



Legislation Text

File #: 2003-0137, Version: 2

AN ORDINANCE making an appropriation of \$3,982,018 from the current expense fund to various agencies to pay for costs associated with the Green River homicide investigation and the case State v. Ridgway; and amending the 2003 Budget Ordinance, Ordinance 14517, Sections 14, 17, 17, 27, 27, 29, 29, 31, 42, and 42, as amended.

SECTION 1. From the current expense fund there is hereby approved and adopted a total of \$3,982,018 of appropriation from various current expense agencies and provisos in Ordinance 14517 are hereby amended.

SECTION 2. Ordinance 14517, Section 14, as amended, is hereby amended as follows:

From the current expense fund there is hereby appropriated to:

Office of management and budget	\$4,205,629
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The maximum number of FTEs for office of management and budget shall be: 41.00

PROVIDED THAT:

Of this appropriation, \$25,000 shall be expended or encumbered only after the council approves by motion a report detailing how the budget office, or its successor, will meet the provisions of Motion 11491 for the following executive departments:

- A. Department of adult and juvenile detention;
- B. Department of community and human services;
- C. Department of judicial administration; and
- D. Office of the public defender.

The budget office should submit its report by May 1, 2003. The report should, at minimum, contain a

detailed and quantified analysis of each of agency's budget projections for 2004 through 2006, the quantified estimates of how each will reduce or otherwise contain expenditures, and identify options for reducing other law and justice agency expenditures. In addition, the budget office should identify potential alternative sources of revenues for the law and justice agencies. Finally, the budget office should provide its projected expenditure/revenue plans for all law and justice agencies. The projections should identify how the county will meet its law and justice responsibilities with declining resources.

The report required by this proviso must be filed in the form of 16 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the law, justice and human services committee and the budget and fiscal management committee or their successors.

PROVIDED FURTHER THAT:

Of this appropriation, \$1,100,000 shall be expended or encumbered only in monthly increments of \$100,000 each after the council receives a monthly letter as required below. The letter shall detail the budget office's, or its successor's, review and comments on the letters reviewing the department of adult and juvenile detention's monthly report showing the actual versus projected utilization of adult and juvenile secure/non-secure custodial programs (variance report) from the district court, office of the prosecuting attorney, office of the public defender, and superior court. To be acceptable, the letter should, at a minimum, summarize the findings and comments of the department of adult and juvenile detention and other criminal justice agencies reviewing the variance report, summarize and evaluate the explanations of the variances, and develop from the various proposals for corrective action a single consolidated corrective action plan that identifies the agency or agencies responsible for implementing any needed changes or agency or agencies that need to modify practices or other processes. If any resources are needed to implement the budget office's proposed corrective action plan, the budget office should detail the needed resources and identify how criminal justice agency resources can be reallocated. In addition, the budget office, or its successor, should inform the council of any agency failing to submit its review letters in a timely manner and ensure that restricted funds are not released. The

budget office should submit its first letter reviewing the variance report for January 2003 by February 28, 2003 and on the last day of every month thereafter. Upon receipt of each monthly report, \$100,000 of the appropriation is released for expenditure or encumbrance.

The monthly letter required by this proviso must be filed in the form of 16 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the law, justice and human services and the budget and fiscal management committees or their successors.

PROVIDED FURTHER THAT:

Of this appropriation, \$100,000 shall not be expended or encumbered until the executive submits and the council approves by motion a work plan and schedule for implementing a performance measurement system for executive departments. The work plan should be accompanied by a report identifying the departments selected for early emphasis and identifying the criteria that were used to select the departments. The report should identify criteria for evaluating department mission and goal statements and rate each department's mission and goal statement in accordance with these criteria. The motion, work plan and report shall be transmitted to the council by April 30, 2003. If these materials are not transmitted by that date, appropriation authority for \$100,000 shall lapse.

The motion, work plan and evaluation report required by this proviso must be filed in the form of 16 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff for the budget and fiscal management committee and the labor, operations technology committee or their successors.

