

**FUNDING AND GOVERNANCE PROTOCOLS BETWEEN  
THE BOARD OF COUNTY COMMISSIONERS FOR YAKIMA COUNTY AND  
THE SUPERIOR AND DISTRICT COURTS FOR YAKIMA COUNTY**

**1. Purpose , Intent and Goals of Protocols**

- a. The purpose of these Protocols is to clarify the rights, duties, and responsibilities of the Board of County Commissioners (Board) and the Yakima County Superior and District Court (Court) as they pertain to the funding, management, governance of the Courts, and communication between the two coequal branches of government.
- b. By jointly defining, adopting and implementing these Protocols, it is the intent and goal of the Board and the Court to expedite the business of government, enhance intergovernmental cooperation and effectiveness, and enable more consistent and reliable revenue, budgeting, funding and management decisions.

**2. Communications**

- a. The Board and the Court are independent and coequal branches of government, each having duties, obligations and rights under the constitution and laws of the State. The Board and the Court will each recognize and treat the other as an independent, coequal branch of government.
- b. The Board and the Court will meet when necessary regarding current matters of importance, including budget and funding needs, revenue availability, and public policy issues affecting the Court that are of interest to both the Court and the Board.
- c. The Board and the Court will designate a representative from each body to meet on a regular basis to facilitate open communication between the two branches of government. Said representatives may include other participants as they jointly decide. Public policy announcements that affect both parties shall not be made public until the policy has been fully discussed by both parties.

**3. Budgeting and Funding**

- a. The Courts shall be represented at the Budget Elected Team (BET) meetings by court appointed staff. The Court recognizes that reasonable and justified adjustments to the Court's budget may be made by the Board. The Board has the final authority to establish the Yakima County budget. The Board understands the Court's obligation to meet the right of the public to have access to justice.

- b. To perform its duties and obligations, the Court expects a reliable annual budget and funding level that is reasonably necessary for the prompt, proper and efficient administration of justice. The Court also recognizes the Boards obligation to provide a reliable annual budget to all County functions as outlined in the Priorities of Government model. (to be amended reflecting Courts as a separate component of the model by resolution)
  
- c. The Court will be allowed reserve funds for future years as follows:
  - Unspent Restricted funds that can only be used for Court activities such as:
    - i. Trial Court Improvement Funds (5454)
    - ii. Judicial Stabilizations funds
    - iii. Drug Court Fees
  
  - Committed/Assigned funds by Board policy such as:
    - iv. Computer Equipment Replacement Reserves
    - v. Contingency Reserves
  
  - Unspent 3/10<sup>th</sup>'s Sales and Use Tax funds of the Courts.  
(These may be used to support cost overruns in the General Fund).

Specific Restricted funds may be amended by Federal/State regulation.  
Committed/Assigned and 3/10<sup>th</sup>'s funds policy may be amended by the Board.

- d. The Court will be allowed to adjust line items (wages, supplies, professional services) in their respective General Fund budgets and within their General Fund divisions to address underfunded line items in other parts of the Court's budget in accordance with the BOCC General Fund Expenditure Policy of 2013. Amendments between courts (District, Superior and Juvenile) will be allowed but cannot exceed the total allocated Court budgets. Budget amendments between courts must be requested by the Court on or before December 1<sup>st</sup> to allow the Board to make the amendments by formal Board resolution.
  
- e. The Court has the sole authority and responsibility to execute all Court related grants, contracts and agreements. Therefore, the Courts have the responsibility to monitor and assure adherence to state and federal auditing requirements.

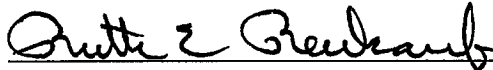
#### 4. **Judicial Branch Management**


- a. In accordance with General Rule 29(f), the Court must maintain exclusive control over the supervision and management of the Court, including: (i) all personnel assigned to perform court functions; (ii) all personnel employed under the judicial branch of government, including but not limited to their working conditions,

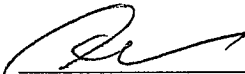
hiring, discipline, and termination decisions, except wages or benefits directly related to wages; and (iii) the court administrator or equivalent employee who shall report directly to the presiding judge.

- b. The Board has the responsibility to: (i) engage in collective bargaining as applicable; (ii) set wages and benefits directly related to wages; and (iii) cover such employees under the County's risk pool.
- c. To insure effective coordination between the Board and the Court in the management of Court staff the Court will seek consultation with the County's Human Resources Department on personnel matters with the understanding that General Court Rule 29 defines the Courts authority in these matters.

BOARD OF YAKIMA  
COUNTY COMMISSIONERS

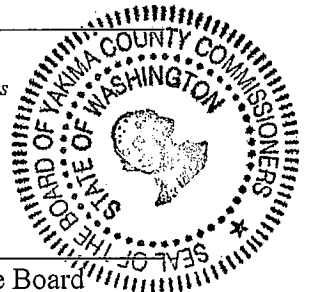
  
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Yakima County Superior Court  
Ruth Reukauf Presiding Judge  
Date 04-23-2013

  
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Michael D. Leita, Chairman

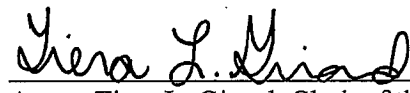
  
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Yakima County District Court  
Donald Engel Presiding Judge  
Date 4-13-13

  
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Kevin J. Bouchey, Commissioner

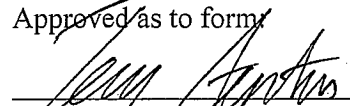
  
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J. Rand Elliott, Commissioner  
*Constituting the Board of County Commissioners  
for Yakima County, Washington*



  
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Yakima County Court Consultant  
Harold Delia

  
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Attest: Tiera L. Girard, Clerk of the Board  
**BOCC 218-2013; April 23, 2013**

Approved as to form

  
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Deputy Prosecuting Attorney