
SENATE BILL 5744

State of Washington

56th Legislature

1999 Regular Session

By Senators Haugen, Costa, Sheahan and Deccio

Read first time 02/05/1999. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to representation of parties in child dependency
2 and termination proceedings; adding a new section to chapter 13.34 RCW;
3 and creating a new section.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 13.34 RCW
6 to read as follows:

7 The legislature finds that counties have historically assumed the
8 burden of funding the counsel and guardians ad litem required to
9 represent indigent parents, guardians, legal custodians, and children
10 in child dependency and termination proceedings. However, the volume
11 of such cases is driven by legislative mandate and state agency action.
12 Because the legislature finds that the shared goals of counties and the
13 state will be advanced, the state agrees to accept fiscal
14 responsibility for twenty-five percent of the cost of representation by
15 counsel and guardians ad litem and related expenses required to
16 represent indigent parents, guardians, legal custodians, and children
17 in child dependency and termination proceedings after July 1, 2000, and
18 to accept fiscal responsibility for fifty percent of these costs after
19 July 1, 2001.

1 NEW SECTION. **Sec. 2.** (1) The office of public defense shall
2 develop a proposal to address the costs of legal representation and
3 expenses reasonably related to such representation for indigent
4 criminal defendants and indigent parents, guardians, legal custodians,
5 and children in dependency and termination hearings under chapter 13.34
6 RCW. The proposal shall address the increased dependency and
7 termination filings by the state under chapter 13.34 RCW and the effect
8 of this increase on indigent defense costs. The proposal shall
9 recommend strategies to ensure than an equitable method of paying for
10 indigent defense costs in criminal trial proceedings and in dependency
11 and termination proceedings is established.

12 (2) The office of public defense shall present the proposal
13 required under subsection (1) of this section to the appropriate
14 standing committees of the legislature by December 6, 1999.

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