



WHATCOM COUNTY
EXECUTIVE ORDER 96-05

**Special Policy Implementing
Corrective Directives, Standards and Requirements
within the Juvenile Court Administration Department**

WHEREAS, an internal audit of the Juvenile Court Administration Department has been conducted by the Internal Audit Division of the Auditor's Office, and

WHEREAS, the audit report findings document numerous deficiencies, problems and inappropriate practices that warrant and necessitate corrective action, and

WHEREAS, it is the County Executive's responsibility to supervise all executive departments and ensure the proper and efficient operation of County government.

NOW, THEREFORE, BY VIRTUE OF THE POWER VESTED IN ME BY THE HOME RULE CHARTER FOR WHATCOM COUNTY, I HEREBY ORDER, EFFECTIVE IMMEDIATELY, THE FULL AND COMPLETE IMPLEMENTATION OF THE ATTACHED PROVISIONS OF THIS ORDER,

Dated this 27th day of November, 1996

Pete Kremen, Whatcom County Executive

A. Administrative Overview

This executive order has been prepared subsequent to the completion of a thorough audit of the Juvenile Court Administration Department (herein after referred to as "the Department") of Whatcom County government. The internal audit was conducted by the Internal Audit Division of the Auditor's Office at the request of the County Executive, following the receipt of numerous complaints and expressions of concern from within the Department. The audit report findings document numerous deficiencies, problems and inappropriate practices. Pursuant to the Whatcom County Charter, Article 3, Section 3.22 (a), it is the responsibility of the County Executive to "supervise all ... executive departments" and generally, to ensure the proper and efficient operation of the Executive Branch of County government. Pursuant to the aforementioned duty and responsibility, it is the determination of the County Executive that corrective action is both warranted and necessary in this matter.

B. Purpose of Order

The purpose of this order is to provide directives, standards and requirements to be implemented within the Department of Juvenile Court Administration to bring said department up to an appropriate level of operation and accountability.

C. Corrective Action Required

A summary of required corrective action is provided in the following directives:

1. The Department is placed on a special probationary status for a period of one year to commence immediately upon the date of this memorandum. During this period of probationary status, all operations, elements and activities of the Department shall be subject to periodic and specific review by administrative officials designated by the County Executive.
2. The Department's administrative and management personnel shall immediately begin a full review and revision of the Department's policy and procedure manual(s). Upon completion, the revised versions of these manual(s) shall be subject to review, revision and approval by Human Resources, the Prosecuting Attorney's Office, the Superior Court and the Executive's Office.

3. The Department and its personnel, at all levels, shall abide by, conform to and fully obey the "Conduct, Performance and Behavior Standards" contained later in this order.
4. The Department's administration is required to develop a comprehensive "action plan" to address and fully correct the problems, deficiencies and inappropriate practices identified by the Internal Audit report and/or this order. The action plan, with target completion of each identified issue, shall be submitted to the County Executive's designee within a reasonable time.
5. Specific corrective action is required and shall be initiated without undue delay by the Department's administration in response to the deficiency findings of the Internal Audit, as noted in the audit report and this order.
6. The Department's administration shall make timely arrangements with the Human Resources to begin a full review and revision of the Department's personnel performance evaluation system. The Department shall implement an acceptable evaluation system for all departmental members, including subordinate reviews of supervisory, management and administrative personnel, as soon as is reasonably possible.
7. The Department's administration shall, within 60 days, plan and hold as many internal meetings as may be necessary to discuss issues of concern with departmental members for the purpose of receiving input, ideas and constructive criticism regarding interpersonal interfaces, internal professional relationships and departmental operations and practices. Such meetings will be dedicated to positive problem-solving and team building.
8. The Department's administration shall notify, without delay, the Human Resources Manager of internal investigations related to suspected or alleged misconduct, or of any matter that could result in legal or disciplinary action. All disciplinary sanctions shall be subject to review by Human Resources and the Prosecuting Attorney's Office.
9. Departmental members shall continuously monitor departmental operations, while on duty, and shall report without delay, any inappropriate actions, conduct, activities or circumstances warranting concern or attention through the chain-of-command. The Department's administration shall develop a monthly report of all incidents, activities, actions or matters beyond, the normal routine operation of the Department, for Executive review. The report shall be submitted by the Department administrator to the Deputy County Administrator within ten days following the of each month.

D. Required Responses to Audit Findings

1. Mission of the Department

Finding: The Department has no clear and concise mission statement providing operations guidance to departmental members, There is a need for a specific and unified philosophy of juvenile justice practice.

