

Washington State Judicial Branch

2024 Supplemental Budget

“Lead” Social Work Contract

Agency: Office of Public Defense

Decision Package Code/Title: BH – “Lead” Social Work Contract

Agency Recommendation Summary Text:

The Office of Public Defense (OPD) requests funding to cover one-half the cost of a “lead” social work contract to be shared equally between the RCW 71.09 Program (sex offender civil commitment) and RCW 10.77 Program (not guilty by reason of insanity). The lead contractor is responsible for developing a strategic social service plan and performance standards, providing ongoing specialized training for other contractors, and managing the case assignment process for social work services in both programs.

This Decision Package will fund the RCW 71.09 share of the lead social work contract. The RCW 10.77 share is funded within existing resources. (General Fund-State)

Fiscal Summary:

	FY 2024	FY 2025	Biennial	FY 2026	FY 2027	Biennial
Staffing						
FTEs	0.00	0.00	0.00	0.00	0.00	0.00
Operating Expenditures						
Fund 001-1	\$16,250	\$65,000	\$81,250	\$65,000	\$65,000	\$130,000
Total Expenditures						
	\$16,250	\$65,000	\$81,250	\$65,000	\$65,000	\$130,000

Package Description:

Background and Current Situation:

As directed by the Legislature, OPD provides public defense services for indigent clients facing sex offender civil commitment under Chapter 71.09 RCW and for clients civilly committed as not guilty by reason of insanity (NGRI) under Chapter 10.77 RCW. OPD contracts with attorneys and social workers to provide these legal defense services.

In both programs, defense social workers support clients experiencing serious mental health conditions and other disabilities. Under the direction of OPD-contracted defense counsel, the social workers develop individualized plans to assist court decision-making about client treatment services, opportunities for less-restrictive alternatives within the civil commitment system, and safe release from civil commitment. Social workers identify and develop reliable resources to support clients upon release, including housing, mental health/substance use treatment, and state and federal benefits.

OPD currently is funded for four full-time defense social work contracts to serve approximately 300 clients in the RCW 10.77 Program and four social work contracts to serve approximately 220 clients in the RCW 71.09 Program. Each social work contractor provides individualized case services under the direction of OPD-contracted defense counsel, as described in the background section above. A social work contract is funded at between \$87,000 and \$99,000 per year for 1,920 hours of service. (Independent contractors do not receive state benefits or retirement.)

Problem:

OPD has observed that the contracted social workers in the RCW 10.77 Program and the RCW 71.09 Program would benefit from ongoing professional development relevant to their specialized civil commitment practice, including performance standards and targeted training. In addition, both programs need to streamline their processes to

efficiently respond to attorney requests for social work services. The current process relies exclusively on the OPD Managing Attorney to assign cases to social work contractors.

A “lead” social work contract, shared by the two programs, could efficiently address the need for specialized training, performance standards, and case assignment.

Proposed Solution:

OPD will establish a “lead” contract social work position to be shared equally between the RCW 71.09 Program and the RCW 10.77 Program. The lead social work contractor will provide professional direction and leadership to the other contracted social workers, in addition to covering a reduced caseload of clients. Contract lead duties will include:

- Develop and implement a strategic social work plan and performance standards for providing specialized social work services crucial to clients involved in legal proceedings under Chapter 10.77 RCW and Chapter 71.09 RCW.
- In consultation with the OPD Managing Attorney, evaluate contract attorney requests for social work services and assign cases to social work contractors.
- Identify, develop, and integrate external relationships with community treatment agencies, housing providers, and state agencies providing services for clients.
- Facilitate group meetings and trainings on a regular basis with other OPD- contracted social workers.
- Troubleshoot challenges with other OPD-contracted social workers.

A lead social work contract that includes these additional senior-level leadership responsibilities is valued at up to \$130,000 annually.

The RCW 10.77 Program has funding available to cover one-half the cost of the shared lead social work contract but the RCW 71.09 Program does not have adequate funding available to cover the remaining cost. This Decision Package requests funding to cover the RCW 71.09 Program’s cost share.

Fully describe and quantify expected impacts on state residents and specific populations served:

OPD contracted attorneys and the more than 500 clients of OPD’s RCW 71.09 and RCW 10.77 programs will receive timely defense social work services from appropriately trained social work professionals. OPD social work contractors will receive standards-based training in this specialized practice area and will be assigned to cases best matched to their individual skills and abilities.

Explain what alternatives were explored by the agency and why they were rejected as solutions:

OPD considered adding 1 FTE social work manager at the agency and rejected that option because it would be costlier and less flexible than utilizing a lead contract position.

What are the consequences of not funding this request?

Without the requested funding, some social work case assignments may be delayed in the RCW 71.09 and RCW 10.77 Programs. In addition, contracted social workers will have fewer opportunities for relevant standards-based training and professional networking in their specialized practice areas.

Is this an expansion or alteration of a current program or service?

No.

Decision Package expenditure, FTE and revenue assumptions:

All expenditures are ongoing.

Additional Costs	Round to Nearest \$1,000				Description/Assumptions
	FY 24	FY 25	FY 26	FY 27	
Client Services Contracts - Lead Social Worker	\$16,250	\$65,000	\$65,000	\$65,000	This decision package funds the RCW 71.09 share of a lead social work contract. The RCW 10.77 share is funded within existing resources.

How does the package relate to the Judicial Branch principal policy objectives?

Access to Necessary Representation

Adequate defense representation includes legal support services, such as social work services. Implementing a shared lead social work contract for the RCW 10.77 and RCW 71.09 programs will ensure that public defense attorneys and their indigent clients receive timely defense social work services from well-trained OPD social work contractors.

Are there impacts to other governmental entities?

No.

Stakeholder response:

OPD contracted attorneys and social workers support this small funding request, which will enhance their ability to successfully advocate for indigent clients in the civil commitment systems.

Are there legal or administrative mandates that require this package to be funded?

No.

Does current law need to be changed to successfully implement this package?

No.

Are there impacts to state facilities?

No.

Are there other supporting materials that strengthen the case for this request?

No.

Are there information technology impacts?

No.

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