

SENATE BILL REPORT

ESSB 6389

As Passed Senate, February 11, 2000

Title: An act relating to court jurisdiction over permanency planning matters in dependency proceedings.

Brief Description: Extending juvenile court jurisdiction over permanency planning matters in dependency proceedings.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Stevens, Hargrove and Long).

Brief History:

Committee Activity: Human Services & Corrections: 1/28/2000. 2/4/2000 [DPS].
Passed Senate, 2/11/2000, 44-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6389 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Franklin, Long, Patterson and Stevens.

Staff: Jennifer Strus (786-7484)

Background: Several years ago, the Legislature added permanent legal custody orders (third party custody) under RCW 26.10 as an allowable permanency plan under the dependency statute. This change allows a juvenile court to approve a permanent legal custody order entered by the superior court as a permanency plan and dismiss the dependency.

Permanent legal custody orders have not been utilized as a permanent plan as often as they might otherwise be because obtaining a permanent custody order presents an additional step that can be costly.

Summary of Bill: The juvenile court hearing a dependency petition has concurrent jurisdiction to hear a permanent custody petition. The parents, guardians or legal custodians, with the court's approval, must agree to the entry of a permanent custody order. Other parties to the dependency may agree to the order. The petitioner in an RCW 26.10 action who is not a party to the dependency must agree to the entry of the custody order. In addition, the order must be in the best interests of the child.

If a custody order is entered under RCW 26.10 and the dependency dismissed, DSHS must not continue to supervise the placement.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This assists DSHS in moving children into permanent homes more quickly, although there are some concerns about the language.

Testimony Against: None.

Testified: Jake Romo, DSHS (pro with concerns).