
SECOND SUBSTITUTE SENATE BILL 6308

State of Washington

69th Legislature

2026 Regular Session

By Senate Ways & Means (originally sponsored by Senators C. Wilson, Nobles, and Saldaña)

READ FIRST TIME 02/09/26.

1 AN ACT Relating to authorizing the court to order certain
2 conditions during child welfare shelter care hearings to maintain the
3 safety of children under age five who are placed in the care,
4 custody, or control of a parent, guardian, or legal custodian;
5 amending RCW 13.34.065 and 13.34.110; and creating a new section.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that critical
8 incidents, maltreatment-related child fatalities or near fatalities
9 involving families with an open child welfare case within one year of
10 the incident, increased by 70 percent from 2021 to 2024. In the first
11 quarter of 2025, there were 22 critical incidents compared to nine
12 critical incidents in the first quarter of 2024.

13 (2) The legislature intends to address the concerning rise in
14 critical incidents by increasing court oversight of child welfare
15 cases during the shelter care phase for children under age five.

16 **Sec. 2.** RCW 13.34.065 and 2024 c 328 s 103 are each amended to
17 read as follows:

18 (1)(a) When a child is removed or when the petitioner is seeking
19 the removal of a child from the child's parent, guardian, or legal
20 custodian, the court shall hold a shelter care hearing within 72

1 hours, excluding Saturdays, Sundays, and holidays. The primary
2 purpose of the shelter care hearing is to determine whether the child
3 can be immediately and safely returned home while the adjudication of
4 the dependency is pending. The court shall hold an additional shelter
5 care hearing within 72 hours, excluding Saturdays, Sundays, and
6 holidays if the child is removed from the care of a parent, guardian,
7 or legal custodian at any time after an initial shelter care hearing
8 under this section.

9 (b) Any child's attorney, parent, guardian, or legal custodian
10 who for good cause is unable to attend or adequately prepare for the
11 shelter care hearing may request that the initial shelter care
12 hearing be continued or that a subsequent shelter care hearing be
13 scheduled. The request shall be made to the clerk of the court where
14 the petition is filed prior to the initial shelter care hearing. Upon
15 the request of the child's attorney, parent, guardian, or legal
16 custodian, the court shall schedule the hearing within 72 hours of
17 the request, excluding Saturdays, Sundays, and holidays. The clerk
18 shall notify all other parties of the hearing by any reasonable
19 means. If the parent, guardian, or legal custodian is not represented
20 by counsel, the clerk shall provide information to the parent,
21 guardian, or legal custodian regarding how to obtain counsel.

22 (2) (a) If it is likely that the child will remain in shelter care
23 longer than 72 hours, the department shall submit a recommendation to
24 the court as to the further need for shelter care in all cases in
25 which the child will remain in shelter care longer than the 72 hour
26 period. In all other cases, the recommendation shall be submitted by
27 the juvenile court probation counselor.

28 (b) All parties have the right to present testimony to the court
29 regarding the need or lack of need for shelter care.

30 (c) Hearsay evidence before the court regarding the need or lack
31 of need for shelter care must be supported by sworn testimony,
32 affidavit, or declaration of the person offering such evidence.

33 (3) (a) At the commencement of the hearing, the court shall notify
34 the parent, guardian, or custodian of the following:

35 (i) The parent, guardian, or custodian has the right to a shelter
36 care hearing;

37 (ii) The nature of the shelter care hearing, the rights of the
38 parents, and the proceedings that will follow; and

39 (iii) If the parent, guardian, or custodian is not represented by
40 counsel, the right to be represented. If the parent, guardian, or

1 custodian is indigent, the court shall appoint counsel as provided in
2 RCW 13.34.090; and

3 (b) If a parent, guardian, or legal custodian desires to waive
4 the shelter care hearing, the court shall determine, on the record
5 and with the parties present, whether such waiver is knowing and
6 voluntary. A parent may not waive his or her right to the shelter
7 care hearing unless he or she appears in court, in person, or by
8 remote means, and the court determines that the waiver is knowing and
9 voluntary. Regardless of whether the court accepts the parental
10 waiver of the shelter care hearing, the court must provide notice to
11 the parents of their rights required under (a) of this subsection and
12 make the finding required under subsection (4) of this section.

