

HOUSE BILL REPORT

HB 1687

As Reported By House Committee On:

Law & Justice

Title: An act relating to court-appointed special advocate programs.

Brief Description: Providing for distribution of appropriations for court-appointed special advocate programs.

Sponsors: Representatives Lambert, Costa, Padden, Appelwick, Fuhrman, Grant, Sheahan, Tokuda, Chappell, Thibaudeau, Veloria, Morris, Hickel, Huff, Patterson and Mastin.

Brief History:

Committee Activity:

Law & Justice: 2/24/95, 2/28/95 [DP].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 17 members: Representatives Padden, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Appelwick, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Campbell; Carrell; Chappell; Cody; Lambert; McMahan; Morris; Robertson; Sheahan; Smith; Thibaudeau and Veloria.

Staff: Brian Buckley (786-7291).

Background: Courts are authorized to appoint special advocates, or guardians ad litem, to represent the interests of children in cases brought in family or juvenile court. Courts are required to appoint a guardian ad litem for a child in any case where it is alleged that the child has been subjected to abuse or neglect.

Guardians ad litem act as representatives and advocates of the interests of minor and dependent children in the court system. A guardian ad litem is appointed by, and considered an officer of, the court. The role of the guardian ad litem is to protect the best interests of the child, to collect and report information regarding the child's situation, and to monitor both appropriateness of and compliance with any court order regarding the child. The guardian has access to all information available to the state, must be notified of all court proceedings, and is empowered to present evidence and examine witnesses.

Court-appointed special advocate programs are groups that provide guardian ad litem services.

A corporation may be designated as a public benefit nonprofit corporation if it complies with all the requirements of the Washington Nonprofit Corporation Act, Chapter 24.03 RCW, and holds, or is not required to apply for, tax exempt status under 26 U.S.C. § 501(c)(3).

Summary of Bill: The bill requires the Department of Community, Trade, and Economic Development (CTED) to distribute all funds appropriated by the Legislature for the statewide technical support, development, and enhancement of court-appointed special advocate programs. The bill establishes required criteria that an organization providing such services must meet to be eligible for funding.

To receive funding, an organization must develop and support court-appointed special advocate programs on a statewide basis. All of the guardians ad litem working under those programs must be volunteers receiving no payment for their services. Finally, the organization must be a public benefit nonprofit corporation.

If more than one organization is found eligible to receive funding under the provisions of the bill, CTED is required to develop criteria for allocating all appropriated money among those organizations.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The national association for court-appointed special advocate programs can no longer provide funding and training to the numerous local programs that are being created and developed. State organizations are needed to direct local advocate programs, and state funding for that effort assures that children in the court process receive the advocacy and protection they require.

Testimony Against: None.

Testified: Sharon Paradis, Washington State Association of Guardians Ad Litem and Court Appointed Special Advocate Programs (pro); David Soukup, National Court Appointed Special Advocates Association (pro); and Margaret Ross, Pierce County Juvenile Court (pro).