

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 | 1,087,000 | 0 | 0 | 2,174,000 | 0 | 0 | 2,174,000 |
| Total \$ | 0 | 0 | 1,087,000 | 0 | 0 | 2,174,000 | 0 | 0 | 2,174,000 |

| 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 | 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 | 1.0 | 0 | 0 | 1,087,000 | 2.0 | 0 | 0 | 2,174,000 | 2.0 | 0 | 0 | 2,174,000 |
| Department of Children, Youth, and Families | Fiscal note not available | | | | | | | | | | | |
| Total \$ | 1.0 | 0 | 0 | 1,087,000 | 2.0 | 0 | 0 | 2,174,000 | 2.0 | 0 | 0 | 2,174,000 |

| 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 | Fiscal note not available | | | | | | | | |
| 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: Preliminary 2/22/2024 |
|---------------------------------------|---------------------------------|---|

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.

| | | |
|---|-----------------------|------------------|
| 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

| | | |
|--------------------------------|--|---|
| 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:

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

| | | |
|--------------------------------|--|--|
| 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: | 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.

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 | | 1,087,000 | 1,087,000 | 2,174,000 | 2,174,000 |
| Total \$ | | 1,087,000 | 1,087,000 | 2,174,000 | 2,174,000 |

Estimated Operating Expenditures from:

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years | 0.0 | 2.0 | 1.0 | 2.0 | 2.0 |
| Account | | | | | |
| Legal Services Revolving Account-State 405-1 | 0 | 1,087,000 | 1,087,000 | 2,174,000 | 2,174,000 |
| Total \$ | 0 | 1,087,000 | 1,087,000 | 2,174,000 | 2,174,000 |

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: | Phone: | Date: 02/14/2024 |
| Agency Preparation: Dan Jensen | Phone: 360-664-9429 | Date: 02/19/2024 |
| Agency Approval: Edd Giger | Phone: 360-586-2104 | Date: 02/19/2024 |
| OFM Review: Val Terre | Phone: (360) 280-3073 | Date: 02/20/2024 |

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.

Section 1 – Amends RCW 13.34.080. Requires service by publication of a summons or notice in dependency and termination of parental rights cases. Imposes the publication requirement on the petitioner rather than the clerk of the court. Requires the petitioner to bear the cost of publication unless they are a minor child or an indigent parent or legal guardian.

Section 2 – New Section. Renders act null and void if specific funding is not provided by June 30, 2023.

Section 3* – New Section. Effective date of January 1, 2024.

*This bill's effective date in Section 3 is January 1, 2024, which is in the past. The bill is assumed effective 90 days after the end of the 2024 legislative session, which for purposes of this fiscal note is assumed to be July 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.

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 King County and non-King County rates:

FY 2025 and in each FY thereafter: \$1,087,000 for 0.5 Managing Assistant Attorney General FTE (MAAG), 1.0 Paralegal 2 FTE (PL2), and 0.3 Paralegal 1 FTE (PL1) which includes direct litigation costs of \$814,218

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's effective date in Section 3 is January 1, 2024, which is in the past. The bill is assumed effective 90 days after the end of the 2024 legislative session, which for purposes of this fiscal note is assumed to be July 1, 2024.

Location of staffing is assumed to be in King County and non-King County 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 FTE (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 Paralegal 1 FTE (PL1) and 0.4 MA.

Assumptions for the AGO Children Youth and Families Division's (CYF) legal services for the Department of Children, Youth and Families (DCYF):

Costs identified reflect legal services and direct costs assumed to be provided agency wide. This includes the following divisions: Social and Health Service Seattle (SHS), Tacoma (TAC), Spokane (SPO), the Regional Services Division (RSD), and Children, Youth, and Families Division (CYF).

CYF assumes 2,871 publications are needed each year in dependency and termination of parental rights cases where the DCYF is the petitioner. This assumption is based on data from the Washington Center for Court Research (WSCCR) 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, which is 2,871. Calendar years 2020 through 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. Calendar year 2023 was not included in calculating this average because the volume of DCYF's dependency filing has not stabilized since HB 1227 became effective on July 1, 2023. The AGO does not have data available about the number of dependency and termination of parental rights petitions filed by youth, parents, or guardians and assumes 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 few petitions will be filed by children and youth that the costs can be absorbed within OCLA's existing resources.

