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Date: November 19, 2012
To: Bridget Clawson, Human Resources Director
From: Sonya Kraski, County Clerk *Sonya Kraski*
CC: Kathleen Gunn, Chief Deputy/Customer Service & Court Services Manager
Mark W. Allen, Case Management & Juvenile Manager
Heidi Percy, Court Operations Manager
Mary Albert, Finance/Budget & Records Manager
Melody Stewart, SCCA President
Subject: Clerk's Office Reclassification Request

This management initiated reclassification is submitted pursuant to Snohomish County Code 3A.04.030 (3) with my strongest possible support for approval and implementation. The Snohomish County Clerk's Association (SCCA) supports this reclassification and worked closely with my management team to research, analyze, validate and document existing and new job duties and responsibilities and to draft new job descriptions.

To assist in an analysis, the following information is included:

- A. Changes in Duties and Responsibilities/Mandates
- B. Summary of Classifications/Pay Grades
- C. Reclassification Job Description/Pay Grade Information
- D. New Legislation, State Rules & Technological Changes
- E. Proposed Job Descriptions
- F. Current Clerk's Organization Chart

The permanent and substantial changes that have occurred in the duties, responsibilities, and complexity of Clerk's Office functions, over the past 15 years, are significant and now documented in the form of proposed job descriptions (Attachment A). The current job descriptions are defined too broadly and do not recognize the distinctions in work and technical requirements specific to the Superior Court Clerk's Office.

Because job descriptions of District Court have been included in past reclass discussions, I'd like to briefly outline just a few of the many and distinct differences between limited functions of District and Municipal clerks compared to the overreaching responsibilities of a

retention, and JPAs prepare and transmit exhibits for cases on appeal. Additionally, the JPA classification is responsible for case management of all Superior Court cases requiring not only the knowledge of over 900 specific document docket codes covering seven different case types used to categorize individual documents and actions, it also requires specific analytical skills and abilities to read and make independent decisions on the intent of court orders and to apply complex rules in entry and management of all court cases into multiple databases. Because of their technical knowledge of docketing and associated databases, this classification is also frequently called upon to develop database queries for specific court case information requested by Superior Court, the Clerk, and other departments and agencies. HR's review of the reclassification in 1999 focused on the JOA and LPA job classifications, and the work of the JPAs and JRAs was also briefly reviewed. Unfortunately, JPA/JRA work was neither adequately considered nor received any level of advocacy by management. Consequently, the JPAs and JRAs missed an opportunity to clearly show that their work is as complex as that of a JOA.

I was part of the panel review team for the previous JOA reclassification and it is my strong professional opinion that, while staff did not rotate to perform in other divisions and functions of the office at the time which appeared to be one of the comparison criteria between LPA and JOA jobs, the difference in complexity and diversity of our job classifications' duties and responsibilities (i.e. document processing, records management, exhibit management, risk exposure, etc.) far exceed that required for all of District Court's court clerk, records, and document processing responsibilities combined. To further support my position, the 1997 Walsh Moncada Compensation and Classification Study recommended that the JOA and JPA job classifications be paid at the same level.

Other comparisons have included like jobs in other Superior Court Clerk's Offices within the state; again, while there are similarities across these specific job classifications, there are significant differences as well, and it is difficult to make an "apples-to-apples" comparison given the different labor markets used. One would think that all Superior Court Clerk's Offices within the state are organized the same, but that is not the case. While each of the 39 Superior Court Clerk's Offices in the state are mandated to provide the same functions and services, each Court and Clerk's Office accomplish this work differently including different levels of technology and customer service.

In the 2008 Clerk's Office Compensation Review, which was completed as negotiated between the County and the Clerk's Association, different job comparisons were made with Clerk's Offices in Spokane, Pierce, Clark, and Kitsap Counties. The Compensation Review was limited in scope and there were jobs within the County and within my own office that were not considered for comparison although these jobs included striking similarities in essential functions, duties and responsibilities, and minimum qualifications.

For instance, Superior Court Judicial Coordinators perform similar and related duties as those of Clerk's Office classifications. Legal Document Recording Examiners and Licensing Examiners in the Auditor's Office also perform similar and related duties to those of the Clerk's Office classifications. These examples showcase the weakness of existing job descriptions which are inadequate and incorrect. I strongly urge Human Resources to use our proposed job descriptions along with County job comparisons as the primary source of comparables for this reclassification.

1. Why have these positions changed?

These changes are primarily the result of new or changed legislation, State Court Rules, and Local Superior Court Rules as well as implementation and use of new technology above and beyond what is documented and required in current job descriptions. Additionally, the increase in complexity and variety of duties, due to implementation of new and/or changed legislation, requires a more technical skill set.

