

**E2SSB 5405** - H COMM AMD  
By Committee on Appropriations

NOT ADOPTED 04/16/2013

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

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that the federal  
4 fostering connections to success and increasing adoptions act of 2008  
5 provides important new opportunities to increase the impact of state  
6 funding through maximizing the amount of federal funding available to  
7 promote permanency and positive outcomes for dependent youth.

8 (2) The legislature also finds that children and adolescents who  
9 are legal dependents of Washington state have experienced significant  
10 trauma and loss, putting them at increased risk for poor life outcomes.  
11 Longitudinal research on the adult functioning of former foster youth  
12 indicates a disproportionate likelihood that youth aging out of foster  
13 care and those who spent several years in care will experience poor  
14 outcomes in a variety of areas, including limited human capital upon  
15 which to build economic security and inability to fully take advantage  
16 of secondary and postsecondary educational opportunities, untreated  
17 mental or behavioral health problems, involvement in the criminal  
18 justice and corrections systems, and early parenthood combined with  
19 second-generation child welfare involvement.

20 (3) The legislature further finds that research also demonstrates  
21 that access to adequate and appropriate supports during the period of  
22 transition from foster care to independence can have significant  
23 positive impacts on adult functioning and can improve outcomes relating  
24 to educational attainment and postsecondary enrollment, employment and  
25 earnings, and reduced rates of teen pregnancies.

26 **Sec. 2.** RCW 13.34.030 and 2011 1st sp.s. c 36 s 13 are each  
27 reenacted and amended to read as follows:

28 For purposes of this chapter:

1 (1) "Abandoned" means when the child's parent, guardian, or other  
2 custodian has expressed, either by statement or conduct, an intent to  
3 forego, for an extended period, parental rights or responsibilities  
4 despite an ability to exercise such rights and responsibilities. If  
5 the court finds that the petitioner has exercised due diligence in  
6 attempting to locate the parent, no contact between the child and the  
7 child's parent, guardian, or other custodian for a period of three  
8 months creates a rebuttable presumption of abandonment, even if there  
9 is no expressed intent to abandon.

10 (2) "Child," "juvenile," and "youth" means:

11 (a) Any individual under the age of eighteen years; or

12 (b) Any individual age eighteen to twenty-one years who is eligible  
13 to receive and who elects to receive the extended foster care services  
14 authorized under RCW 74.13.031. A youth who remains dependent and who  
15 receives extended foster care services under RCW 74.13.031 shall not be  
16 considered a "child" under any other statute or for any other purpose.

17 (3) "Current placement episode" means the period of time that  
18 begins with the most recent date that the child was removed from the  
19 home of the parent, guardian, or legal custodian for purposes of  
20 placement in out-of-home care and continues until: (a) The child  
21 returns home; (b) an adoption decree, a permanent custody order, or  
22 guardianship order is entered; or (c) the dependency is dismissed,  
23 whichever occurs first.

24 (4) "Department" means the department of social and health  
25 services.

26 (5) "Dependency guardian" means the person, nonprofit corporation,  
27 or Indian tribe appointed by the court pursuant to this chapter for the  
28 limited purpose of assisting the court in the supervision of the  
29 dependency.

30 (6) "Dependent child" means any child who:

31 (a) Has been abandoned;

32 (b) Is abused or neglected as defined in chapter 26.44 RCW by a  
33 person legally responsible for the care of the child;

34 (c) Has no parent, guardian, or custodian capable of adequately  
35 caring for the child, such that the child is in circumstances which  
36 constitute a danger of substantial damage to the child's psychological  
37 or physical development; or

1 (d) Is receiving extended foster care services, as authorized by  
2 RCW 74.13.031.

3 (7) "Developmental disability" means a disability attributable to  
4 intellectual disability, cerebral palsy, epilepsy, autism, or another  
5 neurological or other condition of an individual found by the secretary  
6 to be closely related to an intellectual disability or to require  
7 treatment similar to that required for individuals with intellectual  
8 disabilities, which disability originates before the individual attains  
9 age eighteen, which has continued or can be expected to continue  
10 indefinitely, and which constitutes a substantial limitation to the  
11 individual.

12 (8) "Extended foster care services" means residential and other  
13 support services the department is authorized to provide under RCW  
14 74.13.031. These services may include placement in licensed, relative,  
15 or otherwise approved care, or supervised independent living settings;  
16 assistance in meeting basic needs; independent living services; medical  
17 assistance; and counseling or treatment.

18 (9) "Guardian" means the person or agency that: (a) Has been  
19 appointed as the guardian of a child in a legal proceeding, including  
20 a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the  
21 legal right to custody of the child pursuant to such appointment. The  
22 term "guardian" does not include a "dependency guardian" appointed  
23 pursuant to a proceeding under this chapter.

24 (10) "Guardian ad litem" means a person, appointed by the court to  
25 represent the best interests of a child in a proceeding under this  
26 chapter, or in any matter which may be consolidated with a proceeding  
27 under this chapter. A "court-appointed special advocate" appointed by  
28 the court to be the guardian ad litem for the child, or to perform  
29 substantially the same duties and functions as a guardian ad litem,  
30 shall be deemed to be guardian ad litem for all purposes and uses of  
31 this chapter.

32 (11) "Guardian ad litem program" means a court-authorized volunteer  
33 program, which is or may be established by the superior court of the  
34 county in which such proceeding is filed, to manage all aspects of  
35 volunteer guardian ad litem representation for children alleged or  
36 found to be dependent. Such management shall include but is not  
37 limited to: Recruitment, screening, training, supervision, assignment,  
38 and discharge of volunteers.

1 (12) "Housing assistance" means appropriate referrals by the  
2 department or other supervising agencies to federal, state, local, or  
3 private agencies or organizations, assistance with forms, applications,  
4 or financial subsidies or other monetary assistance for housing. For  
5 purposes of this chapter, "housing assistance" is not a remedial  
6 service or time-limited family reunification service as described in  
7 RCW 13.34.025(2).

8 (13) "Indigent" means a person who, at any stage of a court  
9 proceeding, is:

10 (a) Receiving one of the following types of public assistance:  
11 Temporary assistance for needy families, aged, blind, or disabled  
12 assistance benefits, medical care services under RCW 74.09.035,  
13 pregnant women assistance benefits, poverty-related veterans' benefits,  
14 food stamps or food stamp benefits transferred electronically, refugee  
15 resettlement benefits, medicaid, or supplemental security income; or

16 (b) Involuntarily committed to a public mental health facility; or

17 (c) Receiving an annual income, after taxes, of one hundred twenty-  
18 five percent or less of the federally established poverty level; or

19 (d) Unable to pay the anticipated cost of counsel for the matter  
20 before the court because his or her available funds are insufficient to  
21 pay any amount for the retention of counsel.

