

Judicial Impact Fiscal Note

Bill Number: 1251 S HB	Title: Youth counsel/dependency	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

Account	FY 2018	FY 2019	2017-19	2019-21	2021-23
Counties					
Cities					
Total \$					

Estimated Expenditures from:

STATE	FY 2018	FY 2019	2017-19	2019-21	2021-23
State FTE Staff Years	.2	.7	.4	1.3	1.6
Account					
General Fund-State 001-1	53,000	162,000	215,000	620,000	764,000
State Subtotal \$	53,000	162,000	215,000	620,000	764,000
COUNTY	FY 2018	FY 2019	2017-19	2019-21	2021-23
County FTE Staff Years	2.7	8.1	5.4	15.7	19.2
Account					
Local - Counties	228,000	680,000	908,000	2,621,000	3,232,000
Counties Subtotal \$	228,000	680,000	908,000	2,621,000	3,232,000
CITY	FY 2018	FY 2019	2017-19	2019-21	2021-23
City FTE Staff Years					
Account					
Local - Cities					
Cities Subtotal \$					
Local Subtotal \$	228,000	680,000	908,000	2,621,000	3,232,000
Total Estimated Expenditures \$	281,000	842,000	1,123,000	3,241,000	3,996,000

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 # SHB 1251-3

Part II: Narrative Explanation

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

RCW 13.34.090 would be amended to state: (3) At all stages of a proceeding in which a child is alleged to be dependent, the child has the right to be represented by counsel and have counsel appointed for him or her by the court .

RCW 13.34.100 would be amended to strike the provision that a child who has turned twelve may be represented by an attorney . All children, regardless of age, would have the right to be represented by counsel and have counsel appointed for him or her by the court .

Changes in the substitute bill:

The amendment to RCW 13.34.100 would strike all of the provisions that require or authorize the court to appoint an attorney for a child, including the provisions for appointment for a child who has turned twelve. The attorney provisions in RCW 13.34.100, are moved to a new section.

In addition to the attorney provisions moved from RCW 13.34.100, the new section added to 13.34 provides that the court must follow a schedule to phase in appointment of an attorney for a child over age 2. The schedule for phase in of court appointment of an attorney for every child over the age of two in a dependency proceeding is as follows: (b)(i) Beginning January 1, 2018, children ten years old and older; (ii) Beginning July 1, 2018, children seven years old and older; (iii) Beginning July 1, 2019, children five years old and older; and (iv) Beginning July 1, 2020, children two years old and older. (e) The office of civil legal aid must contract with an independent research organization to evaluate: (I) The compensation rate for children's attorneys using local and national data, the feasibility of sibling group representation and the hours necessary for attorneys to represent children and youth in compliance with state standards; and (ii) the impact of legal representation on case timelines and permanency outcomes for children and youth represented by attorneys. The evaluation must include a review of data disaggregated by race, ethnicity, and age, and qualitative interviews with children, youth, and parents regarding their experiences in the dependency process. A report must be submitted to the appropriate committees of the legislature and the governor by December 1, 2021, with data collected over five years.

II. B - Cash Receipts Impact

II. C - Expenditures

Based on information from judges and county juvenile department staff, more time would be needed for disposition hearings in agreed cases. The estimated time ranged from ten minutes to thirty minutes per case for thousands of cases. And it is estimated that this legislation would add two hours to fact finding hearings. Calculations have been prepared based on information from Children's Administration. The dockets are already full at the majority of the family-juvenile courts. The impact would mean that some dependency hearings may not meet the state and federal standards for optimal handling of dependency cases .

Assumptions used for this request based on input from judges:

Between 10-30 minutes would be added to each case. For the purposes of this note, 20 minutes will be used. Approximately 5-15% of the cases typically require a contested fact finding hearing. An additional two hours will be added to the number of projected contested fact finding hearings. Please see attached table for the calculations.

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

<i>State</i>	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE Staff Years	.2	.7	.4	1.3	1.6
Salaries and Wages	35,000	107,000	142,000	410,000	506,000
Employee Benefits	18,000	54,000	72,000	209,000	258,000
Professional Service Contracts					
Goods and Other Services					
Travel					
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements					
Total \$	53,000	161,000	214,000	619,000	764,000

III. B - Expenditure By Object or Purpose (County)

<i>County</i>	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE Staff Years	2.7	8.1	5.4	15.7	19.2
Salaries and Benefits	170,000	511,000	681,000	1,963,000	2,420,000
Capital					
Other	58,000	170,000	228,000	659,000	812,000
Total \$	228,000	681,000	909,000	2,622,000	3,232,000

III. C - Expenditure By Object or Purpose (City)

<i>City</i>	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE Staff Years					
Salaries and Benefits					
Capital					
Other					
Total \$					

III. D - FTE Detail

<i>Job Classification</i>	Salary	FY 2018	FY 2019	2017-19	2019-21	2021-23
Clerk Staff	54,256	1.4	4.2	2.8	8.3	10.0
Superior Court Judge	325,236	0.4	1.3	0.9	2.5	3.1
Superior Court Staff	54,256	1.1	3.2	2.1	6.2	7.6
Total FTE's	433,748	2.9	8.7	5.8	17.0	20.8

Part IV: Capital Budget Impact