

Judicial Impact Fiscal Note

Bill Number: 5649 SB	Title: Mental health/inv outpatient	Agency: 055-Admin Office of the Courts
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Part I: Estimates

☒ **No Fiscal Impact**

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 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.

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Request # 5649 SB-1

Part II: Narrative Explanation

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

Summary:

This bill would create an outpatient treatment alternative for persons “in need of assisted outpatient treatment” where they do not present a likelihood of serious harm or are gravely disabled.

Sections with potential court impact:

Sections 1 and 2 would amend RCW 71.05.020 to create a new definition for “in need of assisted outpatient treatment.”

Section 3 would amend RCW 71.05.150 to create the procedure for filing a petition for assisted outpatient treatment.

Section 6 would amend RCW 71.05.230 to change the current 14-day detention for treatment to a 14-day commitment for treatment. If the petition seeks an involuntary less restrictive alternative to treatment, the court may find that the person is in need of assisted outpatient treatment instead of that the person presents a likelihood of serious harm or is gravely disabled. The court may not order inpatient treatment without a finding of likelihood of serious harm or is grave disability.

Section 7 would amend RCW 71.05.240 to provide that the court may not order inpatient treatment without a finding of likelihood of serious harm or is grave disability.

Section 8 would amend RCW 71.05.245 to direct that the court consider the person’s current and prior condition when determining whether the person is in need of assisted outpatient treatment.

Section 9 would amend RCW 71.05.280 to allow the court to confine a person who has finished the 14-day intensive treatment, where the person is in need of assisted outpatient treatment.

Section 10 would amend RCW 71.05.320 to allow the court to only order an appropriate less restrictive course of treatment for no more than 90 days where the court or jury finds the person is only in need of assisted outpatient treatment.

Anticipated Fiscal Impact:

Based upon information provided, it is assumed that there would be minimal financial impact to the superior courts statewide from the amendments/provisions in this bill.

This bill may result in additional hearings for the superior courts. There is a finite amount of superior court judicial officer time available to hear cases throughout the state. Whenever additional caseload creates a need for additional judicial officers, the system absorbs that need. The system accommodates such changes partially by delaying criminal and juvenile cases and partly by lengthening the backlog for civil trials. Small increases in FTE need may be absorbed by the system, but there is a cumulative effect from multiple bills in a session or over a series of years that can result in a shortage of judges and commissioners relative to the judicial need expressed in caseload.

II. B - Cash Receipts Impact

II. C - Expenditures

Part III: Expenditure Detail

Part IV: Capital Budget Impact