

1 1417-S2 AMH WOLF H2471.3

2 **2SHB 1417 - H AMDS 259 ADOPTED 3/10/95**  
3 By Representatives Wolfe and Carrell

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5 On page 3, line 29, after "(5)" insert "Multidisciplinary team"  
6 means those persons involved in helping a child who meets the  
7 definition of an at-risk youth. This group shall include the parent,  
8 guardian, or custodian, a department case worker, a representative of  
9 the counties, and a member of the following disciplines: Mental health  
10 and substance abuse. This group may include, but is not limited to the  
11 following persons: Educators, law enforcement personnel, probation  
12 officers, employers, church persons, tribal members, a member of the  
13 child's cultural community, therapists, medical personnel, social  
14 service providers, placement providers, and extended family members.  
15 Team members shall be volunteers who do not receive compensation for  
16 team activities unless an individual team member's employer chooses to  
17 provide such compensation.

18 (6)"

19 **2SHB 1417 - H AMDS**  
20 By Representative Wolfe

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22 On page 4, after line 10, insert the following:

23 "**Sec. 5.** RCW 13.32A.040 and 1994 c 304 s 3 are each amended to  
24 read as follows:

25 Families who are in conflict or who are experiencing problems with  
26 at-risk youth may request family reconciliation services from the  
27 department. The department shall involve the local multidisciplinary  
28 teams in determining the services to be provided and in providing those  
29 services, if a local multidisciplinary team exists. Such services  
30 shall be provided to alleviate personal or family situations which  
31 present a serious and imminent threat to the health or stability of the  
32 child or family and to maintain families intact wherever possible.  
33 Family reconciliation services shall be designed to develop skills and  
34 supports within families to resolve problems related to at-risk youth

1 or family conflicts and may include but are not limited to referral to  
2 services for suicide prevention, psychiatric or other medical care, or  
3 psychological, welfare, legal, educational, or other social services,  
4 as appropriate to the needs of the child and the family. Upon a  
5 referral by a school or other appropriate agency, family reconciliation  
6 services may also include training in parenting, conflict management,  
7 and dispute resolution skills.

8 **Sec. 6.** RCW 13.32A.130 and 1994 sp.s. c 7 s 508 are each amended  
9 to read as follows:

10 (1) A child admitted to a crisis residential center under this  
11 chapter who is not returned to the home of his or her parent or who is  
12 not placed in an alternative residential placement under an agreement  
13 between the parent and child, shall, except as provided for by RCW  
14 13.32A.140 and 13.32A.160(2), reside in the placement under the rules  
15 established for the center for a period not to exceed five consecutive  
16 days from the time of intake, except as otherwise provided by this  
17 chapter. Crisis residential center staff shall make ~~((a concerted))~~  
18 every reasonable effort to protect the child and achieve a  
19 reconciliation of the family. If a reconciliation, using family  
20 reconciliation services, and voluntary return of the child has not been  
21 achieved within forty-eight hours from the time of intake, and if the  
22 person in charge of the center does not consider it likely that  
23 reconciliation will be achieved within the five-day period, then the  
24 ~~((person in charge shall inform the parent and child of (1) the~~  
25 ~~availability of counseling services; (2) the right to file a petition~~  
26 ~~for an alternative residential placement, the right of a parent to file~~  
27 ~~an at risk youth petition, and the right of the parent and child to~~  
28 ~~obtain assistance in filing the petition; and (3) the right to request~~  
29 ~~a review of any alternative residential placement))~~ facility  
30 administrator or his or her designee shall immediately convene the  
31 multidisciplinary team, if one exists.

32 At no time shall information regarding a parent's or child's rights  
33 be withheld if requested. The department shall develop and distribute  
34 to all law enforcement agencies and to each crisis residential center  
35 administrator a written statement delineating the services and rights.  
36 Every officer taking a child into custody shall provide the child and  
37 his or her parent(s) or responsible adult with whom the child is placed  
38 with a copy of the statement. In addition, the administrator of the

1 facility or his or her designee shall provide every resident and parent  
2 with a copy of the statement.

