
SENATE BILL 5422

State of Washington 52nd Legislature 1991 Regular Session

By Senators Talmadge, Nelson, Stratton, Roach and von Reichbauer.

Read first time January 31, 1991. Referred to Committee on Children & Family Services.

1 AN ACT Relating to foster parents; and amending RCW 13.34.090.

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

3 **Sec. 1.** RCW 13.34.090 and 1990 c 246 s 4 are each amended to read
4 as follows:

5 (1) Any party has a right to be represented by an attorney in
6 all proceedings under this chapter, to introduce evidence, to be heard
7 in his or her own behalf, to examine witnesses, to receive a decision
8 based solely on the evidence adduced at the hearing, and to an unbiased
9 fact-finder.

10 (2) At all stages of a proceeding in which a child is alleged to be
11 dependent pursuant to RCW 13.34.030(2), the child's parent, guardian,
12 or legal custodian has the right to be represented by counsel, and if
13 indigent, to have counsel appointed for him or her by the court.
14 Unless waived in court, counsel shall be provided to the child's
15 parent, guardian, or legal custodian, if such person (a) has appeared

1 in the proceeding or requested the court to appoint counsel and (b) is
2 financially unable to obtain counsel because of indigency as defined in
3 chapter 10.101 RCW.

4 (3) A foster parent acquires the right to be a party to a
5 proceeding in which a child is alleged to be dependent pursuant to RCW
6 13.34.030(2) when the child has been residing in the home of the foster
7 parent for a period of six months or more.

8 (4) If a party to an action under this chapter is represented by
9 counsel, no order shall be provided to that party for his or her
10 signature without prior notice and provision of the order to counsel.

11 ~~((4))~~ (5) Copies of department of social and health services or
12 supervising agency records to which parents have legal access pursuant
13 to chapter 13.50 RCW shall be given to the child's parent, guardian,
14 legal custodian, or his or her legal counsel, within twenty days after
15 the department or supervising agency receives a written request for
16 such records from the parent, guardian, legal custodian, or his or her
17 legal counsel. These records shall be provided to the child's parents,
18 guardian, legal custodian, or legal counsel prior to the shelter care
19 hearing in order to allow an opportunity to review the records prior to
20 the hearing. These records shall be legible and shall be provided at
21 no expense to the parents, guardian, legal custodian, or his or her
22 counsel.