

SSB 6416 - H COMM AMD

By Committee on Early Learning & Children's Services

NOT CONSIDERED 03/04/2010

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 13.34 RCW
4 to read as follows:

5 (1) A caregiver of a dependent child may petition the juvenile
6 court to be heard on a decision by the department or supervising agency
7 to remove the child from the caregiver's home if:

8 (a) The child has been found to be a dependent child under this
9 chapter;

10 (b) The child had been placed with and resided in the caregiver's
11 home for twelve or more continuous months prior to the decision to
12 remove, or the removal of, the child;

13 (c) The child is in the custody of the department or supervising
14 agency at the time the petition to be heard is filed; and

15 (d) The department or supervising agency has made the decision to
16 remove or has already removed the child from the caregiver's home.

17 (2) The caregiver may file a petition under this section within not
18 more than ten business days after the date the caregiver receives
19 notice of the removal decision, or the child is removed from the
20 caregiver's home, whichever is later.

21 (3) If the requirements of subsection (1) of this section are met,
22 the court shall grant the petition to be heard on the sole issue of the
23 placement decision and shall schedule an expedited hearing on the
24 matter.

25 (4) The caregiver has the right to be represented by counsel, at
26 his or her own expense, at the hearing on the issue of the placement
27 decision.

28 (5) The granting of a petition to be heard under this section does
29 not grant the caregiver party status in the underlying dependency.

1 (6) For the purposes of this section, "caregiver" means a relative
2 as defined in RCW 74.15.020(2)(a) except a parent, another suitable
3 person as described in RCW 13.34.130(1)(b), or a licensed foster
4 parent."

5 Correct the title.

EFFECT: Strikes the underlying bill, and establishes a right for
caregivers with whom a child has been placed and resided for twelve
continuous months to petition the court to be heard on the issue of
changing the child's placement.

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