

2ESSB 5890 - H AMD TO H AMD (H-2948.1/17) **640**
By Representative Frame

ADOPTED 06/30/2017

1 On page 31, after line 24, insert the following:

2 "NEW SECTION. Sec. 28. APPROPRIATIONS FOR THE OFFICE OF CIVIL
3 LEGAL AID.

4 (1) The sums of \$648,000 from the state general fund for fiscal
5 year 2018 and \$648,000 from the state general fund for fiscal year
6 2019, or so much thereof as may be necessary, are each appropriated
7 to the office of civil legal aid and are provided solely for the
8 office to provide legal representation for foster children in two
9 counties at the initial shelter care hearing in dependency
10 proceedings prior to termination of parental rights in conjunction
11 with the research assessment authorized in subsection (2) of this
12 section.

13 (2)(a) The sum of \$75,000, or so much thereof as may be
14 necessary, is appropriated from the state general fund for fiscal
15 year 2019 to the office of civil legal aid and is provided solely
16 for the office to contract with the Washington state center for
17 court research for a statistically reliable assessment of
18 differential outcomes in dependency proceedings prior to termination
19 of parental rights. The assessment must involve a randomized control
20 test or other appropriate research methodology. The center may
21 engage or otherwise associate with other researcher organizations,
22 as appropriate, to help with data design, collection, and analysis.
23 The assessment must compare impacts and outcomes for foster children
24 who receive standards-based legal representation to those who are
25 not represented by an attorney before termination of parental
26 rights. The assessment must focus on dependent children in Grant,
27 Lewis, Douglas, and Whatcom counties. The assessment must quantify

1 differentials, if any, between the experience of children who are
2 represented in the dependency proceeding and those who are not in
3 relation to the following:

- 4 (i) The time to achieve permanency and permanency outcomes; and
- 5 (ii) Educational, social, or other relevant child welfare
6 indicators as determined relevant by the center including, but not
7 limited to, relevant child welfare indicators identified through
8 consultation with foster children, youth, and other stakeholders
9 involved in the research assessment.

10 The assessment must also identify and project cost savings to
11 the state, if any, as a result of providing legal representation for
12 children at the shelter care hearing.

13 (b) The office of the superintendent of public instruction and
14 the children's administration or a successor agency shall provide,
15 in compliance with the federal family education rights and privacy
16 act, the center with necessary data including necessary personal
17 identifiers. The office of the superintendent of public instruction
18 shall consult with the center to ensure the validity of data
19 elements and the interpretation of results.

20 (c) The Washington state center for court research shall report
21 its initial findings to the legislature by December 31, 2019.
22 Subject to the availability of amounts appropriated during the 2019-
23 2021 fiscal biennium or obtained from other sources, the center may
24 continue the research assessment through December 31, 2021, and
25 submit a supplemental report to the legislature. The report or
26 reports may not include personal identifiers, or any personally
27 identifiable information, as defined in the federal family
28 educational rights and privacy act.

29 (d) The office of civil legal aid may apply for and receive
30 grants, donations, or other contributions to help underwrite this
31 research assessment effort."

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EFFECT: Appropriates funding totaling \$1,296,000 from the

state general fund (GFS) to the Office of Civil Legal Aid (OCLA) to contract for legal representation for foster children in two counties at the initial shelter care hearing in dependency proceedings. Appropriates \$75,000 from the GFS for OCLA to contract with the Washington State Center for Court Research for an assessment of differential outcomes in dependency proceedings prior to termination of parental rights.

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