recruiting and retention constraints for support staff and clerical positions has eased somewhat compared to early 2023. DPD reports hiring and retaining attorneys remains challenging as they are competing with private sector positions that offer higher pay and more remote work options. This is consistent with labor market conditions for public defenders state-wide, which remain challenging. PAO reports relatively little external recruitment, as individuals in CLFR funded TLT positions have moved into vacant FTEs. DJA and

---

<sup>24</sup> There is no comprehensive tracking of all crime in King County. The PAO's Shots Fired reports [\[LINK\]](#) and the Seattle Police Department's Dashboard [\[LINK\]](#) provide indicators of increased serious crime.

Superior Court report larger applicant pools but continued requests for transfers from the downtown courthouse location to the Maleng Regional Justice Center (MRJC) in Kent.

- **Challenges specific to hiring temporary positions:** Increasingly shorter time frames for TLT positions exacerbate hiring challenges. CLFR TLTs are competitive applicants for FTE openings, so turnover among TLT positions is high. Some agencies are generally not filling vacated TLT positions, given the short time frame of remaining funding. PAO has expended all CLFR funds and no longer has CLFR-funded positions.
- **Employee Impacts:** Agencies report stress and anxiety of staff, as well as morale issues as a contributor to recruitment and retention issues. For example, as of June 2024, DJA employees continue to request transfers to the MRJC from the downtown courthouse. DJA reports that employees have cited their perception of unsafe conditions in downtown Seattle near and around the Courthouse and the elimination of free parking. A PAO employee survey in 2021 found roughly 90 percent of 220 employees surveyed felt unsafe in and around the Seattle Courthouse, which may have contributed to hiring and retention challenges. While the survey has not been repeated more recently, PAO reports human resources staff continue to hear reports of safety concerns. Recent events reported by PAO include suspicious mail received at the downtown courthouse and increased online attacks of PAO attorneys. New staff have quit or transferred to locations outside downtown Seattle or another job where telecommuting is more available. PAO and DPD note employees are experiencing secondary trauma and increased burnout.
- **Training requirements:** When employees are hired, they often require training and experience to reach full capacity. Recruitment, hiring, and training also requires existing staff time. PAO notes it is challenging to balance the needs of court coverage with training needs, especially training for newer attorneys so they are sufficiently prepared to handle felony cases.
- **Qualified and experienced attorneys for serious felony cases:** A primary constraint to addressing serious criminal cases is a shortage of experienced attorneys, particularly experienced trial attorneys. Prior to June 2024, state court rules dictated specific experience requirements for public defense attorneys working on Class A, some Class B, and some sex offense cases.<sup>25</sup> The recent pandemic-related pauses in trials (both locally and nationally) resulted in a labor pool with relatively limited trial experience. As of June 2024, DPD has adopted updated qualification guidelines as required by the Washington State Bar Association and by order of the State Supreme Court.<sup>26</sup> These guidelines are more nuanced than the previous qualification requirements and allow more flexibility in case assignments for some case types. While DPD expects the new standards to alleviate some of the constraints related to the shortage of qualified attorneys, it does not change current case assignments and initial effects of implementing the change will be minimal.

While there are not specific policies or legal requirements regarding qualifications for prosecutors, the PAO assigns more experienced attorneys to serious and complex cases. PAO

---

<sup>25</sup> Washington State Standards for Indigent Defense CrR 3.1 [\[LINK\]](#).

<sup>26</sup> The State Supreme Court issued order No. 25700-A-1579 on June 7, 2024 suspending Standard 14 of CrR 3.1 and CrRLJ 3.1 for one year. [\[LINK\]](#)

reports that more than half of senior level criminal attorneys have left the agency since January 2020. Homicide and other serious cases are more likely to go to trial, require substantially more resources, and have made up a larger share of trials than other case types. Other efforts to speed up time to resolution of cases may increase workload and stress for attorneys, leading to attrition.

Hiring additional judicial officers or other staff will not alleviate bottlenecks in case processing if there are not enough qualified attorneys. In addition, staffing changes on a case can cause case delays as new attorneys review the file and determine strategy. This can result in defendants remaining in custody longer. Lack of experienced attorneys may also be a barrier to successful plea negotiations.

Retaining experienced attorneys continues to be a challenge. Many experienced attorneys left PAO during the pandemic, complicating staffing of serious cases. DPD notes that attorneys are carrying many open cases, and the workload is contributing to low morale. There is little downtime between trials for PAO, DPD, and court staff working on Superior Court criminal and civil trials, which contributes to burnout. While the PAO reports relatively little external recruitment due to reduction in positions based on expiring CLFR funds, the experience level of staff remains substantially lower than pre-pandemic.

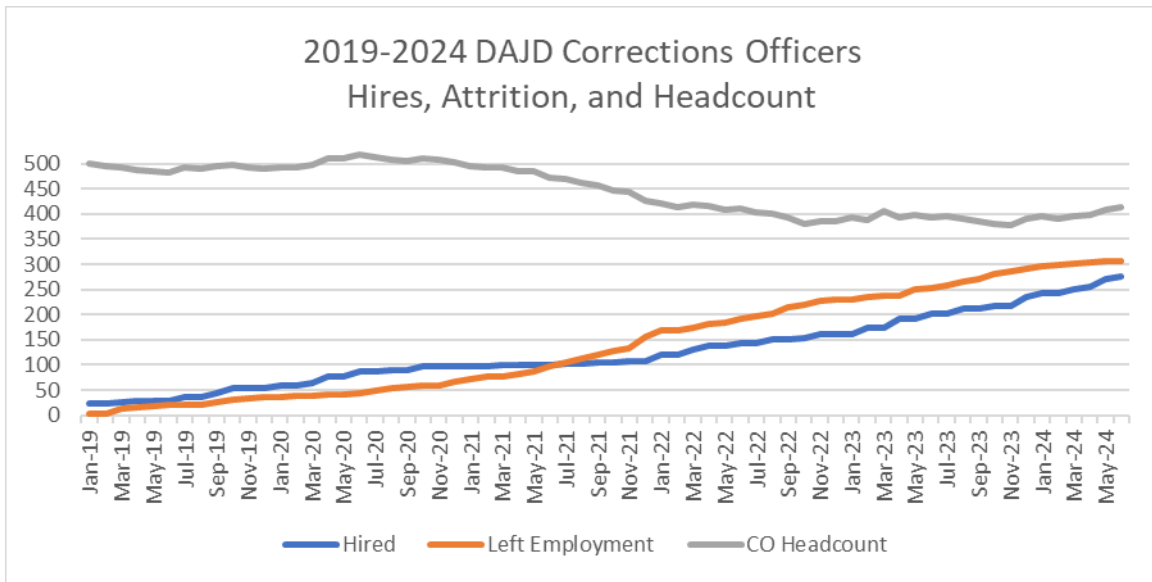
- **Department of Adult and Juvenile Detention Vacancies:** DAJD has experienced high numbers of vacancies, and staffing challenges in the detention facilities have the potential to affect court operations and to slow case resolution. DAJD personnel are needed to transport defendants to court and to facilitate attorney visitation. DAJD is experiencing staff shortages across operations and must make daily decisions about how best to staff all posts, including court detail and visitation.<sup>27</sup> The chart below shows DAJD Corrections Officer hiring, attrition, and headcount. Despite the national shortage of corrections officers,<sup>28</sup> DAJD has maintained staffing levels since Q4 2022.

---

<sup>27</sup> Information from the Department of Adult and Juvenile Detention (DAJD).

<sup>28</sup> National corrections officer shortages in federal and state prisons, as well as local jails are widely documented. For example: [\[LINK\]](#), [\[LINK\]](#), [\[LINK\]](#).

Figure 2: DAJD Corrections Officer Staffing



Source: DAJD

DAJD notes that cities have requested changes to the booking restrictions implemented during the pandemic, which if implemented, could result in increased bookings for misdemeanor cases and warrant violations. Increased bookings and population at the jails would exacerbate existing staffing challenges.

- Interpreter availability:** Most interpreters who provide services for Superior Court criminal cases are hourly contractors. The increased number of trials, a competitive market for interpreters, and interpreter reluctance to come to the courthouse due to health and safety concerns have made scheduling trials requiring interpreters more challenging. DPD also indicates that attorneys have had difficulty locating interpreters to accompany them to the jail to review discovery or explain plea paperwork. Zoom interpretation has not been effective in working with incarcerated clients and has slowed down hearings and hearing preparation. The 2023-2024 Biennial Budget includes funding to increase contract interpreter pay rates. DPD used 2023-2024 CLFR funding to fund dedicated interpreters. DPD has identified this as an ongoing need and converted an existing permanent position to a career service Spanish interpreter, in addition to the CLFR-funded TLT. Interpreters contracted through Superior Court have had fewer client meetings (from an average of 32 meetings a month in 2021 to an average of 12 a month in 2023), likely due to the availability of DPD’s interpreters. Superior Court contracted interpreters continue to handle all interpretation in court.

### Challenges to felony case processing

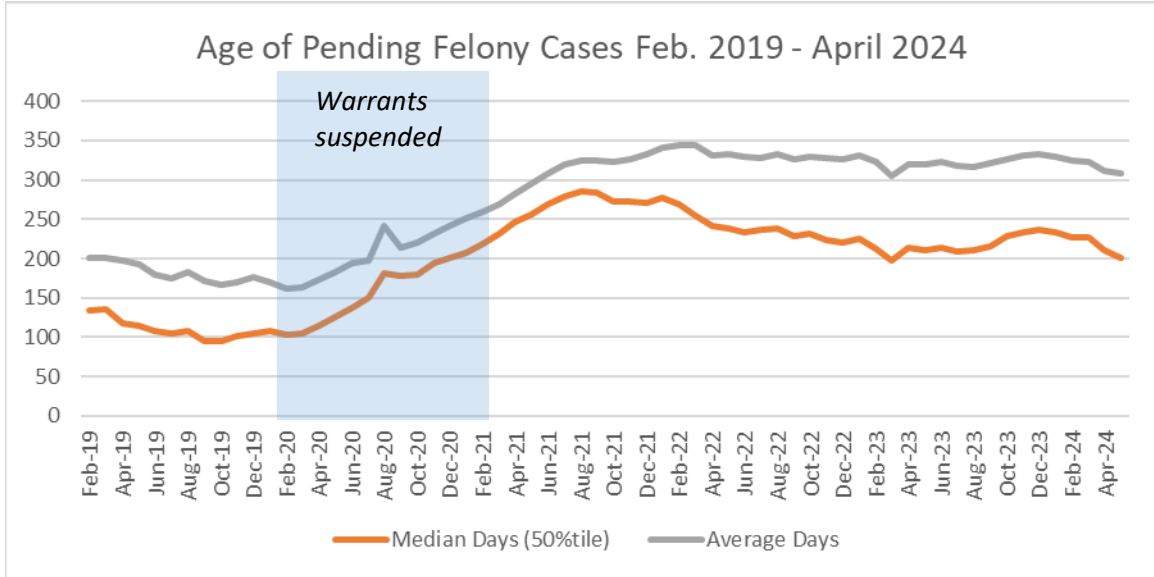
The median age of pending felony cases remains longer than in 2019 though median age of caseload has decreased in the last year.<sup>29</sup> DJA reports of pending case age does not include time on failure to appear (FTA) warrant status, which complicates historical comparison due to pandemic restrictions on warrants

<sup>29</sup> Average time to resolution was affected by dismissals of Blake cases in 2021.



from March 20, 2020 to February 19, 2021.<sup>30</sup> PAO does include this time in their reports of age to disposition. DJA age of pending cases also excludes competency cases, which are time consuming for both DPD and Superior Court. Graphs of both DJA and PAO data are included below.

