

Multiple Agency Fiscal Note Summary

Bill Number: 1205 2S 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	1,464,000	0	0	1,896,000	0	0	1,896,000
Total \$	0	0	1,464,000	0	0	1,896,000	0	0	1,896,000

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
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	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Public Defense	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Civil Legal Aid	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	1.3	0	0	1,464,000	1.5	0	0	1,896,000	1.5	0	0	1,896,000
Department of Children, Youth, and Families	Fiscal note not available											
Total \$	1.3	0	0	1,464,000	1.5	0	0	1,896,000	1.5	0	0	1,896,000

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
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	.0	0	0	.0	0	0	.0	0	0
Office of Public Defense	.0	0	0	.0	0	0	.0	0	0
Office of Civil Legal Aid	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Department of Children, Youth, and Families	Fiscal note not available								
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	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other	Fiscal note not available								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Gaius Horton, OFM	Phone: (360) 819-3112	Date Published: Preliminary 3/ 6/2023
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Judicial Impact Fiscal Note

Bill Number: 1205 2S HB	Title: Service by pub./dependency	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:

NONE

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: Jackie Wheeler	Phone: 360-786-7125	Date: 02/28/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 03/02/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 03/02/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 03/03/2023

185,409.00

Request # 231-1

Part II: Narrative Explanation

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

The second substitute bill would not have any fiscal impacts that are different than previous versions of the bill.

The bill would amend RCW 13.34.080 removing responsibility from court clerks for publishing notice of summons or notice in dependency or termination proceedings and places it to the petitioner. If the petitioner is a minor, the Office of Civil Legal Aid will cover the publication cost and if the petitioner is an indigent parent or legal guardian, the Office of Public Defense will cover the cost.

II. B - Cash Receipts Impact

None

II. C - Expenditures

No fiscal impact is expected to the Administrative Office of the Courts. The petitioner in dependency and termination cases is almost always the State of Washington. The bill would result in less expenditures for the Superior Courts, estimated at \$346,019 across the state, as they would no longer be responsible for the publishing costs.

Part III: Expenditure Detail

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

NONE

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

NONE

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

NONE

III. D - FTE Detail

NONE

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

185,409.00

Form FN (Rev 1/00)

Individual State Agency Fiscal Note

Bill Number: 1205 2S HB	Title: Service by pub./dependency	Agency: 056-Office of Public Defense
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

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: Jackie Wheeler	Phone: 360-786-7125	Date: 02/28/2023
Agency Preparation: Brett Ballew	Phone: 360-586-3164 1	Date: 03/05/2023
Agency Approval: Sophia Byrd McSherry	Phone: 360-586-3164	Date: 03/05/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 03/06/2023

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.

2SHB 1205 would shift certain publication costs from the county clerk to the Office of Public Defense (OPD). If the petitioner is an indigent parent or legal guardian, OPD would be responsible for publication costs.

OPD assumes that fewer than 5 indigent parents or legal guardians would petition to initiate a dependency and be eligible for reimbursement or payment of publication costs each year. The impact would be minimal and OPD would absorb costs within existing resources.

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.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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.

Individual State Agency Fiscal Note

Bill Number: 1205 2S HB	Title: Service by pub./dependency	Agency: 057-Office of Civil Legal Aid
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

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: Jackie Wheeler	Phone: 360-786-7125	Date: 02/28/2023
Agency Preparation: Jim Bamberger	Phone: (360) 704-4135	Date: 03/01/2023
Agency Approval: Jim Bamberger	Phone: (360) 704-4135	Date: 03/01/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 03/01/2023

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.

OCLA is assigned responsibility to underwrite costs for service of process in dependency cases filed by children and youth. OCLA projects that few such case will be filed, and that the costs of these will be absorbed within existing resource. Should there be substantial fiscal impact following enactment, OCLA will seek supplemental funding in the 2024 legislative session.

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.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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.

Individual State Agency Fiscal Note

Bill Number: 1205 2S 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	516,000	948,000	1,464,000	1,896,000	1,896,000
Total \$	516,000	948,000	1,464,000	1,896,000	1,896,000

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.1	1.5	1.3	1.5	1.5
Account					
Legal Services Revolving Account-State 405-1	516,000	948,000	1,464,000	1,896,000	1,896,000
Total \$	516,000	948,000	1,464,000	1,896,000	1,896,000

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: Jackie Wheeler	Phone: 360-786-7125	Date: 02/28/2023
Agency Preparation: Dave Merchant	Phone: 360-753-1620	Date: 03/03/2023
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 03/03/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 03/03/2023

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 require courts to direct petitioners 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.

Section 2 is a new section requiring specific funding by June 30, 2023, or this act is null and void.

Section 3 is a new section providing a January 1, 2024, effective 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: \$516,000 for 0.72 Legal Assistant 3 FTE (LA), this includes direct litigation costs of \$393,000.

FY 2025, and in each FY thereafter: \$948,000 for 0.95 LA, this includes direct litigation costs of \$786,000

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 January 1, 2024.

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. The Management Analyst 5 (MA), is used as a representative classification. An example ratio is 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 an MA.

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 direct costs will be incurred as of the effective date of this bill. CYF assumes that the FTE necessary to implement this bill will be needed as of October 1, 2023 so staff are trained to perform the necessary work by the bill's effective date.

CYF assumes that 2,871 publications are needed each year in dependency and termination of parental rights cases where DCYF is the petitioner. 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 does not have data available with regard to the number of dependency and termination of parental rights petitions filed by youth, parents, or guardians and assumes that the number of cases is so low that it is accounted for by the conservative averages used in this fiscal note. Similarly, the Office of Civil Legal Aid's (OCLA) fiscal note projects that such few petitions will be filed by children and youth and that the costs can be absorbed within OCLA's existing resources.

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 assumes to 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- \$393,000 (Pro-rated costs based on the estimated cost per FY of \$786,000, with a start date of January 1, 2024).
FY 2025 and in each FY thereafter: \$786,000 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 Legal Assistant (LA) hours, with 545 of these LA hours performed by LA's in King County. (2,294 publications x 45 minutes = 1,721 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: \$464,000 for 0.72 LA, this includes direct litigation costs of \$393,000.
FY 2025, and in each FY thereafter: \$879,000 for 0.95 LA, this includes direct litigation costs of \$786,000

The AGO Agriculture & Health Division (AHD) 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	516,000	948,000	1,464,000	1,896,000	1,896,000
Total \$			516,000	948,000	1,464,000	1,896,000	1,896,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.1	1.5	1.3	1.5	1.5
A-Salaries and Wages	78,000	102,000	180,000	204,000	204,000
B-Employee Benefits	30,000	39,000	69,000	78,000	78,000
C-Professional Service Contracts	393,000	786,000	1,179,000	1,572,000	1,572,000
E-Goods and Other Services	15,000	20,000	35,000	40,000	40,000
G-Travel		1,000	1,000	2,000	2,000
Total \$	516,000	948,000	1,464,000	1,896,000	1,896,000

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	0.5	0.7	0.6	0.7	0.7
Legal Assistant 3-Seattle	67,044	0.2	0.3	0.3	0.3	0.3
Management Analyst 5	91,524	0.4	0.5	0.4	0.5	0.5
Total FTEs		1.1	1.5	1.3	1.5	1.5

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Children, Youth, and Families (CYF)	516,000	948,000	1,464,000	1,896,000	1,896,000
Total \$	516,000	948,000	1,464,000	1,896,000	1,896,000

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.