

Multiple Agency Fiscal Note Summary

Bill Number: 5128 2S SB	Title: Jury diversity
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Estimated Cash Receipts

NONE

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	1.9	743,000	743,000	743,000	1.0	398,400	398,400	398,400	1.0	398,400	398,400	398,400
Office of the Secretary of State	.0	147,500	147,500	147,500	.0	0	0	0	.0	0	0	0
Consolidated Technology Services	Fiscal note not available											
Department of Licensing	Fiscal note not available											
Total \$	1.9	890,500	890,500	890,500	1.0	398,400	398,400	398,400	1.0	398,400	398,400	398,400

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	.0	0	0	.0	0	0	.0	0	0
Office of the Secretary of State	.0	0	0	.0	0	0	.0	0	0
Consolidated Technology Services	Fiscal note not available								
Department of Licensing	Fiscal note not available								
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

NONE

Prepared by: Gaius Horton, OFM	Phone: (360) 819-3112	Date Published: Preliminary 3/ 1/2023
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Judicial Impact Fiscal Note

Bill Number: 5128 2S SB	Title: Jury diversity	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

STATE	FY 2024	FY 2025	2023-25	2025-27	2027-29
State FTE Staff Years	2.3	1.6	1.9	1.0	1.0
Account					
General Fund-State 001-1	439,100	303,900	743,000	398,400	398,400
State Subtotal \$	439,100	303,900	743,000	398,400	398,400
COUNTY	FY 2024	FY 2025	2023-25	2025-27	2027-29
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2024	FY 2025	2023-25	2025-27	2027-29
City FTE Staff Years					
Account					
Local - Cities					
Cities Subtotal \$					

Estimated Capital Budget Impact:

NONE

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 for 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: Mahnur Khan	Phone: 360-786-7437	Date: 02/27/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 02/27/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/27/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/28/2023

185,007.00

Request # 220-1

Part II: Narrative Explanation

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

The bill would amend RCW 2.36 and create a new section to increase data collection on jury demographics and decrease barriers affecting jury diversity and juror response rates.

Section 1 would require the Administrative Office of the Courts (AOC) to provide all courts with a method to collect data on a juror's race, ethnicity age, sex, employment status, educational attainment, income, and any other data approved by the Chief Justice of the Supreme Court. The AOC would be required to publish the data in an annual report to the Governor.

Section 2 would require the AOC to establish a workgroup and make recommendations for the creation of a child care assistance program for individuals reporting to jury service.

Sections 3 and 4 would allow jurors to be summoned electronically.

II. B - Cash Receipts Impact

None

II. C - Expenditures

SECTION 1 – JURY DEMOGRAPHIC SURVEY IMPACT ON THE ADMINISTRATIVE OFFICE OF THE COURTS (AOC)

This requirement would continue AOC's current juror data collection efforts, expand research on juries, and provide technical assistance to courts in the process. This work is unfunded after the 2021-23 biennium. AOC has a related 2023-25 biennial budget request to continue the work (D3 – Research Jury Race and Gender Bias).

FTE: 1.0
FY 2024: \$204,000
FY 2025 and ongoing: \$199,200

Staffing Assumptions

Senior Research Associate. Beginning July 1, 2023 and ongoing, AOC requires salary, benefits, and associated standard costs for 1.0 FTE to:

- * Work with courts to collect juror demographic data using the existing statewide survey.
- * Analyze juror demographic data and provide an annual report to the courts and Legislature.
- * Conduct additional process evaluations of the jury process that may have a positive impact on juror responsiveness and jury diversity (i.e., expanded source lists, summonsing, juror pay, etc.).
- * Design metrics for understanding the impact of GR 37 – Jury Selection Rule.
- * Take an inventory and create an assessment of juror management systems courts use and research alternative systems to provide courts with options.
- * Work with courts to improve areas of their jury practice, such as improved outreach to under-represented communities.
- * Report periodically to courts on developments in jury- related research and innovation.

Other Non-Standard Costs
Goods and Services (Object E)

In addition to standard costs per FTE, there are needs for:

- * Ongoing, annual \$1,300 software subscription for Remark OMR used to scan paper surveys.
- * Ongoing, annual \$5,000 for printing, shipping, and other costs associated with administering juror demographic surveys.

Travel (Object G)

This position will travel to courts for in-person consultation and observation. The estimated, annual travel costs for the staff are \$4,000 per year, rather than the standard cost per FTE.

185,007.00

Form FN (Rev 1/00)

SECTION 2 – ESTABLISH A WORKGROUP TO ADDRESS CHILDCARE BARRIERS

IMPACT ON THE ADMINISTRATIVE OFFICE OF THE COURTS (AOC)

This section would establish a workgroup to inform child care assistance for jurors.

FTE: 1.9

FY 2024: \$235,100

FY 2025: \$104,700

Staffing Assumptions

Court Program Analyst. Beginning July 1, 2023 through December 31, 2024, AOC requires salary, benefits, and associated standard costs for 1.0 FTE to coordinate the workgroup.