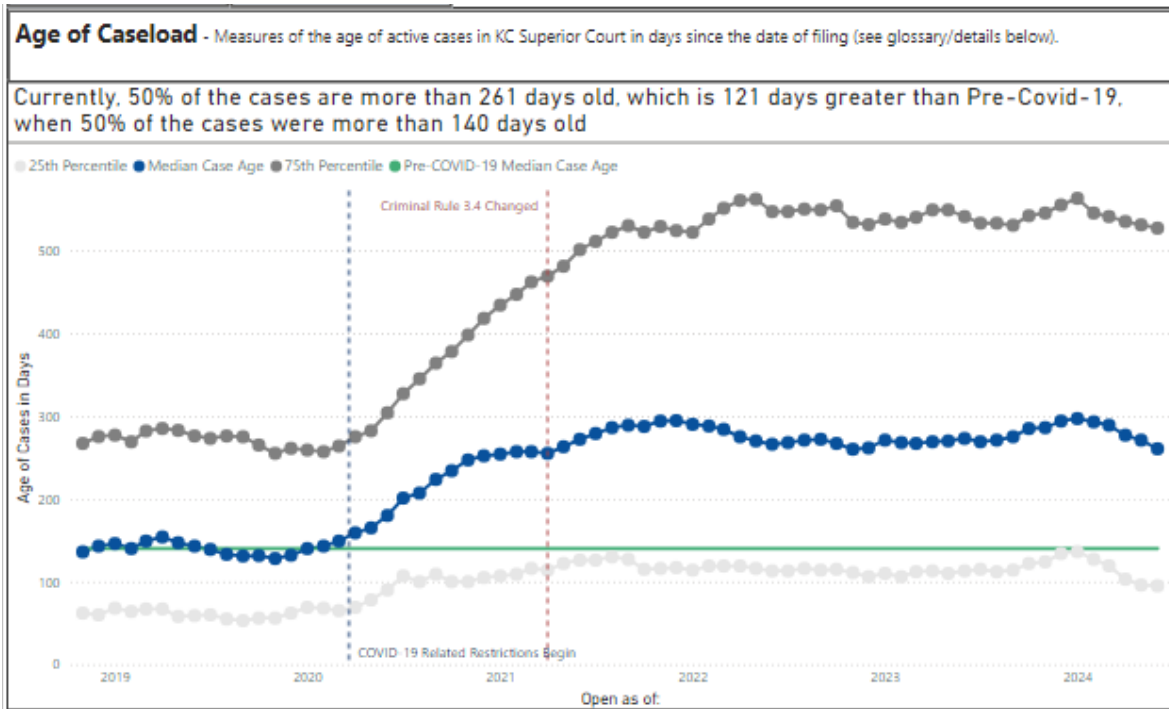
Figure 3: Age of pending felony cases, days (DJA)



Source: DJA

<sup>30</sup> Washington State Supreme Court Order No. 25700-B607 [\[LINK\]](#) and Washington State Supreme Court Order No. 25700-B658 [\[LINK\]](#).

Figure 4: Age of pending felony cases, days (PAO)



Source: PAO

Note that while the backlog and increased time to resolution presents operational challenges to all legal system agencies, DPD does not consider longer time to resolution detrimental to the goals of serving their clients. DPD notes the higher rate of dismissals compared to 2019 (see [Figure 10: Felony case resolutions](#)) could indicate that system is working as it should: there are fewer negative consequences for out of custody defendants to wait the time needed to investigate their cases, resulting in dismissals in cases without sufficient evidence for a guilty verdict in a trial.

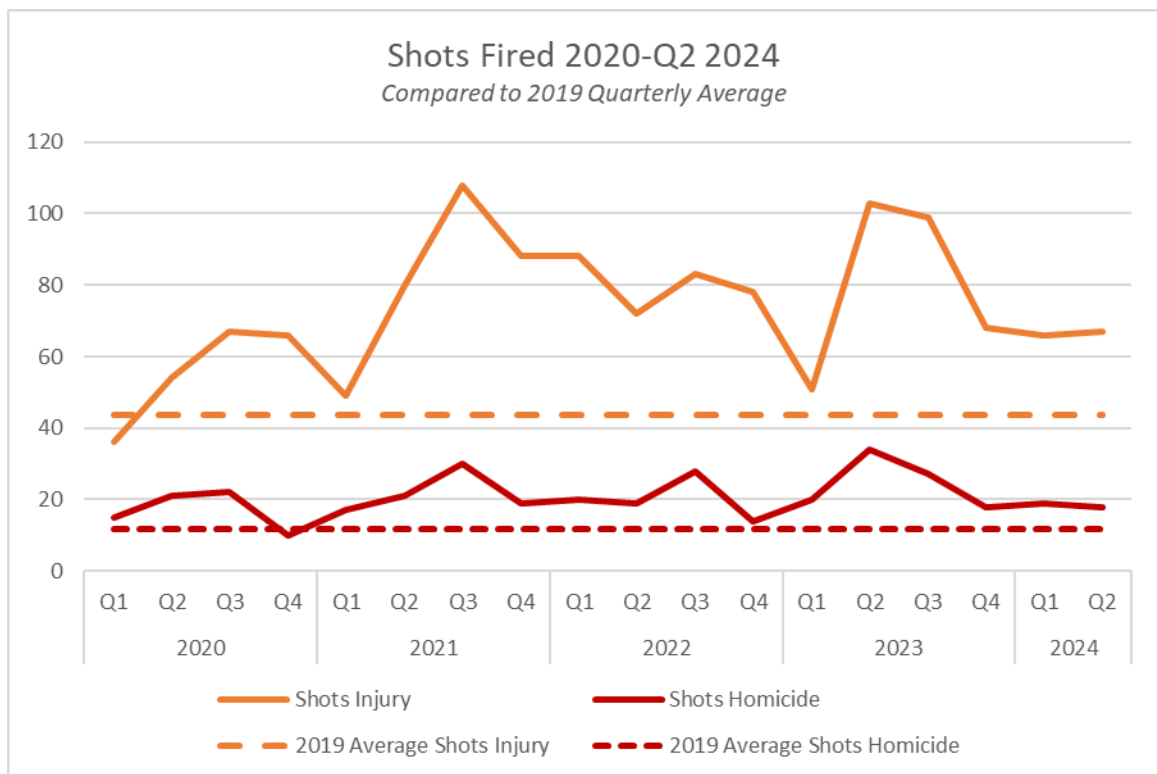
The factors described below are cited by one or more agency as challenges and barriers to addressing the felony criminal backlog.

- **Challenges addressing the most serious felony cases:** As explained above, the number and experience level of attorneys who work on the most serious cases is a key challenge to resolving the felony backlog. Other factors that slow time to resolution of the most serious cases compared to other felonies include:
  - Cases are more likely to go to trial, or resolve at a later stage
  - Cases are likely to have extensive forensic evidence and require lengthy preparation
  - Cases may be assigned to attorneys who carry heavy trial calendars and are already in trial, which complicates and delays scheduling
- **Prioritization of trials leads to limited capacity for newer cases:** DPD reports the need to staff cases going to trial reduces resources available to address new cases, potentially slowing resolution.

- **Remote jury selection is more time intensive:** While there are numerous advantages of remote jury selection, it takes longer than in person selection and slows the pace of trials (two to three days versus one to two days for in person selection).<sup>31</sup>
- **Workload related to serious violent crime:** While total felony filings are lower than pre-pandemic volume, largely due to changes in drug laws and in law enforcement staffing and practices, indicators suggest serious violent crime and workload related to violent crime is higher than pre-pandemic as of Q2 2024.

The PAO’s Crime Strategies Unit reports on gunshots throughout the County. Gun homicides were up in 2023 compared to 2022 and the number of gun injuries remained flat. Data through Q2 2024 suggests a decline in gunshot homicides and injuries in 2024, though levels remain higher than 2019.

Figure 5: Gun-related injuries and homicides



Source: PAO Crime Strategies Unit<sup>32</sup>

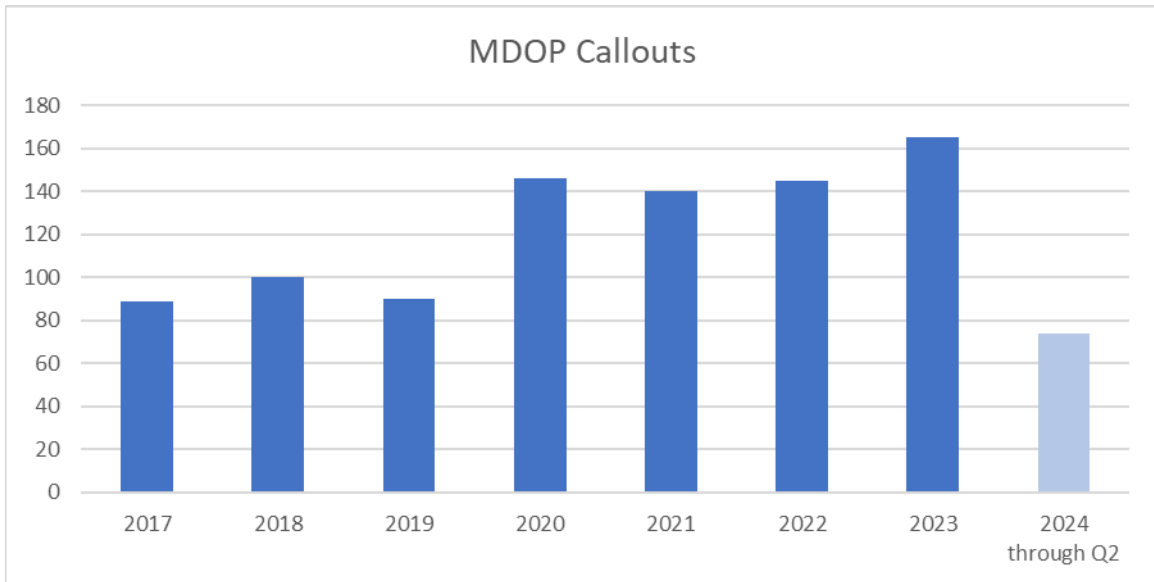
Violent crime, even when it does not result in arrest or criminal filing, creates additional workload for Senior Deputies in the PAO. The PAO’s Most Dangerous Offender Project (MDOP) team is comprised of Senior Deputies who are available seven days a week, 24 hours a day, to respond to every homicide scene in King County. The responding deputy works as part of an investigation team, which includes the detectives, the medical examiner, and forensic scientists.

