

Multiple Agency Fiscal Note Summary

Bill Number: 1205 HB	Title: Service by pub./dependency
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Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Office of Attorney General	0	0	1,758,000	0	0	1,758,000	0	0	1,758,000
Department of Children, Youth, and Families	0	0	276,000	0	0	276,000	0	0	276,000
Total \$	0	0	2,034,000	0	0	2,034,000	0	0	2,034,000

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	Fiscal note not available					
Loc School dist-SPI						
Local Gov. Other	Fiscal note not available					
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	Fiscal note not available											
Office of Attorney General	1.0	0	0	1,758,000	1.0	0	0	1,758,000	1.0	0	0	1,758,000
Department of Children, Youth, and Families	.5	1,634,000	1,634,000	1,910,000	.5	1,630,000	1,630,000	1,906,000	.5	1,630,000	1,630,000	1,906,000
Total \$	1.5	1,634,000	1,634,000	3,668,000	1.5	1,630,000	1,630,000	3,664,000	1.5	1,630,000	1,630,000	3,664,000

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
Loc School dist-SPI									
Local Gov. Other	Fiscal note not available								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	Fiscal note not available								
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
Loc School dist-SPI									
Local Gov. Other	Fiscal note not available								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Carly Kujath, OFM	Phone: (360) 790-7909	Date Published: Preliminary 2/ 6/2023
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Individual State Agency Fiscal Note

Bill Number: 1205 HB	Title: Service by pub./dependency	Agency: 100-Office of Attorney General
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
Legal Services Revolving Account-State 405-1	879,000	879,000	1,758,000	1,758,000	1,758,000
Total \$	879,000	879,000	1,758,000	1,758,000	1,758,000

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
Account					
Legal Services Revolving Account-State 405-1	879,000	879,000	1,758,000	1,758,000	1,758,000
Total \$	879,000	879,000	1,758,000	1,758,000	1,758,000

Estimated Capital Budget Impact:

NONE

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:	Phone:	Date: 01/26/2023
Agency Preparation: Cam Comfort	Phone: (360) 664-9429	Date: 02/03/2023
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 02/03/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/04/2023

Part II: Narrative Explanation

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

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

Section 1 amends RCW 13.34.080 to requires courts to direct petitioners (in place of court clerks) to publish notice in a legal newspaper, as described under RCW 65.16.020, once a week for three consecutive weeks, with the first publication of notice being at least 25 days prior to the hearing date.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

Cash receipts are assumed to equal the Legal Services Revolving Account (LSRA) cost estimates. These will be billed through the revolving account to the client agency.

The client agency is the Department of Children, Youth and Families (DCYF). The Attorney General's Office (AGO) will bill all clients for legal services rendered.

These cash receipts represent the AGO's authority to bill and are not a direct appropriation to the AGO. The direct appropriation is reflected in the client agency's fiscal note. Appropriation authority is necessary in the AGO budget.

AGO AGENCY ASSUMPTIONS:

DCYF will be billed for Seattle and non-Seattle rates:

FY 2024: \$879,000 for 0.95 Legal Assistant, this includes direct litigation costs of \$786,000, and in each FY thereafter.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Attorney General's Office (AGO) Agency Assumptions:

This bill is assumed effective 90 days after the end of the 2023 legislative session.

Location of staffing is assumed to be in a Seattle and non-Seattle office buildings.

Total workload impact in this request includes standard assumption costs for goods & services, travel, and capital outlays for all FTE identified.

Agency administration support FTE are included in the tables, for every 1.0 Assistant Attorney General FTE (AAG), the AGO includes 0.5 FTE for a Legal Assistant 3 (LA) and 0.25 FTE of a Management Analyst 5 (MA). The MA is used as a representative classification.

Assumptions for the AGO Children Youth and Families Division's (CYF) legal services for the Department of Children, Youth and Families (DCYF):

CYF assumes that 2,871 publications are needed each year in dependency and termination of parental rights cases. This assumption is based on data from the Washington Center for Court Research which was used to calculate the average number of affidavits of publication filed in dependency and termination of parental rights cases per year between 2015 and 2019. Calendar years 2020-2022 were not included in calculating this average because court operations were impacted by

the COVID-19 pandemic and are not representative of average years.