22 (14) "Out-of-home care" means placement in a foster family home or  
23 group care facility licensed pursuant to chapter 74.15 RCW or placement  
24 in a home, other than that of the child's parent, guardian, or legal  
25 custodian, not required to be licensed pursuant to chapter 74.15 RCW.

26 (15) "Preventive services" means preservation services, as defined  
27 in chapter 74.14C RCW, and other reasonably available services,  
28 including housing assistance, capable of preventing the need for out-  
29 of-home placement while protecting the child.

30 (16) "Shelter care" means temporary physical care in a facility  
31 licensed pursuant to RCW 74.15.030 or in a home not required to be  
32 licensed pursuant to RCW 74.15.030.

33 (17) "Sibling" means a child's birth brother, birth sister,  
34 adoptive brother, adoptive sister, half-brother, or half-sister, or as  
35 defined by the law or custom of the Indian child's tribe for an Indian  
36 child as defined in RCW 13.38.040.

37 (18) "Social study" means a written evaluation of matters relevant

1 to the disposition of the case and shall contain the following  
2 information:

3 (a) A statement of the specific harm or harms to the child that  
4 intervention is designed to alleviate;

5 (b) A description of the specific services and activities, for both  
6 the parents and child, that are needed in order to prevent serious harm  
7 to the child; the reasons why such services and activities are likely  
8 to be useful; the availability of any proposed services; and the  
9 agency's overall plan for ensuring that the services will be delivered.  
10 The description shall identify the services chosen and approved by the  
11 parent;

12 (c) If removal is recommended, a full description of the reasons  
13 why the child cannot be protected adequately in the home, including a  
14 description of any previous efforts to work with the parents and the  
15 child in the home; the in-home treatment programs that have been  
16 considered and rejected; the preventive services, including housing  
17 assistance, that have been offered or provided and have failed to  
18 prevent the need for out-of-home placement, unless the health, safety,  
19 and welfare of the child cannot be protected adequately in the home;  
20 and the parents' attitude toward placement of the child;

21 (d) A statement of the likely harms the child will suffer as a  
22 result of removal;

23 (e) A description of the steps that will be taken to minimize the  
24 harm to the child that may result if separation occurs including an  
25 assessment of the child's relationship and emotional bond with any  
26 siblings, and the agency's plan to provide ongoing contact between the  
27 child and the child's siblings if appropriate; and

28 (f) Behavior that will be expected before determination that  
29 supervision of the family or placement is no longer necessary.

30 (19) "Supervising agency" means an agency licensed by the state  
31 under RCW 74.15.090, or licensed by a federally recognized Indian tribe  
32 located in this state under RCW 74.15.190, that has entered into a  
33 performance-based contract with the department to provide case  
34 management for the delivery and documentation of child welfare services  
35 as defined in RCW 74.13.020.

36 (20) "Nonminor dependent" means any individual age eighteen to  
37 twenty-one years for whom there was an open dependency proceeding at  
38 the time that he or she reached the age of eighteen years, or who is

1 released from the juvenile rehabilitation administration and had an  
2 open dependency proceeding at the time of his or her commitment, and  
3 who meets the eligibility requirements for extended foster care  
4 services authorized under RCW 74.13.031.

5 (21) "Supervised independent living" includes, but is not limited  
6 to, apartment living, room and board arrangements, college or  
7 university dormitories, and shared roommate settings.

8 **Sec. 3.** RCW 13.34.145 and 2011 c 330 s 6 are each amended to read  
9 as follows:

10 (1) The purpose of a permanency planning hearing is to review the  
11 permanency plan for the child, inquire into the welfare of the child  
12 and progress of the case, and reach decisions regarding the permanent  
13 placement of the child.

14 (a) A permanency planning hearing shall be held in all cases where  
15 the child has remained in out-of-home care for at least nine months and  
16 an adoption decree, guardianship order, or permanent custody order has  
17 not previously been entered. The hearing shall take place no later  
18 than twelve months following commencement of the current placement  
19 episode.

20 (b) Whenever a child is removed from the home of a dependency  
21 guardian or long-term relative or foster care provider, and the child  
22 is not returned to the home of the parent, guardian, or legal custodian  
23 but is placed in out-of-home care, a permanency planning hearing shall  
24 take place no later than twelve months, as provided in this section,  
25 following the date of removal unless, prior to the hearing, the child  
26 returns to the home of the dependency guardian or long-term care  
27 provider, the child is placed in the home of the parent, guardian, or  
28 legal custodian, an adoption decree, guardianship order, or a permanent  
29 custody order is entered, or the dependency is dismissed. Every effort  
30 shall be made to provide stability in long-term placement, and to avoid  
31 disruption of placement, unless the child is being returned home or it  
32 is in the best interest of the child.

33 (c) Permanency planning goals should be achieved at the earliest  
34 possible date, preferably before the child has been in out-of-home care  
35 for fifteen months. In cases where parental rights have been  
36 terminated, the child is legally free for adoption, and adoption has

1 been identified as the primary permanency planning goal, it shall be a  
2 goal to complete the adoption within six months following entry of the  
3 termination order.

4 (2) No later than ten working days prior to the permanency planning  
5 hearing, the agency having custody of the child shall submit a written  
6 permanency plan to the court and shall mail a copy of the plan to all  
7 parties and their legal counsel, if any.

8 (3) When the youth is at least age seventeen years but not older  
9 than seventeen years and six months, the department shall provide the  
10 youth with written documentation which explains the availability of  
11 extended foster care services and detailed instructions regarding how  
12 the youth may access such services after he or she reaches age eighteen  
13 years.

14 (4) At the permanency planning hearing, the court shall conduct the  
15 following inquiry:

16 (a) If a goal of long-term foster or relative care has been  
17 achieved prior to the permanency planning hearing, the court shall  
18 review the child's status to determine whether the placement and the  
19 plan for the child's care remain appropriate.

