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**Children & Family Services  
Committee**

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**SB 6643**

**Brief Description:** Providing guidelines for family visitation for dependent children.

**Sponsors:** Senators Stevens, Hargrove, Schmidt and Carlson.

**Brief Summary of Bill**

- Provides that visitation is the right of the family, including the child and the parent, in cases in which a child is ordered removed from the child's home but the court has not ordered that a termination petition be filed.

**Hearing Date:** 2/19/04

**Staff:** Cynthia Forland (786-7152).

**Background:**

Whenever a child is ordered removed from the child's home, the agency charged with that child's care is required to provide the court with a permanency plan of care that must identify one of the following outcomes as a primary goal and may identify additional outcomes as alternative goals:

- return of the child to the home of the child's parent, guardian, or legal custodian;
- adoption;
- guardianship;
- permanent legal custody;
- long-term relative or foster care, until the child is age 18, with a written agreement between the parties and the care provider;
- successful completion of a responsible living skills program; or
- independent living, if appropriate and if the child is age 16 or older.

Unless the court has ordered that a termination petition be filed, the agency charged with the child's care is required to provide the court with a specific plan as to where the child will be placed, what steps will be taken to return the child home, what steps the agency will take to promote existing appropriate sibling relationships and/or facilitate placement together or contact in accordance with the best interests of each child, and what actions the agency will take to maintain parent-child ties. All aspects of the plan must include the goal of achieving permanence for the child and must:

- specify what services the parents will be offered to enable them to resume custody, what requirements the parents must meet to resume custody, and a time limit for each service plan and parental requirement; and
- encourage the maximum parent and child and sibling contact possible, including regular visitation and participation by the parents in the care of the child while the child is in placement. Visitation may be limited or denied only if the court determines that such limitation or denial is necessary to protect the child's health, safety, or welfare.

The child must be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being. The agency charged with supervising a child in placement must provide all reasonable services that are available within the agency, or within the community, or those services that the DSHS has existing contracts to purchase, and report to the court if it is unable to provide such services.

**Summary of Bill:**

Whenever a child is ordered removed from the child's home but the court has not ordered that a termination petition be filed, it is provided that visitation is the right of the family, including the child and the parent. Early, consistent, and frequent visitation is crucial for maintaining parent-child relationships and making it possible for parents and children to safely reunify.

Visitation may not be limited as a sanction for a parent's failure to comply with court orders or services where the health, safety, or welfare of the child is not at risk as a result of the visitation.

The court and the agency charged with the child's care should rely upon community resources, relatives, foster parents, and other appropriate persons to provide transportation and supervision for visitation to the extent that such resources are available and the child's safety would not be compromised. Supervision of visitation must not be required except when necessary to protect the child's health, safety, or welfare.

**Appropriation:** None.

**Fiscal Note:** Requested on February 19, 2004.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.