

Judicial Impact Fiscal Note

Bill Number: 2401 HB	Title: Visitation with adults	Agency: 055-Admin Office of the Courts
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

Account	FY 2016	FY 2017	2015-17	2017-19	2019-21
Counties					
Cities					
Total \$					

Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

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 # 2401 HB-1

Part II: Narrative Explanation

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

II. B - Cash Receipts Impact

II. C - Expenditures

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Part II: Narrative Explanation

This bill would establish procedures to safeguard adults' rights to enjoy visitation in situations in which visitation is desired by and is in the best interest of the adult, but is being prevented.

Part II.A – Brief Description of what the Measure does that has fiscal impact on the Courts

If enacted, this bill would create a new chapter of RCW 11.

Section 3 – Would allow any relative, neighbor, or close friend of a proposed visitee to petition for visitation with the proposed visitee. A petition for visitation would need to be filed in superior court of either the county in which the proposed visitee resides or the county in which the proposed visitee is temporarily living.

Section 5 – Prior to the visitation hearing, the court would assign a guardian ad litem (GAL) from the registry described in RCW 11.88.090 to conduct an investigation to determine whether the proposed visitee has the capacity to consent to the requested visitation, determine whether the proposed visitee desires the proposed visitation, and determine if the proposed visitee has retained an attorney to represent him or her in the visitation proceedings for that purpose. The entire or partial cost of the services of the GAL would be assessed to the petitioner unless such an assessment would impose substantial hardship in the petitioner.

II.B - Cash Receipt Impact

No cash receipt impact.

II.C – Expenditures

Indeterminate.

The Administrative Office of the Courts (AOC) does not have data to estimate the number of possible visitation petitions.

There could be costs associated with hearings (initial and possible later modification); appointment of guardian ad litem (GAL) when requesting the petitioner to pay would cause a hardship; cost of capacity determination by a medical professional.

If a GAL is required and costs represent a substantial hardship for the petitioner, the court would bear the cost of the GAL. The usual rate for a GAL ranges from \$40 to \$60 per hour, and the investigation usually ranges from six to ten hours, although a GAL can petition the court for additional hours if necessary to complete the investigation.