

2SSB 5405 - S AMD 138
By Senator Murray

ADOPTED 03/13/2013

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) "Medical condition" means, for the purpose of qualifying for
37 extended foster care services, a short-term or long-term physical or

1 mental health condition as verified and documented by a health care
2 provider.

3 (21) "Nonminor dependent" means any individual age eighteen to
4 twenty-one years for whom there was an open dependency proceeding at
5 the time that he or she reached the age of eighteen years, or who is
6 released from the juvenile rehabilitation administration and had an
7 open dependency proceeding at the time of his or her commitment, and
8 who meets the eligibility requirements for extended foster care
9 services authorized under RCW 74.13.031.

10 (22) "Supervised independent living" includes, but is not limited
11 to, apartment living, room and board arrangements, college or
12 university dormitories, and shared roommate settings.

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

15 (1) The purpose of a permanency planning hearing is to review the
16 permanency plan for the child, inquire into the welfare of the child
17 and progress of the case, and reach decisions regarding the permanent
18 placement of the child.

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

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

1 (c) Permanency planning goals should be achieved at the earliest
2 possible date, preferably before the child has been in out-of-home care
3 for fifteen months. In cases where parental rights have been
4 terminated, the child is legally free for adoption, and adoption has
5 been identified as the primary permanency planning goal, it shall be a
6 goal to complete the adoption within six months following entry of the
7 termination order.

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

12 (3) Subject to the availability of amounts appropriated for this
13 specific purpose, when the youth is at least age seventeen years but
14 not older than seventeen years and six months, the department shall
15 provide the youth with written documentation which explains the
16 availability of extended foster care services and detailed instructions
17 regarding how the youth may access such services after he or she
18 reaches age eighteen years.

19 (4) At the permanency planning hearing, the court shall conduct the
20 following inquiry:

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

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

31 (i) The continuing necessity for, and the safety and
32 appropriateness of, the placement;

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

36 (iii) The extent of any efforts to involve appropriate service
37 providers in addition to department or supervising agency staff in

1 planning to meet the special needs of the child and the child's
2 parents;

3 (iv) The progress toward eliminating the causes for the child's
4 placement outside of his or her home and toward returning the child
5 safely to his or her home or obtaining a permanent placement for the
6 child;

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

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

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

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

21 (C) Being placed for adoption;

22 (D) Being placed with a guardian;

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

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

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

1 documented in the case plan a compelling reason for determining that
2 filing a petition to terminate parental rights would not be in the
3 child's best interests.

4 (c)(i) If the permanency plan identifies independent living as a
5 goal, the court shall make a finding that the provision of services to
6 assist the child in making a transition from foster care to independent
7 living will allow the child to manage his or her financial, personal,
8 social, educational, and nonfinancial affairs prior to approving
9 independent living as a permanency plan of care. The court will
10 inquire whether the child has been provided information about extended
11 foster care services.

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

16 (iii) The department or supervising agency shall not discharge a
17 child to an independent living situation before the child is eighteen
18 years of age unless the child becomes emancipated pursuant to chapter
19 13.64 RCW.

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

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

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

30 (~~(4)~~) (5) In all cases, at the permanency planning hearing, the
31 court shall:

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

34 (ii) Modify the permanency plan, and order implementation of the
35 modified plan; and

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

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

4 ~~((+5))~~ (6) Following the first permanency planning hearing, the
5 court shall hold a further permanency planning hearing in accordance
6 with this section at least once every twelve months until a permanency
7 planning goal is achieved or the dependency is dismissed, whichever
8 occurs first.

9 ~~((+6))~~ (7) Prior to the second permanency planning hearing, the
10 agency that has custody of the child shall consider whether to file a
11 petition for termination of parental rights.

12 ~~((+7))~~ (8) If the court orders the child returned home, casework
13 supervision by the department or supervising agency shall continue for
14 at least six months, at which time a review hearing shall be held
15 pursuant to RCW 13.34.138, and the court shall determine the need for
16 continued intervention.

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

29 ~~((+9))~~ (10) Continued juvenile court jurisdiction under this
30 chapter shall not be a barrier to the entry of an order establishing a
31 legal guardianship or permanent legal custody when the requirements of
32 subsection ~~((+8))~~ (9) of this section are met.

