

SENATE BILL REPORT

SB 5494

As Reported by Senate Committee On:
Human Services, Reentry & Rehabilitation, February 5, 2020
Ways & Means, February 11, 2020

Title: An act relating to the baby court initiative.

Brief Description: Concerning the baby court initiative.

Sponsors: Senators Zeiger, Darneille, Walsh and Nguyen.

Brief History:

Committee Activity: Human Services, Reentry & Rehabilitation: 2/05/19, 2/07/19 [DPS-WM]; 2/05/20 [DP2S-WM].
Ways & Means: 2/19/19, 1/14/20 [w/oRec-HSRR]; 2/10/20, 2/11/20 [DP3S, DNP, w/oRec].

Brief Summary of Third Substitute Bill

- Creates a process for applying for grant funds to support baby courts in two superior courts that serve both rural and urban populations by January 1, 2021 through the Administrative Office of the Courts' (AOC) Family and Juvenile Court Improvement Grant Program (grant program).
- Defines "baby court" as a therapeutic court that provides an intensive court process for families with a child under age three who has been found dependent.
- Establishes the duties of a baby court.
- Requires AOC to collect outcome data on baby courts, and submit an annual report to the fiscal committees of the Legislature beginning December 1, 2022.

SENATE COMMITTEE ON HUMAN SERVICES, REENTRY & REHABILITATION

Majority Report: That Second Substitute Senate Bill No. 5494 be substituted therefor, and the second substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland, O'Ban, Wilson, C. and Zeiger.

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.

Staff: Kelsey-anne Fung (786-7479)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Third Substitute Senate Bill No. 5494 be substituted therefor, and the third substitute bill do pass.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker, Billig, Carlyle, Conway, Darneille, Hasegawa, Hunt, Keiser, Muzzall, Pedersen, Rivers, Van De Wege, Wagoner, Warnick and Wilson, L..

Minority Report: Do not pass.

Signed by Senator Dhingra.

Minority Report: That it be referred without recommendation.

Signed by Senator Schoesler.

Staff: Corban Nemeth (786-7736)

Background: In 2008, the Legislature created the Family and Juvenile Court Improvement grant program. The purpose of the program is to assist superior courts in improving their family and juvenile court systems, especially in dependency cases, with the goals of:

- assuring a stable and well-trained judiciary in family and juvenile law providing consistency of judicial officers hearing all of the proceedings in a case involving one family, especially in dependency cases; and
- ensuring judicial accountability in implementing specific principles and practices for family and juvenile court.

Therapeutic court means a court utilizing programs structured to achieve both a reduction in recidivism and an increase in the likelihood of rehabilitation, or to reduce child abuse and neglect, out-of-home placements of children, termination of parental rights, and substance abuse and mental health symptoms among parents or guardians and their children through continuous and intense judicially supervised treatment and the appropriate use of services, sanctions, and incentives.

Dependent child means any child who:

- has been abandoned;
- is abused or neglected by a person legally responsible for the care of the child;
- has no parent, guardian, or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development; or
- is receiving extended foster care services.

Summary of Bill (Third Substitute): A baby court is defined as a therapeutic court that provides an intensive court process for families with a child under age three who has been found dependent.

To be eligible for baby court, the parent must have a child under age three that is dependent at the time the case enters the court process. The case may remain in baby court after the child is age three or older if the child is still dependent.

The AOC's grant program must:

- develop standards for baby courts;
- develop a process where any superior court may apply for grant funds to establish a baby court;
- distribute grant funds to support baby courts in two superior courts that serve both rural and urban populations by January 1, 2021;
- prioritize grant applications that will commit additional public or private resources for baby courts;
- develop and define the outcome measures for baby courts;
- collect outcome measure data summarizing the results of baby courts during the previous year, including data on the outcomes achieved in baby courts compared to the outcomes achieved by general dependency courts, and any cost savings associated with achieving the goals established for baby courts;
- submit an annual report to the fiscal committees of the Legislature beginning December 1, 2022; and
- sponsor and coordinate training for judicial officers and other professionals that participate in baby courts receiving grant funding.

Grant funds for the baby court shall be supplemental to any existing grant program funds and must not supplant existing funds to be used for baby courts.

A superior court that establishes a baby court must:

- establish a process for parents to voluntarily participate in baby court;
- review at least every three months whether the parent or parents are actively engaged and making adequate progress toward achieving the case plan, unless the court finds good cause;
- order the Department of Children, Youth, and Families to provide access to reasonably available and appropriate services designed to remedy identified parental deficiencies;
- aim to reduce the length of removal of young children from parents and reunify young children with parents according to the child's best interests;
- make decisions aimed to reduce incidences of abuse and neglect among young children;
- make decisions aimed to reduce the long-term and short-term effects of traumatic experiences on the brain development of young children; and
- promote effective interaction and the use of resources among the court and public and private child and family service providers.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Third Substitute):

- Requires the AOC to prioritize baby court grant applications that will commit existing public or private funding.

- Clarifies that grant funds for baby court must not supplant existing baby court funding.

EFFECT OF CHANGES MADE BY HUMAN SERVICES, REENTRY & REHABILITATION COMMITTEE (Second Substitute):

- Requires AOC to distribute grants by January 1, 2021, and annually report to the fiscal committees of the Legislature beginning December 1, 2022.

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 on Original Bill (Human Services, Reentry & Rehabilitation) (Regular Session 2019): *The committee recommended a different version of the bill than what was heard.* PRO: This is a bill that would expand the work of current therapeutic courts/baby courts. Pierce County has shown some success with their current baby court and this would provide grants to two counties to start their own baby court.

Persons Testifying (Human Services, Reentry & Rehabilitation): PRO: Senator Hans Zeiger, Prime Sponsor.

Persons Signed In To Testify But Not Testifying (Human Services, Reentry & Rehabilitation): No one.

Staff Summary of Public Testimony on Second Substitute (Regular Session 2020) (Human Services, Reentry & Rehabilitation): PRO: Baby court initiative has been operating in Pierce County Superior Court for three years and it has been a success. The data shows that children are reunited with their parents within one year. The baby court limits the docket to 20 cases, and the same lawyers, social workers, and judge stay on the case from beginning to end. This is an opportunity for the Legislature to fund a program that will get kids to their forever home, even if it is not with the parents. Having the cooperation and partnership with the foster parents make a huge difference.

Persons Testifying (Human Services, Reentry & Rehabilitation): PRO: Senator Hans Zeiger, Prime Sponsor; John Hickman, retired Superior Court Judge; Sara Slas, citizen.

Persons Signed In To Testify But Not Testifying (Human Services, Reentry & Rehabilitation): No one.

Staff Summary of Public Testimony on Second Substitute (Ways & Means) (Regular Session 2020): *The committee recommended a different version of the bill than what was heard.* PRO: The early years of a child's life are critically important for wellbeing and emotional attachments. Baby courts take an innovative approach and utilize collaboration to

remove barriers for parents and families. These courts establish early intervention for the whole family using a trauma-informed approach. The most important work I did as a judge was on the Pierce County baby court. This approach gets kids into a forever home faster than traditional dependency hearings, resulting in a savings from foster care costs.

Persons Testifying (Ways & Means): PRO: John R. Hickman, Pierce County Baby Court; Julie Hoffman, Best for Babies (Amara); Maureen Sorenson, Chief Community Officer, Amara Foster Care.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.