3 NEW SECTION. **Sec. 7.** A new section is added to chapter 13.32A RCW  
4 to read as follows:

5 (1) Each county shall have the authority to assemble a  
6 multidisciplinary team. To the extent possible, the multidisciplinary  
7 team shall draw upon existing community resources.

8 (2) The multidisciplinary team, if one exists, shall make every  
9 reasonable effort to protect the child and achieve a reconciliation of  
10 the family whenever possible. If a crisis residential center  
11 administrator or his or her designee makes a referral, the team must  
12 respond as soon as possible but no later than twelve hours after the  
13 referral is made. The team shall have the authority to assess the  
14 juvenile, and family members, if appropriate and agreed to, and shall:

15 (a) With parental input, develop a plan of appropriate available  
16 services and assist the family in obtaining those services;

17 (b) Make a referral to the designated chemical dependency  
18 specialist or the county designated mental health professional, if  
19 appropriate;

20 (c) Recommend no further intervention because the juvenile and his  
21 or her family have resolved the problem causing the family conflict; or

22 (d) With the family's consent, work with the family on a longer-  
23 term basis to achieve reconciliation of the child and family, whenever  
24 possible.

25 (3) To the maximum extent possible, the members of the  
26 multidisciplinary team shall include members who are representative of  
27 the cultures in the family's community.

28 NEW SECTION. **Sec. 8.** A new section is added to chapter 13.32A RCW  
29 to read as follows:

30 (1) The purpose of the multidisciplinary team is to coordinate and  
31 communicate about services offered to the child and family.

32 (2) At the first meeting of the multidisciplinary team, it shall  
33 choose a member to act as case manager for the family. The parent  
34 member of the multidisciplinary team must agree with the choice of case  
35 manager. Thereafter, the team shall meet periodically.

36 **Sec. 9.** RCW 13.32A.140 and 1990 c 276 s 9 are each amended to read

1 as follows:

2 ((~~The department shall~~)) A juvenile, his or her parent, guardian,  
3 or custodian, or the case manager of the multidisciplinary team may  
4 file a petition to approve an alternative residential placement on  
5 behalf of a child under any of the following sets of circumstances:

6 (1) The child has been admitted to a crisis residential center or  
7 has been placed with a responsible person other than his or her parent,  
8 and:

9 (a) The parent has been notified that the child was so admitted or  
10 placed;

11 (b) Seventy-two hours, including Saturdays, Sundays, and holidays,  
12 have passed since such notification;

13 (c) No agreement between the parent and the child as to where the  
14 child shall live has been reached;

15 (d) No petition requesting approval of an alternative residential  
16 placement has been filed by either the child or parent or legal  
17 custodian;

18 (e) The parent has not filed an at-risk youth petition; and

19 (f) The child has no suitable place to live other than the home of  
20 his or her parent.

21 (2) The child has been admitted to a crisis residential center and:

22 (a) Seventy-two hours, including Saturdays, Sundays, and holidays,  
23 have passed since such placement;

24 (b) The staff, after searching with due diligence, have been unable  
25 to contact the parent of such child; and

26 (c) The child has no suitable place to live other than the home of  
27 his or her parent.

28 (3) An agreement between parent and child made pursuant to RCW  
29 13.32A.090(2)(e) or pursuant to RCW 13.32A.120(1) is no longer  
30 acceptable to parent or child, and:

31 (a) The party to whom the arrangement is no longer acceptable has  
32 so notified the department;

33 (b) Seventy-two hours, including Saturdays, Sundays, and holidays,  
34 have passed since such notification;

35 (c) No new agreement between parent and child as to where the child  
36 shall live has been reached;

37 (d) No petition requesting approval of an alternative residential  
38 placement has been filed by either the child or the parent;

39 (e) The parent has not filed an at-risk youth petition; and

1 (f) The child has no suitable place to live other than the home of  
2 his or her parent.