13 (4) At the shelter care hearing the court shall examine the need
14 for shelter care and inquire into the status of the case. The
15 paramount consideration for the court shall be the health, welfare,
16 and safety of the child. At a minimum, the court shall inquire into
17 the following:

18 (a) Whether the notice required under RCW 13.34.062 was given to
19 all known parents, guardians, or legal custodians of the child. The
20 court shall make an express finding as to whether the notice required
21 under RCW 13.34.062 was given to the parent, guardian, or legal
22 custodian. If actual notice was not given to the parent, guardian, or
23 legal custodian and the whereabouts of such person is known or can be
24 ascertained, the court shall order the department to make diligent
25 efforts to advise the parent, guardian, or legal custodian of the
26 status of the case, including the date and time of any subsequent
27 hearings, and their rights under RCW 13.34.090;

28 (b) Whether the child can be safely returned home while the
29 adjudication of the dependency is pending;

30 (c) What efforts have been made to place the child with a
31 relative. The court shall ask the parents whether the department
32 discussed with them the placement of the child with a relative or
33 other suitable person described in RCW 13.34.130(1)(b) and shall
34 determine what efforts have been made toward such a placement;

35 (d) What services were provided to the family to prevent or
36 eliminate the need for removal of the child from the child's home. If
37 the dependency petition or other information before the court alleges
38 that experiencing homelessness or the lack of suitable housing was a
39 significant factor contributing to the removal of the child, the
40 court shall inquire as to whether housing assistance was provided to

1 the family to prevent or eliminate the need for removal of the child
2 or children;

3 (e) Is the placement proposed by the department the least
4 disruptive and most family-like setting that meets the needs of the
5 child;

6 (f) Whether it is in the best interest of the child to remain
7 enrolled in the school, developmental program, or child care the
8 child was in prior to placement and what efforts have been made to
9 maintain the child in the school, program, or child care if it would
10 be in the best interest of the child to remain in the same school,
11 program, or child care;

12 (g) Appointment of a guardian ad litem or attorney;

13 (h) Whether the child is or may be an Indian child as defined in
14 RCW 13.38.040, whether the provisions of the federal Indian child
15 welfare act or chapter 13.38 RCW apply, and whether there is
16 compliance with the federal Indian child welfare act and chapter
17 13.38 RCW, including notice to the child's tribe;

18 (i) Whether, as provided in RCW 26.44.063, restraining orders, or
19 orders expelling an allegedly abusive household member from the home
20 of a nonabusive parent, guardian, or legal custodian, will allow the
21 child to safely remain in the home;

22 (j) Whether any orders for examinations, evaluations, or
23 immediate services are needed. ~~((The))~~ Except as provided in
24 subsection (5)(c) of this section, the court may not order a parent
25 to undergo examinations, evaluation, or services at the shelter care
26 hearing unless the parent agrees to the examination, evaluation, or
27 service;

28 (k) The terms and conditions for parental, sibling, and family
29 visitation.

30 (5)(a) The court shall release a child alleged to be dependent to
31 the care, custody, and control of the child's parent, guardian, or
32 legal custodian unless the court finds there is reasonable cause to
33 believe that:

34 (i) After consideration of the specific services that have been
35 provided, reasonable efforts have been made to prevent or eliminate
36 the need for removal of the child from the child's home and to make
37 it possible for the child to return home; and

38 (ii)(A) The child has no parent, guardian, or legal custodian to
39 provide supervision and care for such child; or