PROVIDED FURTHER THAT:

Of this appropriation, \$5,000 shall be expended or encumbered only after the council approves by motion a report detailing how the budget office plans to address declining current expense fund revenues by reducing internal service fund charges to all county agencies. The budget office should submit its report by May 1, 2003. The report should, at minimum: contain a detailed and quantified analysis of each of internal

service fund agency's budget projections for 2004 through 2006; identify long-term cost-saving measures and efficiencies; and estimate the impact of those measures and efficiencies on CX and non-CX agencies.

The report required by this proviso must be filed in the form of 16 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the labor, operations and technology committee and the budget and fiscal management committee or their successors.

PROVIDED FURTHER THAT:

~~((Of this appropriation, \$50,000 shall only be expended or encumbered after the review and approval by motion by the council of a plan from the budget office, or its successor,))~~ The office of management and budget, or its successor, shall develop a plan identifying, at a minimum, the following: (1) a description and the schedule for how the ~~((budget))~~ office of management and budget, or its successor, will monitor the resources needed during each stage of the Green river homicide investigation and the *State v. Ridgway* case for 2003, 2004 and thereafter, including a description of how each year's budgets will be prepared, presented and funded; (2) the ~~((budget office's))~~ office of management and budget's, or its successor's, plans for identifying staff and resources associated with the Green River Homicide Investigation and the *State v. Ridgway* case that can be phased out as each stage of the case and investigation is completed and how any unused resources shall be reported; (3) detail on potential revenue sources to support these expenditures, including a description of any limitations on how such revenues can be used; and (4) a format for a unified quarterly report to the council on actual expenditures and revenues for the case and the investigation. The executive shall submit this plan to the council by March 14, 2003, with an ordinance for supplemental appropriation authority for expenditures related to either the case or the investigation, or both.

PROVIDED FURTHER THAT:

~~((Upon approval of the format for quarterly reporting of actual expenditures and revenues associated with the Green river homicide investigation and the *State v. Ridgway* case,))~~ Of this appropriation, \$50,000 shall only be expended or encumbered after the office of management and budget has submitted the first,

second and third quarter *State v. Ridgway* and Green River Homicide Investigation actual expenditure reports by the deadlines specified in this proviso in the format approved by the council by motion. The office of management and budget ((the budget office)), or its successor, ((will)) shall coordinate with the office of the prosecuting attorney, the office of the public defender, ((and)) the sheriff's office, the superior court and the department of judicial administration in using the approved formats to prepare ((ing a)) quarterly actual expenditure and revenue reports ((to)) that shall be submitted by the executive to the council no later than June ((13)) 18, July 30 and October 30, 2003, for the first, second and third quarter reports respectively. ((Thereafter, the budget office, or its successor, will prepare and the executive will submit to the council quarterly reports no later than 30 days after the end of each quarter.))

The quarterly reports ((and plans)) required to be submitted by ((these)) this proviso ((s)) must be filed in electronic format and in the form of 15 paper copies with the clerk of the council, who will retain the original and will forward paper copies to each councilmember and to the lead staff for the budget and fiscal management committee or its successor.

PROVIDED FURTHER THAT:

Of this appropriation, \$50,000 shall only be expended or encumbered after the executive transmits the proposed 2004 King County Budget including a report prepared by the office of management and budget ((The budget office)), or its successor, ((will coordinate)) in coordination with the office of the prosecuting attorney, the office of the public defender, the sheriff's office, ((and)) the superior court and the department of judicial administration, ((such that the transmittal of the executive's annual King County proposed budget will include a report)) identifying: (1) proposed staffing models and line item budgets on the approved quarterly reporting formats for each agency for the expenditures associated with the case and the investigation for 2004, detailing how the resources are projected to be used throughout the year, against which actual expenditures can be compared; and (2) details on any projected revenues proposed to support the 2004 expenditures, including a description of any limitations on how the revenues can be used.

~~((PROVIDED FURTHER THAT:~~

~~The budget office, or its successor, shall show a *State v. Ridgway* reserve of \$5,000,000 in the 2003 adopted CX financial plan which can be supplemented with additional revenues or used to fund supplemental appropriations associated with the *State v. Ridgway* case or the Green river homicide investigation throughout 2003.))~~

PROVIDED FURTHER THAT:

Of this appropriation \$25,000 shall not be expended until the council by motion approves the department of adult and juvenile detention operational master plan, project 395214. The budget office, or its successor, shall provide management and oversight for development of the work plan and the implementation of the operational master plan.

