
Human Services & Early Learning Committee

HB 2873

Brief Description: Concerning families in conflict.

Sponsors: Representatives J. Johnson, Frame, Ramel, Callan, Hudgins, Ryu, Davis, Orwall and Pollet.

Brief Summary of Bill

- Modifies the definition of Family Reconciliation Services (FRS).
- Requires the Department of Children, Youth, and Families (DCYF) to offer FRS upon request from a qualifying family.
- Authorizes community-based entities under contract with DCYF to conduct family assessments.
- Requires an annual report summarizing activities related to FRS.

Hearing Date: 2/5/20

Staff: Riley O'Leary (786-7296).

Background:

Family Reconciliation Services.

Family Reconciliation Services (FRS) are services designed to develop skills and supports within families to resolve problems related to at-risk youth, children in need of services, or family conflicts. These services may include referral to services for: suicide prevention, psychiatric or other medical care; or psychological, mental health, drug or alcohol treatment, welfare, legal, educational, or other social services as appropriate to the needs of the child and the family; and training in parenting conflict management and dispute resolution skills. These services may be offered to families by the Department of Children, Youth, and Families (DCYF) upon request.

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.

Juvenile Court Petitions.

At Risk Youth.

When members of a family are experiencing conflict, the parent of a child may file an at-risk-youth (ARY) petition under certain circumstances. An ARY is a juvenile who:

- is absent from home for at least 72 hours without parental consent;
- is beyond the control of the parent such that the juvenile's behavior endangers the health, safety, and welfare of the juvenile or another person; or
- has a substance use disorder for which there are no pending criminal charges.

The purpose of filing an ARY petition is to obtain assistance and support from the juvenile court in maintaining the care, custody, and control of the child and to assist in the resolution of family conflict, after alternatives to court intervention have been attempted. The ARY proceeding is a voluntary process, and a parent or guardian may request dismissal at any time.

The court may impose remedial sanctions, including confinement for up to seven days, for contempt of the ARY court proceeding.

Child in Need of Services.

A child in need of services (CHINS) court process allows a child, parent, guardian, or the DCYF, to petition the court if the child meets at least one of the following requirements:

- the child is beyond parental control such that the child's behavior endangers the health, safety, or welfare of the child or another person;
- the child has been reported to law enforcement as absent without consent for at least 24 consecutive hours from the parent's home, a crisis residential center, an out-of-home placement, or a court-ordered placement on two or more separate occasions and has exhibited a serious substance abuse problem or behaviors that create a serious risk of harm to the health, safety, or welfare of the child or any other person;
- the child is in need of necessary services, including food, shelter, health care, clothing, educational, or services designed to maintain or reunite the family and lacks access to or has declined to use these services, and whose parents have evidenced continuing but unsuccessful efforts to maintain the family structure or are unable or unwilling to continue efforts to maintain the family structure; or
- is a sexually exploited child.

The purpose of filing a CHINS petition is to obtain a court order mandating alternative temporary placement because a serious conflict exists between the parent and child that cannot be resolved by delivery of services to the family during continued placement of the child in the parental home, and reasonable efforts have been made to prevent the need for removal of the child from the parental home.

The juvenile court must not accept a CHINS or an ARY petition unless verification is provided that the DCYF has completed a family assessment.

Summary of Bill:

The definition of Family Reconciliation Services (FRS) is modified to authorize culturally relevant, trauma-informed community-based entities that are under contract with the Department of Children Youth and Families (DCYF) to provide services. References to mental health, drug or alcohol treatment, and welfare services are replaced with a reference to behavioral health services.

The DCYF is required to offer FRS upon request from a qualifying family subject to available funding for these services.

The juvenile court must not accept a child in need of services petition or an at-risk youth petition unless verification is provided that the DCYF, or a community-based entity under contract with the DCYF, has completed a family assessment.

Beginning December 1, 2020, the DCYF must annually submit a report to the appropriate committees of the Legislature on the use of FRS including the number of requests, the number of referrals, specific demographic information, the nature of the conflict, the type and length of services delivered, family outcomes after receiving services, and any recommendations for improving FRS. If the DCYF cannot collect data on any of these metrics, the DCYF must describe how it plans to obtain these data in the future.

Appropriation: None.

Fiscal Note: Requested on January 28, 2020.

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