

**Washington State Judicial Branch**  
**2023-25 Biennial Budget**  
**Stabilize and Improve Best Interests Model in Dependency Cases**

**Agency:** Administrative Office of the Courts

**Decision Package Code/Title:** T4 – Stabilize Best Interests Model

**Agency Recommendation Summary Text:**

The Administrative Office of the Courts, on behalf of Juvenile Court Administrators, requests 0.8 FTE and \$7.5 million to stabilize funding for and improve the model of best interests advocacy efforts in dependency cases. This includes an inflationary adjustment for county-level CASA/Child Advocate programs to cover increased costs of recruiting and managing volunteer Guardians ad Litem, the addition of a central statewide Diversity, Equity, and Inclusion Program Officer to advise local programs, and a comprehensive study by the Washington State Center for Court Research on the impacts of volunteer guardians ad litem on dependency cases. (General Fund-State)

**Fiscal Summary:**

	FY 2024	FY 2025	Biennial	FY 2026	FY 2027	Biennial
<b>Staffing</b>						
FTEs	0.80	0.80	0.00	0.00	0.00	0.00
<b>Operating Expenditures</b>						
Fund 001-1	\$3,768,000	\$3,763,200	\$7,531,200	\$3,620,000	\$3,620,000	\$7,240,000
<b>Total Expenditures</b>						
	\$3,768,000	\$3,763,200	\$7,531,200	\$3,620,000	\$3,620,000	\$7,240,000

**Package Description:**

A recent statewide survey of Superior Court judicial officers who preside over dependency and termination matters identified three areas of need for volunteer best interests Guardian ad Litem (VGAL) advocacy. The Administrative Office of the Courts is requesting additional funds to support the following efforts:

- Better emphasize, through training and statewide coordination, a child's race and cultural needs as volunteer guardians ad litem represent the child's best interests to a court in a dependency case.
- Increase funding to match historical levels adjusted for inflation.
- Conduct a comprehensive study on the best interests advocacy model as part of the overall dependency process.

**1. Diversity, Equity and Inclusion Program Officer**

In order to better meet the racial and cultural needs of the children and families that volunteers and staff serve statewide, we are requesting funds for a full-time Diversity, Equity and Inclusion officer to be centrally housed at the Washington Association of Child Advocate Programs, the statewide network of the 35 child advocate/CASA programs in Washington State.

Duties of this position will include:

- Developing and providing ongoing training and education to staff and volunteer on issues around diversity, equity and inclusion
- Support in the recruitment and retention of a more diverse volunteer base that more closely resembling the communities and families currently served
- Auditing current training, practices and procedures as it relates to best interests advocacy for children served by guardians ad litem
- Convening and supporting statewide BIPOC program staff and volunteer work groups
- Representing the statewide network in meetings and workgroups where racial equity is a primary focus of the meeting

To support this position and their work, AOC requests \$120,000/year.

## **2. Local program funding inflationary adjustment**

Local volunteer advocate programs have not received a statewide increase in state funding since 2008 – over 15 years. At that time, \$4 million was allocated to 28 programs. In the year immediately following, the legislature reduced funding to \$3.2 million due to cuts associated with the Great Recession.

Since then, the network of programs in the state has expanded to 35 programs, including new programs in Skagit, Whatcom, Grays Harbor, Mason Counties as well as three new Tribal programs on the Kalispel, Port Gamble S’Klallam, and Quileute reservations. Additionally, due to increase costs and inflation, the ability to serve children with volunteer GALs has been decreasing each year. Soon after receiving the state funding, volunteers were serving 6,500 children per year – this has fallen to 4,700 children in 2021.

In 2008, the total funding for the programs across all sources totaled \$9.2 million dollars. According to the Consumer Price Index, the value of one dollar in 2008 is worth \$1.38 in 2022. In order to adjust for this inflation and using these previously stated values, AOC requests \$3.5 million dollars in additional state funding to be allocated and distributed to juvenile courts and local volunteer advocate programs.

## **3. Statewide evaluation of the VGAL model in Washington**

As the Office of Civil Legal Aid (OCLA) rolls out the Children’s Representation Program (CRP) in counties through 2027, courts and court-based programs will need to adapt to the addition of CRP-trained and supported children’s attorneys, especially in those jurisdictions where courts have not historically appointed attorneys to represent dependent children and youth. This presents an opportunity to study the impact of the VGAL model in Washington and to assess its utility in dependency cases in the future.

AOC requests \$291,000 in funding for the Washington State Center for Court Research to commence a study that includes a literature review, program mapping, and quantitative analysis regarding the impact of the VGAL program in dependency cases regarding judicial best interest decision-making. This study will also examine the impacts of the program with regards to structural racism, the inequities that have existed in the dependency system, and how we can enhance the VGAL model to be a more modern and effective tool for juvenile courts today.

### **Fully describe and quantify expected impacts on state residents and specific populations served:**

These funds will be used to focus on assigning a volunteer for every child under 12 as a starting point (85% of all new dependency filings involve a child under 12), and to have those volunteers appointed to children as quickly as possible in the process, with a goal of GAL assignment within 30 days of the petition filing.