1 (B)(I) Removal of the child is necessary to prevent imminent
2 physical harm due to child abuse or neglect, including that which
3 results from sexual abuse, sexual exploitation, a high-potency
4 synthetic opioid, or a pattern of severe neglect, notwithstanding an
5 order entered pursuant to RCW 26.44.063. The evidence must show a
6 causal relationship between the particular conditions in the home and
7 imminent physical harm to the child. The existence of community or
8 family poverty, isolation, single parenthood, age of the parent,
9 crowded or inadequate housing, substance abuse, prenatal drug or
10 alcohol exposure, mental illness, disability or special needs of the
11 parent or child, or nonconforming social behavior does not by itself
12 constitute imminent physical harm. The court shall give great weight
13 to the lethality of high-potency synthetic opioids and public health
14 guidance from the department of health related to high-potency
15 synthetic opioids when determining whether removal of the child is
16 necessary to prevent imminent physical harm due to child abuse or
17 neglect;

18 (II) It is contrary to the welfare of the child to be returned
19 home; and

20 (III) After considering the particular circumstances of the
21 child, any imminent physical harm to the child outweighs the harm the
22 child will experience as a result of removal; or

23 (C) The parent, guardian, or custodian to whom the child could be
24 released has been charged with violating RCW 9A.40.060 or 9A.40.070.

25 (b) If the court finds that the elements of (a)(ii)(B) of this
26 subsection require removal of the child, the court shall further
27 consider:

28 (i) Whether participation by the parents, guardians, or legal
29 custodians in any prevention services would prevent or eliminate the
30 need for removal and, if so, shall inquire of the parent whether they
31 are willing to participate in such services. If the parent agrees to
32 participate in the prevention services identified by the court that
33 would prevent or eliminate the need for removal, the court shall
34 place the child with the parent. The court shall give great weight to
35 the lethality of high-potency synthetic opioids and public health
36 guidance from the department of health related to high-potency
37 synthetic opioids when deciding whether to place the child with the
38 parent. ~~((The))~~ Except as provided in (c) of this subsection, the
39 court shall not order a parent to participate in prevention services
40 over the objection of the parent, however, parents shall have the

1 opportunity to consult with counsel prior to deciding whether to
2 agree to proposed prevention services as a condition of having the
3 child return to or remain in the care of the parent; and

4 (ii) Whether the issuance of a temporary order of protection
5 directing the removal of a person or persons from the child's
6 residence would prevent the need for removal of the child.

7 (c) If a child is under the age of five at the time of filing the
8 dependency petition and the court releases the child to the care,
9 custody, and control of a parent, guardian, or legal custodian under
10 subsection (a) of this section, the court may order the parent,
11 guardian, or legal custodian to comply with the least restrictive
12 conditions necessary to maintain the safety of the child in the home
13 if the court finds that there is reasonable cause to believe that
14 these conditions are necessary to maintain the safety of the child.
15 If these conditions involve the participation of the parent,
16 guardian, or legal custodian in a service or evaluation, the parent,
17 guardian, or legal custodian shall sign a release of information
18 allowing the department to make a referral and receive any related
19 results and the department shall provide all necessary referrals to
20 that service or evaluation within seven days of signing this release.
21 Any conditions ordered under this subsection (5)(c) must be reviewed
22 by the court at least every 30 days to determine whether the
23 conditions are still necessary to maintain the safety of the child in
24 the home. Failure by the department to provide timely referrals or
25 access to service conditions may not be used as a basis for removal,
26 continued shelter care, or a finding of dependency. The court may
27 only order conditions under this subsection (5)(c) that the
28 department identifies as:

29 (i) Culturally appropriate;

30 (ii) For an Indian child, as defined in RCW 13.38.040, consistent
31 with and in compliance with chapter 13.38 RCW and the federal Indian
32 child welfare act, 25 U.S.C. Sec. 1901 et seq.;

33 (iii) Reasonably available to the parent, guardian, or legal
34 custodian; and

35 (iv) Reasonably accessible to the parent, guardian, or legal
36 custodian.