SECTION 3. Ordinance 14517, Section 17, as amended, is hereby amended as follows:

From the current expense fund there is hereby appropriated to:

Sheriff	\$96,417,191
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The maximum number of FTEs for sheriff shall be:	941.00
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PROVIDED THAT:

It is the intent of the council that the King County sheriff's office make the provision of direct police services in the unincorporated portions of King County the sheriff's highest priority for the use of its non contract (balance of CX after revenues are removed) resources. Further, it is the intent of the council that the provision of direct law enforcement services, including reactive patrol and criminal investigation, in unincorporated areas should not be reduced in order to reallocate resources to other regional services or national interests. The sheriff should notify the council and executive whenever new unfunded federal or state mandates would require that the sheriff reallocate resources from direct law enforcement services for the unincorporated areas.

PROVIDED FURTHER THAT:

Of this appropriation, \$50,000 shall be expended or encumbered only after the council approves by motion a report detailing how the King County sheriff's office will meet the provisions of Motion 11491. The sheriff should submit the report by May 1, 2003. The report should, at a minimum, contain a detailed and quantified analysis of the sheriff's budget projections for 2004 through 2006 and its quantified estimates of how it will reduce or otherwise contain expenditures, and identify options for helping reduce other law and justice agency expenditures. In addition, the sheriff should identify alternative sources of revenues for itself and for the other law and justice agencies.

The report required by this proviso must be filed in the form of 16 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the law, justice and human services committee and the budget and fiscal management committee or their successors.

PROVIDED FURTHER THAT:

Of this appropriation, ~~(((\$780,000))~~ \$1,730,595 shall only be expended on costs related to the case *State v. Ridgway* or the Green river homicide investigation. ~~((This amount represents six months of the requested expenditure authority for these purposes. It is the council's intent to consider a supplemental appropriation for the sheriff's office for costs related to *State v. Ridgway* or the Green river homicide investigation after the review and approval by motion by the council of a plan from the sheriff's office))~~ The sheriff's office shall develop a plan identifying, at a minimum, the following: (1) a description and schedule for each stage of the investigation anticipated for 2003, 2004 and thereafter, explaining what each stage is and detailing the staff and resources associated with each stage; (2) for each stage of the investigation, a breakout of the staff and other resources supporting the prosecution of the case *State v. Ridgway*; (3) the sheriff's plans for the phaseout of staff and resources as each stage of the investigation is completed and how any unused resources shall be reported; (4) a staffing model and line item budget for the investigative support of the *State v. Ridgway* case and the Green river homicide investigation for 2003, detailing the status of all positions, how resources are projected to be used throughout the year, against which actual expenditures can be compared; (5) details on

revenues for 2003 including a description of any limitations on how such revenues can be used; and (6) a format for a quarterly report to the council that would fully identify actual expenditures on staff and resources utilized in the investigation, report on revenues received and projected, and update the staffing model. The sheriff's office shall prepare and submit its plan to the ~~((budget office))~~ the office of management and budget, or its successor, by February 14, 2003. The executive shall forward the plan to the council by March 14, 2003 with any ordinance needed for supplemental appropriation authority.

PROVIDED FURTHER THAT:

~~((Upon approval by the council of the format for quarterly reporting of actual expenditures associated with the *State v. Ridgway* case and the Green river homicide investigation))~~ Of this appropriation, \$100,000 shall only be expended or encumbered after the sheriff's office has submitted to the office of management and budget the first, second and third quarter Green River Homicide Investigation actual expenditure reports by the deadlines specified in this proviso in the format approved by the council by motion. ~~((; t))~~ The sheriff's office ~~((will))~~ shall prepare and submit a quarterly reports on actual expenditures, revenues and staffing on the approved format to the ~~((budget office))~~ office of management and budget, or its successor, ~~((on))~~ by June 2, July 18 and October 20, 2003, for the first, second and third quarter reports respectively. ~~((detailing first quarter actual expenditures and updating the staffing model. Thereafter, the sheriff's office will submit quarterly reports to the budget office, or its successor, no later than 20 days after the end of each quarter.))~~ The executive shall forward the ~~((first))~~ reports to the council by June ~~((13))~~ 18, July 30 and October 30, 2003, respectively. ~~((, and subsequent reports 30 days after the end of each quarter.))~~