20 (b) In cases where the primary permanency planning goal has not  
21 been achieved, the court shall inquire regarding the reasons why the  
22 primary goal has not been achieved and determine what needs to be done  
23 to make it possible to achieve the primary goal. The court shall  
24 review the permanency plan prepared by the agency and make explicit  
25 findings regarding each of the following:

26 (i) The continuing necessity for, and the safety and  
27 appropriateness of, the placement;

28 (ii) The extent of compliance with the permanency plan by the  
29 department or supervising agency and any other service providers, the  
30 child's parents, the child, and the child's guardian, if any;

31 (iii) The extent of any efforts to involve appropriate service  
32 providers in addition to department or supervising agency staff in  
33 planning to meet the special needs of the child and the child's  
34 parents;

35 (iv) The progress toward eliminating the causes for the child's  
36 placement outside of his or her home and toward returning the child  
37 safely to his or her home or obtaining a permanent placement for the  
38 child;

1 (v) The date by which it is likely that the child will be returned  
2 to his or her home or placed for adoption, with a guardian or in some  
3 other alternative permanent placement; and

4 (vi) If the child has been placed outside of his or her home for  
5 fifteen of the most recent twenty-two months, not including any period  
6 during which the child was a runaway from the out-of-home placement or  
7 the first six months of any period during which the child was returned  
8 to his or her home for a trial home visit, the appropriateness of the  
9 permanency plan, whether reasonable efforts were made by the department  
10 or supervising agency to achieve the goal of the permanency plan, and  
11 the circumstances which prevent the child from any of the following:

12 (A) Being returned safely to his or her home;

13 (B) Having a petition for the involuntary termination of parental  
14 rights filed on behalf of the child;

15 (C) Being placed for adoption;

16 (D) Being placed with a guardian;

17 (E) Being placed in the home of a fit and willing relative of the  
18 child; or

19 (F) Being placed in some other alternative permanent placement,  
20 including independent living or long-term foster care.

21 At this hearing, the court shall order the department or  
22 supervising agency to file a petition seeking termination of parental  
23 rights if the child has been in out-of-home care for fifteen of the  
24 last twenty-two months since the date the dependency petition was filed  
25 unless the court makes a good cause exception as to why the filing of  
26 a termination of parental rights petition is not appropriate. Any good  
27 cause finding shall be reviewed at all subsequent hearings pertaining  
28 to the child. For purposes of this section, "good cause exception"  
29 includes but is not limited to the following: The child is being cared  
30 for by a relative; the department has not provided to the child's  
31 family such services as the court and the department have deemed  
32 necessary for the child's safe return home; or the department has  
33 documented in the case plan a compelling reason for determining that  
34 filing a petition to terminate parental rights would not be in the  
35 child's best interests.

36 (c)(i) If the permanency plan identifies independent living as a  
37 goal, the court shall make a finding that the provision of services to  
38 assist the child in making a transition from foster care to independent



1 living will allow the child to manage his or her financial, personal,  
2 social, educational, and nonfinancial affairs prior to approving  
3 independent living as a permanency plan of care. The court will  
4 inquire whether the child has been provided information about extended  
5 foster care services.

6 (ii) The permanency plan shall also specifically identify the  
7 services, including extended foster care services, where appropriate,  
8 that will be provided to assist the child to make a successful  
9 transition from foster care to independent living.

10 (iii) The department or supervising agency shall not discharge a  
11 child to an independent living situation before the child is eighteen  
12 years of age unless the child becomes emancipated pursuant to chapter  
13 13.64 RCW.

14 (d) If the child has resided in the home of a foster parent or  
15 relative for more than six months prior to the permanency planning  
16 hearing, the court shall:

17 (i) Enter a finding regarding whether the foster parent or relative  
18 was informed of the hearing as required in RCW 74.13.280, 13.34.215(6),  
19 and 13.34.096; and

20 (ii) If the department or supervising agency is recommending a  
21 placement other than the child's current placement with a foster  
22 parent, relative, or other suitable person, enter a finding as to the  
23 reasons for the recommendation for a change in placement.

24 (~~(4)~~) (5) In all cases, at the permanency planning hearing, the  
25 court shall:

26 (a)(i) Order the permanency plan prepared by the supervising agency  
27 to be implemented; or

28 (ii) Modify the permanency plan, and order implementation of the  
29 modified plan; and

30 (b)(i) Order the child returned home only if the court finds that  
31 a reason for removal as set forth in RCW 13.34.130 no longer exists; or

32 (ii) Order the child to remain in out-of-home care for a limited  
33 specified time period while efforts are made to implement the  
34 permanency plan.

35 (~~(5)~~) (6) Following the first permanency planning hearing, the  
36 court shall hold a further permanency planning hearing in accordance  
37 with this section at least once every twelve months until a permanency

1 planning goal is achieved or the dependency is dismissed, whichever  
2 occurs first.

3 ~~((+6))~~ (7) Prior to the second permanency planning hearing, the  
4 agency that has custody of the child shall consider whether to file a  
5 petition for termination of parental rights.

6 ~~((+7))~~ (8) If the court orders the child returned home, casework  
7 supervision by the department or supervising agency shall continue for  
8 at least six months, at which time a review hearing shall be held  
9 pursuant to RCW 13.34.138, and the court shall determine the need for  
10 continued intervention.

11 ~~((+8))~~ (9) The juvenile court may hear a petition for permanent  
12 legal custody when: (a) The court has ordered implementation of a  
13 permanency plan that includes permanent legal custody; and (b) the  
14 party pursuing the permanent legal custody is the party identified in  
15 the permanency plan as the prospective legal custodian. During the  
16 pendency of such proceeding, the court shall conduct review hearings  
17 and further permanency planning hearings as provided in this chapter.  
18 At the conclusion of the legal guardianship or permanent legal custody  
19 proceeding, a juvenile court hearing shall be held for the purpose of  
20 determining whether dependency should be dismissed. If a guardianship  
21 or permanent custody order has been entered, the dependency shall be  
22 dismissed.

23 ~~((+9))~~ (10) Continued juvenile court jurisdiction under this  
24 chapter shall not be a barrier to the entry of an order establishing a  
25 legal guardianship or permanent legal custody when the requirements of  
26 subsection ~~((+8))~~ (9) of this section are met.

27 ~~((+10))~~ (11) Nothing in this chapter may be construed to limit the  
28 ability of the agency that has custody of the child to file a petition  
29 for termination of parental rights or a guardianship petition at any  
30 time following the establishment of dependency. Upon the filing of  
31 such a petition, a fact-finding hearing shall be scheduled and held in  
32 accordance with this chapter unless the department or supervising  
33 agency requests dismissal of the petition prior to the hearing or  
34 unless the parties enter an agreed order terminating parental rights,  
35 establishing guardianship, or otherwise resolving the matter.