Senior Research Associate. Beginning July 1, 2023 through December 31, 2024, AOC requires salary, benefits, and associated standard costs for 0.25 FTE offering research support for the workgroup, analyze models and data from other states, etc.

Other Non-Standard Costs

* Contracts or Stipends with Affected Individuals (Object C) – This funding would support interviews with and participation from jurors experiencing child care as a barrier to jury service.

FY 2024: \$4,000

FY 2025: \$1,000

* Travel (Object G) – This would fund travel for work group participants. AOC anticipates holding 5 meetings at the AOC facility in SeaTac. The work group would include 25 members, 15 are expected to incur travel and per diem costs.

King County per diem: \$79 per day for 15 participants = \$1,200 X 5 meetings = \$6,000

Roundtrip mileage estimate from three differing locations (Spokane, Bellingham, and Vancouver) to SeaTac: \$3,800 X 5 meetings = \$19,000

FY 2024: \$20,000

FY 2025: \$5,000

SECTIONS 3 AND 4 – ADDITION OF ELECTRONIC SUMMONS FOR JURY SERVICE

There is no estimated fiscal impact to the courts or the Administrative Office of the Courts. Currently in Washington, all summons must be sent via US mail or personal service (under RCW 2.36.095). This bill would require courts to send a physical jury summons, but courts would have the option of e-mailing a jury summons.

ALL SECTIONS INCLUDING AOC STAFF IMPACTS INCLUDE STANDARD COSTS

Explanation of standard costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 31.89% of salaries.

Goods and Services are the agency average of \$3,800 per direct program FTE.

Travel is the agency average of \$2,500 per direct program FTE.

One-time IT Equipment is \$4,800 for the first fiscal year per direct program FTE. Ongoing Equipment is the agency average of \$1,600 per direct program FTE.

Agency Indirect is calculated at a rate of 24.73% of direct program salaries and benefits.

Part III: Expenditure Detail

185,007.00

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Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

State	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	2.3	1.6	1.9	1.0	1.0
Salaries and Wages	230,900	168,500	399,400	223,000	223,000
Employee Benefits	73,700	53,800	127,500	71,200	71,200
Professional Service Contracts	4,000	1,000	5,000		
Goods and Other Services	14,900	12,400	27,300	20,200	20,200
Travel	27,100	10,600	37,700	8,000	8,000
Capital Outlays	13,200	2,600	15,800	3,200	3,200
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements	75,300	55,000	130,300	72,800	72,800
Total \$	439,100	303,900	743,000	398,400	398,400

III. B - Expenditure By Object or Purpose (County)

NONE

III. C - Expenditure By Object or Purpose (City)

NONE

III. D - FTE Detail

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Court Program Analyst	91,500	1.0	0.5	0.8		
Senior Research Associate	111,500	1.3	1.1	1.2	1.0	1.0
Total FTEs		2.3	1.6	1.9	1.0	1.0

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

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

NONE

185,007.00

Form FN (Rev 1/00)

Individual State Agency Fiscal Note

Bill Number: 5128 2S SB	Title: Jury diversity	Agency: 085-Office of the Secretary of State
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
Account					
General Fund-State 001-1	147,500	0	147,500	0	0
Total \$	147,500	0	147,500	0	0

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: Mahnur Khan	Phone: 360-786-7437	Date: 02/27/2023
Agency Preparation: Mike Woods	Phone: (360) 704-5215	Date: 02/27/2023
Agency Approval: Mike Woods	Phone: (360) 704-5215	Date: 02/27/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 02/27/2023

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.

Changes in 2SSB 5128 compared to the previous version (SSB 5128)

Sections 3 and 4 pertaining to jury pay have been removed. No change in the fiscal impacts to the Office of the Secretary of State (OSOS).

Summary of 2SSB 5128

Section 4(2)(b)

Starting January 1, 2024 persons on the lists of registered voters and driver's license and identocard holders shall have the ability to opt into the Secretary of State and Department of Licensing sharing their email address with the Consolidated Technology Services agency for the purposes of electronically receiving jury summons and other communications regarding jury service.

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.

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.

Section 4 of the bill requires the OSOS to offer an ability for registered voters to opt-into sharing their email address. OSOS estimates this would take approximately 300 hours of development time at \$200 per hour, for a total cost of \$60,000. Additionally, the design and user interface of VoteWA would need to be altered to accommodate these additional languages, necessitating design and usability consultants. Approximately 500 hours of design, usability, and accessibility testing to would be needed to verify functionality of these changes, for a total cost of \$87,500. OSOS would use contractors for these services.

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	147,500	0	147,500	0	0
Total \$			147,500	0	147,500	0	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services	147,500		147,500		
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	147,500	0	147,500	0	0

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

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

Part V: New Rule Making Required

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