

# FINAL BILL REPORT

## SHB 1821

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C 206 L 13  
Synopsis as Enacted

**Brief Description:** Concerning good cause exceptions during permanency hearings.

**Sponsors:** House Committee on Early Learning & Human Services (originally sponsored by Representatives Freeman and Santos).

**House Committee on Early Learning & Human Services**  
**House Committee on Appropriations**  
**Senate Committee on Human Services & Corrections**  
**Senate Committee on Ways & Means**

### **Background:**

The Adoption and Safe Families Act of 1997 requires states to begin parental termination proceedings after a child has been placed in foster care for 15 of the previous 22 months, unless it is not in the child's best interest or the child is residing in a relative placement. In Washington, courts may also enter a "good cause exception" in lieu of filing of a termination petition. A "good cause exception" provides the legal reasoning as to why filing a parental right's termination petition is not appropriate. If entered by the court, the good cause exception must be reconsidered at each review hearing for a given case.

In Washington, the following reasons are established as permissible "good cause exceptions:" the child is being cared for by a relative; the Department of Social and Health Services (DSHS) has not provided to the child's family such services as the court and the DSHS have deemed necessary for the child's safe return home; or the DSHS has documented in the case plan a compelling reason for determining that filing a petition to terminate parental rights would not be in the child's best interests.

### **Summary:**

The circumstances for which a court may enter a "good cause exception" to prevent the filing of a termination petition are expanded to include the following:

- a parent has been accepted into a dependency treatment court program or long-term substance abuse or dual diagnoses treatment program and is demonstrating compliance with treatment goals; or

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

- a parent who has been court ordered to complete services necessary for the child's safe return home files a declaration under penalty of perjury stating the parent's financial inability to pay for the same court-ordered services, and also declares the DSHS was unwilling or unable to pay for the same services necessary for the child's safe return home.

Both of the aforementioned good cause exceptions are valid only until June 30, 2015.

**Votes on Final Passage:**

House	97	0	
Senate	48	0	(Senate amended)
House			(House refused to concur)
Senate	46	0	(Senate amended)
House	98	0	(House concurred)

**Effective:** July 28, 2013