36 ~~((+11))~~ (12) The approval of a permanency plan that does not  
37 contemplate return of the child to the parent does not relieve the  
38 supervising agency of its obligation to provide reasonable services,

1 under this chapter, intended to effectuate the return of the child to  
2 the parent, including but not limited to, visitation rights. The court  
3 shall consider the child's relationships with siblings in accordance  
4 with RCW 13.34.130.

5 ~~((12))~~ (13) Nothing in this chapter may be construed to limit the  
6 procedural due process rights of any party in a termination or  
7 guardianship proceeding filed under this chapter.

8 **Sec. 4.** RCW 13.34.267 and 2012 c 52 s 4 are each amended to read  
9 as follows:

10 (1) In order to facilitate the delivery of extended foster care  
11 services, the court shall postpone for six months the dismissal of a  
12 dependency proceeding for any ~~((child))~~ youth who is a dependent child  
13 in foster care at the age of eighteen years and who, at the time of his  
14 or her eighteenth birthday, is:

15 (a) Enrolled in a secondary education program or a secondary  
16 education equivalency program; ~~((or))~~

17 (b) Enrolled and participating in a postsecondary academic or  
18 postsecondary vocational program, or has applied for and can  
19 demonstrate that he or she intends to timely enroll in a postsecondary  
20 academic or postsecondary vocational program; or

21 (c) Participating in a program or activity designed to promote  
22 employment or remove barriers to employment.

23 (2)(a) The six-month postponement under this subsection is intended  
24 to allow a reasonable window of opportunity for an eligible youth who  
25 reaches the age of eighteen to request extended foster care services  
26 from the department or supervising agency. The court shall dismiss the  
27 dependency if the youth:

28 (i) Has not requested extended foster care services from the  
29 department by the end of the six-month period; or

30 (ii) Is no longer eligible for extended foster care services under  
31 RCW 74.13.031(10) at any point during the six-month period.

32 (b) Until the youth requests to participate in the extended foster  
33 care program, the department is relieved of any supervisory  
34 responsibility for the youth.

35 ~~((A youth who participates in extended foster care while~~  
36 ~~completing a secondary education or equivalency program may continue to~~  
37 ~~receive extended foster care services for the purpose of participating~~

1 ~~in a postsecondary academic or postsecondary vocational education~~  
2 ~~program if, at the time the secondary education or equivalency program~~  
3 ~~is completed, the youth has applied to and can demonstrate that he or~~  
4 ~~she intends to timely enroll in a postsecondary academic or vocational~~  
5 ~~education program. The dependency shall be dismissed if the youth~~  
6 ~~fails to timely enroll or continue in the postsecondary program, or~~  
7 ~~reaches age twenty one, whichever is earlier.~~

8 ((4)) A youth receiving extended foster care services is a party to  
9 the dependency proceeding. The youth's parent or guardian shall be  
10 dismissed from the dependency proceeding when the youth reaches the age  
11 of eighteen years.

12 ((+5)) (4) The court shall order a youth participating in extended  
13 foster care services to be under the placement and care authority of  
14 the department, subject to the youth's continuing agreement to  
15 participate in extended foster care services. The department may  
16 establish foster care rates appropriate to the needs of the youth  
17 participating in extended foster care services.

18 ((+6)) (5) The court shall appoint counsel to represent a youth,  
19 as defined in RCW 13.34.030(2)(b), in dependency proceedings under this  
20 section.

21 ((+7)) (6) The case plan for and delivery of services to a youth  
22 receiving extended foster care services is subject to the review  
23 requirements set forth in RCW 13.34.138 and 13.34.145, and should be  
24 applied in a developmentally appropriate manner, as they relate to  
25 youth age eighteen to twenty-one years. Additionally, the court shall  
26 consider:

27 (a) Whether the youth is safe in his or her placement;

28 (b) Whether the youth continues to be eligible for extended foster  
29 care services;

30 (c) Whether the current placement is developmentally appropriate  
31 for the youth;

32 (d) The youth's development of independent living skills; and

33 (e) The youth's overall progress toward transitioning to full  
34 independence and the projected date for achieving such transition.

35 ((+8)) (7) Prior to the review hearing, the youth's attorney shall  
36 indicate whether there are any contested issues and may provide  
37 additional information necessary for the court's review.

1 ((+9)) (8) Upon the request of the youth, or when the youth is no  
2 longer eligible to receive extended foster care services according to  
3 rules adopted by the department, the court shall dismiss the  
4 dependency.

5 **Sec. 5.** RCW 74.13.020 and 2012 c 205 s 12 are each amended to read  
6 as follows:

7 For purposes of this chapter:

8 (1) "Case management" means convening family meetings, developing,  
9 revising, and monitoring implementation of any case plan or individual  
10 service and safety plan, coordinating and monitoring services needed by  
11 the child and family, caseworker-child visits, family visits, and the  
12 assumption of court-related duties, excluding legal representation,  
13 including preparing court reports, attending judicial hearings and  
14 permanency hearings, and ensuring that the child is progressing toward  
15 permanency within state and federal mandates, including the Indian  
16 child welfare act.

17 (2) "Child" means:

18 (a) A person less than eighteen years of age; or

19 (b) A person age eighteen to twenty-one years who is eligible to  
20 receive the extended foster care services authorized under RCW  
21 74.13.031.

22 (3) "Child protective services" has the same meaning as in RCW  
23 26.44.020.

24 (4) "Child welfare services" means social services including  
25 voluntary and in-home services, out-of-home care, case management, and  
26 adoption services which strengthen, supplement, or substitute for,  
27 parental care and supervision for the purpose of:

28 (a) Preventing or remedying, or assisting in the solution of  
29 problems which may result in families in conflict, or the neglect,  
30 abuse, exploitation, or criminal behavior of children;

31 (b) Protecting and caring for dependent, abused, or neglected  
32 children;

33 (c) Assisting children who are in conflict with their parents, and  
34 assisting parents who are in conflict with their children, with  
35 services designed to resolve such conflicts;

36 (d) Protecting and promoting the welfare of children, including the  
37 strengthening of their own homes where possible, or, where needed;

1 (e) Providing adequate care of children away from their homes in  
2 foster family homes or day care or other child care agencies or  
3 facilities.

4 "Child welfare services" does not include child protection  
5 services.

6 (5) "Committee" means the child welfare transformation design  
7 committee.

