

RCW 13.34.060 Shelter care—Placement—Custody—Duties of parties. (1) A child taken into custody pursuant to RCW 13.34.050 or 26.44.050 shall be immediately placed in shelter care. A child taken by a relative of the child in violation of RCW 9A.40.060 or 9A.40.070 shall be placed in shelter care only when permitted under RCW 13.34.055. No child may be held longer than seventy-two hours, excluding Saturdays, Sundays, and holidays, after such child is taken into custody unless a court order has been entered for continued shelter care. In no case may a child who is taken into custody pursuant to RCW 13.34.055, 13.34.050, or 26.44.050 be detained in a secure detention facility.

(2) Unless there is reasonable cause based on specific evidence to believe that the health, safety, or welfare of the child would be jeopardized or that the efforts to reunite the parent and child will be hindered, priority placement for a child in shelter care, pending a court hearing, shall be with any person described in RCW 74.15.020(2)(a) or 13.34.130(1)(b). The person must be willing and available to care for the child and be able to meet any special needs of the child and the court must complete the inquiry required under RCW 13.34.065 to establish whether continued placement with the relative is appropriate. The person must be willing to facilitate the child's visitation with siblings, if such visitation is part of the department's plan or is ordered by the court. If a child is not initially placed with a relative or other suitable person requested by the parent pursuant to this section, the department shall make continuing efforts to place the child with a relative or other suitable person requested by the parent on the next business day after the child is taken into custody. The department shall document its effort to place the child with a relative or other suitable person requested by the parent pursuant to this section. Nothing within this subsection (2) establishes an entitlement to services or a right to a particular placement.

(3) Whenever a child is taken into custody pursuant to this section, the department may authorize evaluations of the child's physical or emotional condition, routine medical and dental examination and care, and all necessary emergency care, after informing the child's parent, guardian, or legal custodian, unless the parent, guardian, or legal custodian cannot be reached. The child's parent, guardian, or legal custodian must be provided the opportunity to attend any appointments authorized under this subsection, unless prohibited by court order. [2021 c 211 s 8; 2007 c 413 s 3; 2002 c 52 s 4; 2000 c 122 s 4; 1999 c 17 s 2; 1998 c 328 s 2; 1990 c 246 s 1; 1987 c 524 s 4. Prior: 1984 c 188 s 3; 1984 c 95 s 5; 1983 c 246 s 1; 1982 c 129 s 5; 1979 c 155 s 39; 1977 ex.s. c 291 s 34.]

Effective date—Short title—Finding—Intent—2021 c 211: See notes following RCW 13.34.040.

Severability—2007 c 413: See note following RCW 13.34.215.

Intent—2002 c 52: See note following RCW 13.34.025.

Finding—1999 c 17: "The legislature has found that any intervention into the life of a child is also an intervention in the life of the parent, guardian, or legal custodian, and that the bond between child and parent is a critical element of child development.

The legislature now also finds that children who cannot be with their parents, guardians, or legal custodians are best cared for, whenever possible and appropriate by family members with whom they have a relationship. This is particularly important when a child cannot be in the care of a parent, guardian, or legal custodian as a result of a court intervention." [1999 c 17 s 1.]

Severability—1990 c 246: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1990 c 246 s 11.]

Severability—1984 c 95: See note following RCW 9A.40.060.

Severability—1982 c 129: See note following RCW 9A.04.080.

Effective date—Severability—1979 c 155: See notes following RCW 13.04.011.

Effective dates—Severability—1977 ex.s. c 291: See notes following RCW 13.04.005.