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**SECOND SUBSTITUTE SENATE BILL 5331**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Gildon, Darneille, Dhingra, Hasegawa, Nguyen, Nobles, Warnick, Wellman, and Wilson, C.)

READ FIRST TIME 02/19/21.

1 AN ACT Relating to establishing an early childhood court program  
2 for young children and their families involved in Washington's child  
3 welfare system; adding new sections to chapter 2.30 RCW; and creating  
4 a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that there is an  
7 urgent need to provide greater support to young children and their  
8 families involved in Washington state's child welfare system. Infants  
9 and toddlers comprise a substantial portion of all child abuse and  
10 neglect cases in Washington state; the rate of entry for children  
11 under age one into the care of Washington state's child welfare  
12 system is the second highest in the nation. Research demonstrates  
13 that both the trauma of neglect as well as the trauma associated with  
14 entering the child welfare system shapes young children's brain  
15 development and have lifelong impacts on young children's social,  
16 emotional, and physical well-being. Young children and families of  
17 color are particularly impacted by child welfare involvement and the  
18 factors leading up to it.

19 (2) The legislature further finds that early childhood court  
20 programs provide timely, research-based, and trauma-informed  
21 interventions. Early childhood court programs reduce maltreatment

1 recurrence, number of placements, and the time it takes to achieve  
2 permanency, while increasing equitable access to services.

3 (3) The legislature further finds that statewide standards are  
4 necessary to ensure the quality, accountability, and fidelity to  
5 research-based interventions of early childhood court programs.  
6 Statewide standards will also promote equitable access to these  
7 programs, especially among children and families of color.

8 (4) The legislature further finds that the administrative office  
9 of the courts has secured funding for the first year of the early  
10 childhood court program to support their evaluation efforts. While  
11 funding is not mandated through this act, the legislature  
12 acknowledges that the administrative office of the courts is not able  
13 to complete its required responsibilities as provided for in this act  
14 without dedicated funding. The legislature finds and declares that in  
15 the future, the office may seek funding through public and/or private  
16 funding opportunities, and it may partner with local organizations to  
17 seek further funding, although it is not required to do so.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 2.30 RCW  
19 to read as follows:

20 (1)(a) A superior court may establish an early childhood court  
21 program to serve the needs of infants and toddlers who are under the  
22 age of three at the time the case enters the program and dependent  
23 pursuant to chapter 13.34 RCW.

24 (b) Early childhood court programs means a therapeutic court as  
25 defined in this chapter that provides an intensive court process for  
26 families with a child under age three who has been found dependent  
27 pursuant to chapter 13.34 RCW. To be eligible for the early childhood  
28 court program, a parent must have a child under age three that is  
29 dependent pursuant to chapter 13.34 RCW at the time the case enters  
30 the early childhood court program process. The case may remain in the  
31 early childhood court program after the child is age three or older  
32 if the child is still dependent pursuant to chapter 13.34 RCW.

33 (2) If a superior court creates an early childhood court program,  
34 it shall incorporate the following core components into the program:

35 (a) The court shall obtain a memorandum of understanding or other  
36 agreement with the department of children, youth, and families that  
37 outlines how the two entities will coordinate and collaborate to  
38 implement the core components overall.

1 (b) There shall be a community coordinator who is dedicated to:  
2 Facilitating real-time information sharing and collaboration among  
3 cross-sector professionals participating in the early childhood court  
4 program; coordinating and participating in family team meetings;  
5 identifying community-based resources and supporting the family's  
6 connection to these resources; building relationships and forming new  
7 partnerships across traditional and nontraditional services and  
8 systems; identifying training needs of early childhood court  
9 professionals and facilitating the provision of training; and  
10 supporting the convening of community team meetings. The community  
11 coordinator carries out the tasks outlined in the core components  
12 unless otherwise specified. The community coordinator can be employed  
13 by the courts, the county, or a nonprofit entity.

14 (c) The court shall establish a community team that aims to:  
15 Foster a learning environment and encourage an interdisciplinary  
16 approach to meeting the needs of young children and families;  
17 identify and respond to challenges to accessing resources and needed  
18 systems reforms; support multidisciplinary trainings; and recommend  
19 local court policies and procedures to improve families receipt of  
20 equitable and timely access to resources and remedial services. The  
21 community team are stakeholders to the court that serve as an  
22 advisory body to the court and implement the early childhood court  
23 program.

