

# FINAL BILL REPORT

## 2SHB 1334

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C 411 L 07

Synopsis as Enacted

**Brief Description:** Requiring the petitioner in a child welfare case to provide the court with relevant documentation.

**Sponsors:** By House Committee on Appropriations (originally sponsored by Representatives Hinkle and Walsh).

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

**House Committee on Appropriations**

**Senate Committee on Human Services & Corrections**

**Senate Committee on Ways & Means**

### **Background:**

#### Dependency and Termination of Parental Rights.

If there are allegations of abandonment, abuse or neglect, or no parent who is capable of caring for a child, the state may investigate the allegations and initiate a dependency proceeding in juvenile court. If the court finds the statutory requirements have been met, the court will find the child to be a dependent of the state.

Whenever the court orders a dependent child to be removed from the home, the court will enter a dispositional plan which will include the obligations of the parties including the parents, the supervising agency or Department of Social and Health Services (Department), and the child. The dispositional order will contain an order for the placement of the child either within the home or outside the home. If the child is placed outside the home, he or she may be placed with a relative or in non-relative foster care.

The status of all dependent children must be reviewed by the court every six months. During the review the court will examine the progress of the parents in meeting the requirements of the dispositional plan. At this hearing the court may return the child to the home if the parent has made sufficient progress.

If the parent fails to make progress in curing the parental deficiencies that led to the dependency, or if one of the statutory aggravating factors exist, a termination petition may be filed. If the court finds the statutory grounds for termination are met, the court will terminate the parental rights and the parent will no longer have rights, privileges, or obligations toward the child.

#### Task Force.

In 2005 the Legislature formed a task force to review issues pertaining to the health, safety and welfare of children receiving services from Child Protective Services and Child Welfare Services. In 2006 the task force reported several recommendations to the Legislature for improving Child Protective Services and Child Welfare Services.

**Summary:**

The act is to be known as the Raphael Gomez Act.

In a dependency or termination of parental rights proceeding, if the Department submits a report to the court in which the Department is recommending a new placement or a change in placement, the Department must include certain documents with the report. The Department may only include the relevant documents and may not attach the entire history of the parent or child.

The following are the documents the Department may include:

- (1) the progress report or evaluation submitted by the provider, if the Department's report contains a recommendation, opinion, or assertion relating to the parent's substance abuse treatment, mental health treatment, anger management classes, or domestic violence classes;
- (2) the most recent visitation report, a visitation report referencing a specific incident alleged in the report, or a summary of visitation prepared by the person who supervised the visitation, if the Department's report contains a recommendation, opinion or assertion relating to the parent's visitation with the child;
- (3) the progress report, evaluation, or summary submitted by the provider, if the Department's report contains a recommendation, opinion or assertion relating to the psychological status of the parent;
- (4) a summary of the physician's report, prepared by the physician or the physician's designee, if the Department's report contains a recommendation, opinion or assertion relating to injuries to the child that occurred while in the care of the parent; and
- (5) documents upon which any recommendation, opinion, or assertion by the Department is based relating to a home study, licensing action, or background check information.

**Notes on Final Passage:**

House	96	0	
Senate	46	0	(Senate amended)
House			(House refused to concur)
Senate	40	0	(Senate amended)
House	98	0	(House concurred)

**Effective:** July 22, 2007