33 ~~((+10))~~ (11) Nothing in this chapter may be construed to limit the
34 ability of the agency that has custody of the child to file a petition
35 for termination of parental rights or a guardianship petition at any
36 time following the establishment of dependency. Upon the filing of
37 such a petition, a fact-finding hearing shall be scheduled and held in
38 accordance with this chapter unless the department or supervising

1 agency requests dismissal of the petition prior to the hearing or
2 unless the parties enter an agreed order terminating parental rights,
3 establishing guardianship, or otherwise resolving the matter.

4 ~~((+11+))~~ (12) The approval of a permanency plan that does not
5 contemplate return of the child to the parent does not relieve the
6 supervising agency of its obligation to provide reasonable services,
7 under this chapter, intended to effectuate the return of the child to
8 the parent, including but not limited to, visitation rights. The court
9 shall consider the child's relationships with siblings in accordance
10 with RCW 13.34.130.

11 ~~((+12+))~~ (13) Nothing in this chapter may be construed to limit the
12 procedural due process rights of any party in a termination or
13 guardianship proceeding filed under this chapter.

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

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

21 (a) Enrolled in a secondary education program or a secondary
22 education equivalency program; ~~((or))~~

23 (b) Enrolled and participating in a postsecondary academic or
24 postsecondary vocational program, or has applied for and can
25 demonstrate that he or she intends to timely enroll in a postsecondary
26 academic or postsecondary vocational program;

27 (c) Participating in a program or activity designed to promote
28 employment or remove barriers to employment;

29 (d) Engaging in employment for eighty hours or more per month; or

30 (e) Incapable of engaging in any of the activities described in (a)
31 or (d) of this subsection due to a medical condition that is supported
32 by regularly updated information.

33 (2)(a) ~~((The six month postponement under this subsection is~~
34 ~~intended to allow a reasonable window of opportunity for an eligible~~
35 ~~youth who reaches the age of eighteen to request extended foster care~~
36 ~~services from the department or supervising agency. The court shall~~
37 ~~dismiss the dependency if the youth:~~

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

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

5 ~~(b) Until the youth requests to participate in the extended foster~~
6 ~~care program, the department is relieved of any supervisory~~
7 ~~responsibility for the youth.~~

8 ~~(3) A youth who participates in extended foster care while~~
9 ~~completing a secondary education or equivalency program may continue to~~
10 ~~receive extended foster care services for the purpose of participating~~
11 ~~in a postsecondary academic or postsecondary vocational education~~
12 ~~program if, at the time the secondary education or equivalency program~~
13 ~~is completed, the youth has applied to and can demonstrate that he or~~
14 ~~she intends to timely enroll in a postsecondary academic or vocational~~
15 ~~education program. The dependency shall be dismissed if the youth~~
16 ~~fails to timely enroll or continue in the postsecondary program, or~~
17 ~~reaches age twenty one, whichever is earlier.~~

18 ~~(4) A youth receiving extended foster care services is a party to~~
19 ~~the dependency proceeding. The youth's parent or guardian shall be~~
20 ~~dismissed from the dependency proceeding when the youth reaches the age~~
21 ~~of eighteen years.~~

22 ~~(5))~~ If the court maintains the dependency proceeding of a youth
23 pursuant to subsection (1)(a) or (b) of this section, the youth is
24 eligible to receive extended foster care services pursuant to RCW
25 74.13.031, subject to the youth's continuing eligibility and agreement
26 to participate.

27 (b) If the court maintains the dependency proceeding of a youth
28 pursuant to subsection (1)(c) through (e) of this section, the youth
29 may be eligible to receive extended foster care services pursuant to
30 RCW 74.13.031 to the extent funds are specifically appropriated for
31 this purpose and subject to the youth's continuing eligibility and
32 agreement to participate.

33 (3) A youth receiving extended foster care services is a party to
34 the dependency proceeding. The youth's parent or guardian must be
35 dismissed from the dependency proceeding when the youth reaches the age
36 of eighteen.

37 (4)(a) The court shall dismiss the dependency proceeding for any
38 child who is a dependent child in foster care and who, at the age of

1 eighteen years and six months, does not meet any of the criteria
2 described in subsection (1)(a) or (b) of this section or does not agree
3 to participate in the program.