8 (6) "Department" means the department of social and health  
9 services.

10 (7) "Extended foster care services" means residential and other  
11 support services the department is authorized to provide to foster  
12 children. These services may include(~~(, but are not limited to,)~~)  
13 placement in licensed, relative, or otherwise approved care, or  
14 supervised independent living settings; assistance in meeting basic  
15 needs; independent living services; medical assistance; and counseling  
16 or treatment.

17 (8) "Measurable effects" means a statistically significant change  
18 which occurs as a result of the service or services a supervising  
19 agency is assigned in a performance-based contract, in time periods  
20 established in the contract.

21 (9) "Out-of-home care services" means services provided after the  
22 shelter care hearing to or for children in out-of-home care, as that  
23 term is defined in RCW 13.34.030, and their families, including the  
24 recruitment, training, and management of foster parents, the  
25 recruitment of adoptive families, and the facilitation of the adoption  
26 process, family reunification, independent living, emergency shelter,  
27 residential group care, and foster care, including relative placement.

28 (10) "Performance-based contracting" means the structuring of all  
29 aspects of the procurement of services around the purpose of the work  
30 to be performed and the desired results with the contract requirements  
31 set forth in clear, specific, and objective terms with measurable  
32 outcomes. Contracts shall also include provisions that link the  
33 performance of the contractor to the level and timing of reimbursement.

34 (11) "Permanency services" means long-term services provided to  
35 secure a child's safety, permanency, and well-being, including foster  
36 care services, family reunification services, adoption services, and  
37 preparation for independent living services.

1 (12) "Primary prevention services" means services which are  
2 designed and delivered for the primary purpose of enhancing child and  
3 family well-being and are shown, by analysis of outcomes, to reduce the  
4 risk to the likelihood of the initial need for child welfare services.

5 (13) "Supervising agency" means an agency licensed by the state  
6 under RCW 74.15.090, or licensed by a federally recognized Indian tribe  
7 located in this state under RCW 74.15.190, that has entered into a  
8 performance-based contract with the department to provide case  
9 management for the delivery and documentation of child welfare  
10 services, as defined in this section. This definition is applicable on  
11 or after December 30, 2015.

12 (14) "Nonminor dependent" means any individual age eighteen to  
13 twenty-one years for whom there was an open dependency proceeding at  
14 the time that he or she reached the age of eighteen years, or who is  
15 released from the juvenile rehabilitation administration and had an  
16 open dependency proceeding at the time of his or her commitment, and  
17 who meets the eligibility requirements for extended foster care  
18 services authorized under RCW 74.13.031.

19 (15) "Supervised independent living" includes, but is not limited  
20 to, apartment living, room and board arrangements, college or  
21 university dormitories, and shared roommate settings.

22 **Sec. 6.** RCW 74.13.020 and 2012 c 259 s 7 and 2012 c 205 s 12 are  
23 each reenacted and amended to read as follows:

24 For purposes of this chapter:

25 (1) "Case management" means convening family meetings, developing,  
26 revising, and monitoring implementation of any case plan or individual  
27 service and safety plan, coordinating and monitoring services needed by  
28 the child and family, caseworker-child visits, family visits, and the  
29 assumption of court-related duties, excluding legal representation,  
30 including preparing court reports, attending judicial hearings and  
31 permanency hearings, and ensuring that the child is progressing toward  
32 permanency within state and federal mandates, including the Indian  
33 child welfare act.

34 (2) "Child" means:

35 (a) A person less than eighteen years of age; or

36 (b) A person age eighteen to twenty-one years who is eligible to

1 receive the extended foster care services authorized under RCW  
2 74.13.031.

3 (3) "Child protective services" has the same meaning as in RCW  
4 26.44.020.

5 (4) "Child welfare services" means social services including  
6 voluntary and in-home services, out-of-home care, case management, and  
7 adoption services which strengthen, supplement, or substitute for,  
8 parental care and supervision for the purpose of:

9 (a) Preventing or remedying, or assisting in the solution of  
10 problems which may result in families in conflict, or the neglect,  
11 abuse, exploitation, or criminal behavior of children;

12 (b) Protecting and caring for dependent, abused, or neglected  
13 children;

14 (c) Assisting children who are in conflict with their parents, and  
15 assisting parents who are in conflict with their children, with  
16 services designed to resolve such conflicts;

17 (d) Protecting and promoting the welfare of children, including the  
18 strengthening of their own homes where possible, or, where needed;

19 (e) Providing adequate care of children away from their homes in  
20 foster family homes or day care or other child care agencies or  
21 facilities.

22 "Child welfare services" does not include child protection  
23 services.

24 (5) "Committee" means the child welfare transformation design  
25 committee.

26 (6) "Department" means the department of social and health  
27 services.

28 (7) "Extended foster care services" means residential and other  
29 support services the department is authorized to provide to foster  
30 children. These services include, but are not limited to, placement in  
31 licensed, relative, or otherwise approved care, or supervised  
32 independent living settings; assistance in meeting basic needs;  
33 independent living services; medical assistance; and counseling or  
34 treatment.

35 (8) "Family assessment" means a comprehensive assessment of child  
36 safety, risk of subsequent child abuse or neglect, and family strengths  
37 and needs that is applied to a child abuse or neglect report. Family  
38 assessment does not include a determination as to whether child abuse



1 or neglect occurred, but does determine the need for services to  
2 address the safety of the child and the risk of subsequent  
3 maltreatment.

4 (9) "Measurable effects" means a statistically significant change  
5 which occurs as a result of the service or services a supervising  
6 agency is assigned in a performance-based contract, in time periods  
7 established in the contract.

8 (10) "Out-of-home care services" means services provided after the  
9 shelter care hearing to or for children in out-of-home care, as that  
10 term is defined in RCW 13.34.030, and their families, including the  
11 recruitment, training, and management of foster parents, the  
12 recruitment of adoptive families, and the facilitation of the adoption  
13 process, family reunification, independent living, emergency shelter,  
14 residential group care, and foster care, including relative placement.

15 (11) "Performance-based contracting" means the structuring of all  
16 aspects of the procurement of services around the purpose of the work  
17 to be performed and the desired results with the contract requirements  
18 set forth in clear, specific, and objective terms with measurable  
19 outcomes. Contracts shall also include provisions that link the  
20 performance of the contractor to the level and timing of reimbursement.

21 (12) "Permanency services" means long-term services provided to  
22 secure a child's safety, permanency, and well-being, including foster  
23 care services, family reunification services, adoption services, and  
24 preparation for independent living services.

