

FINAL BILL REPORT

SB 6643

C 146 L 04

Synopsis as Enacted

Brief Description: Providing guidelines for family visitation for dependent children.

Sponsors: Senators Stevens, Hargrove, Schmidt and Carlson.

Senate Committee on Children & Family Services & Corrections

House Committee on Children & Family Services

Background: The 2001 Legislature requested the Chair of the Washington State Office of Public Defense Advisory Committee to appoint a committee to examine specific problem areas in dependency and termination cases. These included court continuances, the appointment of experts, and parents' access to services.

The Dependency and Termination Equal Justice Committee (DTEJ), chaired by Justice Bobbe Bridge, consisted of a multi-disciplinary group of judges, legislators, Department of Social and Health Services representatives, an assistant attorney general, parents' attorneys, court administrators, a county commissioner, and other professionals involved in dependency and termination cases.

Five statewide surveys were conducted and reviewed. Based on the survey results, the extensive experience of its membership, and other information, the DTEJ Committee adopted recommendations to address the areas identified by the Legislature. These recommendations were published in a report in December 2003 and addressed issues relating to caseload, evaluators, services, visitation, family drug courts and parents' representation.

Current law does not prohibit courts from limiting parent-child visitation as a sanction for failure to comply with court directives.

Summary: Visitation is the right of the family, including the child and the parent, in cases in which visitation is in the best interest of the child.

The agency charged with a child's care shall encourage the maximum parent and child and sibling contact possible when it is in the best interest of the child.

Reliance upon specified resources to provide transportation and supervision for visitation is limited to the extent that those resources are available, and appropriate, and the child's safety would not be compromised.

The court may order expert evaluations of parties regarding visitation or other issues in a case by appointed evaluators who are mutually agreed upon. If no agreement can be reached, the court selects the expert evaluator.

The Department of Social and Health Services (DSHS) must develop consistent visitation policies and protocols, to be implemented consistently throughout the state. DSHS must develop the policies and protocols with researchers, community-based agencies, court-

appointed special advocates, parents' representatives, and court representatives. The policies and protocols must include the structure and quality of visitations, training, visitation supervisors, and foster parents and visitation. The policies and protocols must also be consistent with the provisions of Chapter 13.34 RCW and implementation of the policies and protocols shall be consistent with relevant orders of the court.

DSHS must report on the policies and protocols concerning visitation for dependent children to the appropriate committees of the Legislature by January 1, 2005.

Votes on Final Passage:

Senate	49	0	
House	94	0	(House amended)
Senate	42	0	(Senate concurred)

Effective: June 10, 2004