Examples covered by the proposed Clerk's job description:

- A. The office has implemented statutory changes including the creation of an entire new category of confidential court records which have separate and unique processing, access, and management requirements;
- B. There have been significant changes to State General Rule 15 involving sealing of court records where redaction of court records is now required. The new redaction requirements are complex and require processing primarily by a Lead or Supervisor; however, the necessity is that these tasks be performed by line staff employees, these changes are unique to Superior Court and County Clerks.
- C. New technology has been implemented resulting in automation of manual, paper-based processes including the Clerk's EDMS, e-filing with the State Court of Appeals, a new minute entry application, and implementation of a new database query application/tool.
- D. Technology has been implemented requiring staff training and knowledge including operating a file transfer protocol (FTP)/virtual private network (VPN) connection with the State to electronically transfer child support orders and related documents to the Office of Support Enforcement/Washington State Support Registry.
- E. Knowledge and ability to operate desk top scanners as well as operate digital audio recording equipment and manage and duplicate digital audio recordings are new required skills as well.

Each of these significant technology changes has required (and continues to require) extensive training and applicants with knowledge and familiarity working with a variety of new technology as well as ability to simultaneously work in and between 2-3 State systems.

2. When did the changes occur?

Changes have occurred over the past 10-15 years and proposed job descriptions have now been adequately updated to reflect the job that is currently being performed.

Summary of Classifications/Pay Grades

An extensive review of County job descriptions (both inside and outside of law and justice departments) was completed with the primary focus of comparing Clerk's Office job classifications/descriptions with other County job classifications/descriptions with *like essential duties and responsibilities and minimum qualifications*, some of which were discussed previously in this request.

The following County job descriptions were found to have direct comparisons in essential duties and responsibilities and, in most cases, minimum qualifications:

County Job	Comparable Clerk's Job	Comments
Legal Document Recording Examiner	JPA & JRA I, II, Lead, & Supervisor	Includes Legal Document Recording Examiner I, II, Lead, & Supervisor jobs.
Licensing Examiner	JPA I, II, Lead, & Supervisor	Includes Licensing Examiner I, II, Lead, & Supervisor jobs.
Elections & Voter Registration Examiner	JPA I, II, Lead, & Supervisor	Includes Elections & Voter Registration Examiner I, II, Lead & Supervisor jobs.
Records Specialist & Records Specialist Lead	JRA II, Lead, Supervisor	
Evidence Control Officer & Evidence Control Supervisor	JRA II, Lead, Supervisor	
Permit Technician Lead	JPA Lead	Permit Technician Lead
Judicial Coordinator	JPA & JOA II	
Courthouse Facilitator	JPA II	Courthouse Facilitator is a Clerk job classification.
Court Services Supervisor - DC	JPA, JOA, JAA, JRA Supervisor	
Clerk, Boundary Review Board	JPA, JOA, JRA, JAA Supervisors??	
Clerk of Hearing Examiner	JOA II & JPA II	
Division Supervisor, District Court	JPA, JOA, JAA, & JRA Supervisors	
Family Support Division Coordinator	JPA, JOA, JRA, & JAA Lead	
Juvenile Court Coordinator	JOA II	
Lead Cashier	JAA & JPA	
Legal Assistant	JPA II	
Municipal Clerk I	JOA & JPA II	
Municipal Clerk II	JOA & JPA Lead & Supervisor	
Paralegal	JPA Lead	
Payroll Technician II	JAA II	

- And finally, although I realize that the Site Attendant I classification in Waste Management is a *completely* different job classification from that of the Judicial Process Assistant and Judicial Records Assistant jobs, the minimum qualifications and essential duties and responsibilities are much higher in the Clerk's Office positions, yet a Site Attendant I is paid at a higher wage.

These identified examples share like essential duties and have similar minimum qualifications while being paid at a higher level than similar jobs in the Clerk's Office and, in some instances, paid at a higher level than is requested in this reclassification. Clerk's Office Supervisors are some of the lowest paid supervisors in the County, if not the lowest paid. As agents of the County who fill in for their managers on a regular basis and who perform a highly complex level of duties and responsibilities carrying a high degree of liability, a significant increase in pay is warranted and long overdue.

Recruiting and retaining the most qualified applicants is my number one priority, and paying a competitive wage, which I believe this reclassification provides, is integral to achieving my goal. This reclassification along with the proposed job descriptions and organizational changes associated with it reflect the skill set required by the Clerk's Office of today and are congruent with my vision and goals for transitioning the office to meet the needs of the immediate future.