The quarterly reports ~~((and plans))~~ required to be submitted by ~~((these))~~ this proviso ~~((s))~~ must be filed in electronic format and in the form of 15 paper copies with the clerk of the council, who will retain the original and will forward paper copies to each councilmember and to the lead staff for the budget and fiscal management committee or its successor.

PROVIDED FURTHER THAT:

Of this appropriation, \$100,000 shall only be expended or encumbered after the ~~((The))~~ sheriff's office ~~((shall work))~~ coordinates with the ~~((budget))~~ office of management and budget, or its successor, such that the transmittal of the executive's ~~((annual))~~ 2004 King County proposed budget ~~((will))~~ includes a report identifying: (1) a proposed staffing model and line item budget on the approved quarterly reporting format for the resources associated with the investigative support of the case and the Green river homicide investigation for 2004, detailing how resources are projected to be used throughout the year, against which actual expenditures can be compared and (2) detail on any projected revenue proposed to support the 2004 expenditures, including a description of any limitations on how the revenue can be used.

SECTION 4. Ordinance 14517, Section 17, as amended, is hereby amended by adding thereto and inserting therein the following:

SHERIFF - From the current expense fund there is hereby appropriated to:

Sheriff \$950,595

PROVIDED THAT:

The intent of the Council in making this appropriation is that federal earmark and Community Oriented Policing Services grant revenues are necessary and will be available to support the Green River Homicide Investigation. The King County current expense fund, from which this appropriation is made, has sustained cuts of \$41 million in 2002, \$52 million in 2003 and is facing deficits of \$21 million in 2004 and in 2005. The costs associated with the case *State v. Ridgway* and the Green River Homicide Investigation are expected to total over \$12 million in 2002 and 2003. The case is expected to require significant additional expenditures in 2004 and 2005. Given the current expense fiscal crisis, the expenditure authority hereby appropriated would not be granted if the Council had not been assured of \$3.8 million in federal revenues to back these expenditures that the Council is using for planning purposes in 2002, 2003, and 2004. The Council's intention in making this appropriation is that these grant funds be used to fund support of the current staffing model for the Green River Homicide Investigation, and that if such funds are not available the severe fiscal constraints

facing the County would require significant reductions in funding for the investigation.

SECTION 5. Ordinance 14517, Section 27, as amended, is hereby amended as follows:

From the current expense fund there is hereby appropriated to:

Prosecuting attorney \$40,708,451

The maximum number of FTEs for prosecuting attorney shall be: 465.10

PROVIDED THAT:

Of this appropriation, \$50,000 shall be expended or encumbered only after the council approves by motion a report detailing how the office of the prosecuting attorney will meet the provisions of Motion 11491. The prosecutor should submit its report by May 1, 2003. The report should, at minimum, contain a detailed and quantified analysis of the prosecutor's budget projections for 2004 through 2006 and its quantified estimates of how it will reduce or otherwise contain expenditures, and identify options for helping reduce other law and justice agency expenditures. In addition, the prosecutor should identify alternative sources of revenues for itself and for the other law and justice agencies.

The report required by this proviso must be filed in the form of 16 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the law, justice and human services committee and the budget and fiscal management committee or their successors.

PROVIDED FURTHER THAT:

It is the intent of the council that the office of the prosecuting attorney shall provide services o victims of crime through its victim advocacy unit to all eligible citizens in King County, including city of Seattle residents, as required by state statute.