<sup>31</sup> This process was described in detail in a previous proviso response Appendix A: COVID-19 Legal System Backlog - Report 3 November 2022 [\[LINK\]](#)

<sup>32</sup> PAO Gun Violence Data Reports [\[LINK\]](#)

The deputy responding to the homicide scene assumes immediate responsibility for the prosecution -- preparing search warrants, coordinating the efforts of law enforcement and forensic scientists, and offering legal advice to investigators. This deputy's responsibility includes the charging decision and extends to all subsequent legal proceedings from arraignment through trial to sentencing.<sup>33</sup> MDOP callouts increased sharply in 2020 and have remained much higher than pre-pandemic volume (see Figure 6 below).

Figure 6: Most Dangerous Offender Project Call Outs



Source: PAO

The number of search warrants requested and issued has also increased, which represents additional workload for PAO, DJA, and the Courts. The PAO's Special Operations Unit processed 234 search warrants in 2017 and 816 warrants in 2023. The increase occurred despite measures implemented by the Special Operations Unit to limit the number of warrants reviewed due to capacity constraints. Other aspects of Special Operations work, such as Investigative Court Orders, have increased as well (166 in 2016 and 561 in 2023).<sup>34</sup>

- Increased workload due to changes in evidence:** While not related to the pandemic, the review of technology-related evidence (hours of body worn camera, security, ring cam and cell phone video) has increased in recent years and creates additional workload. Investigative Court Orders such as GPS and cellphone orders have more than doubled since 2017.<sup>35</sup> Implementation of body worn cameras in the King County Sheriff's Office beginning in 2023 contributes to this increased workload.
- Factors that increased resolutions in 2021 no longer present:** Progress on felony backlog reduction was faster in 2021 due to substantial number of case dismissals related to the Blake

<sup>33</sup> DPD is required to employ this resource intensive "vertical" model of representation in all cases.

<sup>34</sup> Data from PAO.

<sup>35</sup> Data on investigative court orders from PAO Special Operations Unit. 245 orders in 2017 and 529 in 2021.

decision, cases going on FTA warrant status after pandemic warrant restrictions were lifted, and pandemic-related practices to dismiss cases. New drug possession cases are no longer filed into Superior Court, which reduces incoming cases.

- **Competency evaluation delays:** Delays in competency evaluation and availability of restoration beds also contribute to backlogs. These delays increase the number of people in the jail and contribute to increased resources needed to staff the jails. Additionally, competency may be raised at arraignment and competency returns are heard on this calendar, which can slow down arraignment calendars and further reduce the number of cases heard. A competency return calendar has recently been created to help mitigate arraignment calendar congestion.
- **Longer trials:** According to PAO data, average days per trial in 2019 was 8.8 days. In 2022, it was 12 days and in 2023 it was 11.9 days. Agencies attribute this increased time primarily due to trials of most serious cases making up a larger percentage of total trials. These trials take longer to resolve.<sup>36</sup>
- **Increases in Civil Cases:** Both Superior and District Court civil case workload has increased substantially compared to 2019. This includes challenges described below related to eviction cases, as well as changes to the Protection Order Process and increases in other civil case types. Involuntary Treatment Act Court continues to be a particular challenge. Civil case workload may influence criminal backlogs, particularly when CLFR resources expire.
- **Possible future increased law enforcement resources:** PAO expects the recent increase in training slots for Washington’s Police Academy could lead to increased referrals from law enforcement in the future.<sup>37</sup> PAO reports that referral patterns from law enforcement does not match crime reports for some crime categories, including car thefts, where reports, but not referrals, spiked in 2021. While statewide and in King County car theft reports have declined in 2024, they remain above historical averages.<sup>38</sup>
- **Mitigation: PAO policy and process changes:** PAO has implemented process and policy changes to reduce court backlog and mitigate challenges related to staffing serious cases. To resolve more cases and provide trial experience for newer attorneys, the office has prioritized trying all cases that are ready for trial, not just the most serious cases requiring the most seasoned attorneys. This provides trial experience for newer attorneys, offers some respite periods for those in back-to-back serious cases, and encourages resolutions on those cases languishing in pre-trial status. In situations where a defendant has multiple pending cases, PAO is encouraging

---

<sup>36</sup> PAO data shows length of trials for specific case types increased only slightly. For example, sexual assault and child abuse cases took an average of 11.8 days in court in 2019 and 12.3 days in 2022. Forty-eight percent of resolved trials in 2022 were of the most serious case types, while 56 percent were most serious case types in Q1 2023 and even higher proportions in 2022.

<sup>37</sup> As reported by the Washington State Police Academy to PAO at the King County Police Chief Meetings. The Washington State Criminal Justice Training Commission (WSCJTC) reports opening two regional Academies in 2023 and 2024. Currently more recruits are trained annually than prior to the pandemic, though WSCJTC estimates 700 state wide vacancies as of August 2024. (Correspondence with WSCJTC).

<sup>38</sup>Puget Sound Auto Theft Task Force [[LINK](#)]; PAO Dashboard [[LINK](#)].

attorneys to move forward on whichever case is ready, which is a departure from past practice of prioritizing the more serious cases and should move some cases to resolution more quickly.

- **Anticipated change: DPD Caseload standards changes:** In March of 2024 the Washington State Bar Association adopted new standards for Indigent Defense Services that will replace the current DPD caseload standards in a phased in process starting in mid-2025. The new standards have significant implications for staffing and case processing that may affect the number of pending felony cases. The Prosecuting Attorney has communicated significant concern regarding the effect of the new caseload standards given current budget considerations, challenges with staffing, and the lack of similar standards for PAO attorneys. However, the new standards are not expected to have an immediate impact on the pandemic-related backlog and discussion of broader effects on the court system is beyond the scope of this report.
- **Resolved: Physical infrastructure limitations in arraignment courtroom:** Previous reports noted the delays caused by space configuration at the arraignment courtroom. As of June 30, 2024, these challenges have been resolved and cases awaiting arraignment have declined steeply.
- **Resolved: Jail transport to court:** Challenges with transporting in-custody defendants to court have largely been resolved through process changes.
- **Changes in appearance requirements:** Changes in Criminal Rule (CrR) 3.4<sup>39</sup> implemented in February 2021 changed the requirements for appearing in person for court hearings and the consequences for failure to appear. King County Superior Court implements this rule in a way that generally does not require a defendant to appear in person between arraignment and trial. This rule change allows people accused of crimes who are out of custody to travel to court less often, reduces the risk of job loss due to frequent work absences to attend court, reduces the risk of failures to appear because of unavailability of time off, childcare, etc., and reduces crowding in the courthouse.

While all parties agree that the change provides benefits by preventing repeated court appearances that are disruptive to defendants’ lives, there is no consensus among agencies on the effects of this rule change as it relates to case resolution times and other impacts that may affect the volume of pending cases. The rule change means Failure to Appear (FTA) warrant patterns have likely changed, as defendants are no longer required to appear in Court in person between arraignment and trial. Detailed data analysis to establish connections between CrR 3.4 and changes in guilty plea rates, warrants, case resolution times, workloads, and dismissal rates has not been completed. It is beyond the scope of this report to provide quantitative analysis or comprehensive research to determine the extent of CrR 3.4’s effect on these variables.

---

<sup>39</sup> Washington State Court Rules [[LINK](#)].

## Challenges and barriers to addressing eviction cases

As eviction moratoriums have lifted, a significant increase in numbers of unlawful detainer (eviction) cases have been filed in Superior Court. The total number of filings has exceeded pre-pandemic levels as of June 30, 2024. Superior Court and DJA report the following challenges in addressing eviction cases:

- **Commissioners for unlawful detainers:** Per the State Constitution,<sup>40</sup> the Court is only permitted three Constitutional Commissioners who can hear unlawful detainer matters. While judges may hear unlawful detainer cases, the number of judges assigned to criminal matters has increased in response to the criminal backlog, leaving the remaining judges needed to hear family law matters, child welfare matters, involuntary treatment act matters, and other civil matters, so as not to negatively impact pending caseloads in those areas. Legislative changes in protection order and UGA cases have resulted in the need for additional court time. In addition, filings of protection orders have increased. The three Constitutional Commissioners must also hear the increased number of other types of filings and incorporate changes in legislation regarding those kinds of cases.
- **Additional procedural steps required by SB 5160:** SB 5160<sup>41</sup> established a right to counsel and corresponding duty of the Court to appoint counsel to indigent litigants in eviction proceedings. In such cases, courts are expected to advise the tenant of their right to appointed counsel if they are indigent, and inquire whether the tenant wishes to be screened for indigency and have counsel appointed. HB 1236 established just-cause eviction requirements such that housing providers must provide a reason to terminate a tenancy under specific timeframes. The additional procedural steps inherently extend the time necessarily to fairly administer proceedings.
- **Court of Appeals Division II Case Princeton Property Management vs. Allen, Case 58183-3-II:** Recent Court of Appeals Case that affects settlement agreements in Unlawful Detainer cases. It is anticipated this will result in more filings.
- **Sunset of Washington State Eviction Resolution Pilot Program (RCW 59.18.660):** On July 1, 2023, the Washington State Eviction Resolution Pilot program ended. The program established a pre-requisite for ADR to be completed before filing eviction proceedings. With ADR no longer a requirement, unlawful detainer filings have increased.
- **Language and other barriers for litigants:** Most plaintiffs are represented by experienced attorneys, while most respondents are, at least initially, unrepresented. Although they are given notice of available resources in the Summons for Unlawful Detainer, many litigants fail to access services until their hearing. The Court does not have adequate staff resources to provide plain language procedural and substantive legal information for all parties at various stages of their cases (in a variety of languages). Most materials are in English and may not be accessible to litigants with limited English proficiency. Moreover, remote hearings create an inherent barrier to access for litigants who are not “technology literate,” thereby exacerbating delay and

---

<sup>40</sup> Section 33 of Washington State Constitution [\[LINK\]](#).