3 Under the circumstances of subsections (1), (2), or (3) of this  
4 section, the child shall remain in a licensed child care facility,  
5 including but not limited to a crisis residential center, or in any  
6 other suitable residence to be determined by the department until an  
7 alternative residential placement petition filed by the department on  
8 behalf of the child is reviewed by the juvenile court and is resolved  
9 by such court. The department may authorize emergency medical or  
10 dental care for a child placed under this section. The state, when the  
11 department files a petition for alternative residential placement under  
12 this section, shall be represented as provided for in RCW 13.04.093.

13 **Sec. 10.** RCW 13.32A.150 and 1992 c 205 s 208 are each amended to  
14 read as follows:

15 (1) Except as otherwise provided in this section the juvenile court  
16 shall not accept the filing of an alternative residential placement  
17 petition by the child or the parents or the filing of an at-risk youth  
18 petition by the parent, unless verification is provided that a family  
19 assessment has been completed by the department. The family assessment  
20 provided by the department shall involve the multidisciplinary team as  
21 provided in RCW 13.32A.040, if one exists. The family assessment or  
22 plan of services developed by the multidisciplinary team shall be aimed  
23 at family reconciliation, reunification, and avoidance of the out-of-  
24 home placement of the child. If the department is unable to complete  
25 an assessment within two working days following a request for  
26 assessment the child or the parents may proceed under subsection (2) of  
27 this section or the parent may proceed under subsection (3) of this  
28 section.

29 (2) A child or a child's parent may file with the juvenile court a  
30 petition to approve an alternative residential placement for the child  
31 outside the parent's home. The department shall, when requested,  
32 assist either a parent or child in the filing of the petition. The  
33 petition shall only ask that the placement of a child outside the home  
34 of his or her parent be approved. The filing of a petition to approve  
35 such placement is not dependent upon the court's having obtained any  
36 prior jurisdiction over the child or his or her parent, and confers  
37 upon the court a special jurisdiction to approve or disapprove an  
38 alternative residential placement.

1 (3) A child's parent may file with the juvenile court a petition in  
2 the interest of a child alleged to be an at-risk youth. The department  
3 shall, when requested, assist the parent in filing the petition. The  
4 petition shall be filed in the county where the petitioning parent  
5 resides. The petition shall set forth the name, age, and residence of  
6 the child and the names and residence of the child's parents and shall  
7 allege that:

8 (a) The child is an at-risk youth as defined in this chapter;

9 (b) The petitioning parent has the right to legal custody of the  
10 child;

11 (c) Court intervention and supervision are necessary to assist the  
12 parent to maintain the care, custody, and control of the child; and

13 (d) Alternatives to court intervention have been attempted or there  
14 is good cause why such alternatives have not been attempted.

15 The petition shall set forth facts that support the allegations in  
16 this subsection and shall generally request relief available under this  
17 chapter. The petition need not specify any proposed disposition  
18 following adjudication of the petition. The filing of an at-risk youth  
19 petition is not dependent upon the court's having obtained any prior  
20 jurisdiction over the child or his or her parent and confers upon the  
21 court the special jurisdiction to assist the parent in maintaining  
22 parental authority and responsibility for the child. An at-risk youth  
23 petition may not be filed if the court has approved an alternative  
24 residential placement petition regarding the child or if the child is  
25 the subject of a proceeding under chapter 13.34 RCW. A petition may be  
26 accepted for filing only if alternatives to court intervention have  
27 been attempted. Juvenile court personnel may screen all at-risk youth  
28 petitions and may refuse to allow the filing of any petition that lacks  
29 merit, fails to comply with the requirements of this section, or fails  
30 to allege sufficient facts in support of allegations in the petition.

