

# JUDICIAL IMPACT FISCAL NOTE

<b>Bill Number:</b> 5984 SB	<b>Title:</b> Dissolution/Doc Language	<b>Agency:</b> 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
<b>Total:</b>					

### Estimated Expenditures from:

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

*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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## **Part II: Narrative Explanation**

This bill would amend RCW 26.09, requiring a court in a dissolution proceeding to independently verify and make a finding in a decree as to the primary language of all the parties making an appearance. A court would be required to ensure that the parties are familiar with the language of any petition, court form, signed agreement, or other document used in a dissolution proceeding, or that the parties have reviewed translations of such documents in a language they are familiar with.

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

Section 1 – Would provide that in a dissolution proceeding a court must independently verify and enter a finding in the decree of the primary language of all parties making an appearance. The court would be required to ensure that the parties are familiar with the language of any petition, court form, signed agreement, or other document used in a dissolution proceeding, or that the parties have reviewed translations of such documents in a language they are familiar with.

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

None.

### **II.C – Expenditures**

Indeterminate, but expected to be significant.

The Administrative Office of the Courts (AOC) assumes this bill would require a court to ask the parties, or somehow find evidence other than the word of an attorney or the word of an opposing party, as to the primary language of the litigants. The court would then be required to ensure that all parties are familiar with the language of any court form or other document used in a dissolution proceeding or that they have reviewed a translation of the document in a language they are familiar with.

The AOC assumes this would require additional court time, likely face to face with litigants and their attorney's, with the assistance of an interpreter or remote interpreter service, in order for a judicial officer to verify the primary language of the litigants in order to make that finding in a decree. Further, in addition to the primary language finding requirement, a court would bear responsibility for ensuring that the parties understand all documents used in the proceeding.

There is no data available to estimate the number of dissolution proceedings this bill would affect throughout the state. The AOC assumes there would be significant delays, substantially increased judicial time, and likely very high costs in terms of document translation services.

In addition, the AOC assumes that this bill would apply to persons who rely on American Sign Language (ASL) as their primary language. Sign language is not universal, nor is it a single language. Judicial officers or court staff would require training on how to conduct independent verification of what kind of sign language a deaf person uses. Further, the process of verifying familiarity with document content and meaning for limited English and deaf persons would require the appropriate interpreter at the time of such verification. Not all courts use the same interpreter throughout the course of a proceeding, thus it would be unknown how often verification must be made and that the interpreter present is informed about the current proceeding without having prior exposure to the documents in question.