
HOUSE BILL 1728

State of Washington

64th Legislature

2015 Regular Session

By Representatives Ormsby, Walsh, Ortiz-Self, Senn, Kagi, S. Hunt, Farrell, Dent, Zeiger, and Gregerson

Read first time 01/27/15. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to creating the parents for parents program;
2 reenacting and amending RCW 13.34.030; adding new sections to chapter
3 13.34 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** Early outreach and education helps shift
6 the attitudes of parents involved in the dependency court system from
7 anger and resentment to acknowledgment and acceptance, enhances
8 parents' engagement in court-ordered plans in the dependency system,
9 and increases the likelihood of family reunification. The parents for
10 parents program has been shown to increase the number of family
11 reunifications, where appropriate, while decreasing the length of
12 time needed to establish permanence. The program currently exists in
13 seven counties: Grays Harbor/Pacific, King, Kitsap, Pierce,
14 Snohomish, Spokane, and Thurston/Mason. It is the legislature's goal
15 to continue to support the program in these counties, standardize the
16 parents for parents curriculum among counties in which it is
17 currently utilized, and replicate the program statewide by the end of
18 the 2019-2021 biennium.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 13.34
20 RCW to read as follows:

1 (1) The goal of the parents for parents program is to increase
2 the permanency and well-being of children in foster care through peer
3 mentoring that increases parental engagement and contributes to
4 family reunification.

5 (2) The parents for parents program shall provide structured peer
6 mentoring for families entering the dependency court system,
7 administered by veteran parents.

8 **Sec. 3.** RCW 13.34.030 and 2013 c 332 s 2 and 2013 c 182 s 2 are
9 each reenacted and amended to read as follows:

10 For purposes of this chapter:

11 (1) "Abandoned" means when the child's parent, guardian, or other
12 custodian has expressed, either by statement or conduct, an intent to
13 forego, for an extended period, parental rights or responsibilities
14 despite an ability to exercise such rights and responsibilities. If
15 the court finds that the petitioner has exercised due diligence in
16 attempting to locate the parent, no contact between the child and the
17 child's parent, guardian, or other custodian for a period of three
18 months creates a rebuttable presumption of abandonment, even if there
19 is no expressed intent to abandon.

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

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

22 (b) Any individual age eighteen to twenty-one years who is
23 eligible to receive and who elects to receive the extended foster
24 care services authorized under RCW 74.13.031. A youth who remains
25 dependent and who receives extended foster care services under RCW
26 74.13.031 shall not be considered a "child" under any other statute
27 or for any other purpose.

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

35 (4) "Department" means the department of social and health
36 services.

37 (5) "Dependency guardian" means the person, nonprofit
38 corporation, or Indian tribe appointed by the court pursuant to this

1 chapter for the limited purpose of assisting the court in the
2 supervision of the dependency.

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

4 (a) Has been abandoned;

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

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

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

13 (7) "Developmental disability" means a disability attributable to
14 intellectual disability, cerebral palsy, epilepsy, autism, or another
15 neurological or other condition of an individual found by the
16 secretary to be closely related to an intellectual disability or to
17 require treatment similar to that required for individuals with
18 intellectual disabilities, which disability originates before the
19 individual attains age eighteen, which has continued or can be
20 expected to continue indefinitely, and which constitutes a
21 substantial limitation to the individual.

22 (8) "Educational liaison" means a person who has been appointed
23 by the court to fulfill responsibilities outlined in RCW 13.34.046.

24 (9) "Extended foster care services" means residential and other
25 support services the department is authorized to provide under RCW
26 74.13.031. These services may include placement in licensed,
27 relative, or otherwise approved care, or supervised independent
28 living settings; assistance in meeting basic needs; independent
29 living services; medical assistance; and counseling or treatment.

30 (10) "Guardian" means the person or agency that: (a) Has been
31 appointed as the guardian of a child in a legal proceeding, including
32 a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the
33 legal right to custody of the child pursuant to such appointment. The
34 term "guardian" does not include a "dependency guardian" appointed
35 pursuant to a proceeding under this chapter.

36 (11) "Guardian ad litem" means a person, appointed by the court
37 to represent the best interests of a child in a proceeding under this
38 chapter, or in any matter which may be consolidated with a proceeding
39 under this chapter. A "court-appointed special advocate" appointed by
40 the court to be the guardian ad litem for the child, or to perform

1 substantially the same duties and functions as a guardian ad litem,
2 shall be deemed to be guardian ad litem for all purposes and uses of
3 this chapter.

4 (12) "Guardian ad litem program" means a court-authorized
5 volunteer program, which is or may be established by the superior
6 court of the county in which such proceeding is filed, to manage all
7 aspects of volunteer guardian ad litem representation for children
8 alleged or found to be dependent. Such management shall include but
9 is not limited to: Recruitment, screening, training, supervision,
10 assignment, and discharge of volunteers.

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

18 (14) "Indigent" means a person who, at any stage of a court
19 proceeding, is:

20 (a) Receiving one of the following types of public assistance:
21 Temporary assistance for needy families, aged, blind, or disabled
22 assistance benefits, medical care services under RCW 74.09.035,
23 pregnant women assistance benefits, poverty-related veterans'
24 benefits, food stamps or food stamp benefits transferred
25 electronically, refugee resettlement benefits, medicaid, or
26 supplemental security income; or

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

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

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

35 (15) "Nonminor dependent" means any individual age eighteen to
36 twenty-one years who is participating in extended foster care
37 services authorized under RCW 74.13.031.