37 (d)(i) If the court does not release the child to his or her
38 parent, guardian, or legal custodian, the court shall order placement
39 with a relative or other suitable person as described in RCW

1 13.34.130(1)(b), unless the petitioner establishes that there is
2 reasonable cause to believe that:

3 (A) Placement in licensed foster care is necessary to prevent
4 imminent physical harm to the child due to child abuse or neglect,
5 including that which results from sexual abuse, sexual exploitation,
6 a high-potency synthetic opioid, or a pattern of severe neglect,
7 because no relative or other suitable person is capable of ensuring
8 the basic safety of the child; or

9 (B) The efforts to reunite the parent and child will be hindered.

10 (ii) In making the determination in ~~((e))~~ (d)(i) of this
11 subsection, the court shall:

12 (A) Inquire of the petitioner and any other person present at the
13 hearing for the child whether there are any relatives or other
14 suitable persons who are willing to care for the child. This inquiry
15 must include whether any relative or other suitable person:

16 (I) Has expressed an interest in becoming a caregiver for the
17 child;

18 (II) Is able to meet any special needs of the child;

19 (III) Is willing to facilitate the child's sibling and parent
20 visitation if such visitation is ordered by the court; and

21 (IV) Supports reunification of the parent and child once
22 reunification can safely occur; and

23 (B) Give great weight to the stated preference of the parent,
24 guardian, or legal custodian, and the child.

25 (iii) If a relative or other suitable person expressed an
26 interest in caring for the child, can meet the child's special needs,
27 can support parent-child reunification, and will facilitate court-
28 ordered sibling or parent visitation, the following must not prevent
29 the child's placement with such relative or other suitable person:

30 (A) An incomplete department or fingerprint-based background
31 check, if such relative or other suitable person appears otherwise
32 suitable and competent to provide care and treatment, but the
33 background checks must be completed as soon as possible after
34 placement;

35 (B) Uncertainty on the part of the relative or other suitable
36 person regarding potential adoption of the child;

37 (C) Disbelief on the part of the relative or other suitable
38 person that the parent, guardian, or legal custodian presents a
39 danger to the child, provided the caregiver will protect the safety

1 of the child and comply with court orders regarding contact with a
2 parent, guardian, or legal custodian; or

3 (D) The conditions of the relative or other suitable person's
4 home are not sufficient to satisfy the requirements of a licensed
5 foster home. The court may order the department to provide financial
6 or other support to the relative or other suitable person necessary
7 to ensure safe conditions in the home.

8 ~~((d))~~ (e) If the child was not initially placed with a relative
9 or other suitable person, and the court does not release the child to
10 his or her parent, guardian, or legal custodian, the department shall
11 make reasonable efforts to locate a relative or other suitable person
12 pursuant to RCW 13.34.060(1).

13 ~~((e))~~ (f) If the court does not order placement with a relative
14 or other suitable person, the court shall place the child in licensed
15 foster care and shall set forth its reasons for the order. If the
16 court orders placement of the child with a person not related to the
17 child and not licensed to provide foster care, the placement is
18 subject to all terms and conditions of this section that apply to
19 relative placements.

20 ~~((f))~~ (g) Any placement with a relative, or other suitable
21 person approved by the court pursuant to this section, shall be
22 contingent upon cooperation with the department's or agency's case
23 plan and compliance with court orders related to the care and
24 supervision of the child including, but not limited to, court orders
25 regarding parent-child contacts, sibling contacts, and any other
26 conditions imposed by the court. Noncompliance with the case plan or
27 court order is grounds for removal of the child from the home of the
28 relative or other suitable person, subject to review by the court.

29 ~~((g))~~ (h) If the child is placed in a qualified residential
30 treatment program as defined in this chapter, the court shall, within
31 60 days of placement, hold a hearing to:

32 (i) Consider the assessment required under RCW 13.34.420 and
33 submitted as part of the department's social study, and any related
34 documentation;

35 (ii) Determine whether placement in foster care can meet the
36 child's needs or if placement in another available placement setting
37 best meets the child's needs in the least restrictive environment;
38 and

39 (iii) Approve or disapprove the child's placement in the
40 qualified residential treatment program.

