

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1205 2S HB	<b>Title:</b> Service by pub./dependency
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## Estimated Cash Receipts

NONE

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	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Office of Civil Legal Aid	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	Fiscal note not available											
Department of Children, Youth, and Families	Fiscal note not available											
<b>Total \$</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>	<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	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	Fiscal note not available								
Department of Children, Youth, and Families	Fiscal note not available								
<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	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

NONE

<b>Prepared by:</b> Gaius Horton, OFM	<b>Phone:</b> (360) 819-3112	<b>Date Published:</b> Preliminary 2/19/2024
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1205 2S HB	<b>Title:</b> Service by pub./dependency	<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:**

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.

Contact	Phone:	Date: 02/14/2024
Agency Preparation: Jackie Bailey-Johnson	Phone: 360-704-5545	Date: 02/15/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/15/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/15/2024

194,870.00

Request # 223-1

## 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.

New Section 2

This section contains a null and void clause for June 30, 2023.

New Section 3

This second substitute bill takes effect January 1, 2024.

### 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

194,870.00

Form FN (Rev 1/00)

**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

# Individual State Agency Fiscal Note

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

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

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

### 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:	Phone:	Date: 02/14/2024
Agency Preparation: Brett Ballew	Phone: 360-586-3164 1	Date: 02/15/2024
Agency Approval: Sophia Byrd McSherry	Phone: 360-586-3164	Date: 02/15/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/15/2024

## 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.*

2SHB 1205 would shift certain dependency case publication costs from the county clerk to the Office of Public Defense (OPD).

If the petitioner in a dependency 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 OPD direct 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

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

### III. B - Expenditures by Object Or Purpose

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

**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

<b>Bill Number:</b> 1205 2S HB	<b>Title:</b> Service by pub./dependency	<b>Agency:</b> 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:	Phone:	Date: 02/14/2024
Agency Preparation: Sara Robbins	Phone: (360) 485-1544	Date: 02/19/2024
Agency Approval: Sara Robbins	Phone: (360) 485-1544	Date: 02/19/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/19/2024

## 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.*

The following provision of Second Substitute House Bill 1205 is anticipated to impact the Office of Civil Legal Aid:

Section 1 (3)(b) amending RCW 13.34.080 to require the Office of Civil Legal Aid to pay for publication in Dependency filings where the petitioner is a minor child.

OCLA assumes that Section 1 will have an indeterminate fiscal impact of greater than Zero but less than \$50,000. In addition to paying the publication fees, OCLA will need to establish a procedure with the courts which will require a small amount of staff time.

### 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.*

# 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: 02/15/2024
Leg. Committee Contact:	Phone:	Date: 02/14/2024
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/15/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/15/2024

## **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 in the budget, then 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 in the budget, then 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