


Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: 08/03/2021	PREPARED BY: Tiffany Deaton
Meeting Date Requested: 08/10/2020	PRESENTED BY: Tiffany Deaton
ITEM: (Select One) Consent Agenda <input checked="" type="checkbox"/> Brought Before the Board Time needed: 10 minutes	
SUBJECT: Authorization to Contract with WA AOC to fund Temporary Staffing Positions for Blake Caseload. Adding LPA II Deputy Clerk to Clerk's office.	
FISCAL IMPACT: All expenses to be reimbursed by the Washington State Administrative Office of the Courts under their Blake Disbursement Plan. \$58,434 to be paid by State AOC.	
BACKGROUND: During the 2021 Legislative Session, the Washington State Administrative Office of the Courts was allocated \$72,500,000 by the Legislature to address the aftereffects of the State v. Blake decision. The Washington State Administrative Office of the Courts has issued a Blake Disbursement Plan which outlines their distribution plan for a one-year allocation of \$44,500,000, as identified in ESSB 5092 Sec. 115(5), to assist counties with the costs of resentencing and vacating the sentences of defendants affected by the Blake decision.	
RECOMMENDATION: The Clerk of the Court recommends approval of the Franklin County Resolution.	
COORDINATION: Suggested to schedule for discussion by Keith Johnson, Franklin County Administrator Reviewed by Michael Killian, Franklin County Clerk	
ATTACHMENTS: (Documents you are submitting to the Board) Franklin County Resolution	
HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list <u>name(s)</u> of parties that will need a pdf) Michael Killian, Franklin County Clerk (email PDF)	

I certify the above information is accurate and complete.


 _____, Tiffany Deaton, Court Administrator

FRANKLIN COUNTY RESOLUTION _____

BEFORE THE BOARD OF THE COMMISSIONERS OF FRANKLIN COUNTY, WASHINGTON

IN THE MATTER OF APPROVAL AND AUTHORIZATION TO ENTER INTO A REIMBURSEMENT CONTRACT WITH THE WASHINGTON STATE ADMINISTRATIVE OFFICE OF THE COURTS TO FUND TEMPORARY STAFFING POSITIONS ESTABLISHED TO ADDRESS THE BLAKE DECISION CASELOAD AND ESTABLISH A PROCESS FOR ALL BLAKE RELATED EXPENSES TO BE INVOICED TO FRANKLIN COUNTY PER THEIR PRO-RATA SHARE;

WHEREAS, during the 2021 Legislative Session, the Washington State Administrative Office of the Courts was allocated \$72,500,000.00 by the Legislature to address the aftereffects of the State v. Blake decision; and

WHEREAS, the Washington State Administrative Office of the Courts has issued a Blake Disbursement Plan which outlines their distribution plan for a one-year allocation of \$44,500,000.00, as identified in ESSB 5092 Sec. 115(5), to assist counties with the costs of resentencing and vacating the sentences of defendants affected by the Blake decision; and

WHEREAS, the Washington State Administrative Office of the Courts will provide a contract to each county outlining maximum reimbursement which will be determined by the most current DOC Blake population data; and

WHEREAS, Michael Killian, Franklin County Clerk, believes it to be in the best interest of Franklin County Superior Court to enter into a contract with the Washington State Administrative Office of the Courts to be reimbursed for the extraordinary costs associated with the resentencing and vacating of defendants whose convictions and sentences are affected by the Blake decision; **NOW THEREFORE**,

BE IT RESOLVED, that the Board of Franklin County Commissioners hereby approve and authorize the Franklin County Superior Court Clerk to enter into a reimbursement contract with the Washington State Administrative Office of the Courts which reimburses the costs of temporary staffing positions that will address the Blake decision caseload.

DATED this _____ day of _____, 2021.