1 ~~((h))~~ (i) Uncertainty by a parent, guardian, legal custodian,
2 relative, or other suitable person that the alleged abuser has in
3 fact abused the child shall not, alone, be the basis upon which a
4 child is removed from the care of a parent, guardian, or legal
5 custodian under (a) of this subsection, nor shall it be a basis,
6 alone, to preclude placement with a relative or other suitable person
7 under ~~((e))~~ (d) of this subsection.

8 ~~((i))~~ (j) If the court places with a relative or other suitable
9 person, and that person has indicated a desire to become a licensed
10 foster parent, the court shall order the department to commence an
11 assessment of the home of such relative or other suitable person
12 within 10 days and thereafter issue an initial license as provided
13 under RCW 74.15.120 for such relative or other suitable person, if
14 qualified, as a foster parent. The relative or other suitable person
15 shall receive a foster care maintenance payment, starting on the date
16 the department approves the initial license. If such home is found to
17 be unqualified for licensure, the department shall report such fact
18 to the court within one week of that determination. The department
19 shall report on the status of the licensure process during the entry
20 of any dispositional orders in the case.

21 ~~((j))~~ (k) If the court places the child in licensed foster
22 care:

23 (i) The petitioner shall report to the court, at the shelter care
24 hearing, the location of the licensed foster placement the petitioner
25 has identified for the child and the court shall inquire as to
26 whether:

27 (A) The identified placement is the least restrictive placement
28 necessary to meet the needs of the child;

29 (B) The child will be able to remain in the same school and
30 whether any orders of the court are necessary to ensure educational
31 stability for the child;

32 (C) The child will be placed with a sibling or siblings, and
33 whether court-ordered sibling contact would promote the well-being of
34 the child;

35 (D) The licensed foster placement is able to meet the special
36 needs of the child;

37 (E) The location of the proposed foster placement will impede
38 visitation with the child's parent or parents;

39 (ii) The court may order the department to:

40 (A) Place the child in a less restrictive placement;

1 (B) Place the child in a location in closer proximity to the
2 child's parent, home, or school;

3 (C) Place the child with the child's sibling or siblings;

4 (D) Take any other necessary steps to ensure the child's health,
5 safety, and well-being;

6 (iii) The court shall advise the petitioner that:

7 (A) Failure to comply with court orders while a child is in
8 shelter care will be considered when determining whether reasonable
9 efforts have been made by the department during a hearing under RCW
10 13.34.110; and

11 (B) Placement moves while a child is in shelter care will be
12 considered when determining whether reasonable efforts have been made
13 by the department during a hearing under RCW 13.34.110.

14 (6) (a) A shelter care order issued pursuant to this section shall
15 include the requirement for a case conference as provided in RCW
16 13.34.067. However, if the parent is not present at the shelter care
17 hearing, or does not agree to the case conference, the court shall
18 not include the requirement for the case conference in the shelter
19 care order.

20 (b) If the court orders a case conference, the shelter care order
21 shall include notice to all parties and establish the date, time, and
22 location of the case conference which shall be no later than 30 days
23 before the fact-finding hearing.

24 (c) The court may order another conference, case staffing, or
25 hearing as an alternative to the case conference required under RCW
26 13.34.067 so long as the conference, case staffing, or hearing
27 ordered by the court meets all requirements under RCW 13.34.067,
28 including the requirement of a written agreement specifying the
29 services to be provided to the parent.

30 (7) (a) (i) A shelter care order issued pursuant to this section
31 may be amended at any time with notice and hearing thereon. The
32 shelter care decision of placement shall be modified only upon a
33 showing of change in circumstances. No child may be placed in shelter
34 care for longer than thirty days without an order, signed by the
35 judge, authorizing continued shelter care.

36 (ii) If the court previously ordered that visitation between a
37 parent and child be supervised or monitored, there shall be a
38 presumption that such supervision or monitoring will no longer be
39 necessary following a continued shelter care order under (a) (i) of
40 this subsection. To overcome this presumption, a party must provide a

1 report to the court including evidence establishing that removing
2 visit supervision or monitoring would create a risk to the child's
3 safety, and the court shall make a determination as to whether visit
4 supervision or monitoring must continue.

