

Julie Kjorsvik

From: Matt Fairbank <matt@drcyakima.org>
Sent: Wednesday, March 07, 2012 3:46 PM
To: Julie Kjorsvik
Subject: DRC contract with updates and additional information
Attachments: FEESCHED.DOC; KITSCO11 full year for Brd.XLS; Kittitas Co DRC contract 12 final.doc

Dear Julie,

I have updated the contract language after yesterday's study session. As I went through it, I noted a couple of additional changes that seemed to be in order.

Here are the changes I made.

Section 1: I eliminated reference to the Dispute Resolution Plan being "attached hereto" since it isn't but left the "incorporated herein" language.

Section 3: Changed additional references from "monthly" to "quarterly" since that is the payment schedule referenced later in the section and agreed to by the treasurer's office.

Section 7: Eliminated comma between "an" and "annual" in second line.

Section 10 C: Neil Caulkins from the Prosecutor's office will be incorporating boiler plate language and forwarding that update to you. I have highlighted it here in red font to call attention to the fact that you'll be receiving an updated version from him.

Section 12: changed the Venue Stipulation to Kittitas County.

Also, I have attached our current fee schedule which is referenced in section 13, subsection 2, but which I had not provided earlier.

Would it be normal for me to ask my board president and secretary to sign a draft contract before the County Commissioners approve it so their signatures would finalize things or should we wait to have them sign until after the commissioners have approved and signed the contract? Thanks. It has been so long since we've done this, I don't recall proper protocol.

Commissioner O'Brien had raised a question about the amount of funds raised by our fundraising efforts, noting that our annual financial review doesn't include any information about the success of the efforts for which fundraising expenses are noted in the review. I am not sure why the financial review doesn't include that information, but thought it might be helpful if I were to include it here. (Our monthly materials to the board of directors which are also sent to the county commissioners and district court includes financial information including fundraising income on the blue sheet.)

Dispute Resolution Center of Yakima and Kittitas Counties

| Annual Fundraising income | 2009 | 2010 | 2011 |
|---------------------------|-----------|-----------|-----------|
| events | \$ 22,005 | \$ 41,636 | \$ 42,462 |
| letters | \$ 3,781 | \$ 5,766 | \$ 5,225 |
| donations | \$ 2,761 | \$ 1,527 | \$ 4,676 |
| Total | \$ 28,547 | \$ 48,929 | \$ 52,363 |

Commissioner Jewell indicated he wasn't familiar with the mechanism by which funds from Kittitas County were available to contract with the DRC. In case it is helpful, I'll provide a little bit of history.

The Kittitas County Commissioners approved of the Dispute Resolution Plan and contract with the DRC in 1994 as Resolution No. 94-85. That Resolution follows the provisions of RCW 7.75.020 which allow for the local legislative authority to authorize the establishment of a community dispute resolution center and to authorize up to \$10 for each District Court civil filing and \$15 for each small claims filing to go to help fund such center. In Kittitas County those amounts are \$10 for District Court civil filings and \$10 for small claims filings. Here's a link to RCW 7.75. <http://apps.leg.wa.gov/rcw/default.aspx?cite=7.75> I am happy to answer any other questions that may be present.

I have also attached an Excel spreadsheet that shows the usage of DRC services in Kittitas County over the past three years. I would be happy to go over this at the next study session if there would be time.

A couple of things to note on the report: with the end of state funding dedicated to the existence of the Victim Offender Meeting program in June 2011, the DRC has attempted to keep the program going with funding from United Way of Central Washington. We've been able to work out an agreement with the Kittitas County Juvenile Court as approved by the county commissioners on October 4, 2011 to continue providing the service, though due to lower than expected juvenile crime activity since then, referrals haven't been forthcoming. The decrease in Victim Offender cases for 2011 reflects that reality. In about 2008, then District Court Commissioner, now Judge James Herson worked with the DRC to have parties to neighborhood based anti-harassment order requests participate in mediation before having their cases heard in court. In 2009 there were 4 such cases. We were able to resolve 3 of the four. In 2010 there was only one case that mediated. It was also resolved. Another four cases all related to the same neighborhood dispute came up for mediation and the mediator discussed with the 10 neighbors and 2 attorneys the mediation option, but some of the parties were unwilling to mediate and so the cases were heard by the judge. In 2011, there were two anti-harassment cases related to the same apartment dispute. Both cases were resolved. Additional anti-harassment cases were on the docket over the three years, but one or the other party didn't show up for court so no mediation could happen.

The DRC has begun providing Foreclosure Mediation services as part of the Foreclosure Fairness Act which passed the WA state legislature and became law last April. Thus far, we have not had cases involving Kittitas County homeowners though we have conducted 5 cases in Yakima county with four more cases scheduled to happen in the next month or so.

I am happy to talk about any of these topics when I am present for the study session in a little less than 2 weeks, but wanted to provide the information here in case that is helpful or there isn't time for me to dialogue with the commissioners about these matters. Thanks again for your help. Please let me know if you or the commissioners have any questions prior to the March 19th study session.

Sincerely Yours,

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