<sup>41</sup> Engrossed Second Substitute Senate Bill 5160 [\[LINK\]](#).

potentially creating the need for additional court events. However, remote hearings can also make hearings more accessible for whom traveling to Seattle or Kent would be a burden.

- **Insufficient staffing on unlawful detainer cases:** Best practices recommend courts utilize case management to prescreen each case file for issues such as: whether there has been adequate service or an answer on file, whether a continuance has been requested, or whether there has been an action between the parties filed in a different county. The Court is unable to conduct this type of intensive review without staff support to research and prepare necessary materials. Many times, judicial officers must review materials during the hearing, which results in delay and limits the number of cases that can be heard on each docket. In addition, there are staffing issues related to insufficient support for the additional tasks associated with conducting remote hearings, and staffing needs have only increased with the return of in-person matters coupled with continuation of virtual proceedings.
- **Space constraints:** The Court is currently experiencing higher numbers of hearings calendared at the MRJC than the Seattle Courthouse due to Seattle's lengthier moratorium on evictions. Physical space limitations at the MRJC facility create operational challenges to addressing this higher volume of hearings.
- **DJA staff constraints:** DJA has many touchpoints with unlawful detainers, including docketing, receipting, calendaring, and Ex Parte via the Clerk (EPVC) submissions. Increased cases have strained capacity.

#### Current and anticipated funding constraints

As noted above in section C, CLFR funds will be fully spent at the end of 2024. As of June 30, 2024, some agencies have already completely spent these federal resources. Agencies are generally managing the use of General Fund and CLFR to avoid a sharp drop off in the number of overall positions working on case processing, but between CLFR ending and General Fund budget constraints, the overall resources available for case processing will likely decline in 2025.

As of June 30, 2024, the 2025 budget is in development. Projecting the specific extent of reduced resources depends both on Executive and County Council budget decisions and on the allocation of resources within agencies once overall 2025 budgets are determined. It is beyond the scope of this report to speculate on specific impacts given the timing of reporting and the numerous variables that affect the volume of pending cases. Overall, fewer financial resources are expected to result in slower case processing, which will negatively affect progress to return to 2019 pending case levels.

#### Continued effect of the pandemic on operations

As of June 30, 2024, the remaining direct impacts of the pandemic are either resolved or are expected to remain a permanent part of court operations. Both Superior and District Court expect to continue utilizing hybrid remote and in-person services. Operational changes have increased access to the courts and enabled operational innovation in allocating resources, including remote jury selection. While there is not comprehensive pre-pandemic data to compare, Superior Court notes that juries appear to be more demographically diverse compared to pre-pandemic juries. Providing hybrid services allows for better services for King County residents but can also require more resources for County agencies to maintain both in-person and remote access.



If resources constraints reduce capabilities to operate hybrid or video operations, case processing would be negatively affected.

**E. For superior court cases the report should also include the following data for the reporting period, by quarter, with pre-pandemic data from 2019 as comparison:**

- The pending caseload for all criminal cases;
- The pending caseload for the most serious felonies, defined as homicides, sex crimes, robbery in the first degree and assault in the first degree and in the second degree;
- The number of total resolutions for all criminal cases by jury trial, by nonjury trial, resolved by plea and dismissed;
- A summary of resolutions for the most serious felony cases, by jury trial, by non-jury trial, resolved by plea and dismissed, and
- The number of filings and total pending cases for unlawful detainer cases;

Superior Court’s pandemic-related case backlog<sup>42</sup> is the number of pending cases exceeding pre-pandemic volume. All active cases,<sup>43</sup> regardless of filing date, are counted from the time of filing to the time of resolution. The PAO unfiled backlog is also measured compared to pre-pandemic volume. The pre-pandemic reference period is the average of 2019’s four quarters.<sup>44</sup> The below section reports on active pending cases filed in Superior Court and unfiled cases under review by the PAO, and includes information from and affecting Superior Court, DJA, PAO, and DPD.

Many factors contribute to case backlogs. This report does not attempt to identify the specific causes for delays in processing individual cases, nor to determine the extent that each factor contributes to backlogs. Similarly, CLFR resources allocated to address the backlogs are intended to result in increased resolutions and reductions in pending backlogs, and to prevent new backlogs in other case types. However, other factors unrelated to new resources also influence the number of resolutions and pending cases. These include policy and operational changes, trends in civil filings and law enforcement referrals, and public health-related recommendations and restrictions.

In addition to filed cases, the total criminal felony backlog also includes unfiled felony referrals from law enforcement awaiting PAO filing decision. Unfiled criminal backlog is resolved as of Q2 2024.

Serious felonies backlog measures are reported separately.<sup>45</sup> These are homicides, sex crimes, Robbery 1, and Assault 1 and 2. The PAO prioritizes these most serious cases for filing, so there is no unfiled backlog. These are the cases that require the most resources to adjudicate.

Filed criminal felony cases reflect workload for PAO, DPD, DJA, and Superior Court. Cases are added to the pending total when the PAO files charges or when a case on warrant status becomes active. Unfiled cases reflect workload for the PAO and are counted when a case is referred to the PAO by law enforcement. While most defendants are represented by DPD attorneys, the PAO estimates 10 percent

<sup>42</sup> This definition is used for the purposes of this report, specifically in the context of the COVID-19 pandemic. Legal agencies use the term “backlog” in different ways.

<sup>43</sup> Cases are active if they do not have a disposition and they are not in an inactive status (for example on warrant).

<sup>44</sup> The pre-pandemic reference period is not intended to represent an ideal number of pending cases.

<sup>45</sup> See Appendix A for specific homicide and sex crime offenses.

to 35 percent of cases are represented by private attorneys.<sup>46</sup> DPD estimates that 10 percent of individuals facing felony charges retain private counsel. Criminal backlog numbers do not disaggregate private counsel cases. PAO reports statistics for specific criminal case types on its publicly available data dashboard with a comparison to pre-pandemic averages using slightly different calculations than Superior Court statistics reported by DJA.<sup>47</sup> Notably, PAO data includes cases on competency status, which require workload for attorneys, but those cases are not included in DJA statistics on pending caseload.

The below tables include data as of June 30, 2024.

As of Q2 2024, the PAO reports the total unfiled backlog is similar to 2019 volume. The filed pending backlog is around 700 cases above 2019 volume.

**1. Pending caseload for all criminal cases**

*Table 3: Felony pending caseload*

	<b>2019 Average</b>	<b>Q2 2023</b>	<b>Q3 2023</b>	<b>Q4 2023</b>	<b>Q1 2024</b>	<b>Q2 2024</b>	<b>Difference from 2019</b>
Criminal Filed Pending Cases <sup>48</sup>	3,435	4,333	4,271	3,974	3,965	4,131	696
Pending Unfiled Criminal Cases	1,800	2,151	1,889	1,964	1,921	1,756	-44
Total pending cases	5,235	6,484	6,160	5,938	5,886	5,887	652

**2. The pending caseload for the most serious felonies, defined as homicides, sex crimes, robbery in the first degree and assault in the first degree and in the second degree;**

Progress on the most serious felonies is slower, but progress has been made since the last report to Council. These cases require the most system resources to resolve. As of Q2 2024 there were 109 more pending cases than the 2019 average.

*Table 4: Most serious pending caseload*

	<b>2019 Average</b>	<b>Q2 2023</b>	<b>Q3 2023</b>	<b>Q4 2023</b>	<b>Q1 2024</b>	<b>Q2 2024</b>	<b>Difference from 2019</b>
Most Serious Felonies Pending Cases <sup>49</sup>	948	1,113	1,046	980	1,062	1,057	109

**3. The number of total resolutions for all criminal cases by jury trial, by nonjury trial, resolved by plea and dismissed;**

<sup>46</sup> Parity between the PAO and DPD Proviso Response, 2019 [\[LINK\]](#).

<sup>47</sup> PAO Data Dashboard [\[LINK\]](#).

<sup>48</sup> Includes RALJ (appeals from limited jurisdiction courts).

<sup>49</sup> Homicides, sex crimes, Robbery 1, Assault 1 and 2. Also included in criminal. See Appendix A for a full list of homicide and sex offenses.

Table 5: Felony case resolutions

	2019 Average	Q2 2023	Q3 2023	Q4 2023	Q1 2024	Q2 2024	Difference from 2019*
Criminal Total Resolved (includes Most Serious)	1,447	1,312	1,348	1,215	1,291	1,296	-151
Resolved by Jury Trial	3.0%	2.0%	1.5%	2.3%	2.2%	1.6%	-1.4%
Resolved by Non-Jury Trial	0.4%	0.4%	0.9%	0.2%	0.1%	0.7%	0.3%
Resolved by Guilty Plea	77.1%	70.7%	67.5%	65.8%	64.4%	68.4%	-8.7%
Dismissal	19.1%	26.5%	30.0%	31.0%	32.9%	29.0%	9.9%
Others	0.5%	0.4%	0.1%	0.7%	0.3%	0.3%	-0.2%

Cases that resolve through trial require substantially more resources, though they make up a small fraction of overall resolutions. Despite additional CLFR resources, 10 percent fewer cases resolved overall in Q2 2024 compared to average quarterly resolutions in 2019, and 39 percent fewer cases resolved through trial.<sup>50</sup>

A lower proportion of cases were resolved through guilty pleas in Q2 2024, compared to 2019 resolutions. Case dismissals continue to be higher than in 2019.

**4. A summary of resolutions for the most serious felony cases, by jury trial, by non-jury trial, resolved by plea and dismissed;**

The number of most serious felony resolutions increased in 2023 and 2024, relative to 2021 and 2022, but mostly remained below 2019 averages, despite the prioritization of resources on these case types.

