

**SENATE BILL REPORT**

**SB 6006**

**AS REPORTED BY COMMITTEE ON WAYS & MEANS, FEBRUARY 7, 1994**

**Brief Description:** Concerning the judicial information system.

**SPONSORS:** Senators A. Smith and Nelson; by request of Administrator for the Courts

**SENATE COMMITTEE ON LAW & JUSTICE**

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators A. Smith, Chairman; Ludwig, Vice Chairman; Nelson, Quigley, Roach and Spanel.

**Staff:** Martin Lovinger (786-7443)

**Hearing Dates:** January 11, 1994; January 12, 1994

**SENATE COMMITTEE ON WAYS & MEANS**

**Majority Report:** That Substitute Senate Bill No. 6006 be substituted therefor, and the substitute bill do pass.

Signed by Senators Rinehart, Chairman; Quigley, Vice Chairman; Anderson, Bauer, Bluechel, Gaspard, Hargrove, Hochstatter, Ludwig, McDonald, Moyer, Owen, Pelz, Roach, L. Smith, Snyder, Spanel, Sutherland and Wojahn.

**Staff:** Linda Brownell (786-7913)

**Hearing Dates:** February 1, 1994; February 7, 1994

**BACKGROUND:**

The office of the Administrator of the Courts (OAC) has indicated that additional computer capacity is required for the Judicial Information Systems (JIS). This expansion is necessary to provide adequate support to the courts and others who currently rely on JIS. In addition, the increased capacity would permit a number of district and municipal courts that currently are not served by JIS to use and share those services.

The JIS is now operating at 100 percent capacity during most working hours. This results in delays in processing of work, which can lead to a need for additional employees to process the work, and dissatisfaction by those who use the courts. The OAC feels the lack of capacity also prevents bringing on line useful programs that could, among other things, reduce expenditures, achieve higher levels of legal obligation payments, more efficiently use the time of police officers, and provide more accurate information for sentencing of criminals.

In 1984 the public safety and education account was established by the Legislature to receive the state portion, which is determined by formula, of all fines, assessments and fees received by courts. However, there is a judicial information system account in the custody of the State Treasurer which receives all payments from in-state noncourt and all out-of-state users of JIS services. The fees charged to noncourt and out-of-state users are supposed to fully cover the cost of providing these services. The money in this account is to be appropriated for the purposes of the JIS.

**SUMMARY:**

The funds in the judicial information system account are to be used to provide an adequate level of Judicial Information Systems (JIS) services to the judiciary, in addition to access for noncourt users. The account is subject to the allotment procedure. Disbursements are no longer subject to appropriation.

To support the JIS account, the Supreme Court is authorized to provide by rule the following increases in assessments: the base monetary penalty for each infraction by \$10; a \$10 mandatory appearance assessment on convicted defendants in courts of limited jurisdiction; and a \$10 assessment for each traffic infraction account for which a person requests a time payment schedule. These assessments may not be waived or suspended. The Supreme Court is requested to adjust these assessments for inflation.

**EFFECT OF PROPOSED SUBSTITUTE:**

The JIS account remains appropriated.

**Appropriation:** none

**Revenue:** yes

**Fiscal Note:** available

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**TESTIMONY FOR (Law & Justice):**

There are courts where judges cannot obtain current DWI histories or histories of prior domestic violence convictions or charges for defendants appearing before them. There are sentencing judges who cannot find out about changes in pending criminal charges. These judges need the enhancements that this bill will fund. JIS provides fast and accurate criminal histories to courts which protect against judges being fooled by dishonest defendants who lie about their criminal records. This bill represents a means of funding the system by assessing those who use the system. Where JIS is installed, collection rates have gone up as much as 70 percent.

Decisions regarding enhancements to the JIS are responsible because they are made by Supreme Court rule.

**TESTIMONY AGAINST (Law & Justice):** None

**TESTIFIED (Law & Justice):** Mary McQueen, Office of the Administrator for the Courts (pro); Judge Kip Stilz, Thurston County District Court (pro); Debbie Wilke, Washington Association of County Officials (pro); Tom McBride, Washington Association of Prosecuting Attorneys (pro)

**TESTIMONY FOR (Ways & Means):**

One of the major concerns is to be able to use the JIS system to expand the information on criminal behavior, particularly driving while intoxicated (DWI). The system is working well for those it serves but not enough users have access to the system. The system improves public safety and accountability and is used every day by participating courts. The Administrator for the Courts proposes to provide annual reports to the Legislature on the JIS system.

**TESTIMONY AGAINST (Ways & Means):** None

**TESTIFIED (Ways & Means):** PRO: Senator Adam Smith, prime sponsor; Judge Robert Utter, Supreme Court; Mary McQueen, Office of Administrator for the Courts; Judge Kip Stilz, Thurston County District Court