CYF assumes that the state is already paying for 73 publications per year. This assumption is based on information provided by the county clerks and AGO managers that the state currently pays the full cost of publication in the following counties: Douglas, Island, Skamania, and Walla Walla. Data from the Washington Center for Court Research was used to calculate the average number of affidavits of publication filed in dependency and termination of parental rights cases per year in these counties between 2015 and 2019. 2,798 new publications to pay for as a result of this bill. (2,871 needed publications per year – 73 publications already being paid for).

CYF will bill DCYF for direct costs for publication of notices. The AGO assumes that the average cost of publication of notice will be \$281 each.

FY 2024 – FY 2029: \$786,238 per year. (2,798 publications per year x \$281).

CYF assumes that the enactment of this legislation will increase legal services workload by 45 minutes per publication, and that this legislation will result in the AGO performing this work on 2,294 more publications per year, totaling 1,721 LA hours, with 545 of these LA hours performed by LA’s in King County. (2,294 publications x 45 minutes = 1,744 LA hours).

CYF assumes that the AGO is already performing the work to publish 577 notices and summons per year. This assumption is based on information provided by the county clerks and AGO managers that the AGO currently performs this work in the following counties: Adams, Benton, Clark (termination only), Columbia, Cowlitz (partial), Douglas, Ferry, Franklin, Island, Klickitat, San Juan, Skagit, Skamania, Stevens, Wahkiakum, Walla Walla, Whatcom, and Yakima. Data from the Washington Center for Court Research was used to calculate the average number of affidavits of publication filed in dependency and termination of parental rights cases per year in these counties between 2015 and 2019.

726 of the publications, or 545 LA hours, will be performed by LA’s in King County. Data from the Washington State Center for Court Research was used to calculate the average number of affidavits of publication per year in King County between 2015 and 2019.

CYF: Total Seattle and non-Seattle workload impact:

FY 2024: \$879,000 for 0.95 LA, this includes direct litigation costs of \$786,000, and in each FY thereafter.

The AGO Agriculture & Health Division has reviewed this legislation and determined it will not significantly increase or decrease the division’s workload in representing the Department of Commerce (Commerce). Commerce was assigned this fiscal note request for its role in estimating the impact of this legislation on local governments. Commerce itself would not be given any new authorities or responsibilities under this legislation. This will not generate any legal work for AHD and costs are not included in this request.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
405-1	Legal Services Revolving Account	State	879,000	879,000	1,758,000	1,758,000	1,758,000
Total \$			879,000	879,000	1,758,000	1,758,000	1,758,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
A-Salaries and Wages	56,000	56,000	112,000	112,000	112,000
B-Employee Benefits	24,000	24,000	48,000	48,000	48,000
C-Professional Service Contracts	786,000	786,000	1,572,000	1,572,000	1,572,000
E-Goods and Other Services	13,000	13,000	26,000	26,000	26,000
Total \$	879,000	879,000	1,758,000	1,758,000	1,758,000

III. C - Operating FTE 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 2024	FY 2025	2023-25	2025-27	2027-29
Legal Assistant 3	55,872	0.7	0.7	0.7	0.7	0.7
Legal Assistant 3-Seattle	67,044	0.3	0.3	0.3	0.3	0.3
Total FTEs		1.0	1.0	1.0	1.0	1.0

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Children, Youth, and Families (CYF)	879,000	879,000	1,758,000	1,758,000	1,758,000
Total \$	879,000	879,000	1,758,000	1,758,000	1,758,000

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1205 HB	Title: Service by pub./dependency	Agency: 307-Department of Children, Youth, and Families
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
General Fund-Federal 001-2	138,000	138,000	276,000	276,000	276,000
Total \$	138,000	138,000	276,000	276,000	276,000