Table 6: Most serious case resolutions

	2019 Average	Q2 2023	Q3 2023	Q4 2023	Q1 2024	Q2 2024	Difference from 2019*
Most Serious Felonies Resolved <sup>51</sup>	365	372	325	323	336	341	-24
Resolved by Jury Trial	6.4%	5.4%	4.0%	6.2%	4.5%	3.5%	-2.9%
Resolved by Non-Jury Trial	0.1%	0.0%	0.6%	0.0%	0.0%	0.9%	0.7%
Resolved by Guilty Plea	78.9%	74.5%	75.7%	76.8%	75.9%	73.9%	-5.0%
Dismissal	14.0%	19.6%	19.4%	16.7%	19.0%	21.4%	7.4%
Others	0.6%	0.5%	0.3%	0.3%	0.6%	0.3%	-0.3%

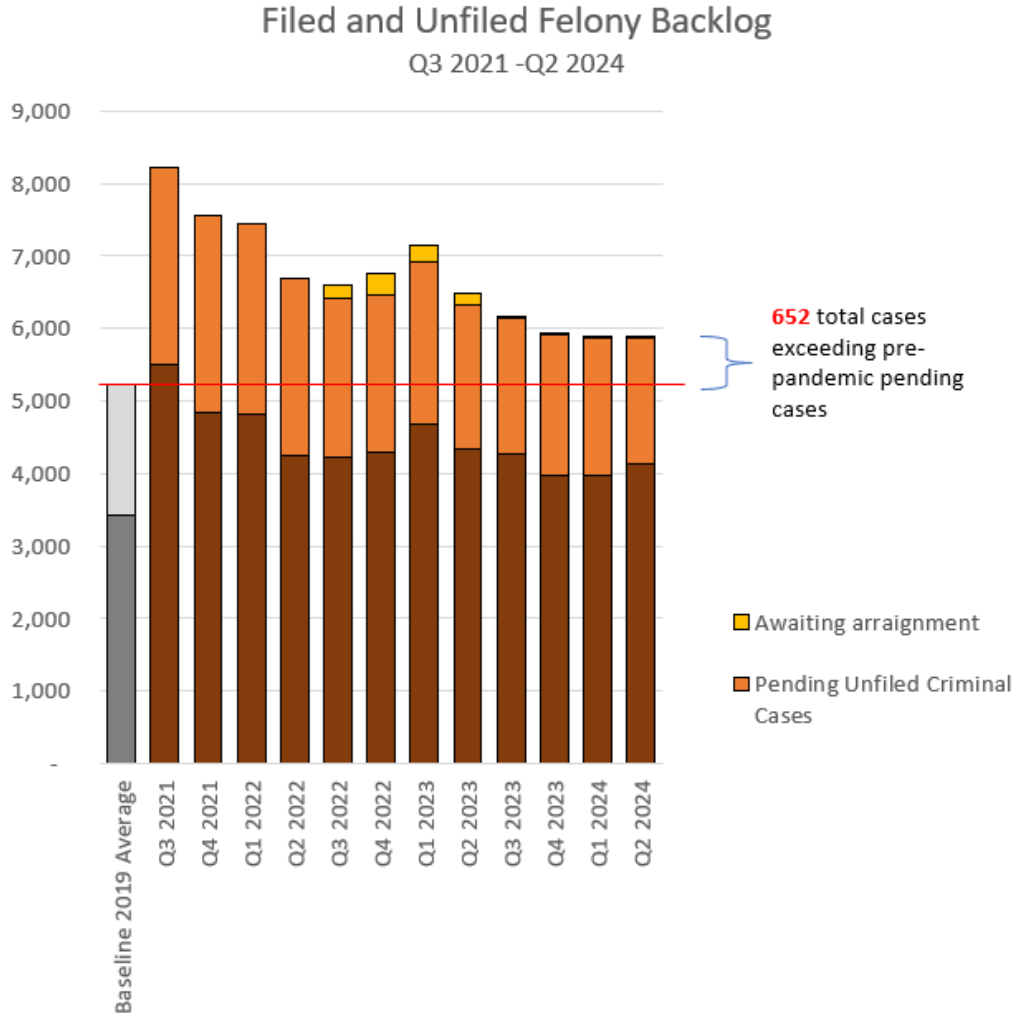
<sup>50</sup> Based on 2019 average of 49 trial resolutions per quarter and Q1 2023 trial resolutions of 31.

<sup>51</sup> Homicides, sex crimes, Robbery 1, Assault 1 and 2, also included in Criminal, above.

**Discussion of felony backlog:**

As of June 30, 2024, total pending felony cases including filed and unfiled cases are 5,887, or 652 above the 2019 average.

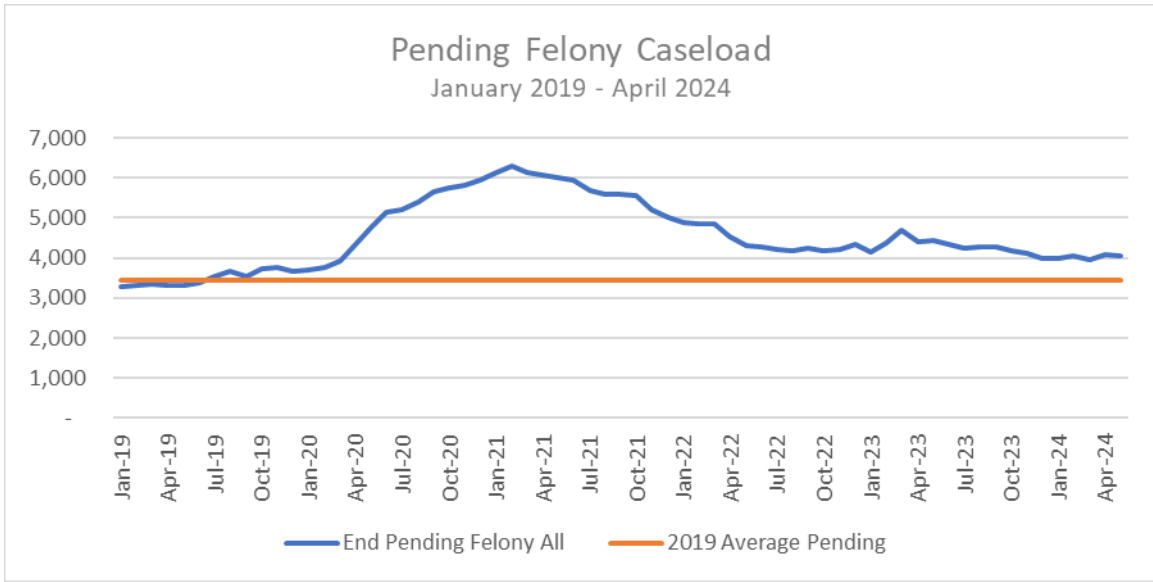
Figure 7: Filed and unfiled felony backlog



Sources: DJIA and PAO

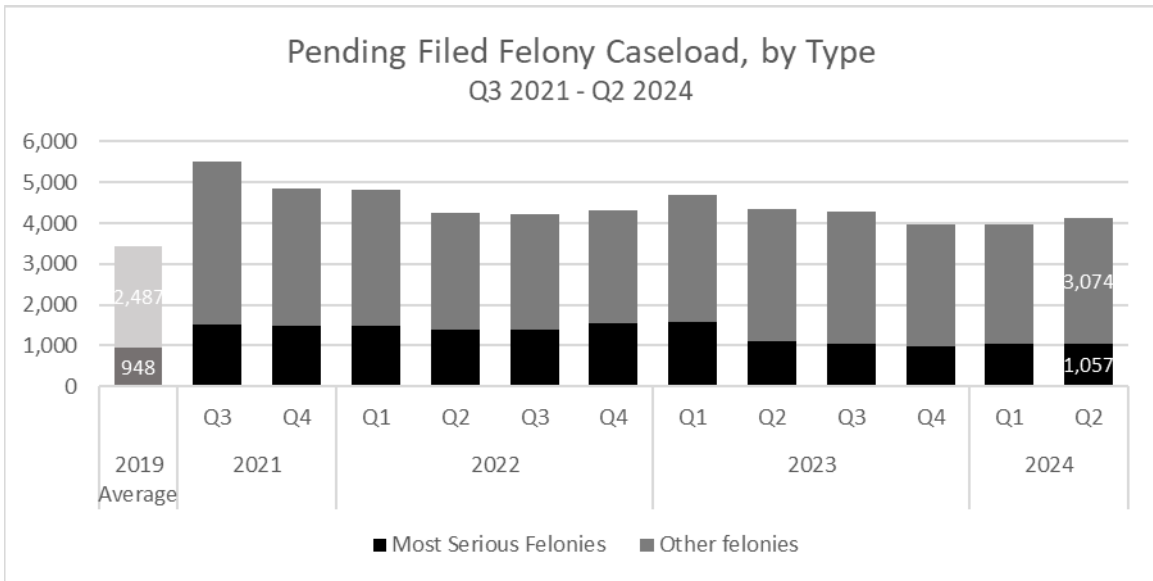
While considerable progress was made on reducing the backlog in 2021 and early 2022, some of the progress was due to changes in warrant status patterns and Blake decision dismissals. The volume of pending cases increased in Q4 2022 for the most serious cases and increased for both most serious and other felony cases in Q1 2023. Starting in Q2 2023, the backlog decreased again, particularly the most serious cases. Figure 8 below shows the pending filed monthly caseload from January 2019 and April 2024.