25 (13) "Primary prevention services" means services which are  
26 designed and delivered for the primary purpose of enhancing child and  
27 family well-being and are shown, by analysis of outcomes, to reduce the  
28 risk to the likelihood of the initial need for child welfare services.

29 (14) "Supervising agency" means an agency licensed by the state  
30 under RCW 74.15.090, or licensed by a federally recognized Indian tribe  
31 located in this state under RCW 74.15.190, that has entered into a  
32 performance-based contract with the department to provide case  
33 management for the delivery and documentation of child welfare  
34 services, as defined in this section. This definition is applicable on  
35 or after December 30, 2015.

36 (15) "Nonminor dependent" means any individual age eighteen to  
37 twenty-one years for whom there was an open dependency proceeding at  
38 the time that he or she reached the age of eighteen years, or who is

1 released from the juvenile rehabilitation administration and had an  
2 open dependency proceeding at the time of his or her commitment, and  
3 who meets the eligibility requirements for extended foster care  
4 services authorized under RCW 74.13.031.

5 (16) "Supervised independent living" includes, but is not limited  
6 to, apartment living, room and board arrangements, college or  
7 university dormitories, and shared roommate settings.

8 **Sec. 7.** RCW 74.13.031 and 2012 c 52 s 2 are each amended to read  
9 as follows:

10 (1) The department and supervising agencies shall develop,  
11 administer, supervise, and monitor a coordinated and comprehensive plan  
12 that establishes, aids, and strengthens services for the protection and  
13 care of runaway, dependent, or neglected children.

14 (2) Within available resources, the department and supervising  
15 agencies shall recruit an adequate number of prospective adoptive and  
16 foster homes, both regular and specialized, i.e. homes for children of  
17 ethnic minority, including Indian homes for Indian children, sibling  
18 groups, handicapped and emotionally disturbed, teens, pregnant and  
19 parenting teens, and the department shall annually report to the  
20 governor and the legislature concerning the department's and  
21 supervising agency's success in: (a) Meeting the need for adoptive and  
22 foster home placements; (b) reducing the foster parent turnover rate;  
23 (c) completing home studies for legally free children; and (d)  
24 implementing and operating the passport program required by RCW  
25 74.13.285. The report shall include a section entitled "Foster Home  
26 Turn-Over, Causes and Recommendations."

27 (3) The department shall investigate complaints of any recent act  
28 or failure to act on the part of a parent or caretaker that results in  
29 death, serious physical or emotional harm, or sexual abuse or  
30 exploitation, or that presents an imminent risk of serious harm, and on  
31 the basis of the findings of such investigation, offer child welfare  
32 services in relation to the problem to such parents, legal custodians,  
33 or persons serving in loco parentis, and/or bring the situation to the  
34 attention of an appropriate court, or another community agency. An  
35 investigation is not required of nonaccidental injuries which are  
36 clearly not the result of a lack of care or supervision by the child's  
37 parents, legal custodians, or persons serving in loco parentis. If the

1 investigation reveals that a crime against a child may have been  
2 committed, the department shall notify the appropriate law enforcement  
3 agency.

4 (4) The department or supervising agencies shall offer, on a  
5 voluntary basis, family reconciliation services to families who are in  
6 conflict.

7 (5) The department or supervising agencies shall monitor placements  
8 of children in out-of-home care and in-home dependencies to assure the  
9 safety, well-being, and quality of care being provided is within the  
10 scope of the intent of the legislature as defined in RCW 74.13.010 and  
11 74.15.010. Under this section children in out-of-home care and in-home  
12 dependencies and their caregivers shall receive a private and  
13 individual face-to-face visit each month. The department and the  
14 supervising agencies shall randomly select no less than ten percent of  
15 the caregivers currently providing care to receive one unannounced  
16 face-to-face visit in the caregiver's home per year. No caregiver will  
17 receive an unannounced visit through the random selection process for  
18 two consecutive years. If the caseworker makes a good faith effort to  
19 conduct the unannounced visit to a caregiver and is unable to do so,  
20 that month's visit to that caregiver need not be unannounced. The  
21 department and supervising agencies are encouraged to group monthly  
22 visits to caregivers by geographic area so that in the event an  
23 unannounced visit cannot be completed, the caseworker may complete  
24 other required monthly visits. The department shall use a method of  
25 random selection that does not cause a fiscal impact to the department.

26 The department or supervising agencies shall conduct the monthly  
27 visits with children and caregivers to whom it is providing child  
28 welfare services.

29 (6) The department and supervising agencies shall have authority to  
30 accept custody of children from parents and to accept custody of  
31 children from juvenile courts, where authorized to do so under law, to  
32 provide child welfare services including placement for adoption, to  
33 provide for the routine and necessary medical, dental, and mental  
34 health care, or necessary emergency care of the children, and to  
35 provide for the physical care of such children and make payment of  
36 maintenance costs if needed. Except where required by Public Law 95-  
37 608 (25 U.S.C. Sec. 1915), no private adoption agency which receives

1 children for adoption from the department shall discriminate on the  
2 basis of race, creed, or color when considering applications in their  
3 placement for adoption.

4 (7) The department and supervising agency shall have authority to  
5 provide temporary shelter to children who have run away from home and  
6 who are admitted to crisis residential centers.

7 (8) The department and supervising agency shall have authority to  
8 purchase care for children.

9 (9) The department shall establish a children's services advisory  
10 committee with sufficient members representing supervising agencies  
11 which shall assist the secretary in the development of a partnership  
12 plan for utilizing resources of the public and private sectors, and  
13 advise on all matters pertaining to child welfare, licensing of child  
14 care agencies, adoption, and services related thereto. At least one  
15 member shall represent the adoption community.

16 (10)(a) The department and supervising agencies shall (~~have~~  
17 ~~authority to~~) provide continued extended foster care services to  
18 (~~youth ages eighteen to twenty-one years to participate in or~~  
19 ~~complete~~) nonminor dependents who are:

20 (i) Enrolled in a secondary education program or a secondary  
21 education equivalency program(~~, or~~);

22 (ii) Enrolled and participating in a postsecondary academic or  
23 postsecondary vocational education program; or

24 (iii) Participating in a program or activity designed to promote  
25 employment or remove barriers to employment.

26 (b) The nonminor dependent must have an open dependency proceeding  
27 at the time that he or she reaches age eighteen years, and the nonminor  
28 dependent must request extended foster care services before reaching  
29 age eighteen years and six months.