31 **Sec. 11.** RCW 13.50.010 and 1994 sp.s. c 7 s 541 are each amended  
32 to read as follows:

33 (1) For purposes of this chapter:

34 (a) "Juvenile justice or care agency" means any of the following:  
35 Police, diversion units, court, prosecuting attorney, defense attorney,  
36 detention center, attorney general, the multidisciplinary team formed  
37 under chapter 13.32A RCW, the department of social and health services  
38 and its contracting agencies, schools; and, in addition, persons or

1 public or private agencies having children committed to their custody;

2 (b) "Official juvenile court file" means the legal file of the  
3 juvenile court containing the petition or information, motions,  
4 memorandums, briefs, findings of the court, and court orders;

5 (c) "Social file" means the juvenile court file containing the  
6 records and reports of the probation counselor;

7 (d) "Records" means the official juvenile court file, the social  
8 file, and records of any other juvenile justice or care agency in the  
9 case.

10 (2) Each petition or information filed with the court may include  
11 only one juvenile and each petition or information shall be filed under  
12 a separate docket number. The social file shall be filed separately  
13 from the official juvenile court file.

14 (3) It is the duty of any juvenile justice or care agency to  
15 maintain accurate records. To this end:

16 (a) The agency may never knowingly record inaccurate information.  
17 Any information in records maintained by the department of social and  
18 health services relating to a petition filed pursuant to chapter 13.34  
19 RCW that is found by the court, upon proof presented, to be false or  
20 inaccurate shall be corrected or expunged from such records by the  
21 agency;

22 (b) An agency shall take reasonable steps to assure the security of  
23 its records and prevent tampering with them; and

24 (c) An agency shall make reasonable efforts to insure the  
25 completeness of its records, including action taken by other agencies  
26 with respect to matters in its files.

27 (4) Each juvenile justice or care agency shall implement procedures  
28 consistent with the provisions of this chapter to facilitate inquiries  
29 concerning records.

30 (5) Any person who has reasonable cause to believe information  
31 concerning that person is included in the records of a juvenile justice  
32 or care agency and who has been denied access to those records by the  
33 agency may make a motion to the court for an order authorizing that  
34 person to inspect the juvenile justice or care agency record concerning  
35 that person. The court shall grant the motion to examine records  
36 unless it finds that in the interests of justice or in the best  
37 interests of the juvenile the records or parts of them should remain  
38 confidential.

39 (6) A juvenile, or his or her parents, or any person who has

1 reasonable cause to believe information concerning that person is  
2 included in the records of a juvenile justice or care agency may make  
3 a motion to the court challenging the accuracy of any information  
4 concerning the moving party in the record or challenging the continued  
5 possession of the record by the agency. If the court grants the  
6 motion, it shall order the record or information to be corrected or  
7 destroyed.

8 (7) The person making a motion under subsection (5) or (6) of this  
9 section shall give reasonable notice of the motion to all parties to  
10 the original action and to any agency whose records will be affected by  
11 the motion.

12 (8) The court may permit inspection of records by, or release of  
13 information to, any clinic, hospital, or agency which has the subject  
14 person under care or treatment. The court may also permit inspection  
15 by or release to individuals or agencies, including juvenile justice  
16 advisory committees of county law and justice councils, engaged in  
17 legitimate research for educational, scientific, or public purposes.  
18 The court may also permit inspection of, or release of information  
19 from, records which have been sealed pursuant to RCW 13.50.050(11).  
20 Access to records or information for research purposes shall be  
21 permitted only if the anonymity of all persons mentioned in the records  
22 or information will be preserved. Each person granted permission to  
23 inspect juvenile justice or care agency records for research purposes  
24 shall present a notarized statement to the court stating that the names  
25 of juveniles and parents will remain confidential.

26 (9) Juvenile detention facilities shall release records to the  
27 juvenile disposition standards commission under RCW 13.40.025 upon  
28 request. The commission shall not disclose the names of any juveniles  
29 or parents mentioned in the records without the named individual's  
30 written permission."

31 Renumber the remaining sections consecutively, correct any internal  
32 references accordingly, and correct the title.

--- END ---