

Multiple Agency Fiscal Note Summary

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

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
Department of Children, Youth, and Families	0	0	230,000	0	0	294,000	0	0	294,000
Total \$	0	0	1,694,000	0	0	2,190,000	0	0	2,190,000

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						
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	7000.0	1,368,000	1,368,000	1,598,000	74000.0	1,750,000	1,750,000	2,044,000	74000.0	1,750,000	1,750,000	2,044,000
Total \$	7,001.3	1,368,000	1,368,000	3,062,000	1,001.5	1,750,000	1,750,000	3,940,000	74,001.5	1,750,000	1,750,000	3,940,000

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	Non-zero but indeterminate cost and/or savings. Please see discussion.								
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	.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	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Gaius Horton, OFM	Phone: (360) 819-3112	Date Published: Final 3/13/2023
---------------------------------------	---------------------------------	-------------------------------------------

Judicial Impact Fiscal Note

Bill Number: 1205 2S HB	Title: Service by pub./dependency	Agency: 055-Administrative Office of the Courts
--------------------------------	------------------------------------------	--------------------------------------------------------

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

Form FN (Rev 1/00)

Request # 231-1

Bill # 1205 2S HB

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
--------------------------------	------------------------------------------	---------------------------------------------

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
--------------------------------	------------------------------------------	----------------------------------------------

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
--------------------------------	------------------------------------------	-----------------------------------------------

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.

Individual State Agency Fiscal Note

Bill Number: 1205 2S HB	Title: Service by pub./dependency	Agency: 307-Department of Children, Youth, and Families
--------------------------------	------------------------------------------	----------------------------------------------------------------

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	83,000	147,000	230,000	294,000	294,000
Total \$	83,000	147,000	230,000	294,000	294,000

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	59,000.0	75,000.0	67,000.0	74,000.0	74,000.0
Account					
General Fund-State 001-1	492,000	876,000	1,368,000	1,750,000	1,750,000
General Fund-Federal 001-2	83,000	147,000	230,000	294,000	294,000
Total \$	575,000	1,023,000	1,598,000	2,044,000	2,044,000

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: Joseph Piper	Phone: 360-915-4627	Date: 03/08/2023
Agency Approval: Sarah Emmans	Phone: 360-628-1524	Date: 03/08/2023
OFM Review: Carly Kujath	Phone: (360) 790-7909	Date: 03/09/2023

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.

Comparison of 1205 2SHB to 1205 SHB:

New Sections

Section 2 is amended to add a null and void clause effective June 30, 2023, if funding is not included in the omnibus appropriations act.

Section 3 is amended to set an effective date of January 1, 2024.

1205 2SHB

This bill requires the petitioner (rather than the court clerk) to publish the notice of petition in the case of a dependency and termination of parental rights proceeding.

Section 1 (1) requires the petitioner, rather than the court clerk, to publish notice in a legal newspaper once a week for three consecutive weeks prior to the fixed hearing date in a dependency and termination of parental rights proceeding.

Section 1 (3)(a) requires that the petitioner cover the cost of the publication, except as provided in subsection 1(3)(b).

Section 1(3) (b) requires the office of Civil Legal Aid to pay for or reimburse the cost of publication if the petitioner is a minor child, or the Office of Public Defense to pay for or reimburse the cost of publication if the petitioner is a parent or legal guardian is found to be indigent, pursuant to procedures set by each agency.

Section 2 is a null and void clause effective June 30, 2023, if funding is not provided in the omnibus appropriation act.

Section 3 sets an effective date of January 1, 2024.

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 Title IV-E reimbursements for DCYF FTE (Full-time equivalent) based on the federal financial participation of 20 percent in the following amounts:

FY 2024 at \$11,000.

FY 2026 at \$14,000.

FY 2027 at \$14,000, and annually thereafter.

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

Title IV reimbursement of 12 percent in the following amounts:

FY 2024 at \$62,000.

FY 2026 at \$114,000.

FY 2027 at \$114,000, and annually thereafter.

T-19 reimbursement of 2 percent in the following amounts:

FY 2024 at \$10,000.

FY 2026 at \$19,000.

FY 2027 at \$19,000, and annually 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.

The Department of Children, Youth, and Families estimates \$1,598,000 (\$1,368,000 GF-S) in the 23-25 Biennial Budget.

The bill requires DCYF to pay for the cost of publication in a dependency or termination of parental rights proceeding, when DCYF is the petitioner in such cases. The Attorney General's Office will pay for the publication costs and bill DCYF to be reimbursed.

DCYF estimates establishing 0.5 FTE for Washington Management Service (WMS) Band 1 to facilitate the workload for publishing from the Clerk's Office to DCYF at a phased rate:

FY 2024 0.38 FTE at \$59,000.

FY 2026 0.5 FTE at \$75,000.

FY 2027 0.5 FTE at \$74,000, and annually thereafter.

DCYF estimates services charged by the Office of the Attorney General (AGO) for agency administration support FTE. 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). DCYF will be billed at the following rate:

FY 2024 at \$123,000.

FY 2026 at \$162,000.

FY 2027 at \$162,000, and annually thereafter.

DCYF estimates services charged by the Office of the Attorney General for publication costs detailed below in the Office of Attorney General's assumptions at the following rate:

FY 2024 at \$393,000.

FY 2026 at \$786,000.