4 (b) The court shall also dismiss the dependency proceeding for any
5 child who is a dependent child in foster care and who, at the age of
6 eighteen years and six months, does not meet any of the criteria
7 described in subsection (1)(c) through (e) of this section, does not
8 agree to participate in the program, or if services are not available
9 due to funding not being appropriated specifically for this purpose.

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

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

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

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

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

27 (c) Whether the current placement is developmentally appropriate
28 for the youth;

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

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

32 (8) Prior to the review hearing, the youth's attorney shall
33 indicate whether there are any contested issues and may provide
34 additional information necessary for the court's review.

35 (9) Upon the request of the youth, or when the youth is no longer
36 eligible to receive extended foster care services according to rules
37 adopted by the department, the court shall dismiss the dependency.

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

3 For purposes of this chapter:

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

13 (2) "Child" means:

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

15 (b) A person age eighteen to twenty-one years who is eligible to
16 receive the extended foster care services authorized under RCW
17 74.13.031.

18 (3) "Child protective services" has the same meaning as in RCW
19 26.44.020.

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

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

27 (b) Protecting and caring for dependent, abused, or neglected
28 children;

29 (c) Assisting children who are in conflict with their parents, and
30 assisting parents who are in conflict with their children, with
31 services designed to resolve such conflicts;

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

34 (e) Providing adequate care of children away from their homes in
35 foster family homes or day care or other child care agencies or
36 facilities.

37 "Child welfare services" does not include child protection
38 services.

1 (5) "Committee" means the child welfare transformation design
2 committee.

3 (6) "Department" means the department of social and health
4 services.

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

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

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

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

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

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

37 (13) "Supervising agency" means an agency licensed by the state
38 under RCW 74.15.090, or licensed by a federally recognized Indian tribe

1 located in this state under RCW 74.15.190, that has entered into a
2 performance-based contract with the department to provide case
3 management for the delivery and documentation of child welfare
4 services, as defined in this section. This definition is applicable on
5 or after December 30, 2015.

6 (14) "Medical condition" means, for the purpose of qualifying for
7 extended foster care services, a short-term or long-term physical or
8 mental health condition as verified and documented by a health care
9 provider.

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

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

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

22 For purposes of this chapter:

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

32 (2) "Child" means:

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

34 (b) A person age eighteen to twenty-one years who is eligible to
35 receive the extended foster care services authorized under RCW
36 74.13.031.

1 (3) "Child protective services" has the same meaning as in RCW
2 26.44.020.

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

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

10 (b) Protecting and caring for dependent, abused, or neglected
11 children;

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

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

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

20 "Child welfare services" does not include child protection
21 services.

22 (5) "Committee" means the child welfare transformation design
23 committee.

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

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

33 (8) "Family assessment" means a comprehensive assessment of child
34 safety, risk of subsequent child abuse or neglect, and family strengths
35 and needs that is applied to a child abuse or neglect report. Family
36 assessment does not include a determination as to whether child abuse
37 or neglect occurred, but does determine the need for services to

1 address the safety of the child and the risk of subsequent
2 maltreatment.

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

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

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

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

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

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

35 (15) "Medical condition" means, for the purpose of qualifying for
36 extended foster care services, a short-term or long-term physical or
37 mental health condition as verified and documented by a health care
38 provider.

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

8 (17) "Supervised independent living" includes, but is not limited
9 to, apartment living, room and board arrangements, college or
10 university dormitories, and shared roommate settings.

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

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

17 (2) Within available resources, the department and supervising
18 agencies shall recruit an adequate number of prospective adoptive and
19 foster homes, both regular and specialized, i.e. homes for children of
20 ethnic minority, including Indian homes for Indian children, sibling
21 groups, handicapped and emotionally disturbed, teens, pregnant and
22 parenting teens, and the department shall annually report to the
23 governor and the legislature concerning the department's and
24 supervising agency's success in: (a) Meeting the need for adoptive and
25 foster home placements; (b) reducing the foster parent turnover rate;
26 (c) completing home studies for legally free children; and (d)
27 implementing and operating the passport program required by RCW
28 74.13.285. The report shall include a section entitled "Foster Home
29 Turn-Over, Causes and Recommendations."

