

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 2186 HB	<b>Title:</b> Juv. deferred adjudications
-----------------------------	---

## 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	.0	6,300	6,300	6,300	.0	0	0	0	.0	0	0	0
Department of Children, Youth, and Families	.0	0	0	0	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>6,300</b>	<b>6,300</b>	<b>6,300</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
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
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
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

<b>Prepared by:</b> Danya Clevenger, OFM	<b>Phone:</b> (360) 688-6413	<b>Date Published:</b> Final 1/18/2024
--	---------------------------------	---

# Judicial Impact Fiscal Note

<b>Bill Number:</b> 2186 HB	<b>Title:</b> Juv. deferred adjudications	<b>Agency:</b> 055-Administrative Office of the Courts
-----------------------------	---	--

## 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					
<b>Account</b>					
General Fund-State 001-1		6,300	6,300		
State Subtotal \$		6,300	6,300		
COUNTY	FY 2024	FY 2025	2023-25	2025-27	2027-29
County FTE Staff Years					
<b>Account</b>					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2024	FY 2025	2023-25	2025-27	2027-29
City FTE Staff Years					
<b>Account</b>					
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: Luke Wickham	Phone: 360-786-7146	Date: 01/11/2024
Agency Preparation: Chris Conn	Phone: 360-704-5512	Date: 01/12/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/12/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/12/2024

189,986.00

Form FN (Rev 1/00)

1

Request # 82-1

Bill # 2186 HB

## Part II: Narrative Explanation

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

This bill clarifies and specifies eligibility for a deferred adjudication under 13.40.127 (deferred disposition).

Section 1 directs courts to have a strong presumption to grant a juvenile a deferred adjudication except in cases where the charge is robbery in the second degree and the juvenile has had a prior deferred adjudication. Process of granting a juvenile a deferred adjudication is amended in subsection (3). Clarifies that a deferred adjudication under this legislation does not constitute an admission of guilt unless it is revoked and a finding of guilt is entered.

### II. B - Cash Receipts Impact

None

### II. C - Expenditures

FISCAL IMPACT TO THE ADMINISTRATIVE OFFICE OF THE COURTS

For Section 1, the cost would be \$6,300 based on the following assumptions:

Legal Services Senior Analyst. Beginning July 1, 2024 through June 30, 2025, AOC would require salary, benefits, and associated standard costs for 0.03 FTE to update / revise forms.

## Part III: Expenditure Detail

### Part III: Expenditure Detail

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

<i>State</i>	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
Salaries and Wages		3,700	3,700		
Employee Benefits		1,100	1,100		
Professional Service Contracts					
Goods and Other Services		100	100		
Travel		100	100		
Capital Outlays		100	100		
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements		1,200	1,200		
<b>Total \$</b>		<b>6,300</b>	<b>6,300</b>		

#### 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

189,986.00

Form FN (Rev 1/00)

## **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

None

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2186 HB	<b>Title:</b> Juv. deferred adjudications	<b>Agency:</b> 307-Department of Children, Youth, and Families
-----------------------------	---	--

## 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: Luke Wickham	Phone: 360-786-7146	Date: 01/11/2024
Agency Preparation: Katherine Anderson	Phone: (360) 790-9033	Date: 01/16/2024
Agency Approval: Sarah Emmans	Phone: 360-628-1524	Date: 01/16/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	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.*

This bill provides detailed criteria for "deferred adjudications". This bill is a local juvenile court process and does not have an effect on Juvenile Rehabilitation.

This bill has no fiscal impact to department of children, youth and family, juvenile rehabilitation.

### 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.*

None

### 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.*

This bill has no fiscal impact of DCYF

## 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

This bill has no fiscal impact of DCYF

## **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:** 2186 HB

**Title:** Juv. deferred adjudications

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

### Legislation Impacts:

- Cities:
- Counties: Indeterminate expenditure impact on prosecutors and public defenders
- 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: Number of additional deferred adjudications that may be entered and the resulting net impact on demand for prosecutor and public defender time

### 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: James Vogl	Phone: 360-480-9429	Date: 01/18/2024
Leg. Committee Contact: Luke Wickham	Phone: 360-786-7146	Date: 01/11/2024
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 01/18/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/18/2024

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

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

Section 1 of the proposed legislation would amend RCW 13.40.127, moving the deferral of juvenile proceedings under this section from the disposition to the adjudication stage.

The amendments in this section would also specify that a juvenile is eligible for a deferred adjudication if they are charged with robbery in the second degree, and that multiple prior deferred adjudications entered on the same day count as one prior deferred adjudication for the purposes of eligibility for an additional deferred adjudication. Except in cases where a juvenile is charged with robbery in the second degree, or has a prior deferred adjudication, there would be required to be a strong presumption that deferred adjudication will be granted.

Since the deferral of juvenile proceedings under this section would be moved from the disposition to the adjudication stage, in cases where a juvenile fails to comply with the terms of the deferred adjudication, or the court finds a juvenile is not entitled to dismissal of the deferred adjudication, the amendments in this section would require the court to review any admissible written police reports or the factual stipulation agreed to by the parties to determine whether to enter a finding of guilt.

### **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.*

The proposed legislation would have an indeterminate expenditure impact on prosecutors and public defenders.

Expanding the eligibility for deferred adjudications to include juveniles charged with robbery in the second degree or who have multiple prior deferred adjudications entered on the same day would likely increase the number of deferred adjudications compared with deferred dispositions at present. The Washington Association of Prosecuting Attorneys indicates that there could be cases in which the deferral process and subsequent court review of admissible written police reports or factual stipulations following a juvenile's failure to comply with the terms of deferred adjudication, or a finding that a juvenile is not entitled to dismissal of the deferred adjudication, would require more prosecutor time than in the absence of the deferred adjudication. It is reasonable to assume that impacts related to juvenile proceedings would be similar for public defenders.

However, it is unknown how many additional deferred adjudications may be entered as a result of the expanded eligibility criteria the proposed legislation would create, or what the net result on prosecutor and public defender time might be, so the resulting expenditure impact is indeterminate. The 2024 Local Government Fiscal Note Program Unit Cost Model estimates that the average hourly salary for a prosecuting attorney is \$74.

### **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 proposed legislation would have no impact on local government revenues.

#### **SOURCES:**

House bill analysis for HB 2186, 2024

Local Government Unit Cost Model, 2024

Washington Association of Prosecuting Attorneys