24 (d) The judicial officer shall establish more frequent review  
25 hearings than required pursuant to RCW 13.34.138(1).

26 (e) The community coordinator serves as a liaison between the  
27 court and community-based resources to identify community-based  
28 resources, identify barriers to engagement, and collaborate with  
29 stakeholders to connect families to assessments and referrals. The  
30 community coordinator shall facilitate connecting parents with  
31 informal and formal social supports, including but not limited to  
32 peer, community, and cultural supports.

33 (f) The community coordinator coordinates and neutrally  
34 facilitates family team meetings. The family team may include all  
35 parties to the case and other people or other service providers  
36 identified by the parent to be part of the support system for the  
37 parent involved. The family team engages parents in their case plan  
38 and expediently addresses family needs and access to services and  
39 support.

1 (g) Parents are critical participants in the early childhood  
2 court program. The court shall aim to foster an environment in which  
3 all professionals involved in the early childhood court program  
4 increase their awareness of different forms of bias and the trauma  
5 and adversity that often accompany poverty, mental health, and  
6 substance use.

7 (h) The court shall strive to ensure that families receive early,  
8 consistent, and frequent visitation that is developmentally  
9 appropriate for infants and toddlers; that minimizes stress and  
10 anxiety for both children and parents; and occurs in a safe,  
11 comfortable, and unthreatening setting that supports parents to  
12 nurture and care for their child.

13 (i) The court shall ensure that: The individualized case plan for  
14 parents involved in the early childhood court program should address  
15 protective factors that mitigate or eliminate safety risks to the  
16 child, and the court should encourage a respectful, strength-based,  
17 compassionate approach to working with parents in the context of the  
18 early childhood court program.

19 (j) The court shall support the development of agreements that  
20 encourage: Stakeholders participate in any available statewide  
21 structure that supports alignment to the approach of the early  
22 childhood court program, cross-site cooperation, and consistency; any  
23 program data is regularly and continuously reviewed to ensure equity,  
24 inform and improve practice; and stakeholders utilize technical  
25 assistance, training, and evaluation to assess effectiveness and  
26 improve outcomes. Each early childhood court program must review its  
27 data to assess its effectiveness and participate in a statewide group  
28 of early childhood court programs. The statewide group will share its  
29 data findings and hold statewide meetings to support alignment to the  
30 core components and statewide consistency.

31 NEW SECTION. **Sec. 3.** A new section is added to chapter 2.30 RCW  
32 to read as follows:

33 (1) Judicial officers who preside over early childhood court  
34 program hearings shall participate in required trainings, as follows:

35 (a) An initial, eight-hour training program that can include the  
36 topic areas of: The benefits to infants and toddlers of secure  
37 attachment with primary caregivers; a trauma-informed approach; the  
38 importance of maintaining children within their biological

1 connections; the importance of reunification of children with their  
2 families; and the impact of trauma on child development;

3 (b) After the initial training, annually attend a minimum of  
4 eight hours of continuing education of pertinence to the early  
5 childhood court program.

6 (2) Subject to the availability of amounts appropriated for this  
7 specific purpose, the administrative office of the courts shall  
8 administer the certification of training requirements.

9 NEW SECTION. **Sec. 4.** A new section is added to chapter 2.30 RCW  
10 to read as follows:

11 (1) Subject to the availability of amounts appropriated for this  
12 specific purpose, the administrative office of the courts shall  
13 perform, or contract for, an evaluation of the early childhood court  
14 program to ensure the quality, accountability, and fidelity of the  
15 programs' evidence-based treatment. Any evaluation of the early  
16 childhood court program shall be posted on the administrative office  
17 of the courts website.

18 (2) The administrative office of the courts may provide, or  
19 contract for the provision of, training and technical assistance  
20 related to program services, consultation and guidance for difficult  
21 cases, and ongoing training for court teams.

22 NEW SECTION. **Sec. 5.** A new section is added to chapter 2.30 RCW  
23 to read as follows:

24 Any early childhood court program in operation as of the  
25 effective date of this section shall have a reasonable time to adjust  
26 its practices to comply with sections 2 and 3 of this act.

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