

FINAL BILL REPORT

SHB 2873

C 51 L 20
Synopsis as Enacted

Brief Description: Concerning families in conflict.

Sponsors: House Committee on Human Services & Early Learning (originally sponsored by Representatives J. Johnson, Frame, Ramel, Callan, Hudgins, Ryu, Davis, Orwall and Pollet).

House Committee on Human Services & Early Learning
House Committee on Appropriations
Senate Committee on Human Services, Reentry & Rehabilitation

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 (ARY), children in need of services, or family conflicts. These services may include referral to services for:

- suicide prevention, psychiatric, or other medical care;
- 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.

Petitions.

At-Risk Youth.

When members of a family are experiencing conflict, the parent of a child may file an ARY court 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

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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, education, or services designed to maintain or reunite the family and lacks access to or has declined to use these services, and the child's 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 may not accept a CHINS or an ARY petition unless the DCYF has completed a family assessment.

Summary:

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.

The DCYF is required to offer FRS upon request from a family or youth that is in conflict and in need of services subject to available funding for these services.

The juvenile court may 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 make data publicly available 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 determine how it plans to obtain this data in the future.

Votes on Final Passage:

House	94	3
Senate	49	0

Effective: June 11, 2020