30 (3) The department shall investigate complaints of any recent act
31 or failure to act on the part of a parent or caretaker that results in
32 death, serious physical or emotional harm, or sexual abuse or
33 exploitation, or that presents an imminent risk of serious harm, and on
34 the basis of the findings of such investigation, offer child welfare
35 services in relation to the problem to such parents, legal custodians,
36 or persons serving in loco parentis, and/or bring the situation to the
37 attention of an appropriate court, or another community agency. An

1 investigation is not required of nonaccidental injuries which are
2 clearly not the result of a lack of care or supervision by the child's
3 parents, legal custodians, or persons serving in loco parentis. If the
4 investigation reveals that a crime against a child may have been
5 committed, the department shall notify the appropriate law enforcement
6 agency.

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

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

29 The department or supervising agencies shall conduct the monthly
30 visits with children and caregivers to whom it is providing child
31 welfare services.

32 (6) The department and supervising agencies shall have authority to
33 accept custody of children from parents and to accept custody of
34 children from juvenile courts, where authorized to do so under law, to
35 provide child welfare services including placement for adoption, to
36 provide for the routine and necessary medical, dental, and mental
37 health care, or necessary emergency care of the children, and to
38 provide for the physical care of such children and make payment of

1 maintenance costs if needed. Except where required by Public Law 95-
2 608 (25 U.S.C. Sec. 1915), no private adoption agency which receives
3 children for adoption from the department shall discriminate on the
4 basis of race, creed, or color when considering applications in their
5 placement for adoption.

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

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

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

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

22 (i) Enrolled in a secondary education program or a secondary
23 education equivalency program((τ)); or

24 (ii) Enrolled and participating in a postsecondary academic or
25 postsecondary vocational education program.

26 (b) Subject to the availability of amounts appropriated for this
27 specific purpose, the department and supervising agencies shall provide
28 continued extended foster care services to nonminor dependents who are:

29 (i) Participating in a program or activity designed to promote
30 employment or remove barriers to employment;

31 (ii) Engaged in employment for eighty hours or more per month; or

32 (iii) Incapable of engaging in any of the activities described in
33 (a)(i) or (ii) and (b)(i) through (iii) of this subsection due to a
34 medical condition that is supported by regularly updated information.

35 (c) The department shall develop and implement rules regarding
36 youth eligibility requirements.

37 (11) The department shall have authority to provide adoption
38 support benefits, or relative guardianship subsidies on behalf of youth

1 ages eighteen to twenty-one years who achieved permanency through
2 adoption or a relative guardianship at age sixteen or older and who
3 meet the criteria described in subsection (10) of this section.

4 (12) The department shall refer cases to the division of child
5 support whenever state or federal funds are expended for the care and
6 maintenance of a child, including a child with a developmental
7 disability who is placed as a result of an action under chapter 13.34
8 RCW, unless the department finds that there is good cause not to pursue
9 collection of child support against the parent or parents of the child.
10 Cases involving individuals age eighteen through twenty shall not be
11 referred to the division of child support unless required by federal
12 law.

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

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

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

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

36 (16) The department and supervising agencies shall consult at least
37 quarterly with foster parents, including members of the foster parent
38 association of Washington state, for the purpose of receiving

1 information and comment regarding how the department and supervising
2 agencies are performing the duties and meeting the obligations
3 specified in this section and RCW 74.13.250 and 74.13.320 regarding the
4 recruitment of foster homes, reducing foster parent turnover rates,
5 providing effective training for foster parents, and administering a
6 coordinated and comprehensive plan that strengthens services for the
7 protection of children. Consultation shall occur at the regional and
8 statewide levels.

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

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

15 (ii) Sibling visits subject to the restrictions in RCW
16 13.34.136(2)(b)(ii);

17 (iii) Parent-child visits;

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

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

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

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

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

31 (2) Within available resources, the department and supervising
32 agencies shall recruit an adequate number of prospective adoptive and
33 foster homes, both regular and specialized, i.e. homes for children of
34 ethnic minority, including Indian homes for Indian children, sibling
35 groups, handicapped and emotionally disturbed, teens, pregnant and
36 parenting teens, and the department shall annually report to the
37 governor and the legislature concerning the department's and

1 supervising agency's success in: (a) Meeting the need for adoptive and
2 foster home placements; (b) reducing the foster parent turnover rate;
3 (c) completing home studies for legally free children; and (d)
4 implementing and operating the passport program required by RCW
5 74.13.285. The report shall include a section entitled "Foster Home
6 Turn-Over, Causes and Recommendations."

