
SUBSTITUTE SENATE BILL 5331

State of Washington

67th Legislature

2021 Regular Session

By Senate Human Services, Reentry & Rehabilitation (originally sponsored by Senators Gildon, Darneille, Dhingra, Hasegawa, Nguyen, Nobles, Warnick, Wellman, and Wilson, C.)

READ FIRST TIME 02/08/21.

1 AN ACT Relating to establishing an early childhood court program
2 for young children and their families involved in Washington's child
3 welfare system; adding new sections to chapter 2.30 RCW; and creating
4 a new section.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that there is an
7 urgent need to provide greater support to young children and their
8 families involved in Washington state's child welfare system. Infants
9 and toddlers comprise a substantial portion of all child abuse and
10 neglect cases in Washington state; the rate of entry for children
11 under age one into the care of Washington state's child welfare
12 system is the second highest in the nation. Research demonstrates
13 that both the trauma of neglect as well as the trauma associated with
14 entering the child welfare system shapes young children's brain
15 development and have lifelong impacts on young children's social,
16 emotional, and physical well-being. Young children and families of
17 color are particularly impacted by child welfare involvement and the
18 factors leading up to it.

19 (2) The legislature further finds that early childhood court
20 programs provide timely, research-based, and trauma-informed
21 interventions. Early childhood court programs reduce maltreatment

1 recurrence, number of placements, and the time it takes to achieve
2 permanency, while increasing equitable access to services.

3 (3) The legislature further finds that statewide standards are
4 necessary to ensure the quality, accountability, and fidelity to
5 research-based interventions of early childhood court programs.
6 Statewide standards will also promote equitable access to these
7 programs, especially among children and families of color.

8 (4) The legislature further finds that the administrative office
9 of the courts has secured funding for the first year of the early
10 childhood court program to support their evaluation efforts. While
11 funding is not mandated through this act, the legislature
12 acknowledges that the administrative office of the courts is not able
13 to complete its required responsibilities as provided for in this act
14 without dedicated funding. The legislature finds and declares that in
15 the future, the office may seek funding through public and/or private
16 funding opportunities, and it may partner with local organizations to
17 seek further funding, although it is not required to do so.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 2.30 RCW
19 to read as follows:

20 (1)(a) A superior court may establish an early childhood court
21 program to serve the needs of infants and toddlers who are under the
22 age of three at the time the case enters the program and dependent
23 pursuant to chapter 13.34 RCW.

24 (b) Early childhood court programs means a therapeutic court as
25 defined in this chapter that provides an intensive court process for
26 families with a child under age three who has been found dependent
27 pursuant to chapter 13.34 RCW. To be eligible for the early childhood
28 court program, a parent must have a child under age three that is
29 dependent pursuant to chapter 13.34 RCW at the time the case enters
30 the early childhood court program process. The case may remain in the
31 early childhood court program after the child is age three or older
32 if the child is still dependent pursuant to chapter 13.34 RCW.

33 (2) If a superior court creates an early childhood court program,
34 it shall incorporate the following core components into the program:

35 (a) The court shall obtain a memorandum of understanding or other
36 agreement with the department of children, youth, and families that
37 outlines how the two entities will coordinate and collaborate to
38 implement the core components overall.

1 (b) The court shall employ a community coordinator who is
2 dedicated to: Facilitating real-time information sharing and
3 collaboration among cross-sector professionals participating in the
4 early childhood court program; coordinating and participating in
5 family team meetings; identifying community-based resources and
6 supporting the family's connection to these resources; building
7 relationships and forming new partnerships across traditional and
8 nontraditional services and systems; identifying training needs of
9 early childhood court professionals and facilitating the provision of
10 training; and supporting the convening of community team meetings.
11 The community coordinator carries out the tasks outlined in the core
12 components unless otherwise specified.

