

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 1194 2SHB	Title: Parent Child Visitation	Agency: 055 – Administrative Office of the Courts (AOC)
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Part I: Estimates

☐ **No Fiscal Impact**

Estimated Cash Receipts to:

	FY 2022	FY 2023	2021-23	2023-25	2025-27
Total:					

Estimated Expenditures from:

STATE	FY 2022	FY 2023	2021-23	2023-25	2025-27
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:
Agency Preparation: Sam Knutson	Phone: 360-704-5528	Date: 3/2/2021
Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date:
OFM Review:	Phone:	Date:

Part II: Narrative Explanation

This bill would:

- Require that the first visit after a child is placed outside the home of parent, guardian, or legal custodian must take place within 72 hours of removal, unless the court finds that extraordinary circumstances exist;
- Establishes a presumption that if the court previously ordered that visitation between a parent and a child be supervised or monitored, such supervision will no longer be necessary at certain stages of child welfare proceedings; and
- Require that visitation occur in the least restrictive setting and be unsupervised unless the presence of threats or danger to the child requires the constant presence of an adult to ensure the safety of the child.

This bill differs from underlying HB 1194:

Provides consistent reference to the Department of Children, Youth and Families (DCYF) to provide a report to the court to include evidence establishing that removing visit supervision or monitoring would create a risk to the child's safety when overcoming the presumption that visit supervision or monitoring is no longer necessary.

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

Section 1 – Would provide that if a court previously ordered that visitation between a parent and child be supervised or monitored, there shall be a presumption that such supervision or monitoring will no longer be necessary following a continued shelter care order. Would provide that to overcome this presumption, the DCYF must provide a report to the court including evidence establishing that removing visit supervision or monitoring would create a risk to the child's safety, and the court shall make a determination as to whether visit supervision or monitoring must continue.

Section 2(b)(ii)(C) – Would provide that visitation must occur in the least restrictive setting and be unsupervised unless the presence of threats or danger to the child requires the constant presence of an adult to ensure the safety of the child.

Section 2 (2)(b)(ii)(E)-(F) – Would provide additional criteria/requirements for a court in regards to the permanency plan.

Section 3 (2)(c)(xii) – Would provide additional criteria for the court to consider for the terms of visitation being modified.

Section 3(6) – Would provide that a court shall advise the petitioner that the failure to provide court-ordered visitation may result in a finding that the petitioner failed to make reasonable efforts to finalize the permanency plan. The lack of sufficient contracted visitation providers will not excuse the failure to provide court-ordered visitation.

II.B - Cash Receipt Impact

None.

II.C – Expenditures

Judicial education would be required. This would be managed within existing resources.