

HOUSE BILL REPORT

SSB 5149

As Reported by House Committee On:
Early Learning & Human Services

Title: An act relating to expanding the early childhood court program.

Brief Description: Expanding the early childhood court program.

Sponsors: Senate Committee on Human Services (originally sponsored by Senators Cortes, Hasegawa, Krishnadasan, Lias, Nobles, Saldaña, Salomon, Shewmake and Wilson, C.).

Brief History:

Committee Activity:

Early Learning & Human Services: 3/26/25, 3/28/25 [DP].

Brief Summary of Substitute Bill

- Expands the eligibility for Early Childhood Court to include families with children under age 6 instead of families with children under age 3.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: Do pass. Signed by 11 members: Representatives Bergquist, Chair; Cortes, Vice Chair; Eslick, Ranking Minority Member; Burnett, Assistant Ranking Minority Member; Bernbaum, Dent, Goodman, Hill, Ortiz-Self, Penner and Taylor.

Staff: Luke Wickham (786-7146).

Background:

Therapeutic Courts.

Therapeutic courts incorporate treatment services and judicial services instead of traditional court practices. These therapeutic courts focus on an individual's needs, providing treatment for the issues presented, and ensuring rapid and appropriate accountability for

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program violations.

Therapeutic courts incorporate interdisciplinary teams led by a judge who works collaboratively to support and provide supervision to participants. There are various types of therapeutic courts including drug courts, mental health courts, Driving Under the Influence courts, veterans therapeutic courts, community courts, tribal healing to wellness courts, juvenile therapeutic courts, family therapeutic courts, early childhood courts, and human trafficking courts.

The judicial branch of government has inherent constitutional authority to establish therapeutic courts and state law encourages the use of therapeutic court programs in certain areas.

Early Childhood Court.

A superior court may establish an Early Childhood Court (ECC) to serve the needs of children under the age of 3 who are the subject of a child welfare (dependency) case. Courts that create an ECC must incorporate the following core components into their program:

- obtaining a memorandum of understanding with the Department of Children, Youth, and Families, developed in collaboration with counsel for parents and children, that outlines how the two entities will coordinate and collaborate;
- a community coordinator that serves as a liaison between the court and community-based resources;
- a community team consisting of stakeholders that serve as an advisory body to the court and implement the program;
- more frequent status hearings than the review hearings required by law;
- family team meetings facilitated by the community coordinator;
- ensuring that families receive early, consistent, and frequent visitation that is developmentally appropriate;
- an individualized case plan for parents that addresses protective factors that mitigate or eliminate safety risks to the child;
- encouraging a respectful, strength-based, compassionate approach to working with parents;
- the development of agreements that encourage stakeholder participation, review of program data, and utilization of technical assistance, training, and evaluation;
- collection and review of data;
- a caseworker with training related to cultural antibias and antiracism;
- responsiveness to community needs and adoption of best practices;
- an attorney for the parent who is present during every meeting of the program; and
- ensuring that parents participating in the program receive all available and appropriate services.

Judicial officers who preside over an ECC must participate in certain trainings related to children in child welfare cases. These trainings include an initial eight-hour training

program that can include certain topics and an additional eight hours of continuing education annually thereafter in areas relevant to the ECC.

There are ECCs in five counties in Washington including Clark, Kitsap, Pierce, Thurston, and Spokane counties.

Summary of Bill:

The Early Childhood Court eligibility is expanded to include families with children under age 6 instead of families with children under age 3.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Fewer families of color have been entering Early Childhood Court (ECC) programs than expected and amendments have been provided to address this issue to lead to more equitable use of these courts.

BIPOC families have been historically underrepresented in ECCs. Families are making increased growth while participating in ECCs. Resources will become more effective and more families will be able to use the resources provided by ECCs.

This bill reflects the thoughtful evolution of ECCs. This does not create a new program, but aligns state law with the realities of child welfare cases, where children from birth through age 5 make up nearly 60 percent of all filings statewide.

The population of dependency-involved children under age 6 is 55 percent. Non-white ECCs are producing measurable results for these children. In ECCs, 79 percent of BIPOC children reunify with their families, compared to just 64 percent in standard dependency cases. Adoption rates are also lower in ECCs. There is no new fiscal burden created by this bill.

Local ECCs are federally funded through September of 2027. This is fiscally sound, policy smart, and empowers local courts to serve more families using existing federal dollars.

This is a valuable program worth expanding to more families. Families that didn't think they could parent again have been successful through support from this program.

If more parents had the support of this program, it would give them a chance.

There are a lot of people struggling with older kids and this bill would help them.

Attorneys will advise their clients to do more than is required to get their children back. This was not a therapeutic approach. Parents should not struggle endlessly or prove their worth through endless measures to get their children back. This program addresses the needs of families in a holistic manner. This program allows families to stabilize their lives in a way that traditional systems cannot.

Expanding the age of ECCs is essential to provide support to additional families. This program provides diapers, food, support related to potty-training, and other important supports.

This program connects parents with the support they need.

This bill would allow for using the current federal funding to support additional families.

Outcomes for families of color involved in ECCs are much better than those not participating in this program, with reunification rates higher and adoption rates lower.

(Opposed) None.

Persons Testifying: Amelia Watson, Washington State Office of Public Defense; Tonia McClanahan, Washington State Office of Public Defense; Rosalynn Guillen, Administrative Office of the Courts; Elizabeth Ballou; Terreca Defehr; Candle Kaltenbach; and Nicholas Oakley, Center for Children and Youth Justice.

Persons Signed In To Testify But Not Testifying: None.