5 (b) (i) An order releasing the child on any conditions specified
6 in this section may at any time be amended, with notice and hearing
7 thereon, so as to return the child to shelter care for failure of the
8 parties to conform to the conditions originally imposed.

9 (ii) The court shall consider whether nonconformance with any
10 conditions resulted from circumstances beyond the control of the
11 parent, guardian, or legal custodian and give weight to that fact
12 before ordering return of the child to shelter care.

13 (8) The department and its employees shall not be held liable in
14 any civil action for complying with an order issued under this
15 section for placement: With a parent who has agreed to accept
16 services, a relative, or a suitable person.

17 (9) (a) If a child is placed out of the home of a parent,
18 guardian, or legal custodian following a shelter care hearing, the
19 court shall order the petitioner to provide regular visitation with
20 the parent, guardian, or legal custodian, and siblings. Early,
21 consistent, and frequent visitation is crucial for maintaining
22 parent-child relationships and allowing family reunification. The
23 court shall order a visitation plan individualized to the needs of
24 the family with a goal of providing the maximum parent, child, and
25 sibling contact possible.

26 (b) Visitation under this subsection shall not be limited as a
27 sanction for a parent's failure to comply with recommended services
28 during shelter care.

29 (c) Visitation under this subsection may only be limited where
30 necessary to ensure the health, safety, or welfare of the child.

31 (d) The first visit must take place within 72 hours of the child
32 being delivered into the custody of the department, unless the court
33 finds that extraordinary circumstances require delay.

34 (e) If the first visit under (d) of this subsection occurs in an
35 in-person format, this first visit must be supervised unless the
36 department determines that visit supervision is not necessary.

37 **Sec. 3.** RCW 13.34.110 and 2020 c 312 s 116 are each amended to
38 read as follows:

1 (1) The court shall hold a fact-finding hearing on the petition
2 and, unless the court dismisses the petition, shall make written
3 findings of fact, stating the reasons therefor. The rules of evidence
4 shall apply at the fact-finding hearing and the parent, guardian, or
5 legal custodian of the child shall have all of the rights provided in
6 RCW 13.34.090(1). The petitioner shall have the burden of
7 establishing by a preponderance of the evidence that the child is
8 dependent within the meaning of RCW 13.34.030.

9 (2) (a) The court in a fact-finding hearing may consider the
10 history of past involvement of child protective services or law
11 enforcement agencies with the family for the purpose of establishing
12 a pattern of conduct, behavior, or inaction with regard to the
13 health, safety, or welfare of the child on the part of the child's
14 parent, guardian, or legal custodian, or for the purpose of
15 establishing that reasonable efforts have been made by the department
16 to prevent or eliminate the need for removal of the child from the
17 child's home. No report of child abuse or neglect that has been
18 destroyed or expunged under RCW 26.44.031 may be used for such
19 purposes.

20 (b) The fact that the parent participated in prevention services,
21 safety planning, or conditions necessary to maintain the safety of
22 the child under RCW 13.34.065(5)(c) may not be construed as an
23 admission of abuse or neglect.

24 (3) (a) The parent, guardian, or legal custodian of the child may
25 waive his or her right to a fact-finding hearing by stipulating or
26 agreeing to the entry of an order of dependency establishing that the
27 child is dependent within the meaning of RCW 13.34.030. The parent,
28 guardian, or legal custodian may also stipulate or agree to an order
29 of disposition pursuant to RCW 13.34.130 at the same time. Any
30 stipulated or agreed order of dependency or disposition must be
31 signed by the parent, guardian, or legal custodian and his or her
32 attorney, unless the parent, guardian, or legal custodian has waived
33 his or her right to an attorney in open court, and by the petitioner
34 and the attorney, guardian ad litem, or court-appointed special
35 advocate for the child, if any. If the department is not the
36 petitioner and is required by the order to supervise the placement of
37 the child or provide services to any party, the department must also
38 agree to and sign the order.

