

**RCW 71.05.730 Judicial services—Civil commitment cases—**

**Reimbursement.** (1) A county may apply to its behavioral health administrative services organization on a quarterly basis for reimbursement of its direct costs in providing judicial services for civil commitment cases under this chapter and chapter 71.34 RCW. A tribe may apply to the authority on a quarterly basis for reimbursement of its direct costs in providing judicial services for civil commitment cases under this chapter and chapter 71.34 RCW. The behavioral health administrative services organization shall in turn be entitled to reimbursement from the behavioral health administrative services organization that serves the county of residence of the individual who is the subject of the civil commitment case.

(2) Reimbursement for judicial services shall be provided per civil commitment case at a rate to be determined based on an independent assessment of the county's or tribe's actual direct costs. This assessment must be based on an average of the expenditures for judicial services within the county or tribe over the past three years. In the event that a baseline cannot be established because there is no significant history of similar cases within the county or tribe, the reimbursement rate shall be equal to 80 percent of the median reimbursement rate of counties or tribes, if applicable included in the independent assessment.

(3) For the purposes of this section:

(a) "Civil commitment case" includes all judicial hearings related to a single episode of hospitalization or less restrictive alternative treatment, except that the filing of a petition for a one hundred eighty-day commitment under this chapter or a petition for a successive 180-day commitment under chapter 71.34 RCW shall be considered to be a new case regardless of whether there has been a break in detention. "Civil commitment case" does not include the filing of a petition for a 180-day commitment under this chapter on behalf of a patient at a state psychiatric hospital.

(b) "Judicial services" means a county's or tribe's reasonable direct costs in providing prosecutor services, assigned counsel and defense services, court services, and court clerk services for civil commitment cases under this chapter and chapter 71.34 RCW.

(4) To the extent that resources have a shared purpose, the behavioral health administrative services organization may only reimburse counties to the extent such resources are necessary for and devoted to judicial services as described in this section. To the extent that resources have a shared purpose, the authority may only reimburse tribes to the extent the resources are necessary for and devoted to judicial services as described in this section.

(5) No filing fee may be charged or collected for any civil commitment case subject to reimbursement under this section. [2024 c 209 s 28; 2019 c 325 s 3011; 2015 c 250 s 15; (2015 c 250 s 14 expired April 1, 2016); 2014 c 225 s 87; 2011 c 343 s 2.]

**Effective date—2019 c 325:** See note following RCW 71.24.011.

**Effective date—2015 c 250 ss 2, 15, and 19:** See note following RCW 71.05.020.

**Expiration date—2015 c 250 ss 1, 14, and 18:** See note following RCW 71.05.020.

**Effective date—2014 c 225:** See note following RCW 71.24.016.

**Intent—2011 c 343:** "The legislature recognizes that counties that host evaluation and treatment beds incur costs by providing judicial services associated with civil commitments under chapters 71.05 and 71.34 RCW. Because evaluation and treatment beds are not evenly distributed across the state, these commitments frequently occur in a different county from the county in which the person was originally detained. The intent of this act is to create a process for the state to reimburse counties through the regional support networks for the counties' reasonable direct costs incurred in providing these judicial services, and to prevent the burden of these costs from falling disproportionately on the counties or regional support networks in which the commitments are most likely to occur. The legislature recognizes that the costs of judicial services may vary across the state based on different factors and conditions." [2011 c 343 s 1.]

**Effective date—2011 c 343:** "Except for section 3 of this act, this act takes effect July 1, 2012." [2011 c 343 s 10.]