
SUBSTITUTE SENATE BILL 6001

State of Washington

55th Legislature

1997 Regular Session

By Senate Committee on Human Services & Corrections (originally sponsored by Senators Long, Hargrove, Kohl and Winsley)

Read first time 03/05/97.

1 AN ACT Relating to community-based alternative response systems;
2 amending RCW 13.34.030; adding new sections to chapter 13.34 RCW;
3 making appropriations; providing an effective date; and providing an
4 expiration date.

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

6 **Sec. 1.** RCW 13.34.030 and 1995 c 311 s 23 are each amended to read
7 as follows:

8 For purposes of this chapter:

9 (1) "Alternative response system" means voluntary family-centered
10 services that are: (a) Provided by an entity with which the department
11 contracts; and (b) intended to increase the strengths and cohesiveness
12 of families that the department determines present a low risk of child
13 abuse or neglect.

14 (2) "Child" and "juvenile" means any individual under the age of
15 eighteen years.

16 ((+2)) (3) "Current placement episode" means the period of time
17 that begins with the most recent date that the child was removed from
18 the home of the parent, guardian, or legal custodian for purposes of
19 placement in out-of-home care and continues until the child returns

1 home, an adoption decree or guardianship order is entered, or the
2 dependency is dismissed, whichever occurs soonest. If the most recent
3 date of removal occurred prior to the filing of a dependency petition
4 under this chapter or after filing but prior to entry of a disposition
5 order, such time periods shall be included when calculating the length
6 of a child's current placement episode.

7 ~~((+3))~~ (4) "Dependency guardian" means the person, nonprofit
8 corporation, or Indian tribe appointed by the court pursuant to RCW
9 13.34.232 for the limited purpose of assisting the court in the
10 supervision of the dependency.

11 ~~((+4))~~ (5) "Dependent child" means any child:

12 (a) Who has been abandoned; that is, where the child's parent,
13 guardian, or other custodian has expressed either by statement or
14 conduct, an intent to forego, for an extended period, parental rights
15 or parental responsibilities despite an ability to do so. If the court
16 finds that the petitioner has exercised due diligence in attempting to
17 locate the parent, no contact between the child and the child's parent,
18 guardian, or other custodian for a period of three months creates a
19 rebuttable presumption of abandonment, even if there is no expressed
20 intent to abandon;

21 (b) Who is abused or neglected as defined in chapter 26.44 RCW by
22 a person legally responsible for the care of the child;

23 (c) Who has no parent, guardian, or custodian capable of adequately
24 caring for the child, such that the child is in circumstances which
25 constitute a danger of substantial damage to the child's psychological
26 or physical development; or

27 (d) Who has a developmental disability, as defined in RCW
28 71A.10.020 and whose parent, guardian, or legal custodian together with
29 the department determines that services appropriate to the child's
30 needs can not be provided in the home. However, (a), (b), and (c) of
31 this subsection may still be applied if other reasons for removal of
32 the child from the home exist.

33 ~~((+5))~~ (6) "Guardian" means the person or agency that: (a) Has
34 been appointed as the guardian of a child in a legal proceeding other
35 than a proceeding under this chapter; and (b) has the legal right to
36 custody of the child pursuant to such appointment. The term "guardian"
37 shall not include a "dependency guardian" appointed pursuant to a
38 proceeding under this chapter.

1 (~~(6)~~) (7) "Guardian ad litem" means a person, appointed by the
2 court to represent the best interest of a child in a proceeding under
3 this chapter, or in any matter which may be consolidated with a
4 proceeding under this chapter. A "court-appointed special advocate"
5 appointed by the court to be the guardian ad litem for the child, or to
6 perform substantially the same duties and functions as a guardian ad
7 litem, shall be deemed to be guardian ad litem for all purposes and
8 uses of this chapter.

9 (~~(7)~~) (8) "Guardian ad litem program" means a court-authorized
10 volunteer program, which is or may be established by the superior court
11 of the county in which such proceeding is filed, to manage all aspects
12 of volunteer guardian ad litem representation for children alleged or
13 found to be dependent. Such management shall include but is not
14 limited to: Recruitment, screening, training, supervision, assignment,
15 and discharge of volunteers.

16 (~~(8)~~) (9) "Out-of-home care" means placement in a foster family
17 home or group care facility licensed pursuant to chapter 74.15 RCW or
18 placement in a home, other than that of the child's parent, guardian,
19 or legal custodian, not required to be licensed pursuant to chapter
20 74.15 RCW.

21 (~~(9)~~) (10) "Preventive services" means preservation services, as
22 defined in chapter 74.14C RCW, and other reasonably available services
23 capable of preventing the need for out-of-home placement while
24 protecting the child.

25 NEW SECTION. **Sec. 2.** A new section is added to chapter 13.34 RCW
26 to read as follows:

27 (1) The department shall contract for delivery of services for at
28 least two but not more than three models of alternative response
29 systems. The services shall be reasonably available throughout the
30 state but need not be sited in every county in the state. The systems
31 shall be in at least two locations in each of the department's
32 administrative regions.

33 (2) The systems shall provide delivery of services in the least
34 intrusive manner reasonably likely to achieve improved family
35 cohesiveness, prevention of rereferrals of the family for alleged abuse
36 or neglect, and improvement in the health and safety of children.

37 (3) The department shall identify and prioritize risk and
38 protective factors associated with the type of abuse or neglect

1 referrals that are appropriate for services delivered by alternative
2 response systems. Contractors who provide services through an
3 alternative response system shall use the factors in determining which
4 services to deliver, consistent with the provisions of subsection (2)
5 of this section.

6 (4) The department shall identify appropriate data to determine and
7 evaluate outcomes of the services delivered by the alternative response
8 systems. All contracts for delivery of alternative response system
9 services shall include provisions and funding for data collection.

10 (5) The Washington institute for public policy shall prepare and
11 conduct an evaluation of the services under contracts executed under
12 this section. The evaluation, which shall include the factors
13 identified in subsection (2) of this section, must include an analysis
14 of the cost-effectiveness of the services, the rate of rereferrals of
15 families who initially receive the services to the department for
16 alleged abuse or neglect, and the rate of rereferrals of families
17 compared to similarly situated families who do not receive services
18 with those receiving services under the contracts. The analysis of the
19 rereferrals shall review substantiation rates, comparative levels of
20 risk at the time of initial service delivery and conclusion of service,
21 and rereferral, if any. The institute for public policy shall do a
22 comparative analysis of the effectiveness of the models used. The
23 evaluation shall be completed not later than September 1, 2004.

24 (6) The department shall have in place, not later than July 1,
25 2001, contracts creating sufficient capacity to provide alternative
26 response system services to at least sixty percent of the families who
27 meet the criteria for such services.

28 (7) This section expires July 1, 2005.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 13.34 RCW
30 to read as follows:

31 The court may order a parent or family to participate in the
32 services offered by an alternative response system only when the
33 department recommends such disposition and the services are readily
34 available.

35 NEW SECTION. **Sec. 4.** This act takes effect January 1, 1998.

1 NEW SECTION. **Sec. 5.** (1) The sum of twenty-five thousand dollars,
2 or as much thereof as may be necessary, is appropriated for the fiscal
3 year ending June 30, 1998, from the general fund to the Washington
4 institute for public policy for the purposes of this act.

5 (2) The sum of twenty-five thousand dollars, or as much thereof as
6 may be necessary, is appropriated for the fiscal year ending June 30,
7 1999, from the general fund to the Washington institute for public
8 policy for the purposes of this act.

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