

# SENATE BILL REPORT

## SB 6383

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As of January 29, 2016

**Title:** An act relating to the requirements for filing a petition for a superior court to deal with a dependent child.

**Brief Description:** Concerning the requirements for filing a petition for a superior court to deal with a dependent child.

**Sponsors:** Senators O'Ban and Darneille; by request of Department of Social and Health Services.

**Brief History:**

**Committee Activity:** Human Services, Mental Health & Housing: 1/25/16.

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### SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

**Staff:** Lindsay Erickson (786-7465)

**Background:** The Department of Social and Health Services (DSHS) or any person may file a dependency petition in court to determine if a child should be a dependent of the state due to abuse, neglect, abandonment, or because there is no parent or custodian capable of caring for the child. The dependency petition asks the court to step in and protect the child from harm and have the state assume temporary legal custody of the child. Dependency petitions are filed by DSHS when a child is believed to be in impending or present danger.

If the court determines that the child is dependent, then the court will conduct periodic reviews and make determinations about the child's placement and the parents' progress in correcting parental deficiencies. Under certain circumstances, the court may order the filing of a petition for the termination of parental rights.

**Summary of Bill:** Clarifies that a probation officer does not need to determine if a dependency petition is justifiable when DSHS is the petitioner.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

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

**Staff Summary of Public Testimony:** PRO: In a majority of dependency petition cases, DSHS is the petitioner. A majority of counties do not follow the current statutory language because the Attorney General's office signs the DSHS dependency petitions. In the counties that have a probation officer check if the petition is justifiable, it adds delay to the 72 hours that DSHS has.

**Persons Testifying:** PRO: Jennifer Strus, DSHS.

**Persons Signed In To Testify But Not Testifying:** No one.