Directive: The Department's administration, with input and/or responsive review from all departmental members, shall develop a comprehensive mission statement and goal statements for the Department and for each of the Department's divisions or major operational elements. Such statements shall either include appropriate reference to accepted juvenile justice philosophy and practices, or provide for individual treatment of such philosophies and practices.

2. Policies and Procedures

Finding: The Department's policy and procedure structure was determined to be inadequate to appropriately direct the staff and operations of the Department.

Directive: The Department's administration shall immediately begin a full and complete revision of the Department's policies and procedures. The Department must address general policies that are applicable to all elements of the Department, as well as provide specific procedural guidance to each operational unit's personnel.

3. Conflict Resolution

Finding: The Department lacks an effective conflict resolution process.

Directive: The Department's administration shall explore, develop and initiate a new plan, practice or strategy for resolving internal conflict within the Department. The Administration shall plan and schedule as many meetings as are necessary to facilitate a positive exchange of ideas, concerns, constructive criticism and other relevant input between the Department's members

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and its administrative, management and supervisory staff. Such planning and meetings shall provide for conflict resolution, both now and in the future.

4. Sexual Harassment

Finding: Department personnel are concerned that complaints of sexual harassment are not handled or addressed appropriately.

Directive The Department's administration, in consultation with Human Resources staff, shall develop a comprehensive and well defined policy for handling all complaints and allegations of sexual harassment that may occur within the Department.

5. Employee Performance Review

Finding: Employee reviews are not utilized effectively in acknowledging positive performance or addressing poor performance.

Directive: The Department's Administration, with the assistance of Human Resources staff, shall fully review and revise the Department's personnel performance evaluation system. The Department will also develop an acceptable process by which subordinate personnel shall review the conduct, performance, and behaviors of superiors, including Administrative members. Beginning in 1997, performance reviews shall be completed on all members at least once per year. Consideration shall be given to additionally conducting "mini-reviews" every four months for the purpose of addressing "high and low points" to provide more effective and timely feedback to departmental personnel for the purpose of encouraging the highest possible level of professional conduct, performance and behavior.

6. Hiring Practices

Finding: Hiring practices have resulted in lowered morale and increased frustration within the Department.

Directive The Department's Administration, in consultation with Human Resources staff, shall develop appropriate and well defined policies and procedures for testing, selecting, hiring

and promoting personnel. During the period of departmental probation, all testing, selection, hiring and promotional processes shall be pre-approved by Human Resources and the Executive's Office. Wherever possible background investigations, polygraphs and psychological examinations shall be required for new hires in detention and probation.

7. Probation Case Management

Finding: Perceived inequity in the assignment of probation cases to the various probation officers causes internal conflicts within the department requiring management involvement or intervention.

Directive: The Department's administration shall meet with probation personnel and develop an appropriate procedure by which cases are assigned to probation personnel to ensure a fair and equitable distribution of case-related workloads. Consideration shall be given to the assignment of more serious cases to senior personnel with the experience and training to successfully manage the same, while, at the same time, enabling less experienced personnel to also gain the progressive case management experience and skill needed to handle more serious cases.

8. Administrative Roles

Finding: There needs to be a clear and logical definition and assignment of management and administrative roles in the Department.

Directive: The Department's administration shall initiate such meetings, discussions, reviews and revisions as may be necessary to clearly and logically define the duties, responsibilities,

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performance expectations and assignments of all of the Department's personnel to effectively resolve any questions or confusion.

9. Clerk Services in Juvenile Court

Finding: The lack of a Juvenile Court Clerk requires probation officers to perform clerk duties for the Juvenile Court Commissioner. probation, all testing, selection, hiring and promotional processes shall be pre-approved by Human Resources and the Executive's Office. Wherever possible background investigations, polygraphs and psychological examinations shall be required for new hires in detention and probation.

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9. Clerk Services in Juvenile Court

Finding: The lack of a Juvenile Court Clerk requires probation officers to perform clerk duties for the Juvenile Court Commissioner.

Determined: This finding, though correct at the time of the audit, has been corrected due to the increased availability of special state funding that has enabled the hiring and placement of a clerk in the Juvenile Court. This finding was not deemed to be the fault of the Department or its administration, as it was due to a lack of available funding beyond Departmental control.

E. Conduct, Performance and Behavior Standards

It shall be the Department's policy to provide specific expectations and guidance for every member regarding conduct, performance and behaviors that are considered to be professionally appropriate and legally correct for members as they act to fulfill their assigned duties and responsibilities.

