

# HOUSE BILL REPORT

## HB 1279

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**As Passed House:**  
February 28, 2005

**Title:** An act relating to public access to child in need of services and at-risk youth hearings.

**Brief Description:** Revising provisions relating to public access to child in need of services and at-risk youth hearings.

**Sponsors:** By Representatives Kagi, Hinkle, Dickerson, McDonald, Clibborn, P. Sullivan, Pettigrew, Roach, Orcutt, Morrell, Kenney, Wallace and Chase.

**Brief History:**

**Committee Activity:**

Juvenile Justice & Family Law: 2/2/05, 2/8/05 [DP].

**Floor Activity:**

Passed House: 2/28/05, 89-0.

**Brief Summary of Bill**

- Requires child in need of services and at-risk youth hearings to be open to the public unless the judge finds that closing the hearings is in the best interests of the child.

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### HOUSE COMMITTEE ON JUVENILE JUSTICE & FAMILY LAW

**Majority Report:** Do pass. Signed by 7 members: Representatives Dickerson, Chair; Moeller, Vice Chair; McDonald, Ranking Minority Member; McCune, Assistant Ranking Minority Member; Crouse, Lovick and Roberts.

**Staff:** Sonja Hallum (786-7092).

**Background:**

There are several different types of hearings that pertain to the welfare of children. Some of the hearings that pertain to children include child in need of services (CHINS), at-risk youth (ARY), dependency, and termination hearings.

The CHINS proceedings may be initiated by a parent or child to request the court to approve or continue an out-of-home placement. An ARY proceeding may be initiated by a parent who seeks assistance from the court in maintaining parental control over his or her child.

Dependency and termination proceedings are generally initiated by the state in cases where the

state is alleging the parent is not providing sufficiently appropriate care for his or her child and the state is seeking to intervene in the relationship.

The CHINS, ARY, dependency, and termination hearings have traditionally been closed to the public largely due to the sensitive nature of matters that are often discussed about the children involved in the cases. However, states have been increasingly moving towards opening these hearings to the public. In 1993, the Washington Legislature passed ESB 5379 which required that the public not be excluded from any dependency or termination hearings unless the judge finds that excluding the public is in the best interests of the child.

The CHINS and ARY hearings remain closed to the public.

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**Summary of Bill:**

Child in need of services and at-risk youth hearings are required to be open to the public unless the judge finds that excluding the public is in the best interests of the child.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** The Legislature passed a bill two years ago to open up dependency and termination proceedings. It has removed much of the mystery surrounding these proceedings. It has been beneficial to the parents, children, agency, and attorneys involved. It was an oversight not to include child in need of services and at-risk youth hearings. This is a bill to correct that oversight and open these hearings to the public.

**Testimony Against:** None.

**Persons Testifying:** Representative Kagi, prime sponsor.

**Persons Signed In To Testify But Not Testifying:** None.