

# SENATE BILL REPORT

## ESSB 6642

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As Passed Senate, February 13, 2004

**Title:** An act relating to case conferences following shelter care hearings.

**Brief Description:** Ordering case conferences following shelter care hearings.

**Sponsors:** Senate Committee on Children & Family Services & Corrections (originally sponsored by Senators Stevens, Hargrove, Schmidt, Carlson, Mulliken, Hewitt, Roach and McAuliffe).

**Brief History:**

**Committee Activity:** Children & Family Services & Corrections: 2/3/04, 2/4/04 [DPS].  
Passed Senate: 2/13/04, 48-0.

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### SENATE COMMITTEE ON CHILDREN & FAMILY SERVICES & CORRECTIONS

**Majority Report:** That Substitute Senate Bill No. 6642 be substituted therefor, and the substitute bill do pass.

Signed by Senators Stevens, Chair; Parlette, Vice Chair; Carlson, Deccio, Hargrove, McAuliffe and Regala.

**Staff:** Edith Rice (786-7444)

**Background:** Current law allows parents in a dependency action to request that the Department of Social and Health Services (DSHS) facilitate a meeting of the parties. The purpose of the conference is for the department and the parents to discuss their expectations regarding the care and placement of the child. Concerns have been expressed that such conferences rarely occur, either because parents are not aware of them, or because they are not deemed to be helpful.

**Summary of Bill:** DSHS must facilitate a case conference in every dependency. Parents are notified that they may have two advocates accompany them to the case conference. All available participants must receive seven days written notice of the case conference.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Opportunities for those involved in a child's life to confer are to be encouraged. Use of the terms "family group conference" is confusing.

**Testimony Against:** None.

**Testified:** Ali Pearson, WA Assoc. of Criminal Defense Lawyers (pro); LaVerne Lamoureux, Director, Program and Policy, Children's Administration (pro); Laurie Lippold, Children's Home Society (pro).

**House Amendment(s):** A case conference is required to be convened no later than 30 days, rather than 25 days, prior to the fact-finding hearing.

The department is required to *convene* a case conference rather than to *facilitate* a case conference.

A written service agreement must be created which establishes *voluntary services for the parent, not care and placement of the child.*

The participants in the case conference are specifically limited to include only the parties, their counsel and other persons agreed upon by the parties. The department is no longer required to inform the parents that they may have up to two advocates accompany them.

A requirement is added that a shelter care order must include a provision establishing a case conference unless the parent is not present at the shelter care hearing or does not agree to the case conference.

A requirement that the only notice of the case conference be provided in the shelter care order replaces the requirement that all available case conference participants must receive written notice seven days prior to the case conference.

The requirement for a written service agreement which is to be used by the court to evaluate the performance of the department and the parents is removed.

The court is permitted to order a conference or meeting as an alternative to the case conference so long as the ordered conference includes the requirements of the case conference including a written agreement establishing the services to be provided to the parent.

An effective date of July 1, 2004 is added. A null and void clause providing that the bill is null and void unless funded in the omnibus appropriations act is added.