PROVIDED FURTHER THAT:

Of this appropriation, \$1,100,000 shall be expended or encumbered only in monthly increments of \$100,000 each after the council receives a monthly letter as required below. The letter shall detail the prosecuting attorney's review and comments on the department of adult and juvenile detention's monthly report

showing the actual versus projected utilization of adult and juvenile secure/non secure custodial programs (variance report). The office of the prosecuting attorney should submit its first letter reviewing the variance report for January 2003 by February 20, 2003, and on the twentieth day of every month thereafter. Upon receipt of each monthly report \$100,000 of the appropriation is released for expenditure or encumbrance. To be acceptable, the letter should identify the prosecutor's comments and evaluation of the findings of the variance report. When the prosecutor identifies issues with the findings of the variance report, the letter should be accompanied by a narrative description of the prosecutor's evaluation of the status of secure/non secure detention utilization, the prosecutor's comments on the possible causes of any variances from projected utilization, explanation of the possible impact of these variances on prosecutor's operations, and any needed corrective action plans for the prosecutor or suggested actions by other county agencies. If the prosecutor does not identify any problems in the variance report, it should send a letter stating this. The prosecutor is also directed to transmit its letter to the budget office, or its successor.

The monthly letter and supporting narratives required by this proviso must be filed in the form of 15 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the law, justice and human services committee or its successor.

PROVIDED FURTHER THAT:

Of this appropriation, \$1,267,338 (~~(\$520,000)~~) shall only be expended on costs related to the case *State v. Ridgway*. (~~((This amount represents six months of the requested expenditure authority for these purposes. It is the council's intent to consider a supplemental appropriation for the prosecuting for costs related to *State v. Ridgway* after the review and approval by motion by the council of a plan from the))~~) The prosecuting attorney's office, in coordination with the sheriff's office and the (~~((budget))~~) office of management and budget, or its successor, shall develop a report identifying, at a minimum, the following: (1) a description and schedule for each stage of the case anticipated in 2003, 2004 and thereafter, explaining what each stage is and detailing the prosecutorial staff and resources needed for the prosecution of the case in each stage; (2) for each stage of

the case, a description of the investigative support needed for the prosecution of the case; (3) the prosecutor's plans for the phaseout of staff and resources as each stage of the case is completed and how any unused resources shall be reported; (4) a staffing model and line item budget for the prosecutorial and investigative resources associated with the case for 2003, detailing the status of all positions and how resources are projected to be used throughout the year, against which actual expenditures can be compared; (5) detail on revenues for 2003 including a description of any limitations on how such revenues can be used; and (6) a format for a quarterly report to the council that would fully identify actual expenditures on staff and resources utilized for the prosecution of the case, report on revenues received and projected, and update the staffing model. The prosecuting attorney's office shall prepare and submit its plan to the budget office, or its successor, by February 14, 2003. The executive shall forward it to the council by March 14, 2003, with any ordinance needed for supplemental appropriation authority.

~~((The reports and plans required to be submitted by these provisos must be filed in the form of 15 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff for the budget and fiscal management committee or its successor.))~~

PROVIDED FURTHER THAT:

~~((Upon approval by the council of the format for quarterly reporting of actual expenditures associated with the *State v. Ridgway* case, the office of the))~~ Of this appropriation, \$100,000 shall only be expended or encumbered after the prosecuting attorney's office has submitted to the office of management and budget the first, second and third quarter *State v. Ridgway* actual expenditure reports by the deadlines specified in this proviso in the format approved by the council by motion. The prosecuting attorney's office shall ((will)) prepare and submit ((a)) quarterly reports on actual expenditures, revenues and staffing on the approved format to the ((budget)) office of management and budget, or its successor, ((on)) by June 2, July 18 and October 20, 2003, for the first, second and third quarter reports respectively. ((-detailing first quarter actual expenditures and updating the staffing model. Thereafter, the prosecuting attorney will submit quarterly reports to the

~~budget office, or its successor, no later than 20 days after the end of each quarter.))~~ The executive shall forward the ~~((first))~~ reports to the council by June ~~((13))~~ 18, July 30 and October 30, 2003, respectively. ~~((and subsequent reports 30 days after the end of each quarter.))~~

The quarterly reports ~~((and plans))~~ required to be submitted by ~~((these))~~ this proviso ~~((s))~~ must be filed in electronic format and in the form of 15 paper copies with the clerk of the council, who will retain the original and will forward paper copies to each councilmember and to the lead staff for the budget and fiscal management committee or its successor.