39 (b) Entry of any stipulated or agreed order of dependency or
40 disposition is subject to approval by the court. The court shall

1 receive and review a social study before entering a stipulated or
2 agreed order and shall consider whether the order is consistent with
3 the allegations of the dependency petition and the problems that
4 necessitated the child's placement in out-of-home care. No social
5 file or social study may be considered by the court in connection
6 with the fact-finding hearing or prior to factual determination,
7 except as otherwise admissible under the rules of evidence.

8 (c) Prior to the entry of any stipulated or agreed order of
9 dependency, the parent, guardian, or legal custodian of the child and
10 his or her attorney must appear before the court and the court within
11 available resources must inquire and establish on the record that:

12 (i) The parent, guardian, or legal custodian understands the
13 terms of the order or orders he or she has signed, including his or
14 her responsibility to participate in remedial services as provided in
15 any disposition order;

16 (ii) The parent, guardian, or legal custodian understands that
17 entry of the order starts a process that could result in the filing
18 of a petition to terminate his or her relationship with the child
19 within the time frames required by state and federal law if he or she
20 fails to comply with the terms of the dependency or disposition
21 orders or fails to substantially remedy the problems that
22 necessitated the child's placement in out-of-home care;

23 (iii) The parent, guardian, or legal custodian understands that
24 the entry of the stipulated or agreed order of dependency is an
25 admission that the child is dependent within the meaning of RCW
26 13.34.030 and shall have the same legal effect as a finding by the
27 court that the child is dependent by at least a preponderance of the
28 evidence, and that the parent, guardian, or legal custodian shall not
29 have the right in any subsequent proceeding for termination of
30 parental rights pursuant to this chapter or guardianship pursuant to
31 chapters [chapter] 13.36 or 11.130 RCW to challenge or dispute the
32 fact that the child was found to be dependent; and

33 (iv) The parent, guardian, or legal custodian knowingly and
34 willingly stipulated and agreed to and signed the order or orders,
35 without duress, and without misrepresentation or fraud by any other
36 party.

37 If a parent, guardian, or legal custodian fails to appear before
38 the court after stipulating or agreeing to entry of an order of
39 dependency, the court may enter the order upon a finding that the
40 parent, guardian, or legal custodian had actual notice of the right

1 to appear before the court and chose not to do so. The court may
2 require other parties to the order, including the attorney for the
3 parent, guardian, or legal custodian, to appear and advise the court
4 of the parent's, guardian's, or legal custodian's notice of the right
5 to appear and understanding of the factors specified in this
6 subsection. A parent, guardian, or legal custodian may choose to
7 waive his or her presence at the in-court hearing for entry of the
8 stipulated or agreed order of dependency by submitting to the court
9 through counsel a completed stipulated or agreed dependency fact-
10 finding/disposition statement in a form determined by the Washington
11 state supreme court pursuant to General Rule GR 9.

12 (4) Immediately after the entry of the findings of fact, the
13 court shall hold a disposition hearing, unless there is good cause
14 for continuing the matter for up to fourteen days. If good cause is
15 shown, the case may be continued for longer than fourteen days.
16 Notice of the time and place of the continued hearing may be given in
17 open court. If notice in open court is not given to a party, that
18 party shall be notified by certified mail of the time and place of
19 any continued hearing. Unless there is reasonable cause to believe
20 the health, safety, or welfare of the child would be jeopardized or
21 efforts to reunite the parent and child would be hindered, the court
22 shall direct the department to notify those adult persons who: (a)
23 Are related by blood or marriage to the child in the following
24 degrees: Parent, grandparent, brother, sister, stepparent,
25 stepbrother, stepsister, uncle, or aunt; (b) are known to the
26 department as having been in contact with the family or child within
27 the past twelve months; and (c) would be an appropriate placement for
28 the child. Reasonable cause to dispense with notification to a parent
29 under this section must be proved by clear, cogent, and convincing
30 evidence.

31 The parties need not appear at the fact-finding or dispositional
32 hearing if the parties, their attorneys, the guardian ad litem, and
33 court-appointed special advocates, if any, are all in agreement.

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