

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5825 S SB	<b>Title:</b> Guardianship
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## Estimated Cash Receipts

NONE

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.5	593,800	593,800	593,800	1.0	1,170,800	1,170,800	1,170,800	1.0	1,170,800	1,170,800	1,170,800
Administrative Office of the Courts	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Department of Children, Youth, and Families	.0	0	0	0	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>0.5</b>	<b>593,800</b>	<b>593,800</b>	<b>593,800</b>	<b>1.0</b>	<b>1,170,800</b>	<b>1,170,800</b>	<b>1,170,800</b>	<b>1.0</b>	<b>1,170,800</b>	<b>1,170,800</b>	<b>1,170,800</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Loc School dist-SPI									
Local Gov. Other									
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	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Loc School dist-SPI									
Local Gov. Other									
Local Gov. Total									

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Gaius Horton, OFM	<b>Phone:</b> (360) 819-3112	<b>Date Published:</b> Final 1/31/2024
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 5825 S SB	<b>Title:</b> Guardianship	<b>Agency:</b> 055-Administrative Office of the Courts
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Expenditures from:**

STATE	FY 2024	FY 2025	2023-25	2025-27	2027-29
State FTE Staff Years		1.0	.5	1.0	1.0
<b>Account</b>					
General Fund-State 001-1		593,800	593,800	1,170,800	1,170,800
State Subtotal \$		593,800	593,800	1,170,800	1,170,800
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 \$					

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

**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.

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Agency Preparation: Chris Conn	Phone: 360-704-5512	Date: 01/30/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/30/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/30/2024

192,814.00

Request # 132-1

## Part II: Narrative Explanation

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

The substitute would not make any changes affecting the fiscal impact to the Administrative Office of the Courts or the courts.

### II. B - Cash Receipts Impact

None

### II. C - Expenditures

#### FISCAL IMPACT TO THE ADMINISTRATIVE OFFICE OF THE COURTS

For Sections 3 and 4, the cost would be \$6,700 based on the following assumptions:

Legal Services Senior Analyst. Beginning July 1, 2024 through June 30, 2024, AOC would require salary, benefits, and associated standard costs for 0.4 FTE to update / revise forms and benchbooks.

For Section 15 (3) and (4), the cost would be \$585,400 beginning in FY25 and ongoing based on the following assumptions:

Senior Court Program Analyst. Beginning July 1, 2024 and ongoing, AOC would salary, benefits, and associated standard costs for 1.0 FTE to act as navigator for guardianship services.

Goods and Service: \$400,000 to provide training to guardians.

Section 15 (1) is indeterminate as the Administrative Office of the Courts (AOC) has no data available to estimate the number of new personnel that would be eligible under the changes in this bill. AOC estimates that it could be as high as \$1.5 million.

#### AOC STAFF IMPACTS INCLUDE STANDARD COSTS

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 30.59% of salaries.

Goods and Services are the agency average of \$3,600 per direct program FTE.

Travel is the agency average of \$2,000 per direct program FTE.

Ongoing Equipment is the agency average of \$1,800 per direct program FTE.

One-time IT Equipment is \$4,800 for the first fiscal year per direct program FTE.

Agency Indirect is calculated at a rate of 25.86% of direct program salaries and benefits.

## 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		1.0	.5	1.0	1.0
Salaries and Wages		113,200	113,200	216,600	216,600
Employee Benefits		34,600	34,600	66,200	66,200
Professional Service Contracts					
Goods and Other Services		3,700	3,700	7,200	7,200
Travel		2,100	2,100	4,000	4,000
Capital Outlays		1,900	1,900	3,600	3,600
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services		400,000	400,000	800,000	800,000
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements		38,300	38,300	73,200	73,200
<b>Total \$</b>		593,800	593,800	1,170,800	1,170,800

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

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

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

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

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

**III. D - FTE Detail**

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Legal Services Senior Analyst	122,600		0.0	0.0		
Senior Court Program Analyst	108,300		1.0	0.5	1.0	1.0
<b>Total FTEs</b>			1.0	0.5	1.0	1.0

**III. E - Expenditures By Program (optional)**

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Court Services Division (030)		8,400	8,400		0.00
Management Services Division (070)		585,400	585,400	1,170,800	1,170,800.00
<b>Total \$</b>		593,800	593,800	1,170,800	1,170,800

**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> 5825 S SB	<b>Title:</b> Guardianship	<b>Agency:</b> 307-Department of Children, Youth, and Families
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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.

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Agency Preparation: Saydee Wilson	Phone: 5098221418	Date: 01/29/2024
Agency Approval: Sarah Emmans	Phone: 360-628-1524	Date: 01/29/2024
OFM Review: Carly Kujath	Phone: (360) 790-7909	Date: 01/30/2024

## 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.*

Comparison of 5825 SB to 5825 SSB:

Section 4(4)(a) adds language providing an individual subjected to a potential guardianship the right to counsel of choice and to a jury trial

Section 4(4)(b) requires the court to determine whether or not the respondent would like to request the appointment of an attorney

Section 15(1) requires that the population described in Section 15(1)(a) through (d) be prioritized

Section 15(5) requires that the office shall offer low-barrier training to certified professional guardians on topics such as aging, mental health, and dementia

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SB 5825 clarifies guardianship and conservatorship.

Section 1(b) adds language that requires that a guardian or conservator be identified within 14 days or be dismissed by the court.

Section 2(6) clarifies that if there's been no investigation necessary to constitute good faith for the filing or the petition was filed in bad faith, court-appointed attorney fees, as well as others, may be granted against the petitioner.

Section 3(2) adds that someone within 45 days of turning 18, or the minor themselves, may petition for the appointment of a guardian for the minor

Section 3(3)(b)(iv) adds that petitioners for guardianship must also include the names of the parents, if they're living and involved in the petitioner's life

Section 4(5) adds that should a respondent for guardianship object to a petition or request an attorney, the court visitor must petition to have an attorney appointed within 5 days

Section 5(1) reduces from 30, to 14 days to provide a notice of the rights of an adult subject to guardianship

Section 7(11) increases from 120 to 180 from the anniversary date of appointment for the court clerk to issue the report to the guardian

Section 8(2)(b)(iv) adds that petitioners for conservatorship must also include the names of the parents, if they're living and involved in the petitioner's life

Section 8(6) adds that should a respondent for conservatorship object to a petition or request an attorney, the court visitor must petition to have an attorney appointed within 5 days

Section 12(1)(k) Add that all transactions involving the sale of real property require the conservator to receive appropriate court authority regarding disposition of the proceeds

## **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.*

No impact to Department of Children, Youth and Families. DCYF is already completing the required work.

## **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.*