PROVIDED FURTHER THAT:

Of this appropriation, \$100,000 shall only be expended or encumbered after ~~((T))~~ the prosecuting attorney's office ~~((shall work))~~ coordinates with the ~~((budget))~~ office of management and budget and the sheriff's office, or ((its)) their successors, such that the transmittal of the executive's ~~((annual))~~ 2004 proposed budget ~~((will))~~ includes a report identifying: (1) a proposed staffing model and line item budget on the approved quarterly reporting formats for the prosecutorial and investigative resources associated with the case for 2004, detailing how resources are projected to be used throughout the year, against which actual expenditures can be compared; and (2) detail on any projected revenue proposed to support the 2004 expenditures, including a description of any limitations on how the revenue can be used.

SECTION 6. Ordinance 14517, Section 27, as amended, is hereby amended by adding thereto and inserting therein the following:

PROSECUTING ATTORNEY - From the current expense fund there is hereby appropriated to:

Prosecuting attorney \$747,338

SECTION 7. Ordinance 14517, Section 29, as amended, is hereby amended as follows:

From the current expense fund there is hereby appropriated to:

Superior court \$32,360,295

The maximum number of FTEs for superior court shall be: 370.00

PROVIDED THAT:

Of this appropriation, \$116,000 shall only be expended or encumbered upon the receipt of state funding for county claims related to the state share of judge's benefit payments.

PROVIDED FURTHER THAT:

Of this appropriation, \$50,000 shall be expended or encumbered only after the council approves by motion a report detailing how the superior court will meet the provisions of Motion 11491. The court should submit its report by May 1, 2003. The report should, at minimum, contain a detailed and quantified analysis of the court's budget projections for 2004 through 2006 and its quantified estimates of how it will reduce or otherwise contain expenditures, and identify options for helping reduce other law and justice agency expenditures. In addition, the court should identify alternative sources of revenues for itself and for the other law and justice agencies.

The report required by this proviso must be filed in the form of 16 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the law, justice and human services committee and the budget and fiscal management committee or their successors.

PROVIDED FURTHER THAT:

Of this appropriation, \$500,000 and 8.00 FTEs must be used solely for an intake services pilot program for the superior court after council approval by motion of the court's plan for this program. The program should provide resources to the superior court's criminal division to expedite the release of appropriate offenders awaiting adjudication or to ensure that offenders are not incarcerated when other appropriate alternatives are available. It is the intent of the council that this intake services program provide a new service and not duplicate the work or reduce the current level of personal recognizance screening and other release programs, conducted by the department of adult and juvenile detention. The superior court shall develop a plan for the new unit that incorporates the recommendations of the adult justice operational master plan, ensures full utilization of the law justice technology integration plan and implements the recommendations of the county's

criminal justice council. The court should submit its plan by March 1, 2003.

The plan required by this proviso must be filed in the form of 16 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the law, justice and human services committee and the budget and fiscal management committee or their successors.

PROVIDED FURTHER THAT:

Of this appropriation, \$1,100,000 shall be expended or encumbered only in monthly increments of \$100,000 each after the council receives a monthly letter as required below. The letter shall detail the superior court's review and comments on the department of adult and juvenile detention's monthly report showing the actual versus projected utilization of adult and juvenile secure/non secure custodial programs (variance report). The superior court should submit its first letter reviewing the variance report for January 2003 by February 20, 2003, and on the twentieth day of every month thereafter. Upon receipt of each monthly report, \$100,000 of the appropriation is released for expenditure or encumbrance. The letter should identify its comments and evaluation of the findings of the variance report. When the court identifies issues with the findings of the variance report, the letter should be accompanied by a narrative description of the court's evaluation of the status of secure/non secure detention utilization, the court's comments on the possible causes of any variances from projected utilization, explanation of the possible impact of these variances on court operations and any needed corrective action plans for the court or suggested actions by other county agencies. If the court does not identify any problems in the variance report, it should send a letter stating this. The court is also directed to transmit its letter to the budget office, or its successor.

The monthly letter and supporting narratives required by this proviso must be iled in the form of 15 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the law, justice and human services committee or its successor.

