

CERTIFICATION OF ENROLLMENT

SENATE BILL 5651

66th Legislature
2019 Regular Session

Passed by the Senate April 22, 2019
Yeas 47 Nays 0

President of the Senate

Passed by the House April 11, 2019
Yeas 96 Nays 1

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5651** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE BILL 5651

AS AMENDED BY THE HOUSE

Passed Legislature - 2019 Regular Session

State of Washington **66th Legislature** **2019 Regular Session**

By Senators King, Saldaña, Walsh, Darneille, Das, Wilson, C., and Hasegawa

Read first time 01/25/19. Referred to Committee on Law & Justice.

1 AN ACT Relating to establishing a kinship care legal aid
2 coordinator; amending RCW 74.13.621; adding a new section to chapter
3 2.53 RCW; creating a new section; providing an effective date; and
4 declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 2.53 RCW
7 to read as follows:

8 (1) Subject to amounts specifically appropriated for this
9 purpose, the role of kinship care legal aid coordinator is hereby
10 created at the office of civil legal aid. The office may contract
11 with a separate nonprofit legal aid organization to satisfy the
12 requirements of this section.

13 (2)(a) The kinship care legal aid coordinator shall consult with
14 the following entities:

15 (i) The kinship care oversight committee as provided for in RCW
16 74.13.621;

17 (ii) The Washington state supreme court access to justice board's
18 pro bono council;

19 (iii) The Washington state bar association moderate means
20 program;

1 (iv) The department of social and health services, aging and
2 long-term support administration; and

3 (v) The office of public defense.

4 (b) The kinship care legal aid coordinator shall work with
5 entities stated in (a) of this subsection to identify and facilitate
6 the development of local and regional kinship care legal aid
7 initiatives, and further efforts to implement relevant
8 recommendations from the kinship care oversight committee as provided
9 for in RCW 74.13.621.

10 (3) The kinship care legal aid coordinator shall maintain the
11 following duties:

12 (a) Develop, expand, and deliver training materials designed to
13 help pro bono and low bono attorneys provide legal advice and
14 assistance to kinship caregivers on matters that relate to their
15 ability to meet physical, mental, social, educational, and other
16 needs of children and youth in their care;

17 (b) Produce a biennial report outlining activities undertaken by
18 the coordinator; legal aid resources developed at the statewide,
19 regional, and local levels; and other information regarding
20 development and expansion of legal aid services to kinship caregivers
21 in Washington state. Reports are due to the department of children,
22 youth, and families, department of social and health services, and
23 relevant standing committees of the legislature by December 1st of
24 each even-numbered year.

25 **Sec. 2.** RCW 74.13.621 and 2017 3rd sp.s. c 1 s 982 are each
26 amended to read as follows:

27 (1) Within existing resources, the department shall establish an
28 oversight committee to monitor, guide, and report on kinship care
29 recommendations and implementation activities. The committee shall:

30 (a) Draft a kinship care definition that is restricted to persons
31 related by blood, marriage, or adoption, including marriages that
32 have been dissolved, or for a minor defined as an "Indian child"
33 under the federal Indian child welfare act (25 U.S.C. Sec. 1901 et
34 seq.), the definition of "extended family member" under the federal
35 Indian child welfare act, and a set of principles. If the committee
36 concludes that one or more programs or services would be more
37 efficiently and effectively delivered under a different definition of
38 kin, it shall state what definition is needed, and identify the
39 program or service in the report. It shall also provide evidence of

1 how the program or service will be more efficiently and effectively
2 delivered under the different definition. The department shall not
3 adopt rules or policies changing the definition of kin without
4 authorizing legislation;

5 (b) Monitor and provide consultation on the implementation of
6 recommendations contained in the 2002 kinship care report, including
7 but not limited to the recommendations relating to legal and respite
8 care services and resources;

9 (c) Partner with nonprofit organizations and private sector
10 businesses to guide a public education awareness campaign; ~~((and))~~

11 (d) Assist with developing future recommendations on kinship care
12 issues; and

13 (e) Coordinate with the kinship care legal aid coordinator to
14 develop, expand, and deliver training materials designed to help pro
15 bono and low bono attorneys provide legal advice and assistance to
16 kinship caregivers on matters that relate to their ability to meet
17 physical, mental, social, educational, and other needs of children
18 and youth in their care.

19 (2) The department shall consult with the oversight committee on
20 its efforts to better collaborate and coordinate services to benefit
21 kinship care families.

22 (3) The oversight committee must consist of a minimum of thirty
23 percent kinship caregivers, who shall represent a diversity of
24 kinship families. Statewide representation with geographic, ethnic,
25 and gender diversity is required. Other members shall include
26 representatives of the department, representatives of relevant state
27 agencies, representatives of the private nonprofit and business
28 sectors, child advocates, representatives of Washington state Indian
29 tribes as defined under the federal Indian welfare act (25 U.S.C.
30 Sec. 1901 et seq.), and representatives of the legal or judicial
31 field. Birth parents, foster parents, and others who have an interest
32 in these issues may also be included.

33 (4) To the extent funding is available, the department may
34 reimburse nondepartmental members of the oversight committee for
35 costs incurred in participating in the meetings of the oversight
36 committee.

37 (5) The kinship care oversight committee shall update the
38 legislature and governor annually on committee activities, with ~~((the~~
39 ~~first))~~ each update due by ~~((January 1, 2006))~~ December 1st.

40 ~~((6) This section expires June 30, 2019.))~~

1 NEW SECTION. **Sec. 3.** If specific funding for the purposes of
2 this act, referencing this act by bill or chapter number, is not
3 provided by June 30, 2019, in the omnibus appropriations act, this
4 act is null and void.

5 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of
7 the state government and its existing public institutions, and takes
8 effect June 30, 2019.

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