1 **Administrative Personnel** All of the Department's administrative personnel, including the Administrator, shall fully devote their professional efforts to actively and effectively administering and managing the personnel, resources and operations that are assigned to them. Further, they will conform their on-the-job conduct, performance and behavior to the following expectation standards:

- a. Provide effective vision and leadership for the Department and its operational divisions to enable the fulfillment of its mission
- b. Maintain good internal and external working relationships
- c. Assure the efficient and effective utilization of the Department's resources within the limits of its funding
- d. Research and develop appropriate standards and policies
- e. Assure the establishment and maintenance of positive discipline
- f. Assure fairness and consistency in the management of personnel
- g. Facilitate professional improvement in Departmental personnel
- h. Maintain high standards of performance and attention to duty
- i. Facilitate timely and effective communication and information flow

- j. Provide a positive presence and example, while maintaining a high level of personal and professional integrity and honesty
- k. Address problems in a timely, positive and constructive manner
- l. Reward good conduct, performance and behavior by providing positive feedback, reinforcement and recognition where warranted
- m. Avoid blaming behaviors or negative comments that undermine the reputation or confidence in subordinates or others
- n. Take responsibility for developing and maintaining a fair, respectful, professional and ethical work environment
- o. Instill pride in members by establishing work rules and performance standards, which hold all employees accountable and that are administered fairly and consistently in accordance with administrative guidelines and labor contracts
- p. Ensure members adhere to all applicable laws, statutes, codes and ordinances, as well as County policies, procedures, contracts, methods and standards
- q. Ensure that all juveniles coming into contact with the Department are dealt with in a manner consistent with law and accepted juvenile justice practice

2. Supervisory Personnel All of the Department's supervisory personnel shall fully devote their professional efforts to actively and effectively supervising the personnel and operations as assigned. Further, they will conform on-the-job conduct, performance and behavior to the following expectation standards:

- a. Develop and maintain acceptable performance among subordinates
- b. Maintain good working conduct and behavior among subordinates
- c. Assure harmony and good working relationships
- d. Assure disciplined conduct, efforts and accountability through active supervision
- e. Clarify job and performance objectives
- f. Assign the duties, tasks, and details
- g. Enforce the policies, rules and procedures

- h. Reinforce accepted procedures and methods
- i. Monitor compliance with established standards
- j. Help personnel improve professional capabilities
- k. Maintain high standards of performance and attention to duty
- 1. Facilitate timely and effective communication and information flow

3. Line Personnel - All Departmental line personnel shall fully devote their professional efforts to actively and effectively pursuing and accomplishing their assigned duties, tasks and details. Further, they will conform their on-the-job conduct, performance and behavior to the following expectation standards:

- a. Be productive, cooperative, and professional at all times
- b. Perform assigned duties in an acceptable manner
- c. Achieve and maintain an acceptable level of performance
- d. Work consciously in support of the Department's mission
- f. Take the initiative to accomplish tasks in a timely manner
- g. Accept direction, correction, and supervision
- h. Reliably report to work on time and be prepared to work
- i. Maintain acceptable conduct, behavior, and interpersonal interactions
- j. Represent the Department in a positive and professional manner
- k. Avoid disruptive, inappropriate, or divisive behavior

1. Work to achieve effective communication and enhanced teamwork with all members of the Department
- m. Cooperate fully, properly and in good faith with all members of the Department, public agencies, appropriate groups and individuals
- n. Work in accordance with policies, rules, and procedures
- o. Abide by all applicable statutes, laws, codes and ordinances

F. Application of Order

All Departmental personnel at all levels are subject to the directives, expectations and requirements contained in this memorandum and its attachments. Such modifications or changes, as may be necessary, shall be made at the discretion of the Deputy County Administrator, as circumstances may warrant. Failure to fully implement, heed, comply with and/or conform fully to the same, within the proper terms of employment, shall be grounds for disciplinary action. Initial, successive, or repeated violations may result in verbal or written warning, reprimand, suspension or termination of employment.

G. Administrative Designee

The Deputy County Administrator is designated to continue as specific implementation designee to ensure that the directives, expectations and requirements are complied with and fulfilled. All reports, action plans, contacts and correspondence relating to this matter are delegated to and shall be directed to the Deputy County Administrator, along with any questions, concerns or problems associated with this matter shall be directed to the same for review and response. The Deputy County Administrator is, hereby, instructed to keep the County Executive fully apprised and informed of all related progress, actions and activities.

H. Duration of Executive Order

This special Executive Order shall remain in effect for the minimum period of one year from the date of implementation unless otherwise specified by the County Executive. All applicable elements of this order shall be incorporated into the official policy structure of the Department within the period of one year.