My staff and I look forward to working with you to answer your questions.

State Law, State/Local Court Rules	Description & New Duties & Responsibilities
State General Rule 22 (GR 22)	New GR in 2001 creating a new category of confidential Family Law court records, requiring new indexing, access, and retention functions. Requires extensive knowledge of indexing, codes, and unique access requirements to confidential information.
State General Rule 15 (GR 15)	Updated in 2006 requiring strict requirements for sealing of court records. New redaction requirements require additional training and learning of complex court record sealing and redaction requirements.
State General Rule 31 (GR 31)	Changed in 2006, this rule defines court records and changed some definitions resulting in the Clerk assuming responsibility for the records retention of Superior Court hearing digital recordings. Previously these recordings were administrative records and they are now classified as court records. Retention, access, and final disposition requirements created new and additional records management duties and responsibilities.
Will Repository (RCW 11.12.265)	New legislation in 2004 permitting the filing of an original Will with court before death of testator. While the Clerk already accepts "Will Only" filings in the Probate case type, this repository is new and separate and has specific processing and access requirements. This would be similar to recording a Will in the Auditor's Office; however, the Will Repository may be accessed by the testator or authorized representative or by court order ONLY.
Sealing Juvenile Offender Records (RCW 13.40.127)	This was new legislation in 2009 and changed again in June 2012. This requires the Clerk to work with the Prosecutor and Juvenile Court to seal juvenile deferred disposition cases. This new requirement places the majority of new work on the Clerk generating reports of potentially eligible cases and researching further to determine if eligible for sealing. If eligible, Clerk prepares court order for Prosecutor and Judge signature.
Family Law Handbooks (RCW 2.56.180(3))	New legislation in 2009 requires the Clerk to monitor and provide each petitioner and respondent or their attorneys in a dissolution case a Family Law Handbook, which is tracked at time of filing, information provided or mailed, and an entry into the State database completed for the record.
Firearm Revocation Report – Felons & Involuntary Commitments (RCW 71.05)	This change in the mental illness legislation requires the Clerk to notify DOL and NICS within three judicial days of an involuntary commitment. This is a highly time-sensitive new function that the Clerk must perform without error as failure to do so may place the individual and the public at risk as well as expose the Clerk's Office and County to liability.
Registration of Trusts (RCW 11.98.005)	In January 2012, new legislation was passed that allows trustees to register a trust with the Clerk. This new law requires staff to recognize and understand trusts to ensure correct filing and to monitor to issue a certificate after 30 days should no objection to the trust be filed.

New or Changed Technology	Description & New Duties & Responsibilities
High View (new)	The Clerk's electronic document management system (EDMS) was implemented in 2005 and fundamentally changed the way court records were received, indexed, and filed. The new system transitioned the court and the Clerk from relying exclusively on physical court records to providing electronic access to these same records. This was the single largest change in technology in the Clerk's Office since the early 1990s when the State Judicial Information System (JIS) was implemented. The new EDMS required significant change management and required extensive staff training as well as new skills and abilities to understand and operate the system.
WSSR/OSE (change)	In 2002 the Clerk worked with the State Office of Support Enforcement (a division of DSHS) to automate the process of the Clerk's mandated duties to transmit all court orders and associated documents to the Washington State Support Registry (WSSR). The old practice required several hours of manpower daily to fax numerous documents to the WSSR. The automated solution required staff to learn the State's scanning/imaging system and log into their secure system daily and scan and transmit documents. This new process reduced the labor required by 60% and resulted in timelier transmission of documents and information to WSSR. Training in scanning and document preparation as well as training in actually using the State system was required.
Digital Recordings (new)	In 2007 the Clerk transitioned from cassette recordings of court hearings to digital recordings stored on CD. This new technology required training in operating the digital recorders as well as training in copying CDs in their entirety as well as copying specific files from one CD to another CD.
State Court of Appeals (COA) Portal (new)	In 2011, the Clerk worked with the State Court of Appeals on a pilot project to begin transmitting Superior Court appeals electronically using the State COA portal. This transition required a total revision to existing paper-based procedures and required extensive training, which is still ongoing today. While this new process and technology has markedly improved Appeals processing efficiency, it requires employees with a higher skill level in PC use, knowledge of database, Adobe Pro, and other software.
COA Accords (new)	Appeals staff are trained and required to access and navigate the State Court of Appeals case management system to obtain appeal information on Superior Court cases. This training and system knowledge is in addition to the in-depth knowledge staff must have the State Superior Court Management Information System (SCOMIS), the State Judicial Information System (JIS), and the State Judicial Receiving System (JRS).