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**Early Learning & Human Services  
Committee**

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**HB 1821**

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

**Sponsors:** Representatives Freeman and Santos.

**Brief Summary of Bill**

- Expands the circumstances for which a court may enter a "good cause exception" in lieu of filing of a termination petition.

**Hearing Date:** 2/19/13

**Staff:** Lindsay Lanham (786-7120).

**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 State, 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.

Currently, in statute the following reasons have been established as "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.

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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.*

**Summary of Bill:**

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
- The DSHS has been unable to pay for and provide to the child's family such services as the court and the DSHS have deemed necessary for the child's safe return home and the parent has filed a declaration under penalty of perjury stating his or her financial inability to pay the cost of the same service.

**Appropriation:** None.

**Fiscal Note:** Requested on February 12, 2013.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.