

FINAL BILL REPORT

2SSB 6453

C 80 L 18
Synopsis as Enacted

Brief Description: Concerning legal support for kinship caregivers.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators King, Carlyle, Hobbs, Zeiger, O'Ban, Walsh, Brown, Darneille, Miloscia, Palumbo and Saldaña).

Senate Committee on Human Services & Corrections

Senate Committee on Ways & Means

House Committee on Judiciary

House Committee on Appropriations

Background: In 2001, the Legislature directed the Washington State Institute for Public Policy (WSIPP) to study the prevalence and needs of families who are raising related children. In June 2002, WSIPP issued a report describing the prevalence and characteristics of kinship care, needs of kinship care providers in the state, policies and services available in Washington and other states, and policy options that may increase appropriate kinship care placements.

In 2001-2002, a Kinship Caregivers Workgroup and Task Force for Kinship Care were formed and made a number of recommendations to the Legislature, including for the Department of Social and Health Services (DSHS) to expand efforts to locate kin for children in need of services and that special efforts should be taken to assist kin in their interaction with DSHS when providing services to children.

In 2003, the Legislature directed DSHS to implement strategies to increase the number of children placed with willing and able relatives when out-of-home placement is required. At a minimum, DSHS was required to develop a standardized, statewide protocol to be used for relative search activities, and develop a policy for conducting active outreach efforts to identify and locate relatives during initial and ongoing searches. Kin was and remains defined as any person 18 years of age or older to whom a child is related by blood, adoption, or marriage, and means any persons denoted by the prefix grand or great, a full, half, or step sibling, an uncle or aunt, a nephew or niece, or a first cousin.

In 2017, the Legislature authorized DSHS to purchase legal representation for parents of children who are dependent or at risk of being dependent to establish a parenting plan when necessary for the child's safety, permanence, or well-being, but that such authority does not create an entitlement for the receipt of legal representation.

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.

On July 1, 2018, the Department of Children, Youth, and Families will assume child welfare services from DSHS.

Summary: Within existing appropriations, DSHS may purchase legal representation for parents or kinship caregivers, or both, of children who are dependent or at risk of being dependent for the purposes of modifying a parenting plan as part of a non-parental action for child custody or establishing other relevant civil legal relationships. Legal representation purchased by DSHS for kinship caregivers is not an entitlement.

DSHS is encouraged to work with the Office of Public Defense, Parent Representation Program and Office of Civil Legal Aid to develop a cost-effective system for providing civil legal representation for parents and kinship caregivers.

Votes on Final Passage:

Senate	47	0
House	97	0

Effective: June 7, 2018