30 (c) The department shall develop and implement rules regarding  
31 youth eligibility requirements.

32 (11) The department shall have authority to provide adoption  
33 support benefits, or relative guardianship subsidies on behalf of youth  
34 ages eighteen to twenty-one years who achieved permanency through  
35 adoption or a relative guardianship at age sixteen or older and who  
36 meet the criteria described in subsection (10) of this section.

37 (12) The department shall refer cases to the division of child  
38 support whenever state or federal funds are expended for the care and

1 maintenance of a child, including a child with a developmental  
2 disability who is placed as a result of an action under chapter 13.34  
3 RCW, unless the department finds that there is good cause not to pursue  
4 collection of child support against the parent or parents of the child.  
5 Cases involving individuals age eighteen through twenty shall not be  
6 referred to the division of child support unless required by federal  
7 law.

8 (13) The department and supervising agencies shall have authority  
9 within funds appropriated for foster care services to purchase care for  
10 Indian children who are in the custody of a federally recognized Indian  
11 tribe or tribally licensed child-placing agency pursuant to parental  
12 consent, tribal court order, or state juvenile court order; and the  
13 purchase of such care shall be subject to the same eligibility  
14 standards and rates of support applicable to other children for whom  
15 the department purchases care.

16 Notwithstanding any other provision of RCW 13.32A.170 through  
17 13.32A.200 and 74.13.032 through 74.13.036, or of this section all  
18 services to be provided by the department under subsections (4), (6),  
19 and (7) of this section, subject to the limitations of these  
20 subsections, may be provided by any program offering such services  
21 funded pursuant to Titles II and III of the federal juvenile justice  
22 and delinquency prevention act of 1974.

23 (14) Within amounts appropriated for this specific purpose, the  
24 supervising agency or department shall provide preventive services to  
25 families with children that prevent or shorten the duration of an out-  
26 of-home placement.

27 (15) The department and supervising agencies shall have authority  
28 to provide independent living services to youths, including individuals  
29 who have attained eighteen years of age, and have not attained twenty-  
30 one years of age who are or have been in foster care.

31 (16) The department and supervising agencies shall consult at least  
32 quarterly with foster parents, including members of the foster parent  
33 association of Washington state, for the purpose of receiving  
34 information and comment regarding how the department and supervising  
35 agencies are performing the duties and meeting the obligations  
36 specified in this section and RCW 74.13.250 and 74.13.320 regarding the  
37 recruitment of foster homes, reducing foster parent turnover rates,  
38 providing effective training for foster parents, and administering a

1 coordinated and comprehensive plan that strengthens services for the  
2 protection of children. Consultation shall occur at the regional and  
3 statewide levels.

4 (17)(a) The department shall, within current funding levels, place  
5 on its public web site a document listing the duties and  
6 responsibilities the department has to a child subject to a dependency  
7 petition including, but not limited to, the following:

8 (i) Reasonable efforts, including the provision of services, toward  
9 reunification of the child with his or her family;

10 (ii) Sibling visits subject to the restrictions in RCW  
11 13.34.136(2)(b)(ii);

12 (iii) Parent-child visits;

13 (iv) Statutory preference for placement with a relative or other  
14 suitable person, if appropriate; and

15 (v) Statutory preference for an out-of-home placement that allows  
16 the child to remain in the same school or school district, if practical  
17 and in the child's best interests.

18 (b) The document must be prepared in conjunction with a community-  
19 based organization and must be updated as needed.

20 **Sec. 8.** RCW 74.13.031 and 2012 c 259 s 8 and 2012 c 52 s 2 are  
21 each reenacted and amended to read as follows:

22 (1) The department and supervising agencies shall develop,  
23 administer, supervise, and monitor a coordinated and comprehensive plan  
24 that establishes, aids, and strengthens services for the protection and  
25 care of runaway, dependent, or neglected children.

26 (2) Within available resources, the department and supervising  
27 agencies shall recruit an adequate number of prospective adoptive and  
28 foster homes, both regular and specialized, i.e. homes for children of  
29 ethnic minority, including Indian homes for Indian children, sibling  
30 groups, handicapped and emotionally disturbed, teens, pregnant and  
31 parenting teens, and the department shall annually report to the  
32 governor and the legislature concerning the department's and  
33 supervising agency's success in: (a) Meeting the need for adoptive and  
34 foster home placements; (b) reducing the foster parent turnover rate;  
35 (c) completing home studies for legally free children; and (d)  
36 implementing and operating the passport program required by RCW

1 74.13.285. The report shall include a section entitled "Foster Home  
2 Turn-Over, Causes and Recommendations."

3 (3) The department shall investigate complaints of any recent act  
4 or failure to act on the part of a parent or caretaker that results in  
5 death, serious physical or emotional harm, or sexual abuse or  
6 exploitation, or that presents an imminent risk of serious harm, and on  
7 the basis of the findings of such investigation, offer child welfare  
8 services in relation to the problem to such parents, legal custodians,  
9 or persons serving in loco parentis, and/or bring the situation to the  
10 attention of an appropriate court, or another community agency. An  
11 investigation is not required of nonaccidental injuries which are  
12 clearly not the result of a lack of care or supervision by the child's  
13 parents, legal custodians, or persons serving in loco parentis. If the  
14 investigation reveals that a crime against a child may have been  
15 committed, the department shall notify the appropriate law enforcement  
16 agency.

17 (4) As provided in RCW 26.44.030(11), the department may respond to  
18 a report of child abuse or neglect by using the family assessment  
19 response.

20 (5) The department or supervising agencies shall offer, on a  
21 voluntary basis, family reconciliation services to families who are in  
22 conflict.

23 (6) The department or supervising agencies shall monitor placements  
24 of children in out-of-home care and in-home dependencies to assure the  
25 safety, well-being, and quality of care being provided is within the  
26 scope of the intent of the legislature as defined in RCW 74.13.010 and  
27 74.15.010. Under this section children in out-of-home care and in-home  
28 dependencies and their caregivers shall receive a private and  
29 individual face-to-face visit each month. The department and the  
30 supervising agencies shall randomly select no less than ten percent of  
31 the caregivers currently providing care to receive one unannounced  
32 face-to-face visit in the caregiver's home per year. No caregiver will  
33 receive an unannounced visit through the random selection process for  
34 two consecutive years. If the caseworker makes a good faith effort to  
35 conduct the unannounced visit to a caregiver and is unable to do so,  
36 that month's visit to that caregiver need not be unannounced. The  
37 department and supervising agencies are encouraged to group monthly  
38 visits to caregivers by geographic area so that in the event an

1 unannounced visit cannot be completed, the caseworker may complete  
2 other required monthly visits. The department shall use a method of  
3 random selection that does not cause a fiscal impact to the department.