FY 2027 at \$786,000, and annually thereafter.

Department of Children, Youth, And Families Assumptions:

1. DCYF assumes FTE will be established with a starting date of October 1, 2023 as part of the phase in plan for training and the updating of Washington Administrative Codes (WAC) and other policies to meet the bills required effective date of January 1, 2024.

2. DCYF Publication will be billed by the AGO starting on the bill's effective date of January 1, 2024.

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
001-1	General Fund	State	492,000	876,000	1,368,000	1,750,000	1,750,000
001-2	General Fund	Federal	83,000	147,000	230,000	294,000	294,000
Total \$			575,000	1,023,000	1,598,000	2,044,000	2,044,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29	
FTE Staff Years	59,000.0	75,000.0	67,000.0	74,000.0	74,000.0	
A-Salaries and Wages	35,000	46,000	81,000	92,000	92,000	
B-Employee Benefits	11,000	15,000	26,000	30,000	30,000	
C-Professional Service Contracts						
E-Goods and Other Services	517,000	949,000	1,466,000	1,898,000	1,898,000	
G-Travel	1,000	1,000	2,000	2,000	2,000	
J-Capital Outlays	3,000	1,000	4,000			
M-Inter Agency/Fund Transfers						
N-Grants, Benefits & Client Services						
P-Debt Service						
S-Interagency Reimbursements						
T-Intra-Agency Reimbursements	8,000	11,000	19,000	22,000	22,000	
9-						
Total \$		575,000	1,023,000	1,598,000	2,044,000	2,044,000

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
Washington Management Service (WMS1)	92,000	59,000.0	75,000.0	67,000.0	74,000.0	74,000.0
Total FTEs		59,000.0	75,000.0	67,000.0	74,000.0	74,000.0

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29	
Children and Family Services (010)	567,000	1,012,000	1,579,000	2,022,000	2,022,000	
Program Support (090)	8,000	11,000	19,000	22,000	22,000	
Total \$		575,000	1,023,000	1,598,000	2,044,000	2,044,000

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

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.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1205 2S HB

Title: Service by pub./dependency

Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities:
- Counties: Clerks could save approximately \$422,049 annually due to the legislation eliminating clerks' current obligation to publish dependency and termination of parental rights notices.
- Special Districts:
- Specific jurisdictions only:
- Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time: The actual number of notices county clerks will no longer need to publish

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Part III: Preparation and Approval

Fiscal Note Analyst: Kate Fernald	Phone: 564-200-3519	Date: 03/08/2023
Leg. Committee Contact: Jackie Wheeler	Phone: 360-786-7125	Date: 02/28/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 03/08/2023
OFM Review: Carly Kujath	Phone: (360) 790-7909	Date: 03/09/2023

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

CHANGES BETWEEN THIS VERSION AND PREVIOUS VERSION OF THE BILL:

The second substitute states that if funding for the purposes of this act is not provided by June 30, 2023 in the omnibus appropriations act, this act is null and void.

It also adds that this act shall take effect January 1, 2024.

SUMMARY OF CURRENT BILL:

Sec. 1 amends RCW 13.34.080. The cost of publication of a summons or notice in dependency and termination of parental rights cases shall now be paid by the petitioner instead of the county.

If the petitioner is a minor child or the court finds that the petitioner is an indigent parent or legal guardian, the cost of publication shall be paid or reimbursed by the Office of Civil Legal Aid where the petitioner is a minor child, or the Office of Public Defense where the petitioner is a parent or legal guardian, pursuant to procedures set by each agency.

Sec. 2 adds a new section stating that if funding for the purposes of this act is not provided by June 30, 2023 in the omnibus appropriations act, this act is null and void.

Sec. 3 adds a new section that states this act shall take effect January 1, 2024.

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

CHANGES IN EXPENDITURE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The second substitute version of the bill does not impact local government expenditures. However, new cost-savings estimates are available and are offered below.

EXPENDITURE IMPACTS OF CURRENT BILL:

The legislation would reduce county clerks' costs as a result of no longer requiring clerks to publish notices of dependency and termination of parental rights. Exact cost estimates cannot be determined in advance, but clerks could save approximately \$422,049 (\$108,447 staff time + \$313,602 publication costs) per year as a result of the legislation.

To estimate potential cost savings, multi-year averages and staff information was used. According to the Washington Association of County Officials (WACO), county clerks publish an average of 1,954 notices of dependency and termination of parental rights notices each year, based on a seven year average from 2015 to 2021. Additionally, county clerks spent an average of \$313,602 per year on publication costs, based on a six year average from 2017 to 2022. Regarding staff, San Juan County Clerk's Office estimates it takes a county clerk 45 minutes per unique case to publish a notice. According to the Association of Washington Cities' 2022 Salary and Benefits Survey, a county clerk's average salary is \$74 per hour. Potential cost-savings estimates can be calculated based on this data.

Staff Costs: \$74/hr x 0.75 staff time x 1,954 notices to publish = \$108,447.

Average Annual Publication Costs: \$313,602

Total: \$ 422,049 (\$108,447 + \$313,602)

County clerks could save approximately \$422,049 (\$108,447 staff time + \$313,602 publication costs) per year as a result of the legislation.

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

The legislation has no revenue impacts for local governments.

SOURCES:

Administrative Office of the Courts

San Juan County Clerk's Office

Washington Association of County Officials