38 (16) "Out-of-home care" means placement in a foster family home
39 or group care facility licensed pursuant to chapter 74.15 RCW or
40 placement in a home, other than that of the child's parent, guardian,

1 or legal custodian, not required to be licensed pursuant to chapter
2 74.15 RCW.

3 (17) "Preventive services" means preservation services, as
4 defined in chapter 74.14C RCW, and other reasonably available
5 services, including housing assistance, capable of preventing the
6 need for out-of-home placement while protecting the child.

7 (18) "Shelter care" means temporary physical care in a facility
8 licensed pursuant to RCW 74.15.030 or in a home not required to be
9 licensed pursuant to RCW 74.15.030.

10 (19) "Sibling" means a child's birth brother, birth sister,
11 adoptive brother, adoptive sister, half-brother, or half-sister, or
12 as defined by the law or custom of the Indian child's tribe for an
13 Indian child as defined in RCW 13.38.040.

14 (20) "Social study" means a written evaluation of matters
15 relevant to the disposition of the case and shall contain the
16 following information:

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

19 (b) A description of the specific services and activities, for
20 both the parents and child, that are needed in order to prevent
21 serious harm to the child; the reasons why such services and
22 activities are likely to be useful; the availability of any proposed
23 services; and the agency's overall plan for ensuring that the
24 services will be delivered. The description shall identify the
25 services chosen and approved by the parent;

26 (c) If removal is recommended, a full description of the reasons
27 why the child cannot be protected adequately in the home, including a
28 description of any previous efforts to work with the parents and the
29 child in the home; the in-home treatment programs that have been
30 considered and rejected; the preventive services, including housing
31 assistance, that have been offered or provided and have failed to
32 prevent the need for out-of-home placement, unless the health,
33 safety, and welfare of the child cannot be protected adequately in
34 the home; and the parents' attitude toward placement of the child;

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

37 (e) A description of the steps that will be taken to minimize the
38 harm to the child that may result if separation occurs including an
39 assessment of the child's relationship and emotional bond with any

1 siblings, and the agency's plan to provide ongoing contact between
2 the child and the child's siblings if appropriate; and

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

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. Supervised
8 independent living settings must be approved by the children's
9 administration or the court.

10 (22) "Supervising agency" means an agency licensed by the state
11 under RCW 74.15.090, or licensed by a federally recognized Indian
12 tribe located in this state under RCW 74.15.190, that has entered
13 into a performance-based contract with the department to provide case
14 management for the delivery and documentation of child welfare
15 services as defined in RCW 74.13.020.

16 (23) "Veteran parent" means a parent who has successfully
17 navigated the juvenile dependency court system, resulting in family
18 reunification.

19 (24) "Voluntary placement agreement" means, for the purposes of
20 extended foster care services, a written voluntary agreement between
21 a nonminor dependent who agrees to submit to the care and authority
22 of the department for the purposes of participating in the extended
23 foster care program.

24 NEW SECTION. Sec. 4. A new section is added to chapter 13.34
25 RCW to read as follows:

26 Components of the parents for parents program, provided by
27 veteran parents, must include:

28 (1) Outreach and support to parents at dependency-related
29 hearings, beginning with the shelter care hearing;

30 (2) A class that educates parents about the dependency system
31 they must navigate in order to have their children returned, empowers
32 them with tools and resources they need to be successful with their
33 case plan, and provides information that helps them understand and
34 support the needs of their children;

35 (3) Ongoing support to help parents overcome barriers to success
36 in completing their case plan;

37 (4) Structured, curriculum-based peer support groups.

1 NEW SECTION. **Sec. 5.** A new section is added to chapter 13.34
2 RCW to read as follows:

3 (1) The parents for parents program must be funded through the
4 office of public defense and centrally administered through a pass-
5 through to a Washington state nonprofit-lead organization that has
6 extensive experience supporting veteran parents.

7 (2) Through the contract with the lead organization, each local
8 program must be locally administered by the county superior court or
9 a nonprofit organization that shall serve as the host organization.

10 (3) Local stakeholders representing key child welfare systems
11 shall serve as parents for parents program advisors. Examples of
12 local stakeholders include the children's administration, the
13 superior court, attorneys for the parents, assistant attorneys
14 general, and court-appointed special advocates or guardians ad litem.

15 (4) A veteran parent lead shall provide program coordination and
16 maintain local program information.

17 (5) The lead organization shall provide ongoing training to the
18 host organizations, statewide program oversight and coordination, and
19 maintain statewide program information.

20 NEW SECTION. **Sec. 6.** A new section is added to chapter 13.34
21 RCW to read as follows:

22 (1) A child welfare research entity based at the University of
23 Washington shall conduct an evaluation of the parents for parents
24 program. The evaluation design must meet the standards necessary to
25 determine whether parents for parents can be considered a research-
26 based program.

27 (2) A preliminary report to the legislature must be provided by
28 December 1, 2016. At a minimum, the preliminary report must include
29 statistics showing rates of attendance at court hearings and
30 compliance with court-ordered services and visitation. The report
31 must also address whether participation in the program affected
32 participants' overall understanding of the dependency court process.

33 (3) A subsequent report must be delivered to the legislature by
34 December 1, 2019. In addition to the information required under
35 subsection (2) of this section, this report must include statistics
36 demonstrating the effect of the program on reunification rates and

1 lengths of time families were engaged in the dependency court system
2 before achieving permanency.

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