

SENATE BILL REPORT

SB 5480

As of January 25, 1995

Title: An act relating to youth in crisis.

Brief Description: Modifying provisions regarding youth in crisis.

Sponsors: Senators Hargrove, Long, Franklin and Winsley; by request of Governor Lowry and Attorney General.

Brief History:

Committee Activity: Human Services & Corrections: 2/2/95.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Richard Rodger (786-7461)

Background: The Governor's Council on Families, Youth and Justice reviewed the Juvenile Justice Act of 1977 during the past interim and made recommendations regarding the restructuring of services and programs designed to serve families and youth.

Summary of Bill: "Child in need of services" is defined as a juvenile who is beyond the control of his parents and whose behavior is endangering the health, safety or welfare of the child or others. It also includes runaway children who have serious substance or behavioral problems.

Local "multidisciplinary teams" (teams) are authorized to be created by each county. The teams must include the child's parent, a Department of Social and Health Services (DSHS) caseworker, a county representative, and a member from the mental health and substance abuse disciplines. Other providers, community members, and family members may be included on the team.

The teams conduct evaluations, coordinate efforts, and provide information regarding services for families and their children. The teams are defined as "juvenile justice or care agencies" for the purposes of access to the juvenile's records.

The teams are convened whenever a crisis residential center's (CRC) staff determines that the child is not returned to the home of the parent within five days. DSHS must also involve the teams when a parent or child has requested family reconciliation services.

The current process for petitioning for an alternative residential placement is replaced with a petition for children in need of services. The process is intended to provide parents and youth with increased assessment services, greater coordination of services, and better referrals for services.

A team case manager may file a petition for a child in need of services, when a majority of the team, including the parent, agrees. The petition may also be filed by a parent, guardian, custodian, or juvenile. The county has the authority to assist the petitioner in filing the petition. The petition may not be filed unless an at-risk youth process is attempted and fails, or the parents are not interested in, or available for, that process.

If either the child or parent fail to comply with the court's order, they shall be subject to contempt proceedings under the child in need of services process.

In addition to the existing conditions of supervision under an At-Risk Youth Petition, the court may order the child to participate in mental health outpatient treatment, maintain employment, attend an anger management program, or refrain from using alcohol or drugs.

The court does not have the authority to order DSHS to provide services at the public's expense, if DSHS determines the services are unavailable, unsuitable, or the child or family are ineligible for the services.

Regional CRC's may physically secure the facility or the perimeter. A child may not be placed in a secure setting unless the CRC staff believes the child is a "child in need of services."

DSHS is required to develop a plan for an intensive treatment system for children whose behavior places them at serious risk of harm to themselves or others, and who might otherwise be on the streets.

The parent of any minor child may apply to a substance abuse treatment facility or mental health treatment facility for the involuntary admission of their child. The right to apply for treatment does not create a right to state funds or resources. If the facility declines to admit the child the parents may seek review of that decision in the superior or district court.

The educational service district superintendent is included in the list of persons subject to criminal proceedings for failure to perform their duties related to school attendance.

Appropriation: None.

Fiscal Note: Requested on January 23, 1995.

Effective Date: The bill contains several effective dates.