These funds will double the statewide volunteer pool to 3,000 active CASA volunteers advocating for 8,000+ children by the end of the biennium.

**Explain what alternatives were explored by the agency and why they were rejected as solutions:**

In many of the mid- to large sized counties, programs rely on staff guardians ad litem to fulfil the requirement of 13.34.100. Caseloads for these paid professionals range anywhere from 50 to 100+ children per person. While the appointment of staff GALs to children in dependency meets the technical requirements of best interests' advocacy, staff GALs' high caseloads prohibit them from providing the same level of advocacy that a volunteer (who generally are advocating for 2-3 children at a time) can provide.

**What are the consequences of not funding this request?**

CASA programs in urban areas will be unable to meet the statutory mandate for GALs to represent children's best interests. The 1,500 currently active volunteers will not have the level of support and supervision needed to ensure retention. Staff with higher number of volunteers to supervise (who often carry dependency cases themselves) will continue to have excessive workloads and be unable to engage in adequate recruitment and support activities, thus continuing the cycle of losing and replacing the same number of volunteers each year. In addition, high caseloads contribute to high staff turnover, which impacts the stability and quality of the program. Insufficient funding puts dependent children at serious risk and presents liability issues for children in the dependency system.

Due to COVID, the backlog is growing: there are over 1,000+ children on a wait list to receive a GAL. Statewide, 7,190 children were served at the peak year of 2014 – that figure is down to 4,500 kids served with 400 fewer active volunteers. It's a disturbing trend, and it's uncertain how it can be reversed without increased resources in the next biennium.

**Is this an expansion or alteration of a current program or service?**

Expansion. The \$3.5 million dollars requested for local programs will restore funding to previous levels lost during the great recession and inflation since then. The DEI program officer and study will further enhance advocacy for BIPOC children and families.

**Decision Package expenditure, FTE and revenue assumptions:**

**Staffing Assumptions**

Beginning July 1, 2023 for one biennium, AOC requires salary, benefits, and associated standard costs for research staff to complete the comprehensive study – Senior Research Associate (0.5 FTE), Research Assistant (0.2 FTE), and a Principal Research Associate (0.1 FTE). One-time equipment is only estimated for the 0.5 FTE Senior Research Associate.

**Other Non-Standard Costs**

**Grants (Object N)**

- AOC will pass-through \$120,000/year to the Washington Association of Child Advocate Programs to implement this request.
- AOC will pass-through \$3.5 million/year to local advocate programs to implement this request.

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	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
<b>Expenditures by Object</b>						
A Salaries and Wages	83,100	83,100				
B Employee Benefits	26,500	26,500				
E Goods and Services	3,100	3,100				
G Travel	2,100	2,100				
J Capital Outlays	6,100	1,300				
N Grants, Benefits, and Client Services	3,620,000	3,620,000	3,620,000	3,620,000	3,620,000	3,620,000
T Intra-Agency Reimbursements	27,100	27,100				
<b>Total Objects</b>	<b>3,768,000</b>	<b>3,763,200</b>	<b>3,620,000</b>	<b>3,620,000</b>	<b>3,620,000</b>	<b>3,620,000</b>

**Staffing**

<b>Job Class</b>	<b>Salary</b>	<u><b>FY 2024</b></u>	<u><b>FY 2025</b></u>	<u><b>FY 2026</b></u>	<u><b>FY 2027</b></u>	<u><b>FY 2028</b></u>	<u><b>FY 2029</b></u>
SENIOR RESEARCH ASSOCIATE	111,500	0.50	0.50				
RESEARCH ASSISTANT	75,100	0.20	0.20				
PRINCIPAL RESEARCH ASSOCIATE	123,100	0.10	0.10				
<b>Total FTEs</b>		<b>0.80</b>	<b>0.80</b>				

**Explanation of standard costs by object:**

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 31.89% of salaries.

Goods and Services are the agency average of \$3,800 per direct program FTE.

Travel is the agency average of \$2,500 per direct program FTE.

One-time IT Equipment is \$4,800 for the first fiscal year per direct program FTE. Ongoing Equipment is the agency average of \$1,600 per direct program FTE.

Agency Indirect is calculated at a rate of 24.73% of direct program salaries and benefits.

**How does the package relate to the Judicial Branch principal policy objectives?**

This package promotes the commitment to effective court management by evaluating and analyzing current systems in place and committing to make changes where necessary. This package also ensures sufficient staffing and support of volunteer guardians ad litem by adjusting rates to appropriate levels that reflect the inflationary changes over the past decade. Ensuring these advocate programs are appropriately funded will help ensure that courts are managed efficiently and effectively across the state.

**Are there impacts to other governmental entities?**

No.

**Stakeholder response:**

The Superior Court Judges Association, the recipients of information provided by VGALs, is in support of this request.

**Are there legal or administrative mandates that require this package to be funded?**

No.

**Does current law need to be changed to successfully implement this package?**

No.

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**Are there impacts to state facilities?**

No.

**Are there other supporting materials that strengthen the case for this request?**

No.

**Are there information technology impacts?**

No.

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