

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 2863 HB	Title: Therapeutic Alternatives	Agency: 055 – Administrative Office of the Courts (AOC)
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Part I: Estimates

☐ **No Fiscal Impact**

Estimated Cash Receipts to:

	FY 2020	FY 2021	2019-21	2021-23	2023-25
Total:					

Estimated Expenditures from:

STATE	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE – Staff Years					
Account					
General Fund – State (001-1)					
State Subtotal					
COUNTY					
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal					
CITY					
City FTE Staff Years					
Account					
Local – Cities					
Cities Subtotal					
Local Subtotal					
Total Estimated Expenditures:					

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.

Legislative Contact:	Phone:	Date:
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Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date:
OFM Review:	Phone:	Date:

Part II: Narrative Explanation

This bill would amend RCW 71.24.580 to appropriate moneys from the Criminal Justice Treatment Account to create new mental health therapeutic courts, enhance existing therapeutic court operations to include mental disorders or to make therapeutic interventions and supports available.

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

Section 1(2) – Expand opportunities for district and municipal courts to engage those living with behavioral health conditions in therapeutic interventions to address their underlying conditions and reduce recidivism.

Section 2(6) – Would require that counties using funds from the criminal justice treatment account submit plans that incorporate current evidence based practices in substance use disorder treatment. The funds would be used solely to provide approved alcohol and substance use disorder treatment pursuant to RCW 71.24.025.

Section 2(12) – Would allow district and municipal courts to use funds in the criminal justice treatment account to be used for grants aimed at identifying and engaging criminal justice system involved persons with mental health and substance use disorders to participate in evidence based or emerging best practice therapeutic interventions and other services.

- (a) Grants would be awarded to jurisdictions based on locally developed proposals to establish new and expand existing programs.
- (b) Would require that courts receiving funding must use the funds to create a new or enhance existing therapeutic court operations or interventions and supports available to those with behavioral health conditions. Enhancements would include the following;
 - (i) Onsite assessments for behavioral health conditions;
 - (ii) Developing criminal legal system behavioral health partnerships to assess local resources, gaps and opportunities;
 - (iii) Implementing client case management systems;
 - (iv) Establishing peer support programs to pair individuals in the court system with trained peer supports who are in recovery and can help individuals identify barriers to recovery;
 - (v) Developing pretrial release programs and diversion program and post-conviction supervision, and transitions to and from jail reentry programs and programs for those sentenced to jail alternatives;
 - (vi) Providing training for judges and court personnel relating to the adjudication of cases involving individuals with behavioral health needs;
 - (vii) Employing technology and software to assist the court to notify the participant of the need to appear in court or other needed appointments; and
 - (viii) Other innovative interventions targeted specifically at person with substance use disorders and other behavioral health needs.
- (c) Would require the authority to appoint a panel of representatives from the Washington Association of Prosecuting Attorneys, Washington Association of Sheriffs and Police Chiefs, the District and Municipal Judges Association, the Washington Association of Counties, the Association of Washington Cities, the Washington Defender's Associations or the Washington Association of Criminal Defense Lawyers, a representative of therapeutic courts at the district and municipal level, behavioral health treatment providers, recovery support service providers, a peer support service provider, and persons with experience with behavioral health conditions and the criminal legal system to review applicants funding based upon the needs expressed in their proposals.

- (d) Priority would be given to applicants if the needed resources are being provided through a memorandum of understanding with existing resource providers versus a creation of a new resource provider or staff to the jurisdiction to perform a service that already exists.
- (e) Would require that funds received by grant recipients be used to supplement not supplant, any other local, state, and federal funds for the court.
- (f) Would protect judges from civil liability regarding the grant program unless there is 'bad faith or gross negligence.'

II.B - Cash Receipt Impact

None

II.C – Expenditures

The bill would require judicial officer education and courts of limited jurisdiction master answers. These impacts would be managed within existing resources.