

SENATE BILL REPORT

ESB 5508

AS PASSED SENATE, MARCH 13, 1993

Brief Description: Modifying child support orders in dependency cases.

SPONSORS: Senators Hargrove, Niemi, A. Smith, Nelson and Spanel

SENATE COMMITTEE ON LAW & JUSTICE

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

Signed by Senators A. Smith, Chairman; Quigley, Vice Chairman; Hargrove, McCaslin, Nelson, Rinehart, Roach, and Spanel.

Staff: Tom Fender (786-7414)

Hearing Dates: February 9, 1993; February 23, 1993

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Rinehart, Chairman; Spanel, Vice Chairman; Anderson, Bauer, Bluechel, Cantu, Hargrove, Hochstatter, Jesernig, McDonald, Moyer, Niemi, Pelz, Quigley, Roach, L. Smith, Snyder, Sutherland, Talmadge, West, Williams, and Wojahn.

Staff: Mary Poole (786-7613)

Hearings Dates: March 4, 1993; March 8, 1993

HOUSE COMMITTEE ON JUDICIARY

BACKGROUND:

When children are placed in foster care, their parent(s) are ordered to pay support for their care. Most commonly, this support determination is made by the Office of Support Enforcement in a manner consistent with the child support tables in Title 26.

Often children are removed from their familial settings because of their parents' substance abuse or physical/emotional abuse directed at the child. In these cases to facilitate a reestablishment of the family, the offending parent is ordered into appropriate treatment programs. The expense of this participation when combined with the parent's child support obligation is believed to be causing many parents not to complete their treatment thus frustrating the efforts of the courts in reunification and increasing public support expenditures.

SUMMARY:

In placing a child in foster care, a determination of the parent(s) child support obligation(s) is required in such a manner so as not to interfere with reunification efforts. The standard child support schedule does not apply in these cases.

Appropriation: none

Revenue: none

Fiscal Note: requested

TESTIMONY FOR (Law & Justice):

These changes will facilitate the reunification of families and result in less time in foster care. This will result in overall savings of public funds.

TESTIMONY AGAINST (Law & Justice):

This will require more attorney hours to be expended by the Attorney General's office.

TESTIFIED (Law & Justice): Robin Zukoski, Evergreen Legal Services (pro); Tim Sell, Public Defenders' Association (pro); Gerard Sidorowicz, DSHS (con); Steve Gustaveson, Attorney General's office; Michele Deb, Washington Families (pro)

TESTIMONY FOR (Ways & Means):

The current system of establishing support orders is inefficient. Savings would result from reunifying families.

TESTIMONY AGAINST (Ways & Means):

The bill has a significant fiscal impact. It will increase costs incurred by DSHS.

TESTIFIED (Ways & Means): Sid Sidorowitz, DSHS (con); Barbara Baker, Evergreen Legal Services (pro)

HOUSE AMENDMENT(S):

The court may consider costs incurred in reunification efforts as a basis for deviation from the standard child support obligation rather in addition to costs "anticipated to be incurred."

Income may not be imputed to the extent the parent is underemployed or unemployed due to reunification efforts ordered by the court or voluntarily agreed to with an agency.