

SENATE BILL REPORT

SB 5494

As Reported by Senate Committee On:
Human Services, Reentry & Rehabilitation, February 7, 2019

Title: An act relating to the baby court initiative.

Brief Description: Concerning the baby court initiative.

Sponsors: Senators Zeiger, Darneille, Walsh and Nguyen.

Brief History:

Committee Activity: Human Services, Reentry & Rehabilitation: 2/05/19, 2/07/19 [DPS-WM].

Brief Summary of First Substitute Bill

- Creates a process for applying for grant funds to support baby courts in two superior courts that serve both rural and urban populations by January 1, 2020 through the Administrative Office of the Courts' (AOC) Family and Juvenile Court Improvement Grant Program (grant program).
- Defines "baby court" as a therapeutic court that provides an intensive court process for families with a child under age three who has been found dependent.
- Establishes what a baby court must include.
- Requires AOC to collect outcome data on baby courts, and submit an annual report to the fiscal committees of the Legislature beginning December 1, 2021.

SENATE COMMITTEE ON HUMAN SERVICES, REENTRY & REHABILITATION

Majority Report: That Substitute Senate Bill No. 5494 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland, O'Ban, Wilson, C. and Zeiger.

Staff: Keri Waterland (786-7490)

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.

Background: In 2008, the Legislature passed 2SHB 2822 creating the Family and Juvenile Court Improvement grant program. The purpose of the program was and is to assist superior courts in improving their family and juvenile court systems, especially in dependency cases, with the goals of:

- assuring a stable and well-trained judiciary in family and juvenile law providing consistency of judicial officers hearing all of the proceedings in a case involving one family, especially in dependency cases; and
- ensuring judicial accountability in implementing specific principles and practices for family and juvenile court.

Therapeutic court means a court utilizing programs structured to achieve both a reduction in recidivism and an increase in the likelihood of rehabilitation, or to reduce child abuse and neglect, out-of-home placements of children, termination of parental rights, and substance abuse and mental health symptoms among parents or guardians and their children through continuous and intense judicially supervised treatment and the appropriate use of services, sanctions, and incentives.

Dependent child means any child who:

- has been abandoned;
- is abused or neglected by a person legally responsible for the care of the child;
- has no parent, guardian, or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development; or
- is receiving extended foster care services.

Summary of Bill (First Substitute): A baby court is defined as a therapeutic court that provides an intensive court process for families with a child under age three who has been found dependent.

To be eligible for baby court, the parent must have a child under age three that is dependent at the time the case enters the court process. The case may remain in baby court after the child is age three or older if the child is still dependent.

The AOC's grant program shall:

- develop standards for baby courts;
- develop a process where any superior court may apply for grant funds to establish a baby court;
- distribute grant funds to support baby courts in two superior courts that serve both rural and urban populations by January 1, 2020;
- develop and define the outcome measures for baby courts;
- collect outcome measure data summarizing the results of baby courts during the previous year, including data on the outcomes achieved in baby courts compared to the outcomes achieved by general dependency courts, and any cost savings associated with achieving the goals established for baby courts;
- submit an annual report to the fiscal committees of the Legislature beginning December 1, 2021; and
- sponsor and coordinate training for judicial officers and other professionals that participate in baby courts receiving grant funding.

Grant funds for the baby court shall be supplemental to any existing grant program funds.

A superior court that establishes a baby court must:

- establish a process for parents to voluntarily participate in baby court;
- review at least every three months whether the parent or parents are actively engaged and adequately progressing toward achieving the case plan, unless the court finds good cause;
- provide access to reasonably available and appropriate services designed to remedy identified parental deficiencies;
- aim to reduce the length of removal of young children from parents and reunify young children with parents according to the child's best interests;
- make decisions aimed to reduce incidences of abuse and neglect among young children;
- make decisions aimed to reduce the long-term and short-term effects of traumatic experiences on the brain development of young children; and
- promote effective interaction and the use of resources among the court and public and private child and family service providers.

EFFECT OF CHANGES MADE BY HUMAN SERVICES, REENTRY & REHABILITATION COMMITTEE (First Substitute):

- Clarifies that the Department of Children, Youth, and Families is the agency which shall provide services ordered through baby court.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This is a bill that would expand the work of current therapeutic courts/baby courts. Pierce County has shown some success with their current baby court and this would provide grants to two counties to start their own baby court.

Persons Testifying: PRO: Senator Hans Zeiger, Prime Sponsor.

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