
**Early Learning & Children's
Services Committee**

HB 1007

Brief Description: Expanding the definition of "at-risk youth."

Sponsors: Representatives Moeller, Hudgins, Dickerson and Kenney.

Brief Summary of Bill

- Expands the definition of an "at-risk youth" to include a youth with a possible substance abuse or mental health problem.

Hearing Date: 1/26/07

Staff: Sonja Hallum (786-7092).

Background:

An at-risk youth (ARY) petition is a process by which parents may request and receive assistance from juvenile courts to provide appropriate care, treatment, and supervision of an at-risk youth.

An at-risk youth is defined as a juvenile:

- 1) who is absent from home for at least 72 hours;
- 2) who is beyond the parents' control such that the juvenile's behavior endangers health, safety, or welfare of the juvenile or any other person; or
- 3) who has a substance abuse problem but no pending criminal charges pertaining to the substance abuse.

When an ARY petition is properly filed, the court must schedule a fact-finding hearing. The court can approve or dismiss the ARY petition at the fact-finding hearing, and may order that the child reside either in the parents' home or in an out-of-home placement.

If the court approves the petition, the court will enter a dispositional order to assist the parents in maintaining care, custody, and control of the child and assist the family in resolving conflicts. The court order may include:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- 1) regular school attendance;
- 2) counseling;
- 3) participation in a substance abuse or mental health outpatient treatment program;
- 4) reporting on a regular basis to the Department of Social and Health Services or any other designated person or agency; and
- 5) any other condition the court deems appropriate including employment, participation in an anger management program, or refraining from the use of drugs or alcohol.

The dispositional order may not include involuntary commitment of a child for substance abuse or mental health treatment.

The court must hold a review hearing within 90 days of the entry of the dispositional hearing to continue or discontinue court supervision. If the court determines it is necessary for the petition to continue, the court may continue the petition for up to 180 additional days. If the court determines the petition is no longer needed, the court may dismiss the petition. The court may also dismiss an ARY proceeding at any time if circumstances warrant it or if the child becomes the subject of a dependency action.

If a child violates the ARY petition, the court may impose a sanction including a fine of up to \$100 and confinement of up to seven days, or both. If the court orders a period of confinement, the child will be held in the juvenile detention facility.

Summary of Bill:

The definition of an "at-risk youth" is expanded to include youth with a possible substance abuse or mental health problem.

Appropriation: None.

Fiscal Note: Requested on January 22, 2007.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.