CYF assumes to bill DCYF the direct costs for publication of notices. The AGO assumes the average cost of publication of notice at \$291 each. This bill will result in the AGO paying for 2,798 more publications than it currently does, totaling \$814,218 per year. (2,798 publications per year x \$291 = \$814,218).

The AGO's 2020 fiscal note for HB 2260, which would have shifted the cost of publications in dependency and termination of parental rights cases from the counties to the AGO, assumed a cost of \$263 per publication.

The AGO's 2023 fiscal note for this bill reflected an average publication cost of \$281 per publication because the Seattle Consumer Price Index (CPI) had increased 7 percent since the AGO's prior fiscal note for publication costs. Since the AGO's 2023 fiscal note for this bill, CPI has increased 3.7 percent (excluding food and energy), increasing the assumed average publication cost to \$291 per publication.

CYF assumes the AGO 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 WSCCR 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 the costs associated with publications in counties where the AGO currently pays for some, but not all, the publication costs is accounted for by the high cost of out-of-state publications and the low estimate of average publication cost used in this fiscal note. The cost of publication varies widely, and out-of-state publication costs can average about \$1,500 each, as estimated in the 2009 AGO Fiscal Note for HB 1003, which also estimated an average in-state publication cost of \$275.

CYF assumes the enactment of this bill will increase legal services workload by 45 minutes per publication, and this bill will result in the AGO performing work on 2,294 more publications per year, totaling 1,721 hours performed by Paralegal 2 (PL2) staff, with 545 of these PL2 hours performed by PL2s in King County. (2,294 publications x 45 minutes = 1,744 PL2 hours). The AGO also assumes it would need 0.5 Managing AAG FTE (MAAG) to supervise and manage the PL2s due to

the volume of publications and associated potential legal issues.

CYF assumes 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 WSCCR 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, which is 577. (2,871 needed publications per year – 577 publications where work is already performed = 2,294 more publications requiring work as a result of this bill).

CYF: Total King County and non-King County workload impact:

FY 2025 and in each FY thereafter: \$1,087,000 for 0.5 MAAG, 1.0 PL2, and 0.3 PL1, which includes direct litigation costs of \$814,218

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 | 0 | 1,087,000 | 1,087,000 | 2,174,000 | 2,174,000 |
| Total \$ | | | 0 | 1,087,000 | 1,087,000 | 2,174,000 | 2,174,000 |

III. B - Expenditures by Object Or Purpose

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|----------------------------------|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years | | 2.0 | 1.0 | 2.0 | 2.0 |
| A-Salaries and Wages | | 182,000 | 182,000 | 364,000 | 364,000 |
| B-Employee Benefits | | 58,000 | 58,000 | 116,000 | 116,000 |
| C-Professional Service Contracts | | 814,000 | 814,000 | 1,628,000 | 1,628,000 |
| E-Goods and Other Services | | 31,000 | 31,000 | 62,000 | 62,000 |
| G-Travel | | 2,000 | 2,000 | 4,000 | 4,000 |
| J-Capital Outlays | | | | | |
| Total \$ | 0 | 1,087,000 | 1,087,000 | 2,174,000 | 2,174,000 |

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 |
|--|---------|---------|---------|---------|---------|---------|
| Management Analyst 5 | 95,184 | | 0.2 | 0.1 | 0.2 | 0.2 |
| Managing Assistant Attorney General | 135,600 | | 0.5 | 0.3 | 0.5 | 0.5 |
| Paralegal 1 | 69,072 | | 0.3 | 0.2 | 0.3 | 0.3 |
| Paralegal 2 | 76,188 | | 0.7 | 0.4 | 0.7 | 0.7 |
| Paralegal 2-Seattle | 79,992 | | 0.3 | 0.2 | 0.3 | 0.3 |
| Total FTEs | | | 2.0 | 1.0 | 2.0 | 2.0 |

III. D - Expenditures By Program (optional)

| Program | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-------------------------------------|---------|-----------|-----------|-----------|-----------|
| Children, Youth, and Families (CYF) | | 1,087,000 | 1,087,000 | 2,174,000 | 2,174,000 |
| Total \$ | | 1,087,000 | 1,087,000 | 2,174,000 | 2,174,000 |

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.

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