

SENATE BILL REPORT

HB 1687

As Reported By Senate Committee On:
Human Services & Corrections, March 28, 1995

Title: An act relating to court-appointed special advocate programs.

Brief Description: Providing for distribution of appropriations for court-appointed special advocate programs.

Sponsors: Representatives Lambert, Costa, Padden, Appelwick, Fuhrman, Grant, Sheahan, Tokuda, Chappell, Thibaudeau, Veloria, Morris, Hickel, Huff, Patterson and Mastin.

Brief History:

Committee Activity: Human Services & Corrections: 3/28/95 [DP-WM].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Hargrove, Chair; Franklin, Vice Chair; Fairley, Kohl, Long, Moyer, Palmer, Schow and Strannigan.

Staff: Richard Rodger (786-7461)

Background: Courts are authorized to appoint special advocates, or guardians ad litem, to represent the interests of children in cases brought in family or juvenile court. Courts are required to appoint a guardian ad litem for a child in any case where it is alleged that the child has been subjected to abuse or neglect.

Guardians ad litem act as representatives and advocates of the interests of minor and dependent children in the court system. A guardian ad litem is appointed by, and considered an officer of, the court. The role of the guardian ad litem is to protect the best interests of the child, to collect and report information regarding the child's situation, and to monitor both appropriateness of and compliance with any court order regarding the child. The guardian has access to all information available to the state, must be notified of all court proceedings, and is empowered to present evidence and examine witnesses.

Court-appointed special advocate programs are groups that provide guardian ad litem services.

A corporation may be designated as a public benefit nonprofit corporation if it complies with all the requirements of the Washington Nonprofit Corporation Act, and holds, or is not required to apply for, tax exempt status under federal law.

Summary of Bill: The Department of Community, Trade, and Economic Development (CTED) is required to distribute all funds appropriated by the Legislature for the statewide technical support, development, and enhancement of court-appointed special advocate

programs. Required criteria are established that an organization providing such services must meet to be eligible for funding.

To receive funding, an organization must develop and support court-appointed special advocate programs on a statewide basis. All of the guardians ad litem working under those programs must be volunteers receiving no payment for their services. Finally, the organization must be a public benefit nonprofit corporation.

If more than one organization is found eligible to receive funding under the provisions of the bill, CTED is required to develop criteria for allocating all appropriated money among those organizations.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Private funding for court-appointed special advocate programs no longer provide sufficient funding for the numerous local CASA programs that are being created and developed. State organizations are needed to direct local advocate programs, and state funding for that effort assures that children in the court process receive the advocacy and protection they require. The CASA volunteers provide a great benefit to the state and should be encouraged to continue their efforts by passing this legislation.

Testimony Against: None.

Testified: Representative Lambert, prime sponsor; Sharon Paradis, Washington State Association of Guardians Ad Litem and Court Appointed Special Advocate Programs (pro); Judge Richard Thorp, Snohomish County Superior Court (pro); Margaret Ross, Pierce County Juvenile Court CASA volunteer (pro).