Figure 8: Pending filed caseload



Source: DJA

Figure 9: Pending cases, by type

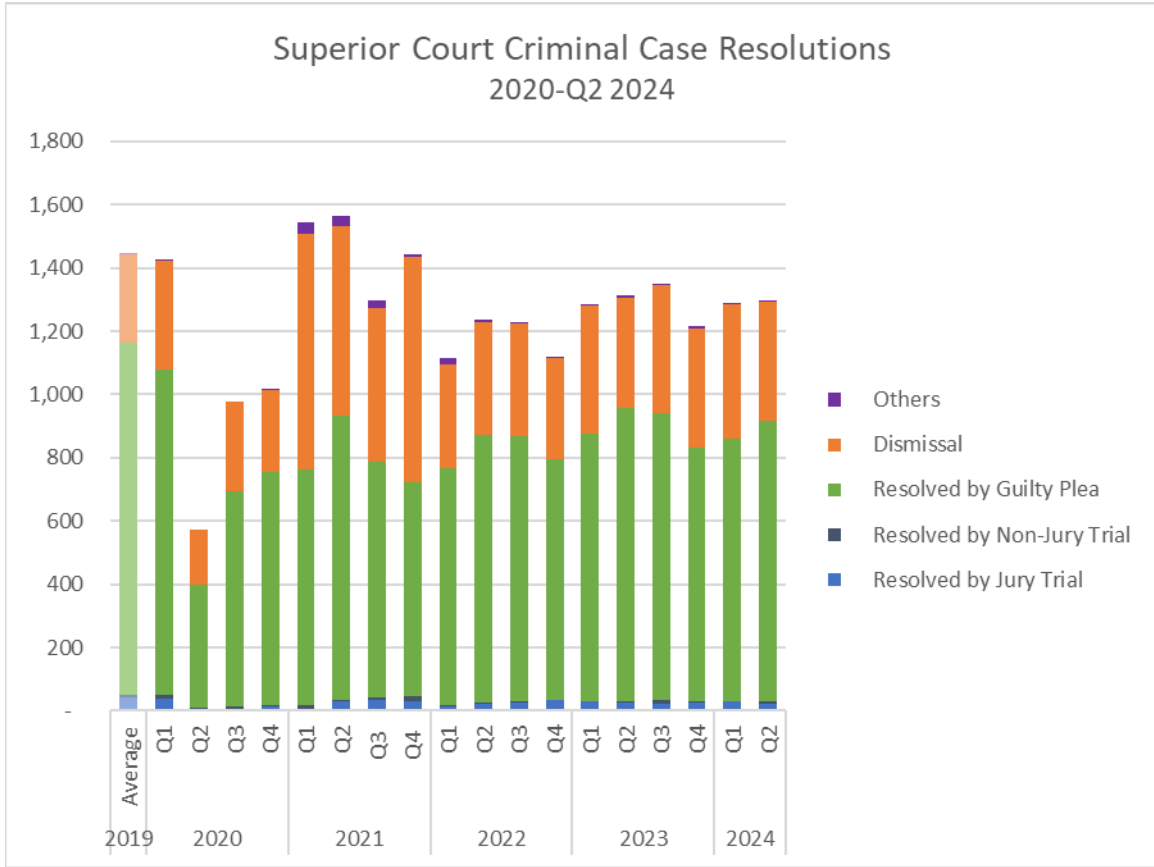


Source: DJA

Even with increased resources, fewer felony cases are being resolved than the pre-pandemic average, as shown in Figure 10. This is partly due to prioritization of resources on the most serious case types, which take longer to resolve, on average. The elimination of drug possession cases in 2021 with the Blake

decision, also contributes to the average case being more complex and serious.<sup>52</sup> As shown below, a higher proportion of cases are resolved through dismissal than in 2019.

Figure 10: Felony case resolutions

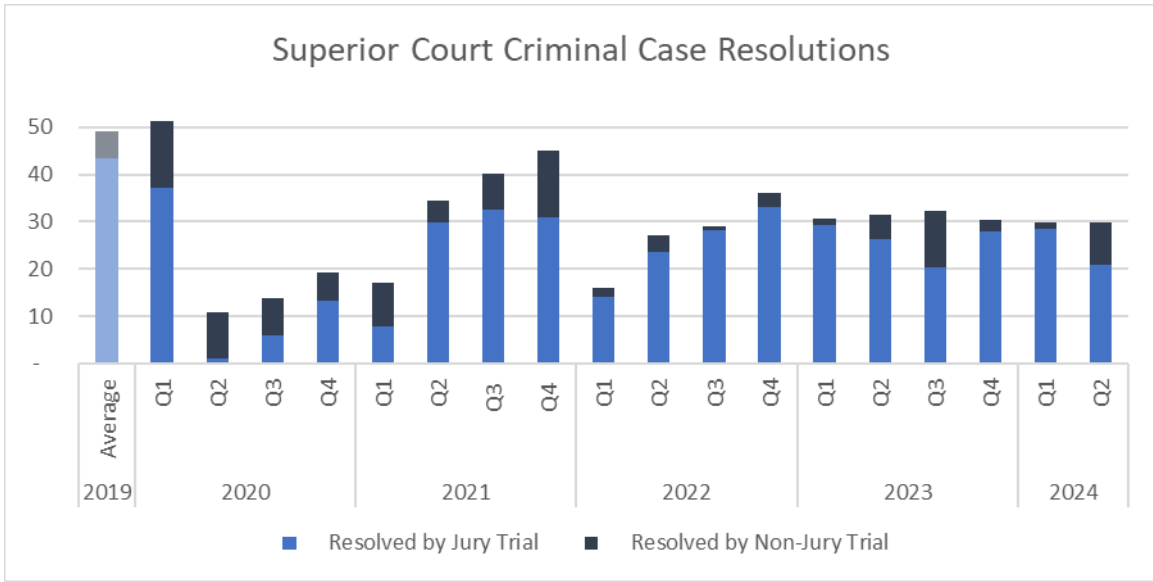


Source: DJA

Relatively few cases are resolved through trials, but these cases require substantially more resources than cases resolved before trial. As shown in Figure 11, trial resolutions remain well below 2019 levels and a higher proportion of trial resolutions were for more serious cases, which contributes to increased average trial length.

<sup>52</sup> Based on DJA data on filings, there were 975 controlled substances cases filed in 2019 and 283 filed in 2023. The reduction is partially due to the Blake Decision eliminating filings for Drug Possession. [\[LINK\]](#)

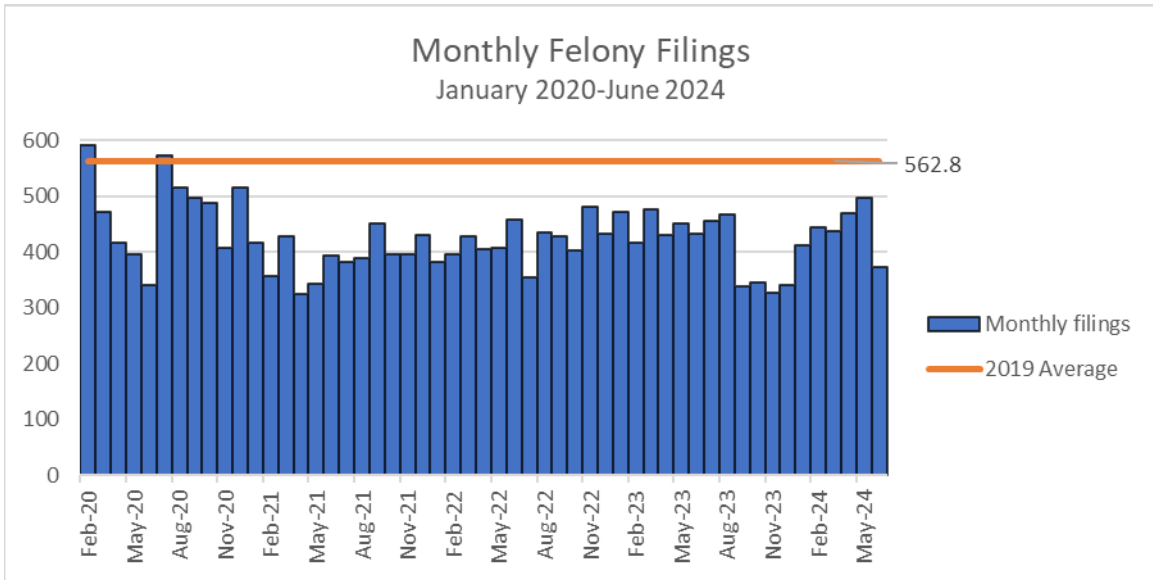
Figure 11: Felony trial resolutions



Source: DJA

The volume of backlog cases is partially determined by the number of new incoming cases. The chart below shows overall new felony filings from 2019 -2023. While 2022 annual filings increased from 2021, filings remain below 2019 volume.

Figure 12: Monthly felony filings



Source: DJA

**5. The number of filings and total pending cases for unlawful detainer cases;**

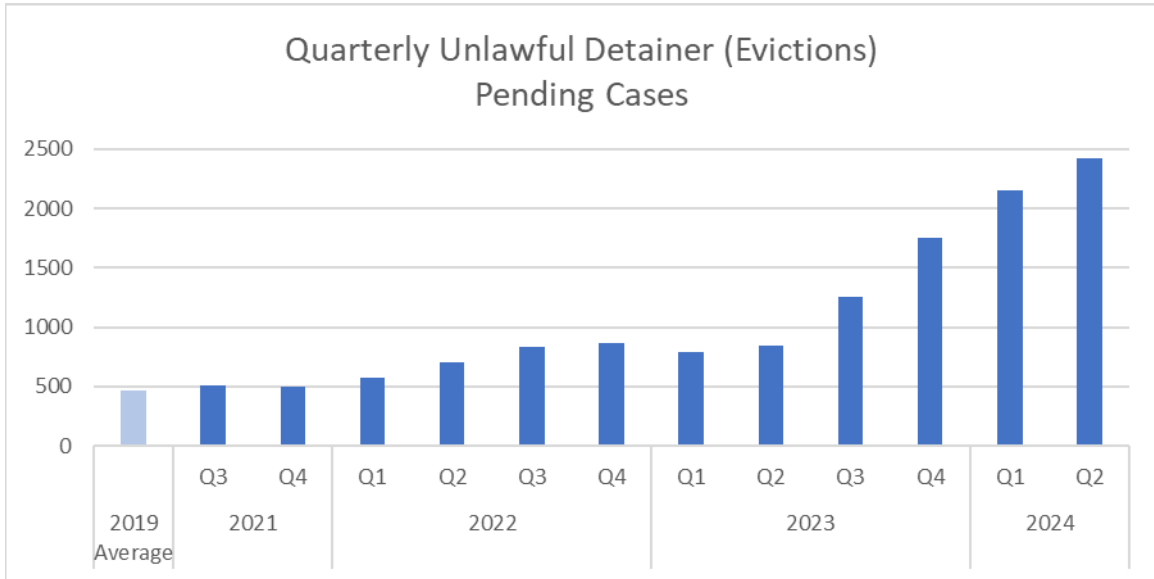
Table 7: Unlawful detainers

	2019 Average	Q1 2023	Q2 2023	Q3 2023	Q4 2023	Q1 2024	Q2 2024	Difference from 2019
Pending unlawful detainer (evictions) <sup>53</sup>	461	785	839	1,256	1751	2,151	2,423	1,962
Quarterly filings	1,156	532	780	1,286	1,808	1,866	1,981	825

Evictions are formally known as unlawful detainer matters in the court system. These matters were restricted from being filed by federal, state, and local moratoriums during the pandemic.

Quarterly unlawful detainer filings were higher than 2019 volume beginning in Q2 2023 and have increased every quarter since. Pending unlawful detainer cases exceed pre-pandemic levels due to challenges described in Section D.