13 (c) The court shall establish a community team that aims to:
14 Foster a learning environment and encourage an interdisciplinary
15 approach to meeting the needs of young children and families;
16 identify and respond to challenges to accessing resources and needed
17 systems reforms; support multidisciplinary trainings; and recommend
18 local court policies and procedures to improve families receipt of
19 equitable and timely access to resources and remedial services. The
20 community team are stakeholders to the court that serve as an
21 advisory body to the court and implement the early childhood court
22 program.

23 (d) The judicial officer shall establish more frequent review
24 hearings than required pursuant to RCW 13.34.138(1).

25 (e) The community coordinator serves as a liaison between the
26 court and community-based resources to identify community-based
27 resources, identify barriers to engagement, and collaborate with
28 stakeholders to connect families to assessments and referrals. The
29 community coordinator shall facilitate connecting parents with
30 informal and formal social supports, including but not limited to
31 peer, community, and cultural supports.

32 (f) The community coordinator coordinates and neutrally
33 facilitates family team meetings. The family team may include all
34 parties to the case and other people or other service providers
35 identified by the parent to be part of the support system for the
36 parent involved. The family team engages parents in their case plan
37 and expediently addresses family needs and access to services and
38 support.

39 (g) Parents are critical participants in the early childhood
40 court program. The court shall aim to foster an environment in which

1 all professionals involved in the early childhood court program
2 increase their awareness of different forms of bias and the trauma
3 and adversity that often accompany poverty, mental health, and
4 substance use.

5 (h) The court shall strive to ensure that families receive early,
6 consistent, and frequent visitation that is developmentally
7 appropriate for infants and toddlers; that minimizes stress and
8 anxiety for both children and parents; and occurs in a safe,
9 comfortable, and unthreatening setting that supports parents to
10 nurture and care for their child.

11 (i) The court shall ensure that: The individualized case plan for
12 parents involved in the early childhood court program should address
13 protective factors that mitigate or eliminate safety risks to the
14 child, and the court should encourage a respectful, strength-based,
15 compassionate approach to working with parents in the context of the
16 early childhood court program.

17 (j) The court shall support the development of agreements that
18 encourage: Stakeholders participate in any available statewide
19 structure that supports alignment to the approach of the early
20 childhood court program, cross-site cooperation, and consistency; any
21 program data is regularly and continuously reviewed to ensure equity,
22 inform and improve practice; and stakeholders utilize technical
23 assistance, training, and evaluation to assess effectiveness and
24 improve outcomes. Each early childhood court program must review its
25 data to assess its effectiveness and participate in a statewide group
26 of early childhood court programs. The statewide group will share its
27 data findings and hold statewide meetings to support alignment to the
28 core components and statewide consistency.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 2.30 RCW
30 to read as follows:

31 (1) Judicial officers who preside over early childhood court
32 program hearings shall participate in required trainings, as follows:

33 (a) An initial, eight-hour training program that can include the
34 topic areas of: The benefits to infants and toddlers of secure
35 attachment with primary caregivers; a trauma-informed approach; the
36 importance of maintaining children within their biological
37 connections; the importance of reunification of children with their
38 families; and the impact of trauma on child development;

1 (b) After the initial training, annually attend a minimum of
2 eight hours of continuing education of pertinence to the early
3 childhood court program.

4 (2) The administrative office of the courts shall administer the
5 certification of training requirements.

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 2.30 RCW
7 to read as follows:

8 (1) Pursuant to available funding, the administrative office of
9 the courts shall perform, or contract for, an evaluation of the early
10 childhood court program to ensure the quality, accountability, and
11 fidelity of the programs' evidence-based treatment. Any evaluation of
12 the early childhood court program shall be posted on the
13 administrative office of the courts website.

14 (2) The administrative office of the courts may provide, or
15 contract for the provision of, training and technical assistance
16 related to program services, consultation and guidance for difficult
17 cases, and ongoing training for court teams.

18 NEW SECTION. **Sec. 5.** A new section is added to chapter 2.30 RCW
19 to read as follows:

20 Any early childhood court program in operation as of the
21 effective date of this section shall have a reasonable time to adjust
22 its practices to comply with sections 2 and 3 of this act.

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