

Multiple Agency Fiscal Note Summary

Bill Number: 1769 S HB	Title: Housing & dependency matters
-------------------------------	--

Estimated Cash Receipts

Agency Name	2009-11		2011-13		2013-15	
	GF- State	Total	GF- State	Total	GF- State	Total
Office of Attorney General	0	220,152	0	220,152	0	220,152
Department of Social and Health Services	Non-zero but indeterminate cost. Please see discussion."					
Total \$	0	220,152	0	220,152	0	220,152

Local Gov. Courts *						
Local Gov. Other **						
Local Gov. Total						

Estimated Expenditures

Agency Name	2009-11			2011-13			2013-15		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Office of Public Defense	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.8	0	220,152	.8	0	220,152	.8	0	220,152
Department of Social and Health Services	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Total	0.8	\$0	\$220,152	0.8	\$0	\$220,152	0.8	\$0	\$220,152

Local Gov. Courts *									
Local Gov. Other **									
Local Gov. Total									

--

Prepared by: Cherie Berthon, OFM	Phone: 360-902-0659	Date Published: Final
---	-------------------------------	---------------------------------

* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID 23701

FNS029 Multi Agency rollup

Judicial Impact Fiscal Note

Bill Number: 1769 S HB	Title: Housing & dependency matters	Agency: 055-Admin Office of the Courts
-------------------------------	--	---

Part I: Estimates



No Fiscal Impact

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:



If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.



If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).



Capital budget impact, complete Part IV.

Legislative Contact	Sydney Forrester	Phone: 360-786-7120	Date: 02/20/2009
Agency Preparation:	Gil Austin	Phone: 360-705-5271	Date: 02/24/2009
Agency Approval:	Dirk Marler	Phone: 360-705-5211	Date: 02/24/2009
OFM Review:	Cherie Berthon	Phone: 360-902-0659	Date: 02/24/2009

Request # -1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

Section 1

The substitue bill amends RCW 13.134.030 by adding a definition of “housing services or assistance.”
Adds housing services and assistance to those matters that are included in the social study prepared by the Department of Social and Health Services.

Section 2

Amends RCW 13.34.065 by adding provision for the court to inquire at a shelter care hearing as to what housing services or assistance were provided to the family to prevent or eliminate the need for removal of the child from the child’s home.

Section 3

Amends RCW 13.34.130 by requiring that the court may include out of home placement for the child if the court finds that reasonable efforts have been made to prevent or eliminate the need for removal of the child from the home and specify that housing services and assistance have been provided.

Section 4

Amends RCW 13.34.138 by expanding the limitation of the court’s ability to order housing assistance and housing services from just RCW 13.34.130 and this section of RCW 13.34.138 to Chapter 13.34 RCW.

II. B - Cash Receipts Impact

II. C - Expenditures

There is expected to be no fiscal impact expected from this bill. Courts currently inquire into housing assistance under some of the current provisions of RCW 13.34 and although some expansion of this inquiry is required under this bill the impact is likely to be minimal.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Individual State Agency Fiscal Note

Bill Number: 1769 S HB	Title: Housing & dependency matters	Agency: 056-Office of Public Defense
-------------------------------	--	---

Part I: Estimates

☒ No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Sydney Forrester	Phone: 360-786-7120	Date: 02/20/2009
Agency Preparation: Candace Martin	Phone: 360-586-3164	Date: 03/13/2009
Agency Approval: Sophia Byrd McSherry	Phone: 360-586-3164	Date: 03/13/2009
OFM Review: Cherie Berthon	Phone: 360-902-0659	Date: 03/16/2009

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Statutory changes would be incorporated into the existing duties and responsibilities of the attorneys representing indigent parents, and would not create new or additional actions by the attorneys. Therefore, there is no fiscal impact.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1769 S HB	Title: Housing & dependency matters	Agency: 100-Office of Attorney General
-------------------------------	--	---

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND	FY 2010	FY 2011	2009-11	2011-13	2013-15
Legal Services Revolving Account-State 405-1	110,076	110,076	220,152	220,152	220,152
Total \$	110,076	110,076	220,152	220,152	220,152

Estimated Expenditures from:

	FY 2010	FY 2011	2009-11	2011-13	2013-15
FTE Staff Years	0.8	0.8	0.8	0.8	0.8
Fund					
Legal Services Revolving Account-State 405-1	110,076	110,076	220,152	220,152	220,152
Total \$	110,076	110,076	220,152	220,152	220,152