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
Account					
General Fund-State 001-1	819,000	815,000	1,634,000	1,630,000	1,630,000
General Fund-Federal 001-2	138,000	138,000	276,000	276,000	276,000
Total \$	957,000	953,000	1,910,000	1,906,000	1,906,000

Estimated Capital Budget Impact:

NONE

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:	Phone:	Date: 01/26/2023
Agency Preparation: Joseph Piper	Phone: 360-915-4627	Date: 02/03/2023
Agency Approval: James Smith	Phone: 360-764-9492	Date: 02/03/2023
OFM Review: Carly Kujath	Phone: (360) 790-7909	Date: 02/06/2023

Part II: Narrative Explanation

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

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

This Bill provides service by publication of a summons or notice in dependency and termination of parental rights cases; and amending RCW 13.34.080.

Section 1 (1) Requires the petitioner to publish notice in a legal newspaper once a week for three consecutive weeks prior to the fixed hearing date.

Section 1 (1) (b) After due diligence, the person attempting service of the summons or notice provided for in RCW 13.34.070 has been unable to make service, and a copy of the notice has been deposited in the post office, postage prepaid, directed to such person at his or her last known place of residence. If the parent, guardian, or legal custodian is believed to be a resident of another state or a county other than the county in which the petition has been filed, notice also shall be published in the county in which the parent, guardian, or legal custodian is believed to reside.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

DCYF estimates that for DCYF staffing costs Title IV-E reimbursement will be \$15,000 for FY24 and \$14,000 annually thereafter, based on the federal financial participation rate of 20 percent.

DCYF estimates that for costs to be billed by the AGO the federal financial participation is as follows:

Title IV reimbursement will be \$106,000 for FY24 and \$106,000 at a rate of 12 percent.

T-19 reimbursement will be \$18,000 for FY24 and \$18,000 at a rate of 2 percent.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The Department of Children, Youth, and Families estimates \$1,910,000 in the 23-25 Biennial Budget.

DCYF estimates 0.5 FTE at \$78,000 in FY24 and \$74,000 in FY25, and annually thereafter, to facilitate the workload for publishing from the clerks office to DCYF.

The 0.5 FTE is costed at classification Washington Management Service 1 (WMS1)

DCYF estimates \$93,000 in FY 24 and \$93,000 in FY25, and annually thereafter, for services charged by the Office of the Attorney General (AGO) for Legal Assistant hours as listed below in section (6) of the AGO's assumptions.

DCYF estimates \$786,000 in FY 24 and \$786,000 in FY25, and annually thereafter, for services charged by the Office of the Attorney General for publication costs detailed below in the Office of Attorney General's assumptions.

Office of Attorney General Assumptions:

1. This bill is assumed effective 90 days after the end of the 2023 legislative session.

2. The AGO will bill DCYF for statewide legal services based on the enactment of this bill.
3. Costs that are identified reflect legal services and direct costs assumed to be provided agency wide. This includes the following divisions: Social and Health Services—Seattle (SHS), Tacoma (TAC), Spokane (SPO), the Regional Services Division (RSD), and Children, Youth, and Families (CYF).
4. The AGO assumes that 2,871 publications are needed each year in dependency and termination of parental rights cases. This assumption is based on data from the Washington Center for Court Research which was used to calculate the average number of affidavits of publication filed in dependency and termination of parental rights cases per year between 2015 and 2019, which is 2,871. Calendar years 2020-2022 were not included in calculating this average because court operations were impacted by the COVID-19 pandemic and are not representative of average years.
5. The AGO assumes to bill DCYF as direct costs for publication of notices. The AGO assumes that the average cost of publication of notice will be \$281 each and that this bill will result in the state paying for 2,798 more publications than it currently does, totaling \$786,238 per year. (2,798 publications per year x \$281 = \$786,238).

A. The AGO's 2020 fiscal note for HB 2260, which would have shifted the cost of publications in dependency and termination of parental rights cases from the counties to the state, assumed a cost of \$263 per publication.

