

# ***HOUSE BILL ANALYSIS***

## ***HB 2439***

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**Title:** An act relating to family reconciliation services.

**Brief Description:** Revising the family reconciliation process.

**Sponsors:** Representatives Tokuda, Kagi, D. Sommers, Lovick, Kessler, Regala, Kenney, Cooper, Ogden, Eickmeyer, Murray, Schual-Berke, Stensen, Edmonds, Santos, Lantz, Wood and Benson.

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### **HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES**

**Meeting Date:** January 24, 2000.

**Bill Analysis Prepared by:** Deborah Frazier (786-7152).

**Background:** If a child is running away from home or alternative placement, or acting out in some manner that endangers the child or others, or if the child has a substance abuse problem, petitions may be filed in juvenile court seeking court assistance in obtaining assessment, treatment and placement services directed toward the reconciliation of the family.

An at-risk youth (ARY) petition may be filed only by a parent. The petition must demonstrate that the child has been absent from the home for at least 72 hours without parental consent, and that the child is engaging in behaviors beyond the control of the parent that endanger the child or others.

A child in need of services (CHINS) petition may be filed by the child, parent, or the Department of Social and Health Services (DSHS). This petition must demonstrate either: (1) that the child has been absent from the home, crisis residential center, out of home placement or court ordered placement for at least 24 hours on two or more separate occasions, and that the child is engaging in behaviors beyond the control of the parent that endanger the child or others; or (2) that the child needs food, shelter, health care, etc., and lacks access to, or has declined, services, and that the child's parents have been unsuccessful, unable or unwilling to continue efforts to maintain the family structure.

If both a CHINS and an ARY petition have been filed regarding the same child, the petitions must be consolidated into an ARY petition.

If a child is truant from school a prescribed number of times, school districts must file petitions with the juvenile court seeking court assistance in getting the child to attend school. If the school district fails to act after a prescribed number of unexcused

absences, the parent may file a petition. The court may enter an order setting forth requirements most likely to cause the juvenile to return to, and remain in, school.

Community truancy boards and juvenile courts are required, to the extent possible, to coordinate proceedings and actions related to a child subject to truancy petitions, and ARY and CHINS petitions.

***Summary of Bill:*** House Bill 2439 consolidates provisions related to CHINS and ARY petitions into a new "family reconciliation petition." Under the consolidated petition, the definitions for at-risk youth and child in need of services are blended, and, an additional condition, refusal to attend school, is added. The family reconciliation petition may be filed by the parent, child or DSHS, and the requirement for an assessment prior to filing is retained.

With regard to truancy petitions, House Bill 2439 gives the parent the option of converting a truancy petition to a family reconciliation petition, and the option to revert back to the truancy petition, upon request of dismissal of the family reconciliation petition. The court is given the ability to authorize a comprehensive assessment of risk and needs for the truant youth, and to order the provision of services based on the recommendations of the assessment.

***Appropriation:*** None.

***Fiscal Note:*** Requested on January 14, 2000.

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