

2 **HB 2558** - S COMM AMD

3 By Committee on Human Services & Corrections

4 ADOPTED 2/23/98

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 13.34.090 and 1990 c 246 s 4 are each amended to read
8 as follows:

9 (1) Any party has a right to be represented by an attorney in all
10 proceedings under this chapter, to introduce evidence, to be heard in
11 his or her own behalf, to examine witnesses, to receive a decision
12 based solely on the evidence adduced at the hearing, and to an unbiased
13 fact-finder.

14 (2) At all stages of a proceeding in which a child is alleged to be
15 dependent (~~((pursuant to))~~) as defined in RCW 13.34.030~~((+2))~~ (4), the
16 child's parent, guardian, or legal custodian has the right to be
17 represented by counsel, and if indigent, to have counsel appointed for
18 him or her by the court. Unless waived in court, counsel shall be
19 provided to the child's parent, guardian, or legal custodian, if such
20 person (a) has appeared in the proceeding or requested the court to
21 appoint counsel and (b) is financially unable to obtain counsel because
22 of indigency as defined in chapter 10.101 RCW.

23 (3) If a party to an action under this chapter is represented by
24 counsel, no order shall be provided to that party for his or her
25 signature without prior notice and provision of the order to counsel.

26 (4) Copies of department of social and health services or
27 supervising agency records to which parents have legal access pursuant
28 to chapter 13.50 RCW shall be given to the child's parent, guardian,
29 legal custodian, or his or her legal counsel, within twenty days after
30 the department or supervising agency receives a written request for
31 such records from the parent, guardian, legal custodian, or his or her
32 legal counsel. These records shall be provided to the child's parents,
33 guardian, legal custodian, or legal counsel prior to the shelter care
34 hearing in order to allow an opportunity to review the records prior to
35 the hearing. These records shall be legible and shall be provided at

1 no expense to the parents, guardian, legal custodian, or his or her
2 counsel.

3 **Sec. 2.** RCW 43.43.700 and 1989 c 334 s 6 are each amended to read
4 as follows:

5 There is hereby established within the Washington state patrol a
6 section on identification, child abuse, vulnerable adult abuse, and
7 criminal history hereafter referred to as the section.

8 In order to aid the administration of justice the section shall
9 install systems for the identification of individuals, including the
10 fingerprint system and such other systems as the chief deems necessary.
11 The section shall keep a complete record and index of all information
12 received in convenient form for consultation and comparison.

13 The section shall obtain from whatever source available and file
14 for record the fingerprints, palmprints, photographs, or such other
15 identification data as it deems necessary, of persons who have been or
16 shall hereafter be lawfully arrested and charged with, or convicted of
17 any criminal offense. The section may obtain like information
18 concerning persons arrested for or convicted of crimes under the laws
19 of another state or government.

20 The section shall also contain like information concerning persons,
21 over the age of eighteen years, who have been found(~~(, pursuant to a~~
22 ~~dependency proceeding under RCW 13.34.030(2)(b) to have physically~~
23 ~~abused or sexually abused or exploited a child or, pursuant to a~~
24 ~~protection proceeding under chapter 74.34 RCW, to have abused or~~
25 ~~financially exploited a vulnerable adult)) to have physically abused or
26 sexually abused or exploited a child pursuant to a dependency
27 proceeding under chapter 13.34 RCW, or to have abused or financially
28 exploited a vulnerable adult pursuant to a protection proceeding under
29 chapter 74.34 RCW."~~

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1 On page 1, line 1 of the title, after "references;" strike the
2 remainder of the title and insert "and amending RCW 13.34.090 and
3 43.43.700."

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