

Individual State Agency Fiscal Note

Bill Number: 5780 SB	Title: Public defense training	Agency: 056-Office of Public Defense
-----------------------------	---------------------------------------	---

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
FTE Staff Years	0.0	1.5	0.8	1.5	1.5
Account					
General Fund-State 001-1	0	254,184	254,184	560,188	560,188
Total \$	0	254,184	254,184	560,188	560,188

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: Kevin Black	Phone: (360) 786-7747	Date: 01/09/2024
Agency Preparation: Geoffrey Hulsey	Phone: 360-586-3164 1	Date: 01/15/2024
Agency Approval: Sophia Byrd McSherry	Phone: 360-586-3164	Date: 01/15/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/16/2024

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.

SB 5780 amends Chapter 2.70 RCW and, subject to appropriation, directs the Office of Public Defense (OPD) to expand its Criminal Defense Training Academy.

Section 1 clarifies the importance of attorney training for supporting public defense services, and the unavailability of high quality training opportunities in rural and underserved areas.

Section 2 directs OPD to expand the capacity of its Criminal Defense Training Academy for new public defense practitioners. Training must include intensive trial skills development in accordance with best practices and applicable standards. The program must provide participants with networking opportunities. Trainings may be in-person, remote, or recorded. By June 30, 2026, the program must be expanded to include training for practitioners who are seeking to achieve higher qualification levels.

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.

The Office of Public Defense (OPD) assumes the following costs for implementation of SB 5780:

1. OPD will hire 1.5 FTEs to administer the expanded Criminal Defense Training Academy program established by SB 5780: 1 FTE managing attorney and .5 FTE program assistant. The annual salary of a managing attorney is \$124,392, and benefits are calculated at 22%, totaling \$27,366. The annual salary of a .5 program assistant is \$34,536, with benefits at 22% totaling \$15,196. The combined annual salaries total \$158,928, and combined annual benefits total \$42,562. OPD staff salaries and benefits are identified at Expenditure Object A (salaries) & Expenditure Object B (benefits), and reflect step increases as currently provided in the state salary schedule.

2. OPD will enter into contracts with experienced attorney trainers to serve as faculty at the expanded Criminal Defense Training Academy program established by SB 5780. Each training session will serve approximately 40 attorneys with a combination of lectures as well as small-group interactive exercises, and each session will require six trainers. It is anticipated that the program will be offered two times in Fiscal Year 2025, and four times per year beginning in Fiscal Year 2026. Each session will be a total of six days in length – two days will be held remotely online, and four days will be held in-person. Trainers are paid \$250 per day. Faculty contracts are identified at Expenditure Object C (Professional Services Contracts) and will total \$18,000 in FY 2025, and \$36,000 in FY 2026.

3. OPD will incur several costs categorized under Expenditure Object E (Goods and Other Services):

3(a) OPD will require one-time start-up costs of \$6,271 for each employee position to cover office equipment, furnishings, subscriptions, software licensing, and other indirect costs. One-time new employee start-up costs are included among other costs in Expenditure Object E (Goods & Other Services) for FY25 only.

3(b) OPD will incur costs for facility rentals for each in-person session of the Criminal Defense Training Academy. It is anticipated that each training session will cost \$2,000, which is the amount OPD has previously paid for facilities for

sessions held at Central Washington University. In Fiscal Year 2025 OPD will hold two Criminal Defense Training Academy sessions, which will total \$4,000 for facility rental for the year. Beginning in Fiscal Year 2026 OPD will hold four Criminal Defense Training Program sessions, raising the annual facility rental cost to \$8,000 per year. Facility rental costs are included at Expenditure Object E (Goods & Other Services).

3(c) In addition, it is anticipated that instructional materials per session will cost \$250. The cost for two sessions in Fiscal Year 2025 will be \$500, and \$1000 in Fiscal Year 2026 and beyond. Instructional materials are included at Object E (Goods & Other Services)

4. OPD will incur travel costs for two different primary program activities: travel for OPD staff to attend other training programs, and travel for OPD staff and contracted training faculty to participate in the Criminal Defense Training Academy sessions. All travel expenditures will be reimbursed in accordance with SAAM policies.

4(a) The OPD Managing Attorney, who will administer all program activities, will attend one out-of-state training or conference per year to stay abreast of public defense training programs and methodologies used nationally. It is estimated that out-of-state staff travel costs will total \$1,700 per year. These costs are included at Expenditure Object G (Travel).

4(b) The OPD Managing Attorney and Program Assistant will attend and manage each Criminal Defense Training Academy session. In Fiscal Year 2025 there will be two sessions. In Fiscal Year 2026 and subsequent years there will be four sessions per year. Each session will include two days of remote online training with no travel expenses, and four days of in-person training which will require travel expenses. Travel costs per session will include four nights of lodging, four days of per diem, and an average of 300 miles travel reimbursement round trip. Sessions will be held in Central Washington. Per current OFM travel rates, it is anticipated that the travel costs per person per training session per will be \$997. The cost of travel for two OPD employees attending two sessions in FY 2025 is \$3,988. The cost of travel for two employees attending four sessions in FY 2026 and subsequent years is \$7,976 per year. These costs are included at Expenditure Object G (Travel).

4(c) Each Criminal Defense Training Academy session will be staffed by six contracted faculty, and OPD will reimburse their eligible travel expenses. Each session will include two days of remote online training with no travel expenses, and four days of in-person training that will require travel expenses. Using the calculations in the preceding paragraph, it is estimated that travel costs per person per training session will be \$997. Six contracted faculty working at two sessions in FY 2025 will cost \$11,964. Six contracted faculty to work at four sessions beginning in FY 2026 will cost \$23,928 per year. These costs are included at Expenditure Object G (Travel).

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	0	254,184	254,184	560,188	560,188
Total \$			0	254,184	254,184	560,188	560,188

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		1.5	0.8	1.5	1.5
A-Salaries and Wages		158,928	158,928	317,856	317,856
B-Employee Benefits		42,562	42,562	85,124	85,124
C-Professional Service Contracts		18,000	18,000	72,000	72,000
E-Goods and Other Services		17,042	17,042	18,000	18,000
G-Travel		17,652	17,652	67,208	67,208
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 \$	0	254,184	254,184	560,188	560,188

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
Managing Attorney	124,392		1.0	0.5	1.0	1.0
Program Assistant	34,536		0.5	0.3	0.5	0.5
Total FTEs			1.5	0.8	1.5	1.5

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

Part V: New Rule Making Required

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