

# SENATE BILL REPORT

## HB 1279

---

As Reported By Senate Committee On:  
Human Services & Corrections, March 31, 2005

**Title:** An act relating to public access to child in need of services and at-risk youth hearings.

**Brief Description:** Revising provisions relating to public access to child in need of services and at-risk youth hearings.

**Sponsors:** Representatives Kagi, Hinkle, Dickerson, McDonald, Clibborn, P. Sullivan, Pettigrew, Roach, Orcutt, Morrell, Kenney, Wallace and Chase.

**Brief History:** Passed House: 2/28/05, 89-0.

**Committee Activity:** Human Services & Corrections: 3/28/05, 3/31/05 [DPA].

---

### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass as amended.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, McAuliffe and Thibaudeau.

**Staff:** Edith Rice (786-7444)

**Background:** There are several different types of hearings that pertain to the welfare of children. Some of the hearings that pertain to children include: child in need of services (CHINS); at-risk youth (ARY); dependency; and termination hearings.

The CHINS proceedings may be initiated by a parent or child to request the court to approve or continue an out-of-home placement. An ARY proceeding may be initiated by a parent who seeks assistance from the court in maintaining parental control over his or her child. Dependency and termination proceedings are generally initiated by the state in cases where the state is alleging the parent is not providing sufficiently appropriate care for his or her child and the state is seeking to intervene in the relationship.

The CHINS, ARY, dependency, and termination hearings have traditionally been closed to the public largely due to the sensitive nature of matters that are often discussed about the children involved in the cases. However, states have been increasingly moving towards opening these hearing to the public. In 2003, the Washington Legislature passed ESB 5379 which required that the public not be excluded from any dependency or termination hearings unless the judge finds that excluding the public is in the best interests of the child.

The CHINS and ARY hearings remain closed to the public.

**Summary of Amended Bill:** CHINS hearings are required to be open to the public unless the judge finds that excluding the public is in the best interests of the child.

ARY hearings are open to the public. The court must close an ARY hearing if a parent requests that it be closed.

**Amended Bill Compared to Original Bill:** CHINS and ARY hearings are treated differently. The court must close an ARY hearing if a parent requests that it be closed.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** We think everyone can benefit from opening these hearings.

**Testimony Against:** None.

**Who Testified:** PRO: Representative Ruth Kagi, prime sponsor; Laurie Lippold, Children's Home Society.