

FINAL BILL REPORT

2SSB 5127

C 127 L 91

SYNOPSIS AS ENACTED

Brief Description: Establishing citizen review boards.

SPONSORS: Senate Committee on Ways & Means (originally sponsored by Senators Craswell, Bailey, Vognild, Erwin, L. Smith, Stratton, Matson, Conner and Roach).

SENATE COMMITTEE ON CHILDREN & FAMILY SERVICES

SENATE COMMITTEE ON WAYS & MEANS

HOUSE COMMITTEE ON HUMAN SERVICES

BACKGROUND:

The Washington foster care citizen review system was authorized by legislation passed in 1989. Foster care citizen review boards (FCCRBs) have been established in two pilot sites, Snohomish and Yakima counties. The citizen review boards examine cases in which the state has filed a petition for dependency or the parents have agreed to voluntary out-of-home placement of a child in substitute care.

A conflict currently exists between the statute which specifies when FCCRB hearings are required to be held and the dependency statute. The dependency statute requires each case to be reviewed by the court at least every six months from the beginning date of the placement episode or the date dependency is established, whichever is first. The statute pertaining to FCCRB hearings requires reviews to occur within 90 days from the date of the placement episode, within six months of the date of the placement episode, and within one year of the placement episode. However, the intent of the Legislature was to allow FCCRB hearings to take the place of automatic court reviews with the provision that any party to a dependency proceeding may request and receive a court review hearing.

Some Indian tribes have expressed concern about the fact that FCCRBs sometimes review cases involving Indian children but the board may not contain any Indian reviewers.

SUMMARY:

There must be a court review of all children found to be dependent at least every six months from the date of out-of-home placement or the date dependency is established, whichever is first, except for children whose cases are reviewed by a FCCRB.

Periodic case review of children in out-of-home care shall be provided in counties designated by the Office of the Administrator for the Courts and within funding provided by the Legislature.

When recommendations are submitted by a FCCRB to the court and they are different from the existing court-ordered case plan, the board is required to request a court review hearing. It is clarified that FCCRB recommendations are advisory only and do not modify existing court orders or court-ordered case plans.

When parental rights have been terminated and the child has not been adopted, nor has a general guardian been appointed, the child shall return to court within six months for entry of further orders. The court will review the case every six months except for those cases which are reviewed by a citizen review board.

VOTES ON FINAL PASSAGE:

Senate	43	0
House	97	0

EFFECTIVE: May 10, 1991