

6238-S

Sponsor(s): Senate Committee on Human Services & Corrections
(originally sponsored by Senators Stevens and Swecker)

Brief Title: Changing provisions relating to dependent children.

SB 6238-S.E - DIGEST

(DIGEST AS ENACTED)

Provides that the court may enter an order directing a law enforcement officer, probation counselor, or child protective services official to take a child into custody if: (1) A petition is filed with the juvenile court alleging that the child is dependent and that the child's health, safety, and welfare will be seriously endangered if not taken into custody;

(2) an affidavit or declaration is filed in support of the petition setting forth specific factual information evidencing reasonable grounds that the child's health, safety, and welfare will be seriously endangered if not taken into custody and at least one of the grounds set forth demonstrates a risk of imminent harm to the child. "Imminent harm" for purposes of this section shall include circumstances of sexual abuse, or sexual exploitation as defined in RCW 26.44.020; and

(3) the court finds reasonable grounds to believe the child is dependent and that the child's health, safety, and welfare will be seriously endangered if not taken into custody.

Provides that, any petition that does not have the necessary affidavit or declaration demonstrating a risk of imminent harm requires notice and an opportunity to be heard by the parents.

Requires that the petition and supporting documentation must be served on the parent and the entity with whom the child is in custody at the time the child is removed. Failure to effect service does not invalidate the petition if service was attempted and the parent could not be found.

VETO MESSAGE ON SB 6238-S

April 3, 1998

To the Honorable President and Members,
The Senate of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to section 6, Engrossed Substitute Senate Bill No. 6238 entitled:

"AN ACT Relating to dependent children;"

This bill requires the Department of Social and Health Services to specify, via affidavit, evidence that harm will come to a particular child if the child is not taken from his home. The affidavit must contain evidence of the risk of imminent harm. The bill also requires quicker access to information for parents, to help give them an adequate opportunity to make their case at the shelter care hearing. Under this legislation, parents will be able to become more engaged in the process of identifying the services they require to prevent serious harm to a child, were the child

returned to them.

Section 6 of this legislation would require DSHS to publish a great deal of new information in its annual quality assurance report. The required information is not now collected, and there is no indication why DSHS should start collecting it, or what the usefulness of that information would be. And, no funding was provided for this purpose.

For these reasons, I have vetoed section 6 of Engrossed Substitute Senate Bill No. 6238.

With the exception of section 6, Engrossed Substitute Senate Bill No. 6238 is approved.

Respectfully submitted,
Gary Locke
Governor