

# Judicial Impact Fiscal Note

<b>Bill Number:</b> 2746 HB	<b>Title:</b> Juvenile offender treatment	<b>Agency:</b> 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 # 2746 HB-1

## **Part II: Narrative Explanation**

If enacted, this bill would:

- Include residential treatment for substance abuse, mental health, or co-occurring disorders in community supervision for juvenile offenders;
- Repeal the juvenile mental health disposition alternative;
- Add mental health treatment to the chemical dependency disposition alternative to create the chemical dependency or mental health disposition alternative and make changes to that disposition alternative, including the length of inpatient treatment that can be ordered.

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

RCW 13.40.020 would be amended (Section 1(5)(e)):

Residential treatment for substance abuse, mental health, or co-occurring disorders that have been identified in an assessment by a qualified mental health professional, psychologist, psychiatrist, or chemical dependency professional may be included in the community supervision of juvenile offenders. A court may order such inpatient treatment after considering findings regarding whether:

- the referral is necessary to rehabilitate the child;
- the referral is necessary to protect the public or the child;
- the referral is in the child's best interest;
- the child has been given the opportunity to engage in less restrictive treatment and has been unable or unwilling to comply; and
- inpatient treatment is the least restrictive action consistent with the child's needs and circumstances.

In cases where the court orders a child to inpatient treatment pursuant to community supervision requirements, the court must hold a review hearing no later than 60 days after the youth begins inpatient treatment, and every 30 days thereafter, as long as the youth is in inpatient treatment.

RCW 13.40.165 Section 3 would be amended:

Mental health would be added to the Chemical Dependency Disposition Alternative (CDDA) to create the Chemical Dependency or Mental Health Disposition Alternative. This disposition alternative would now be available to certain juvenile offenders where the evidence shows that the offender has significant mental health or co-occurring disorders and after examination by a mental health professional. After receipt of this assessment, the court would consider whether the offender and community would benefit from the disposition alternative and the court could order as a condition of the suspended sentence requiring the offender to attend mental health, or co-occurring disorder treatment and/or inpatient mental health treatment.

The maximum length of inpatient treatment that a court may order under this disposition alternative of 90 days is removed. The court is required to hold a review hearing if the inpatient treatment is longer than 90 days every 30 days beyond the initial 90 days. The respondent may appear telephonically at these review hearings if in compliance with treatment.

RCW 13.40.167 Section 4 (Mental health disposition alternative) would be repealed.

## **II.B - Cash Receipt Impact**

No cash receipt impact.

## **II.C – Expenditures**

No expenditure impact.