PROVIDED FURTHER THAT:

Of this appropriation, (~~(\$100,000)~~) \$116,764 shall only be expended or encumbered on costs related to

the case *State v. Ridgway*. ~~((after t))~~ The superior court shall ~~((has))~~ submit ~~((ted))~~ a report identifying, at a minimum, the following: (1) a description and schedule for each stage of the case *State v. Ridgway* in which the court anticipates needing supplemental resources in 2004 or thereafter, detailing the type and level of supplemental resources needed by the court at each stage; and, (2) the superior court's plans for the phase out or alternative use of any supplemental staff and resources utilized for the case. The superior court should prepare and submit the report to the budget office, or its successor, by February 14, 2003. The executive shall forward it to the council by March 14, 2003.

~~((The reports and plans required to be submitted by these provisos must be filed in the form of 15 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff for the budget and fiscal management committee or its successor.))~~

PROVIDED FURTHER THAT:

Of this appropriation, \$50,000 shall only be expended or encumbered after the superior court and the department of judicial administration have submitted to the office of management and budget the first, second and third quarter *State v. Ridgway* actual expenditure reports by the deadlines specified in this proviso in the format approved by the council by motion. The superior court and the department of judicial administration shall prepare and submit quarterly reports on actual expenditures, revenues and staffing on the approved format to the office of management and budget, or its successor, by June 4, July 18 and October 20, 2003, for the first, second and third quarter reports respectively. The executive shall forward the reports to the council by June 18, July 30 and October 30, 2003, respectively.

The quarterly reports required to be submitted by this proviso must be filed in electronic format and in the form of 15 paper copies with the clerk of the council, who will retain the original and will forward paper copies to each councilmember and to the lead staff for the budget and fiscal management committee or its successor.

PROVIDED FURTHER THAT:

Of this appropriation, \$50,000 shall only be expended or encumbered after the superior court coordinates with the department of judicial administration and the office of management and budget, or their successors, ((The superior court shall work with the budget office, or its successor,)) such that the transmittal of the executive's ~~((annual))~~ 2004 proposed budget ~~((will))~~ includes a report identifying: (1) a proposed staffing model and line item budget for the superior court's and department of judicial administration's resources associated with the case *State v. Ridgway* in 2004, detailing how the resources are projected to be used throughout the year, against which actual expenditures can be compared; and (2) detail on any projected revenue proposed to support the 2004 expenditures, including a description of any limitations on how the revenue can be used.

~~((The reports and plans required to be submitted by these provisos must be filed in the form of 15 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff for the budget and fiscal management committee or its successor.))~~

SECTION 8. Ordinance 14517, Section 29, as amended, is hereby amended by adding thereto and inserting therein the following:

SUPERIOR COURT - From the current expense fund there is hereby appropriated to:

Superior court \$116,764

SECTION 9. Ordinance 14517, Section 31, as amended, is hereby amended by adding thereto and inserting therein the following:

JUDICIAL ADMINISTRATION - From the current expense fund there is hereby appropriated to:

Judicial administration \$15,260

SECTION 10. Ordinance 14517, Section 42, as amended, is hereby amended as follows:

From the current expense fund there is hereby appropriated to:

Office of the public defender \$29,434,887

The maximum number of FTEs for office of the public defender shall be: 25.50

PROVIDED THAT:

Of this appropriation, \$110,000 shall be expended or encumbered only in monthly increments of \$10,000 each after the council receives a monthly letter as required below. The letter shall detail the public defender's review and comments on the department of adult and juvenile detention's monthly report showing the actual versus projected utilization of adult and juvenile secure/non secure custodial programs (variance report). The office of the public defender should submit its first letter reviewing the variance report for January 2003 by February 20, 2003, and on the twentieth day of every month thereafter. Upon receipt of each monthly report, \$10,000 of the appropriation is released for expenditure or encumbrance. To be acceptable, the letter should identify its comments and evaluation of the findings of the variance report. When the public defender identifies issues with the findings of the variance report, the letter should be accompanied by a narrative description of the court's evaluation of the status of secure/non secure detention utilization, the defender's comments on the possible causes of any variances from projected utilization, an explanation of the possible impact of these variances on public defense and any needed corrective action plans for the defender or suggested actions by other county agencies. If the defender does not identify any problems in the variance report, it should send a letter stating this. The defender is also directed to transmit its letter to the budget office, or its successor.