Figure 13: Unlawful detainers (evictions) pending cases



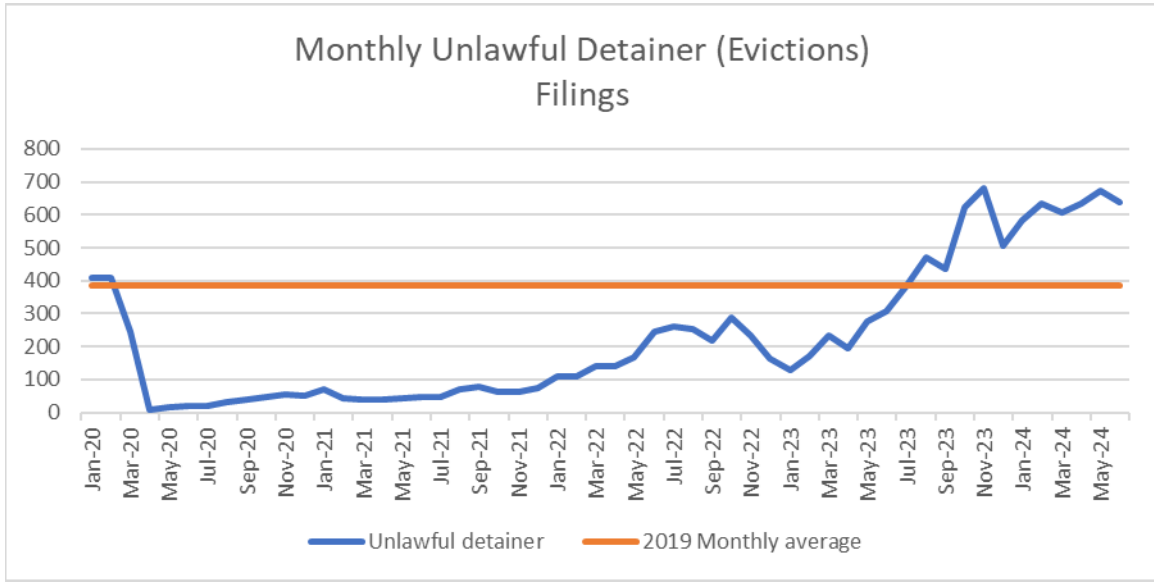
Source: DJA

As shown in the chart below, unlawful detainer cases dropped dramatically in late winter/spring 2020, after eviction moratoriums were issued. New filed cases increased after moratoriums lifted, and began exceeding pre-pandemic volume in July 2023.

<sup>53</sup> Also included in Civil.



Figure 14: Unlawful detainer (evictions) cases filed



Source: DJA

**F. For district court cases, the report should also include the status of backlog cases, including the number of unfiled criminal cases.**

**District Court filed backlog.** District Court’s filed backlog was fully resolved in Q1 2023.

**PAO unfiled backlog.** Cases under PAO review that have not been filed. Data from the PAO.

As of June 30, 2024, there were roughly 3,020 unfiled District Court cases. These include cases that will be declined due to exceeding the statute of limitations for filing. The increase in pending cases reflects PAO’s continued prioritization of more serious felony case types.

Table 8: Unfiled misdemeanors

	2019 Average	Q2 2023	Q3 2023	Q4 2023	Q1 2024	Q2 2024	Difference from 2019
Unfiled District Court PAO Backlog <sup>54</sup>	830	2,700	2,980	3,550	3,980	3,850	3,020

**Conclusion**

The 2023-2024 Biennial Budget includes \$23.2 million<sup>55</sup> of CLFR funding to address the backlog and to increase access to justice. Agencies are expected to spend all CLFR funds by the end of 2024. Total CLFR spending on backlog related work will total \$54.9 million.

<sup>54</sup> PAO estimates. Data limitations prevent precise reporting.

<sup>55</sup> Includes supplemental budgets.

District Court has resolved all pandemic-related filed backlogs. Substantial progress was made on addressing Superior Court felony backlogs and PAO unfiled backlogs are similar to pre-pandemic volume. Continuing challenges with recruitment, hiring, and retention; high violent crime rates; and slower time to resolution have resulted in continued felony backlogs, though there has been significant progress in the past year. Filed pending cases have declined four of the last five quarters, and if current trends continued, the filed backlog could be resolved by Q2 2026. However, it remains uncertain when the volume of pending cases will return to 2019 levels, given shrinking resources resulting from the end of federal CLFR funding and financial challenges faced by the General Fund, as well as numerous other factors that affect the number of filed pending cases.

The General Fund continues to experience significant financial challenges after the State Legislature failed to provide a solution to address the structural gap in General Fund revenue. Most agencies affected by the legal system backlog reduced General Fund budgets in 2024 and additional reductions in the 2025 budget were pending as of June 30, 2024. The 2025 budget is expected to be adopted by Council in November 2024.

While the current volume of open felony cases and longer time to resolution is largely the result of pandemic era challenges and of legal and operational changes occurring during the height of the pandemic, the barriers directly and indirectly arising from the public health emergency have either resolved or are now ongoing components of the legal system. Additionally, legal system agencies agree that the 2019 volume of pending cases is not a general performance benchmark. The Executive recommends shifting discussion from the “COVID-19 backlog” or “pandemic-related backlog” to a broader approach to reduce time to resolution, improve services for individuals involved in the legal system, support employees, and promote safety and justice for the residents of King County. Achieving these outcomes will be more challenging in future years, given the financial constraints in the General Fund.

## Appendices

### Appendix A: Most Serious Crimes Detail

The report includes measures on the most serious crimes tracked by DJIA. These include homicides, sex crimes, Robbery 1, Assault 1, and Assault 2. Specific homicide and sex offenses are listed below.

#### **RCW Text in Homicides**

AGGRAVATED MURDER-1  
CONTROLLED SUBSTANCE-HOMICIDE  
HOMICIDE BY ABUSE  
HOMICIDE BY WATERCRAFT  
MANSLAUGHTER  
MANSLAUGHTER 1ST DEGREE  
MANSLAUGHTER 2ND DEGREE  
MURDER 1ST DEGREE  
MURDER 2ND DEGREE  
MURDER-1 EXTREME INDIF HUMAN LIFE  
MURDER-1 IN COURSE OF OTHER CRIME  
MURDER-1 PREMEDITATED  
MURDER-2 FELONY/ASSAULT  
MURDER-2 NO PREMED/DEATH OF ANTHR  
MURDER-FIRST DEGREE  
MURDER-SECOND DEGREE-1971 STATUTE  
VEH HOMICIDE-INFLUENCE ALCOHOL/DR  
VEHICULAR HOMICIDE  
VEHICULAR HOMICIDE-DISREGARD SAFE  
VEHICULAR HOMICIDE-RECKLESS

#### **RCW Text in Sex Crimes**

CARNAL KNOWLEDGE  
CHILD MOLESTATION 1ST DEGREE  
CHILD MOLESTATION-2  
CHILD MOLESTATION-3  
COMM W/MINOR-IMMORAL PREV CONV  
COMM W/MINOR-IMMORAL PURPOSES  
COMM WITH MINOR FOR IMMORAL PURPO  
COMM WITH MINOR-IMMORAL PURPOSE  
COMM WITH MINOR-IMMORAL PURPOSES  
COMMERCIAL SEX ABUSE MINOR PROMOT  
COMMERCIAL SEX ABUSE OF A MINOR  
CUSTODIAL SEXUAL MISCONDUCT 1  
CUSTODIAL SEXUAL MISCONDUCT 1STDE  
DEAL DEPICT MINOR SEX CNDCT 1ST D  
DEAL DEPICT MINOR-SEX CNDCT-1  
DEAL DEPICT MINOR-SEX CNDCT-2  
DEALING DEPICT MINOR-SEX CONDUCT  
INCEST  
INCEST--1ST DEGREE

INCEST--2ND DEGREE  
INCEST-1  
INCEST-2  
INDECENT EXPOSURE  
INDECENT EXPOSURE PREV CONV PEN  
INDECENT EXPOSURE TO PERS<14 PEN  
INDECENT LIBERTIES  
INDECENT LIBERTIES DEV DISABLED  
INDECENT LIBERTIES EXPOSURE ETC.  
INDECENT LIBERTIES-FORCE  
INDECENT LIBERTIES-INCAPABLE CONS  
Minor Deal Depictions of 12yo or  
PATRONIZING JUVENILE PROSTITUTE  
PERMIT MINOR ENGAGE SEX/COMMUSE  
POSSESS DEPICT MINOR-SEX CNDCT-1  
POSSESS DEPICT MINOR-SEX CNDCT-2  
POSSESS DEPICT MINOR-SEX CONDUCT  
POSSESSION OF CHILD PORNOGRAPHY  
RAP 2-CLIENT OR PATIENT  
RAPE  
RAPE 2-DEVELOPMENTAL DISABILITY  
RAPE OF A CHILD 1ST DEGREE  
RAPE OF A CHILD-2  
RAPE OF A CHILD-3  
RAPE--FIRST DEGREE  
RAPE--SECOND DEGREE  
RAPE--THIRD DEGREE  
RAPE-1 DEADLY WEAPON USE/APPEAR U  
RAPE-1 FELONIOUS ENTER BUILDING/V  
RAPE-1 KIDNAPS VICTIM  
RAPE-1 SERIOUS PHYSICAL INJURY  
RAPE-2 BY FORCIBLE COMPULSION  
RAPE-2 INCAPABLE OF CONSENT  
RAPE-3RD DEG THREAT OF HARM  
RAPE-FIRST DEGREE  
RAPE-SECOND DEGREE  
RAPE-THIRD DEGREE  
RAPE-THIRD DEGREE NO CONSENT  
SEND DEPICT MINOR-SEX CNDCT-1  
SEND DEPICT MINOR-SEX CNDCT-2  
SEX CRIMES  
SEX OFFEND/FELON-FAIL TO REGISTER  
SEX OFFEND/FELON-KIDNAP FAIL REG  
SEX OFFEND/FELON/KIDNAP-FAIL REG  
SEX OFFEND/FLN FAIL TO REG 2 PRIO  
SEX OFFEND/NON FELON-FAIL REG  
SEX OFFEND/NON FELON-NO REG PEN  
SEX OFFEND/NON-FELON NO REG PEN  
SEXUAL EXPLOIT MINOR THREAT/FORCE  
SEXUAL EXPLOITATION MINOR AID ENG  
SEXUAL EXPLOITATION OF A MINOR

SEXUAL MISCONDUCT W/MINOR 1ST  
SEXUALLY VIOLATING HUMAN REMAINS  
SOLICIT MINOR FOR IMMORAL PURPOSE  
STATUTORY RAPE--3RD DEGREE  
STATUTORY RAPE--FIRST DEGREE  
STATUTORY RAPE--SECOND DEGREE  
STATUTORY RAPE--THIRD DEGREE  
Sex Offender Felon Fail To Regist  
VIEW DEPICT MINOR-SEX CNDCT-1  
VIEW DEPICT MINOR-SEX CNDCT-2  
VOYEURISM  
VOYEURISM 1ST DEGREE  
VOYEURISM 2ND DEGREE