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

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

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

27 (6) The department or supervising agencies shall monitor placements
28 of children in out-of-home care and in-home dependencies to assure the
29 safety, well-being, and quality of care being provided is within the
30 scope of the intent of the legislature as defined in RCW 74.13.010 and
31 74.15.010. Under this section children in out-of-home care and in-home
32 dependencies and their caregivers shall receive a private and
33 individual face-to-face visit each month. The department and the
34 supervising agencies shall randomly select no less than ten percent of
35 the caregivers currently providing care to receive one unannounced
36 face-to-face visit in the caregiver's home per year. No caregiver will
37 receive an unannounced visit through the random selection process for
38 two consecutive years. If the caseworker makes a good faith effort to

1 conduct the unannounced visit to a caregiver and is unable to do so,
2 that month's visit to that caregiver need not be unannounced. The
3 department and supervising agencies are encouraged to group monthly
4 visits to caregivers by geographic area so that in the event an
5 unannounced visit cannot be completed, the caseworker may complete
6 other required monthly visits. The department shall use a method of
7 random selection that does not cause a fiscal impact to the department.

8 The department or supervising agencies shall conduct the monthly
9 visits with children and caregivers to whom it is providing child
10 welfare services.

11 (7) The department and supervising agencies shall have authority to
12 accept custody of children from parents and to accept custody of
13 children from juvenile courts, where authorized to do so under law, to
14 provide child welfare services including placement for adoption, to
15 provide for the routine and necessary medical, dental, and mental
16 health care, or necessary emergency care of the children, and to
17 provide for the physical care of such children and make payment of
18 maintenance costs if needed. Except where required by Public Law 95-
19 608 (25 U.S.C. Sec. 1915), no private adoption agency which receives
20 children for adoption from the department shall discriminate on the
21 basis of race, creed, or color when considering applications in their
22 placement for adoption.

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

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

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

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

1 (i) Enrolled in a secondary education program or a secondary
2 education equivalency program((τ)); or

3 (ii) Enrolled and participating in a postsecondary academic or
4 postsecondary vocational education program.

5 (b) Subject to the availability of funds appropriated for this
6 specific purpose, the department and supervising agencies shall provide
7 continued extended foster care services to nonminor dependents who are:

8 (i) Participating in a program or activity designed to promote
9 employment or remove barriers to employment;

10 (ii) Engaged in employment for eighty hours or more per month; or

11 (iii) Incapable of engaging in any of the activities described in
12 (a)(i) or (ii) and (b)(i) through (iii) of this subsection due to a
13 medical condition that is supported by regularly updated information.

14 (c) The department shall develop and implement rules regarding
15 youth eligibility requirements.

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

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

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

1 Notwithstanding any other provision of RCW 13.32A.170 through
2 13.32A.200 and 74.13.032 through 74.13.036, or of this section all
3 services to be provided by the department under subsections (4), (7),
4 and (8) of this section, subject to the limitations of these
5 subsections, may be provided by any program offering such services
6 funded pursuant to Titles II and III of the federal juvenile justice
7 and delinquency prevention act of 1974.

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

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

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

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

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

33 (ii) Sibling visits subject to the restrictions in RCW
34 13.34.136(2)(b)(ii);

35 (iii) Parent-child visits;

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

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

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

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

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

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

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

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

2SSB 5405 - S AMD
By Senator Murray

ADOPTED 03/13/2013

16 On page 1, line 1 of the title, after "services;" strike the
17 remainder of the title and insert "amending RCW 13.34.145, 13.34.267,
18 74.13.020, and 74.13.031; reenacting and amending RCW 13.34.030,
19 74.13.020, and 74.13.031; creating new sections; providing an effective
20 date; and providing an expiration date."

EFFECT: (1) Requires the court to keep dependency cases open for
six months after a youth in foster care reaches age 18 if the youth
meets one of the eligibility criteria for extended foster care

services; (2) requires the court to dismiss the dependency case of a youth who reaches age 18 years and six months and who has not requested extended foster care services or is not eligible for extended foster care services; (3) eliminates the provisions that allowed youth whose dependency case had been dismissed to request extended foster care services, including the procedural provisions that allowed youth to enter into a voluntary placement agreement.

--- END ---