

Judicial Impact Fiscal Note

Revised

Bill Number: 1113 E S HB	Title: Misdemeanor dismissal	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

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 for 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.

Contact	Phone:	Date: 03/17/2025
Agency Preparation: Chris Conn	Phone: 360-704-5512	Date: 04/01/2025
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 04/01/2025
OFM Review:	Phone:	Date:

206,011.00

Request # 314-2

Form FN (Rev 1/00)

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Bill # 1113 E S HB

Part II: Narrative Explanation

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

The engrossed substitute clarifies that the court may grant a continuance for not less than 6 months and not more than 12 months and that programs must be connected to the underlying charge and reasonably related to supporting the defendant’s rehabilitation. It also specifies that the court must consider the specific circumstances underlying the charge when deciding which terms, conditions and programs are appropriate to order. It states that the court must consider ordering the defendant to participate in a recovery navigator program if the underlying charge is a result of a behavioral health disorder. It also states that the court must make written findings explaining any grant of dismissal and grant an opportunity for victims and survivors of victims to present statements prior to dismissal.

The substitute would not make any changes affecting the fiscal impact to the Administrative Office of the Courts or the courts.

II. B - Cash Receipts Impact

None

II. C - Expenditures

Impact is Indeterminate but significant for both the Administrative Office of the Courts and the courts. The costs are estimated to be as high as \$3,945,085.

The calculations are based on the following assumptions:

- All courts opt in
- 50% petition the court for a dismissal
- Average hearing time per case petition for dismissal is 15 minutes
- If the agreement is revoked, defendants gets a hearing with cross examination before the court can revoke, this court hearing could take an average of 30 minutes
- 50% of opt in cases experience a revocation

The maximum number of possible eligible misdemeanor dismissals is 18,736 (45% of the cases in 2023). If 9,368 cases petition for dismissal and take 15 minutes per case, the estimated cost will be \$1,650,035.

State costs = \$278,636 (50% of judges salaries and 100% of their benefits)
County costs = \$1,373,400

If 50% of those cases are revoked, that equates to 4,684. At 30 minutes per case, the estimated cost will be \$2,295,049.

State costs = \$387,557
County costs = \$1,907,492.

Part III: Expenditure Detail

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

Non-zero but indeterminate cost and/or savings. Please see discussion.

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

Non-zero but indeterminate cost and/or savings. Please see discussion.

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

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. D - FTE Detail

NONE

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

None