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Sydney Forrester	Phone: 360-786-7120	Date: 02/20/2009
Agency Preparation: Donna Turner Cobb	Phone: (360) 586-6475	Date: 02/24/2009
Agency Approval: Sarian Scott	Phone: (360) 586-2104	Date: 02/24/2009
OFM Review: John Shepherd	Phone: 360-902-0538	Date: 02/26/2009

Request # 09-139-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Section 1 defines “housing services or assistance” to include effective referrals, assistance with forms, or monetary assistance for housing.

Section 2 requires the judge, during a shelter care hearing, to ask what housing services were provided to eliminate the need for the child to be removed from the home.

Section 3 – A disposition order that places a child out of the home can only be made if the court finds that reasonable efforts, including housing services and assistance, have been made to eliminate the need for removal.

Section 4 amends RCW 13.34.138. Under current law, the court may only order housing assistance for cases in which homelessness or the lack of adequate and safe housing is the primary reason the child needs to be placed out of the home. The bill gives the court the authority to order housing services and assistance when it would be likely to prevent an out-of-home placement, or it would reduce the amount of time of an out-of-home placement.

Provision of housing services and assistance is subject to the availability of funds. The bill does not create an entitlement to them and it does not give judges the authority to order these services if funding is not available or if the child or family are not eligible for them.

The Attorney General’s Office (AGO) estimates a workload impact of 0.5 Assistant Attorney General (AAG) and 0.25 Office Assistant (OA) at a cost of \$110,076 in Fiscal Year (FY) 2010 and each FY thereafter. The increase in staffing is necessary to address the additional hearing and/or negotiation time that will be needed to address housing issues during routine and contested shelter care and dependency review hearings. It also includes time for consultation with social workers, and development of housing services and assistance provisions for dependency disposition orders.

This bill is assumed effective July 1, 2009.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Funds are assumed to be Legal Service Revolving Account dollars.

Legal services costs incurred by the AGO will be billed through the revolving fund to the client agency. The client agency is assumed to be Department of Social and Health Services.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The AGO estimates a workload impact of 0.5 AAG and 0.25 OA at a cost of \$110,076 in FY2010 and each FY thereafter. The increase in staffing is necessary to address the additional hearing and/or negotiation time that will be needed to address housing issues during routine and contested shelter care and dependency review hearings. It also includes time for consultation with social workers, and development of housing services and assistance provisions for dependency disposition orders.

Assumptions

1. We assume that the court will inquire into housing as an issue in 50% of the current shelter care and review hearings.
2. There are currently 7,126 dependency cases open (as of 06/30/2008), which require bi-annual review hearings. We assume 7,000 review hearings each FY will address housing issues.
3. The court will inquire into housing issues during 1,150 shelter care hearings each year.
4. We assume a minimal amount of extra time for housing issues for each hearing, but the high volume of cases (8,150 per FY) will have a cumulative impact. We assume an additional impact of 680 hours will be required each FY.
5. We assume 150 additional hours each FY for (1) contested hearings in which housing assistance is the central issue, (2) consultation with social workers, and (3) to address housing in disposition orders.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2010	FY 2011	2009-11	2011-13	2013-15
FTE Staff Years	0.8	0.8	0.8	0.8	0.8
A-Salaries and Wages	50,067	50,067	100,134	100,134	100,134
B-Employee Benefits	14,019	14,019	28,038	28,038	28,038
C-Personal Service Contracts					
E-Goods and Services	26,990	36,240	63,230	72,480	72,480
G-Travel	3,000	3,000	6,000	6,000	6,000
J-Capital Outlays	16,000	6,750	22,750	13,500	13,500
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total:	\$110,076	\$110,076	\$220,152	\$220,152	\$220,152

III. B - Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2010	FY 2011	2009-11	2011-13	2013-15
Assistant Attorney General	83,400	0.5	0.5	0.5	0.5	0.5
Office Assistant	33,468	0.3	0.3	0.3	0.3	0.3
Total FTE's	116,868	0.8	0.8	0.8	0.8	0.8

III. C - Expenditures By Program (optional)

Program	FY 2010	FY 2011	2009-11	2011-13	2013-15
Social Health Services (SHS)	110,076	110,076	220,152	220,152	220,152
Total \$	110,076	110,076	220,152	220,152	220,152

Part IV: Capital Budget Impact

None.