4 The department or supervising agencies shall conduct the monthly  
5 visits with children and caregivers to whom it is providing child  
6 welfare services.

7 (7) The department and supervising agencies shall have authority to  
8 accept custody of children from parents and to accept custody of  
9 children from juvenile courts, where authorized to do so under law, to  
10 provide child welfare services including placement for adoption, to  
11 provide for the routine and necessary medical, dental, and mental  
12 health care, or necessary emergency care of the children, and to  
13 provide for the physical care of such children and make payment of  
14 maintenance costs if needed. Except where required by Public Law 95-  
15 608 (25 U.S.C. Sec. 1915), no private adoption agency which receives  
16 children for adoption from the department shall discriminate on the  
17 basis of race, creed, or color when considering applications in their  
18 placement for adoption.

19 (8) The department and supervising agency shall have authority to  
20 provide temporary shelter to children who have run away from home and  
21 who are admitted to crisis residential centers.

22 (9) The department and supervising agency shall have authority to  
23 purchase care for children.

24 (10) The department shall establish a children's services advisory  
25 committee with sufficient members representing supervising agencies  
26 which shall assist the secretary in the development of a partnership  
27 plan for utilizing resources of the public and private sectors, and  
28 advise on all matters pertaining to child welfare, licensing of child  
29 care agencies, adoption, and services related thereto. At least one  
30 member shall represent the adoption community.

31 (11)~~(a)~~ The department and supervising agencies shall ~~((have~~  
32 ~~authority to))~~ provide continued extended foster care services to  
33 ~~((youth ages eighteen to twenty one years to participate in or~~  
34 ~~complete))~~ nonminor dependents who are:

35 (i) Enrolled in a secondary education program or a secondary  
36 education equivalency program~~((, or))~~;

37 (ii) Enrolled and participating in a postsecondary academic or  
38 postsecondary vocational education program; or



1        (iii) Participating in a program or activity designed to promote  
2 employment or remove barriers to employment.

3        (b) The nonminor dependent must have an open dependency proceeding  
4 at the time that he or she reaches age eighteen years, and the nonminor  
5 dependent must request extended foster care services before reaching  
6 age eighteen years and six months.

7        (c) The department shall develop and implement rules regarding  
8 youth eligibility requirements.

9        (12) The department shall have authority to provide adoption  
10 support benefits, or relative guardianship subsidies on behalf of youth  
11 ages eighteen to twenty-one years who achieved permanency through  
12 adoption or a relative guardianship at age sixteen or older and who  
13 meet the criteria described in subsection (11) of this section.

14        (13) The department shall refer cases to the division of child  
15 support whenever state or federal funds are expended for the care and  
16 maintenance of a child, including a child with a developmental  
17 disability who is placed as a result of an action under chapter 13.34  
18 RCW, unless the department finds that there is good cause not to pursue  
19 collection of child support against the parent or parents of the child.  
20 Cases involving individuals age eighteen through twenty shall not be  
21 referred to the division of child support unless required by federal  
22 law.

23        (14) The department and supervising agencies shall have authority  
24 within funds appropriated for foster care services to purchase care for  
25 Indian children who are in the custody of a federally recognized Indian  
26 tribe or tribally licensed child-placing agency pursuant to parental  
27 consent, tribal court order, or state juvenile court order; and the  
28 purchase of such care shall be subject to the same eligibility  
29 standards and rates of support applicable to other children for whom  
30 the department purchases care.

31        Notwithstanding any other provision of RCW 13.32A.170 through  
32 13.32A.200 and 74.13.032 through 74.13.036, or of this section all  
33 services to be provided by the department under subsections (4), (7),  
34 and (8) of this section, subject to the limitations of these  
35 subsections, may be provided by any program offering such services  
36 funded pursuant to Titles II and III of the federal juvenile justice  
37 and delinquency prevention act of 1974.

1 (15) Within amounts appropriated for this specific purpose, the  
2 supervising agency or department shall provide preventive services to  
3 families with children that prevent or shorten the duration of an out-  
4 of-home placement.

5 (16) The department and supervising agencies shall have authority  
6 to provide independent living services to youths, including individuals  
7 who have attained eighteen years of age, and have not attained twenty-  
8 one years of age who are or have been in foster care.

9 (17) The department and supervising agencies shall consult at least  
10 quarterly with foster parents, including members of the foster parent  
11 association of Washington state, for the purpose of receiving  
12 information and comment regarding how the department and supervising  
13 agencies are performing the duties and meeting the obligations  
14 specified in this section and RCW 74.13.250 and 74.13.320 regarding the  
15 recruitment of foster homes, reducing foster parent turnover rates,  
16 providing effective training for foster parents, and administering a  
17 coordinated and comprehensive plan that strengthens services for the  
18 protection of children. Consultation shall occur at the regional and  
19 statewide levels.

20 (18)(a) The department shall, within current funding levels, place  
21 on its public web site a document listing the duties and  
22 responsibilities the department has to a child subject to a dependency  
23 petition including, but not limited to, the following:

24 (i) Reasonable efforts, including the provision of services, toward  
25 reunification of the child with his or her family;

26 (ii) Sibling visits subject to the restrictions in RCW  
27 13.34.136(2)(b)(ii);

28 (iii) Parent-child visits;

29 (iv) Statutory preference for placement with a relative or other  
30 suitable person, if appropriate; and

31 (v) Statutory preference for an out-of-home placement that allows  
32 the child to remain in the same school or school district, if practical  
33 and in the child's best interests.

34 (b) The document must be prepared in conjunction with a community-  
35 based organization and must be updated as needed.

36 NEW SECTION. **Sec. 9.** This act applies prospectively only and not  
37 retroactively. It applies to:

1 (1) Dependency matters that have an open court case on the  
2 effective date of this section; and

3 (2) Dependency matters for which a petition is filed on or after  
4 the effective date of this section.

5 NEW SECTION. **Sec. 10.** Sections 5 and 7 of this act expire  
6 December 1, 2013.

7 NEW SECTION. **Sec. 11.** Sections 6 and 8 of this act take effect  
8 December 1, 2013."

9 Correct the title.

--- END ---