

# SENATE BILL REPORT

## HB 1790

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As of March 22, 2017

**Title:** An act relating to dependency petitions where the department of social and health services is the petitioner.

**Brief Description:** Concerning dependency petitions where the department of social and health services is the petitioner.

**Sponsors:** Representatives Lovick, Dent, Kagi, Frame and Jinkins; by request of Department of Social and Health Services.

**Brief History:** Passed House: 3/01/17, 96-2.

**Committee Activity:** Human Services, Mental Health & Housing: 3/20/17.

### Brief Summary of Bill

- Creates an exception to the required probation officer's review of a dependency petition if the Department of Social and Health Services files the petition.

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### SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

**Staff:** Melissa Burke-Cain (786-7755)

**Background:** Child Welfare Dependency Petitions. Anyone, including the Department of Social and Health Services (DSHS), may file a petition in court alleging that a child should be a dependent of the state due to abuse, neglect, or because there is no parent, guardian, or custodian capable of adequately caring for the child. In counties that have paid probation officers, those officers must to the extent possible determine whether dependency petitions are justifiable. These petitions must be verified and contain a statement of facts that constitute a dependency and the names and residence of the parents if known.

If a court determines that a child is dependent, then the court will conduct periodic reviews and make determinations regarding the child's placement, the provision of services by the DSHS, compliance of the parents, and whether progress has been made by the parents.

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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.*

Under certain circumstances after a child has been removed from the custody of a parent for at least six months pursuant to a finding of dependency, a petition may be filed seeking termination of parental rights.

**Summary of Bill:** A county probation officer is not required to determine whether a dependency petition is reasonably justifiable when DSHS files the petition.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony:** PRO: The petitions filed by DSHS have all been reviewed by an Assistant Attorney General before filing. There is no need for probation officers to review them before filing. The requirement for an additional review may delay filing.

**Persons Testifying:** PRO: Representative John Lovick, Prime Sponsor; Jennifer Strus, DSHS.

**Persons Signed In To Testify But Not Testifying:** No one.