**Appendix B: Positions Supported by CLRF funds as of June 30, 2024**

***Total positions***

<b>Agency</b>	<b>Total filled positions</b>	<b>Total vacant positions</b>
<b>District Court</b>	2	0
<b>DJA</b>	13	10
<b>DPD</b>	30	2
<b>Superior Court</b>	16	0
<b>PAO</b>	n/a	n/a
<b>Total positions</b>	61	12

***List of Positions***

<b>Agency</b>	<b>Job Type</b>	<b>Position #</b>	<b>Hire date</b>	<b>Vacant?</b>	<b>Notes</b>
District Court	IT System Specialist	011271	2022		
District Court	IT System Specialist	0110993	2023		
Superior Court	Commissioner - Plea Court	01051311	10/11/2021		
Superior Court	Ex parte Admin Tech	01051944	1/13/2022		
Superior Court	Sr. Desktop Support Tech	01053097	4/25/2022		
Superior Court	Bailiff	01050910	9/27/2021		
Superior Court	Bailiff	01050472	9/13/2021		
Superior Court	Commissioner - Ex parte	01050299	8/2/2021		
Superior Court	Ex parte Admin Tech	01053484	1/24/2022		
Superior Court	Bailiff Trainer	01052421	2/7/2022		
Superior Court	Ex parte Admin Tech	01051943	1/18/2022		
Superior Court	Ex parte Admin Tech	01051944	10/24/2022		

Agency	Job Type	Position #	Hire date	Vacant?	Notes
Superior Court	Jury Technician	01051059	10/18/2021		
Superior Court	Ex parte Admin Tech	01050909	9/27/2021		
Superior Court	Ex parte Admin Tech	01049669	7/26/2021		
Superior Court	Courtroom IT Trainer	01052683	7/6/2021		
Superior Court	Ex parte Admin Tech	01051501	2/17/2023		
Superior Court	Sr. Desktop Support Tech	01051409	11/22/2021		
DJA	Application Developer - Sr	01050914		Yes	
DJA	Clerk Admin Specialist	01059174	2/5/2024		Was Court Clrk - repurposed to a CAS - Staff turnover
DJA	Clerk Admin Specialist	01059524	11/1/2021		Was Court Clrk - repurposed to a CAS - Staff turnover
DJA	Clerk Admin Specialist	01059530	9/20/2021		Was Court Clrk - repurposed to a CAS - Staff turnover
DJA	Clerk Admin Specialist	01059521	4/19/2021		Was Court Clrk - repurposed to a CAS - Staff turnover
DJA	Clerk Admin Specialist	01059522	11/15/2021	Yes	Was Court Clrk - repurposed to a CAS - Staff turnover - recently vacated
DJA	Clerk Admin Specialist	01059527	11/1/2021	Yes	Was Court Clrk - repurposed to a CAS - Staff turnover - recently vacated
DJA	Clerk Admin Specialist	01061079	11/15/2021	Yes	Was CSS III - repurposed to a CAS - Staff turnover - recently vacated
DJA	Court Clerk II	01048828	9/4/2021		
DJA	Court Clerk II	01050879	9/20/2021		
DJA	Court Clerk II	01048822		Yes	

Agency	Job Type	Position #	Hire date	Vacant?	Notes
DJA	Court Clerk II	01048829	9/7/2021		
DJA	Customer Service Spec III	01050889		Yes	
DJA	Customer Service Spec III	01050882	9/20/2021		
DJA	Customer Service Spec III	01051557	12/13/2021		
DJA	Customer Service Spec III	01051015		Yes	
DJA	Customer Service Spec III	01049528		Yes	
DJA	Customer Service Spec III	01049532	11/1/2021		
DJA	Customer Service Spec III	01049529		Yes	
DJA	Customer Service Spec III	01051016		Yes	
DJA	Customer Service Spec III	01051207	11/1/2023		
DJA	IT Sys Spec - Jry	01050913	10/18/2021		
DJA	Occupational Edu & Trg Coord	01051096	10/18/2021		
DPD	Public Defense Attorney I	01048579	10/25/2021		
DPD	Public Defense Paralegal	01048580	10/4/2021		
DPD	Public Defense Mitigt Spc II	01048581	10/4/2021		reclassified from PD Investigator by DPD
DPD	Legal Assistant	01048583	11/8/2021		



Agency	Job Type	Position #	Hire date	Vacant?	Notes
DPD	Public Defense Investigator	01048605	12/28/2021		
DPD	Public Defense Investigator	01048606	12/6/2021		
DPD	Public Defense Investigator	01048607	1/3/2022		
DPD	Public Defense Paralegal	01048608	5/1/2021		
DPD	Public Defense Paralegal	01048609	1/3/2023		
DPD	Public Defense Paralegal	01048610	10/17/2022		
DPD	Public Defense Attorney I	01048611	10/3/2022		
DPD	Public Defense Attorney I	01048613	10/3/2022		
DPD	Public Defense Attorney I	01048614	10/11/2022		
DPD	Public Defense Attorney I	01048615	10/11/2022		
DPD	Public Defense Attorney I	01048616	11/1/2022		
DPD	Public Defense Attorney I	01048617	10/11/2022	yes	employee on special duty assignment, base position held for return to regular duties
DPD	Public Defense Attorney I	01048618	10/11/2022		
DPD	Public Defense Attorney I	01048619	10/11/2022		
DPD	Public Defense Attorney I	01048620	10/11/2022		
DPD	Public Defense Attorney I	01048621	10/11/2022		
DPD	Public Defense Attorney I	01048622	10/11/2022		
DPD	Public Defense Attorney I	01048623	10/11/2022		
DPD	Legal Assistant	01048640	12/15/2022		
DPD	Legal Assistant	01048641	1/0/1900		
DPD	Legal Assistant	01048642	12/21/2022		
DPD	Human Resource Analyst	01058185	2/10/2022		TLT
DPD	Public Defense Attorney I	01058909	10/16/2023		
DPD	Public Defense Paralegal	01023523	4/10/2023		

<b>Agency</b>	<b>Job Type</b>	<b>Position #</b>	<b>Hire date</b>	<b>Vacant?</b>	<b>Notes</b>
DPD	Public Defense Interpreter	01053486		yes	TLT hired after June 30
DPD	Public Defense Coordinator	01004630	10/16/2023		
DPD	Public Defense Attorney I	01054996	5/8/2023		
DPD	Public Defense Paralegal	01023386	1/1/2015		

## Certificate Of Completion

Envelope Id: 48135BA6-C211-4528-92C3-ED6B6581F4B4  
 Subject: Complete with Docusign: Motion 16738.docx, Motion 16738 Attachment A.pdf  
 Source Envelope:  
 Document Pages: 2  
 Supplemental Document Pages: 48  
 Certificate Pages: 5  
 AutoNav: Enabled  
 Envelopeld Stamping: Enabled  
 Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed  
 Envelope Originator:  
 Cherie Camp  
 401 5TH AVE  
 SEATTLE, WA 98104  
 Cherie.Camp@kingcounty.gov  
 IP Address: 198.49.222.20

## Record Tracking

Status: Original 2/5/2025 1:19:49 PM	Holder: Cherie Camp Cherie.Camp@kingcounty.gov	Location: DocuSign
Security Appliance Status: Connected	Pool: FedRamp	
Storage Appliance Status: Connected	Pool: King County-Council	Location: DocuSign

## Signer Events

Girmay Zahilay  
 girmay.zahilay@kingcounty.gov  
 Security Level: Email, Account Authentication (None)

## Signature

Signed by:  
  
 1AEA3C5077F8485...

Signature Adoption: Pre-selected Style  
 Using IP Address: 71.227.166.164

## Timestamp

Sent: 2/5/2025 1:25:00 PM  
 Viewed: 2/6/2025 10:08:29 AM  
 Signed: 2/6/2025 10:08:36 AM

**Electronic Record and Signature Disclosure:**  
 Accepted: 2/6/2025 10:08:29 AM  
 ID: 57f2b7a4-af11-49b7-ac15-1c8393317537

Melani Hay  
 melani.hay@kingcounty.gov  
 Clerk of the Council  
 King County Council  
 Security Level: Email, Account Authentication (None)

DocuSigned by:  
  
 8DE1BB375AD3422...

Signature Adoption: Pre-selected Style  
 Using IP Address: 198.49.222.20

Sent: 2/6/2025 10:08:38 AM  
 Viewed: 2/6/2025 10:09:44 AM  
 Signed: 2/6/2025 10:09:51 AM

**Electronic Record and Signature Disclosure:**  
 Accepted: 9/30/2022 11:27:12 AM  
 ID: 639a6b47-a4ff-458a-8ae8-c9251b7d1a1f

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp

<b>Envelope Summary Events</b>	<b>Status</b>	<b>Timestamps</b>
Envelope Sent	Hashed/Encrypted	2/5/2025 1:25:00 PM
Certified Delivered	Security Checked	2/6/2025 10:09:44 AM
Signing Complete	Security Checked	2/6/2025 10:09:51 AM
Completed	Security Checked	2/6/2025 10:09:51 AM

<b>Payment Events</b>	<b>Status</b>	<b>Timestamps</b>
-----------------------	---------------	-------------------

<b>Electronic Record and Signature Disclosure</b>
---

## **ELECTRONIC RECORD AND SIGNATURE DISCLOSURE**

From time to time, King County-Department of 02 (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

### **Getting paper copies**

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

### **Withdrawing your consent**

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

### **Consequences of changing your mind**

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

### **All notices and disclosures will be sent to you electronically**

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

### **How to contact King County-Department of 02:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: [cipriano.dacanay@kingcounty.gov](mailto:cipriano.dacanay@kingcounty.gov)

### **To advise King County-Department of 02 of your new email address**

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at [cipriano.dacanay@kingcounty.gov](mailto:cipriano.dacanay@kingcounty.gov) and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

### **To request paper copies from King County-Department of 02**

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to [cipriano.dacanay@kingcounty.gov](mailto:cipriano.dacanay@kingcounty.gov) and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

### **To withdraw your consent with King County-Department of 02**

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to [cipriano.dacanay@kingcounty.gov](mailto:cipriano.dacanay@kingcounty.gov) and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

### **Required hardware and software**

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

### **Acknowledging your access and consent to receive and sign documents electronically**

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify King County-Department of 02 as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by King County-Department of 02 during the course of your relationship with King County-Department of 02.