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None.

Individual State Agency Fiscal Note

Bill Number: 1769 S HB	Title: Housing & dependency matters	Agency: 300-Dept of Social and Health Services
-------------------------------	--	---

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

Non-zero but indeterminate cost. Please see discussion.

Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Sydney Forrester	Phone: 360-786-7120	Date: 02/20/2009
Agency Preparation: Denise Livingston	Phone: 360-902-8196	Date: 02/25/2009
Agency Approval: Dan Winkley	Phone: 360-902-8179	Date: 02/25/2009
OFM Review: Tammy Hay	Phone: 360-902-0553	Date: 02/26/2009

Request # 091769SHB-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Under current law, the court may only order housing assistance for cases in which homelessness or the lack of adequate and safe housing is the primary reason the child needs out-of-home placement, and only if the legislature has appropriate funds for this specific purpose.

Section 1: creates a definition of "Housing services or assistance." The definition includes financial subsidies or other monetary assistance for housing.

Section 3: gives the court the authority to order the Department of Social and Health Services, Children's Administration (CA), to provide housing assistance in cases in which this assistance would likely work to prevent and shorten the need for out-of-home placement. Again, the courts may not order housing assistance unless the legislature has appropriated funds for this specific purpose. Section 3 also includes a provision that nothing in Chapter 12.34 creates an entitlement to housing assistance and services nor creates judicial authority to order the provision of such services if the services or funding are unavailable or the child or family is not eligible for such services.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Housing assistance to families of children at risk of becoming dependent does not qualify for Title IV-E federal funding.

Costs paid to reimburse the Office of the Attorney General for work related to this bill will earn Title IV-E federal funds.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Currently, lack of housing, standing alone, is not a reason to investigate for child abuse and/or neglect much less remove a child from their parent's care. However, 226 children were placed because of inadequate housing (not due to being homeless) documented as a reason for removal. Social workers rather than the court make the decision whether rent payments are offered to families, as there is no money appropriated for this specific purpose (the trigger for the court to be able to order assistance under the statute). CA believes that housing is a significant issue within the community of families CA serves but the need is not adequately documented because homelessness is not a stand-alone trigger for Child Protective Services investigations.

Although currently CA occasionally pays first month's rent to help reunify the child with the parent as well as to prevent placement, this is done on a limited basis because housing assistance needs compete with other service needs funded out of Home-Based Services.

The bill authorizes the court to order housing assistance in an amount that "...would likely work to prevent and shorten the need for out-of-home placement." The broadening of the definition of which families might qualify for such a court

order does not have a fiscal impact until the legislature appropriates money for the specific purpose of housing assistance under the statute (RCW 13.34.138 (4) (b)). But once an appropriation is made, it is not known how many months of rental assistance a court might order. Thus the fiscal impact is indeterminate.

If the legislature appropriates money for this purpose, passage of HB 1769 may raise expectations within the community CA serves and could result in an increase of CPS reports and investigations, in hopes that a court will order housing assistance. The amount of this increase is indeterminate.

Office of the Attorney General (AGO) cost estimate:

The AGO estimates a workload impact of 0.5 AAG and 0.25 OA at a cost of \$110,076 in FY2010 and each FY thereafter. The increase in staffing is necessary to address the additional hearing and/or negotiation time that will be needed to address housing issues during routine and contested shelter care and dependency review hearings. It also includes time for consultation with social workers, and development of housing services and assistance provisions for dependency disposition orders.

Assumptions

1. AGO assumes that the court will inquire into housing as an issue in 50% of the current shelter care and review hearings.
2. There are currently 7,126 dependency cases open (as of 06/30/2008), which require bi-annual review hearings. We assume 7,000 review hearings each FY will address housing issues.
3. The court will inquire into housing issues during 1,150 shelter care hearings each year.
4. AGO assumes a minimal amount of extra time for housing issues for each hearing, but the high volume of cases (8,150 per FY) will have a cumulative impact. We assume an additional impact of 680 hours will be required each FY.
5. AGO assumes 150 additional hours each FY for (1) contested hearings in which housing assistance is the central issue, (2) consultation with social workers, and (3) to address housing in disposition orders.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

N/A

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None