FRANKLIN COUNTY BOARD OF COMMISSIONERS

Chair of the Board

Chair Pro Tem

Member

ATTEST:

Clerk of the Board

Constituting the Board of County
Commissioners, Franklin County, Washington.

cc: FC Commissioners, Auditor, Treasurer

2021 ADDITIONAL POSITION BUDGET REQUEST FORM
 USE THIS FORM FOR ADDING A POSITION THAT EXISTS WITHIN THE COUNTY

Department CLERK

Position Title LPA II Deputy Clerk

Bargaining Unit COURTHOUSE Clerical 874 Union, 7.5-hour day

Position Grade 13
 Salary Range \$ 38,552 - \$ 51,773
 Requested Step 1 Requested Hours per Week 37.50
 Requested Salary \$ 38,552.00

Has HR reviewed the request and made a compensation recommendation? YES
 Is the requested salary consistent with HR's recommendation? YES
 Is the position eligible for health benefits? YES
 Is the position eligible for retirement benefits? YES

JUSTIFICATION:

Cost Calculation

(See Attachment B1 for current rates depending on bargaining unit)

Gross Pay	\$	<u>38,552.00</u>
FICA/Medicare		2,950.00
Health Benefits		12,360.00
Retirement	PERS	3,952.00
Labor & Industries	5306	263.00
Unemployment		300.00
Paid Family Medical Leave		57.00
Subtotal Benefits	\$	<u>19,882.00</u>
Total Salary and Benefits	\$	<u>58,434.00</u>
OTHER COSTS RELATED TO REQUEST (computer, furniture, etc.)		
_____		_____
_____		_____
_____		_____
Subtotal Other Costs	\$	<u>-</u>
Total Cost of Request	\$	<u>58,434.00</u>

Dept Head Signature: _____



BLAKE DISBURSEMENT PLAN: INFORMATION SHEET [JULY 6, 2021]

During the 2021 Legislative Session, the AOC was allocated \$72,500,000 by the Legislature to address the aftereffects of the *State v. Blake* decision. The information included in this document is a roadmap to understanding AOC's plan for distribution. The \$72,500,000 was allocated to AOC as follows:

Resentencing and Vacating

- A one-year allocation of \$44,500,000, as identified in ESSB 5092 Sec. 115(5), to assist counties with the cost of resentencing and vacating the sentences of defendants affected by *Blake*.
- Counties who wish to be reimbursed for the **extraordinary**¹ costs associated with the resentencing and vacating of defendants whose convictions and sentences are affected by *Blake* will sign a contract provided by AOC.
- This contract will include the maximum reimbursement amounts for each county, which will be determined by the most current DOC *Blake* population data.
- Counties will be responsible for determining the portion of the AOC reimbursement that will be used for costs incurred by the courts, clerks, prosecutors, or other activities associated with resentencing and vacating.

Legal Financial Obligations [LFOs]

- A one-year allocation of \$23,500,000 in Sec. 115(6) of ESSB 5092, which will be used to reimburse LFOs paid by defendants seeking refunds.
- Distribution of funds will be based on the percentage of the state total of paid LFOs over a ten-year lookback period associated with RCWs impacted by *Blake* that will have to be reimbursed by a city or county.
- Contracts will be executed with the relevant cities and counties which will then determine the portion of the AOC reimbursement funding that will be used for LFO refund processing costs (i.e. **extraordinary**² staff costs) and the portion that will be used for actual LFO reimbursement.

Funding for Therapeutic Courts in Courts of Limited Jurisdiction

- A two-year allocation in ESB 5476 Sec. 23 for \$2,250,000 per year will be used to fund grants for therapeutic courts operated by municipalities and district courts. Discussions are still ongoing regarding the funding distribution methodology.

For more information, please contact Ramsey Radwan, AOC Chief Financial and Management Officer, through July 31, 2021 at ramsey.radwan@courts.wa.gov or 360-704-4020. Beginning August 1, 2021, please contact Christopher Stanley, AOC Chief Financial and Management Officer at christopher.stanley@courts.wa.gov or 360-704-4020.

¹The AOC has interpreted "extraordinary expenses" to mean any work that requires additional resources to process *Blake*-related cases or hinders the ability to perform regularly-assigned work duties requiring a "backfill" of those resources.

² See Footnote 1.