The monthly letter and supporting narratives required by this proviso must be filed in the form of 15 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff of the law, justice and human services committee or its successor.

PROVIDED FURTHER THAT:

Of this appropriation, ~~(((\$750,000))~~ \$4,152,061 shall only be expended or encumbered on costs related to the case *State v. Ridgway*. ((after the review and approval by motion by the council of a plan from the)) The office of the public defender, in coordination with the office of management and budget, or its successor, shall develop a report identifying, at a minimum, the following: (1) a description and the schedule for each

stage of the defense for the case *State v. Ridgway* anticipated in 2003, 2004 and thereafter, explaining what each stage is and detailing the staff and resources needed each stage for the defense in the case; (2) the office of the public defender's plans for the phase out of any staff and resources as each stage of the defense is completed and how any unused resources shall be reported; (3) a description of the office of the public defender's plans for evaluating and monitoring requests for expert services; (4) a staffing model and line item budget for the defense of the case in 2003, detailing the status of all positions, including those positions that are part of the county's defender contracts, assigned counsel, investigators, or other consulting staff, and how resources are projected to be used throughout the year, including plans for the utilization of resources for expert witnesses and information technology, against which actual expenditures can be compared; and (5) a format for a quarterly report to the council that would fully identify actual expenditures on staff and resources utilized for the defense in the case and update the staffing model. The office of the public defender shall prepare and submit its plan to the ~~((budget))~~ office of management and budget, or its successor, by February 14, 2003. The executive shall forward it to the council by March 14, 2003, with any ordinance needed for supplemental appropriation authority.

~~((The reports and plans required to be submitted by these provisos must be filed in the form of 15 copies with the clerk of the council, who will retain the original and will forward copies to each councilmember and to the lead staff for the budget and fiscal management committee or its successor.))~~

PROVIDED FURTHER THAT:

Of this appropriation, \$100,000 shall only be expended or encumbered after the office of the public defender has submitted to the office of management and budget the first, second and third quarter *State v. Ridgway* actual expenditure reports by the deadlines specified in this proviso in the format approved by the council by motion. ~~((Upon approval by the council of the format for quarterly reporting of actual expenditures associated with the defense in the *State v. Ridgway* case, the))~~ The office of the public defender ((will)) shall prepare and submit ((a)) quarterly reports on actual expenditures and staffing on the approved format to the ((

~~budget)) office of management and budget, or its successor, by June 2, July 18 and October 20, 2003, for the first, second and third quarter reports respectively. ((detailing first quarter actual expenditures and updating the staffing model. Thereafter, the office of the public defender will submit quarterly reports to the budget office, or its successor, no later than 20 days after the end of each quarter.)) The executive shall forward the ((first)) reports to the council ((on)) by June ((13)) 18, July 30 and October 30, 2003, respectively. ((and subsequent reports 30 days after the end of each quarter.))~~

The quarterly reports ((and plans)) required to be submitted by ((these)) this proviso ((s)) must be filed in electronic format and in the form of 15 paper copies with the clerk of the council, who will retain the original and will forward paper copies to each councilmember and to the lead staff for the budget and fiscal management committee or its successor.

PROVIDED FURTHER THAT:

Of this appropriation, \$100,000 shall only be expended or encumbered after ((T)) the office of the public defender ((shall work)) coordinates with the ((budget)) office of management and budget, or its successor, such that the transmittal of the executive's ((annual)) 2004 proposed budget ((will)) includes a report identifying: (1) a proposed staffing model and line item budget for the defense resources associated with the case *State v. Ridgway* for 2004, detailing how resources are projected to be used throughout the year, against which actual expenditures can be compared; and (2) details on any projected revenue proposed to support the 2004 expenditures, including a description of any limitations on how the revenue can be used.

SECTION 11. Ordinance 14517, Section 42, as amended, is hereby amended by adding thereto and inserting therein the following:

OFFICE OF THE PUBLIC DEFENDER - From the current expense fund there is

hereby appropriated to:

Office of the public defender

\$2,152,061