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**Civil Rights & Judiciary Committee**

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**SB 5651**

**Brief Description:** Establishing a kinship care legal aid coordinator.

**Sponsors:** Senators King, Saldaña, Walsh, Darneille, Das, Wilson, C. and Hasegawa.

**Brief Summary of Bill**

- Establishes the role of kinship care legal aid coordinator at the Office of Civil Legal Aid, subject to appropriation.
- Requires the coordinator to consult with a range of stakeholder groups to identify and facilitate the development of local and regional kinship care legal aid initiatives and further recommendations of the Kinship Care Oversight Committee.
- Requires the coordinator to develop training materials to help pro bono and low-cost attorneys provide assistance to kinship caregivers and submit a biennial report to the legislature.

**Hearing Date:** 3/22/19

**Staff:** Ingrid Lewis (786-7289).

**Background:**

Kinship care is the full-time care of children by relatives. Kinship care occurs informally, when children are not involved with public child welfare agencies, and formally, when public child welfare agencies are involved in placing children with relatives. The term "kin" is defined as persons 18 years of age or older to whom the child is related by blood, adoption, or marriage, including marriages that have been dissolved, and who are: denoted by the prefix "grand" or "great;" full, half, or step siblings; uncles or aunts; nephews or nieces; or first cousins. Washington offers kinship caregivers several legal custody options distinguished by the degree of involvement with the child welfare system, the permanency of the arrangement, and rights conferred to the caregiver.

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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.*

In 2003 the Department of Social and Health Services (DSHS) was directed by the Legislature to create a Kinship Care Oversight Committee (Committee) tasked to plan, design, and implement strategies to prioritize the placement of children with willing and able kin when out-of-home placement is required. The Committee is required to annually update the Legislature and Governor on recommendations and activities. On July 1, 2018, the Department of Children, Youth, and Families assumed child welfare services from the DSHS.

#### Office of Civil Legal Aid.

The Legislature established the Office of Civil Legal Aid (OCLA) in 2005 as an independent agency in the judicial branch. The OCLA is responsible for the administration and oversight of state funds that are appropriated by the Legislature to provide civil legal aid services. The OCLA does not provide legal aid services directly, but contracts with attorneys to provide civil legal aid services to eligible low-income clients throughout the state. The Northwest Justice Project is the primary statewide provider of civil legal aid services. The OCLA is responsible for reporting to the Legal Aid Oversight Committee on the use of state funds for legal aid.

#### **Summary of Bill:**

The role of kinship care legal aid coordinator is created at the Office of Civil Legal Aid (OCLA), subject to appropriation. The coordinator must consult with specified stakeholders to develop local and regional kinship care legal aid initiatives and implement relevant recommendations from the Kinship Care Oversight Committee.

Coordinator duties include working with the Department of Children, Youth, and Families (DCYF) on the development of training materials to help pro bono and low-cost attorneys provide legal advice and assistance to kinship caregivers. The coordinator must produce a biennial report outlining activities undertaken by the coordinator; legal aid resources developed at the statewide, regional, and local levels; and other information regarding development and expansion of legal aid services to kinship caregivers in Washington. Reports are due to the DCYF, the Department of Social and Health Services, and relevant committees of the Legislature by December 1 of each even-numbered year.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect on June 30, 2019.