B. The Seattle Consumer Price Index has increased 7% since the AGO's prior fiscal note for publication costs, increasing the average publication cost to \$281 per publication.

C. The AGO assumes that the state is already paying for 73 publications per year. This assumption is based on information provided by the county clerks and AGO managers that the state currently pays the full cost of publication in the following counties: Douglas, Island, Skamania, and Walla Walla. Data from the Washington Center for Court Research was used to calculate the average number of affidavits of publication filed in dependency and termination of parental rights cases per year in these counties between 2015 and 2019, which is 73. (2,871 needed publications per year – 73 publications already being paid for = 2,798 new publications to pay for as a result of this bill).

D. The AGO assumes that the costs associated with publications in counties where the state currently pays for some, but not all, the publication costs is accounted for by the high cost of out-of-state publications and the low estimate of average publication cost used in this fiscal note. The cost of publication varies widely, and out-of-state publication costs can average about \$1,500 each, as estimated in the 2009 AGO Fiscal Note for HB 1003, which also estimated an average in-state publication cost of \$275.

6. The AGO assumes that the enactment of this bill will increase legal services workload by 45 minutes per publication, and that this bill will result in the AGO performing this work on 2,294 more publications per year, totaling 1,721 Legal Assistant (LA) hours, with 545 of these LA hours performed by LAs in King County. (2,294 publications x 45 minutes = 1,744 LA hours).

A. The AGO assumes that the workload associated with each notice and summons served by publication is 45 minutes. This assumption is based on previous input from the county clerks as reflected in the 2009 Individual State Agency Fiscal Note for HB 1003, which was a similar bill, that the workload associated with each notice is, on average, 45 minutes. This is the same workload assumption used by the AGO its Fiscal Note for HB 2260 during the 2020 legislative session, which was a similar bill.

B. The AGO assumes that the AGO is already performing the work to publish 577 notices and summons per year. This assumption is based on information provided by the county clerks and AGO managers that the AGO currently performs this work in the following counties: Adams, Benton, Clark (termination only), Columbia, Cowlitz (partial), Douglas, Ferry, Franklin, Island, Klickitat, San Juan, Skagit, Skamania, Stevens, Wahkiakum, Walla Walla, Whatcom, and Yakima. Data from the Washington Center for Court Research was used to calculate the average number of affidavits of publication

filed in dependency and termination of parental rights cases per year in these counties between 2015 and 2019, which is 577. (2,871 needed publications per year – 577 publications where work is already performed = 2,294 more publications requiring work as a result of this bill).

C. The AGO assumes this increased workload will be performed by LA FTEs.

D. The AGO assumes that 726 of the publications, or 545 LA hours, will be performed by LAs in King County. Data from the Washington State Center for Court Research was used to calculate the average number of affidavits of publication per year in King County between 2015 and 2019, which is 726. (726 publications x 45 minutes = 545 legal assistant hours).

7. For the purposes of completing this fiscal note, this fiscal note assumes that the AGO would be able to recruit, hire, and train the individuals necessary to perform this work by the bill’s effective date.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	819,000	815,000	1,634,000	1,630,000	1,630,000
001-2	General Fund	Federal	138,000	138,000	276,000	276,000	276,000
Total \$			957,000	953,000	1,910,000	1,906,000	1,906,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
A-Salaries and Wages	46,000	46,000	92,000	92,000	92,000
B-Employee Benefits	15,000	15,000	30,000	30,000	30,000
C-Professional Service Contracts					
E-Goods and Other Services	880,000	880,000	1,760,000	1,760,000	1,760,000
G-Travel	1,000	1,000	2,000	2,000	2,000
J-Capital Outlays	4,000		4,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	11,000	11,000	22,000	22,000	22,000
9-					
Total \$	957,000	953,000	1,910,000	1,906,000	1,906,000

III. C - Operating FTE 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 2024	FY 2025	2023-25	2025-27	2027-29
WMS Band 1	78,000	0.5	0.5	0.5	0.5	0.5
Total FTEs		0.5	0.5	0.5	0.5	0.5

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

None.

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.