

FINAL BILL REPORT

2SHB 2822

C 279 L 08

Synopsis as Enacted

Brief Description: Concerning the family and juvenile court improvement program.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Kagi, Walsh, Lantz, Dickerson, Haler, Sullivan, Seaquist and Kenney).

House Committee on Judiciary

House Committee on Appropriations

Senate Committee on Human Services & Corrections

Senate Committee on Ways & Means

Background:

Superior courts have jurisdiction over family law proceedings, such as dissolutions, parenting plans, child custody, child support orders, paternity, and adoption. In counties with more than one superior court judge, the court designates one or more of the judges to hear all family law proceedings. Each superior court sets the terms of rotation for its family law judges.

Juvenile court, which is a statutorily created division of superior court, hears cases involving juvenile offenses and infractions, dependencies, termination of parental rights, family reconciliation (such as at-risk youth petitions), out-of-home placements, interstate compact on juveniles, and emancipation of minors.

Unified Family Court (UFC) is a model for handling cases involving children and families. The five principles of the UFC are: (1) the assignment of one judicial team to one family; (2) centralized case management; (3) specialized education for judicial officers; (4) longer-term judicial assignments to provide continuity for families; and (5) mandatory mediation in certain cases.

The Superior Court Judges' Association and the Board for Judicial Administration (BJA) have adopted the UFC principles as best practices. In 1999 the Legislature created a pilot program for three counties to implement the UFC, and other counties have, on their own, implemented the UFC principles.

In 2007 the BJA created a Family and Juvenile Court Improvement Workgroup (workgroup). The workgroup developed a plan that suggests the creation of a grant program to encourage and fund improvements to local family and juvenile court operations.

Summary:

A Family and Juvenile Court Improvement Grant Program is created, to be administered by the Administrative Office of the Courts (AOC). A superior court may apply for grants from the program by submitting a local improvement plan to the AOC.

To be eligible for grant money, the court's plan must meet criteria developed by the AOC and approved by the BJA. The AOC criteria must be consistent with the UFC principles. In addition, the court's plan must: (1) commit to a chief judge assignment to the family and juvenile court for a minimum of two years; (2) implement the principal of one judicial team hearing all of the proceedings in a case involving one family, especially in dependency cases; and (3) require court commissioners and judges assigned to family and juvenile court to receive a minimum of 30 hours specialized training in topics related to family and juvenile law within six months of assuming duties on the family and juvenile court. Courts should try to utilize local, statewide, and national training forums. A judicial officer's educational history may be applied toward the 30-hour requirement.

Topics for training must include: (1) parentage; (2) adoption; (3) domestic relations; (4) dependencies and terminations; (5) child development; (6) the impact of child abuse and neglect; (7) domestic violence; (8) substance abuse; (9) mental health; (10) juvenile status offenses; (11) juvenile offenders; (12) self-representation issues; (13) cultural competency; and (14) roles of judges and commissioners.

Courts must use grant funds to improve and support family and juvenile court operations based on standards developed by the AOC and approved by the BJA. Allowable uses include: paying for required training; increasing staff, such as case coordinators; improving court facilities to meet the needs of children and families; enhancing court facilitator programs; and expanding access to social services for families.

The AOC must allocate available grant moneys based on the needs of the courts as expressed in their local plans. Upon receipt of a grant, the superior court must submit a spending plan to the AOC detailing the use of funds. At the end of the fiscal year, the superior court must submit a report to the AOC comparing the spending plan to actual expenditures. The AOC must compile the reports and submit them to the Legislature.

Votes on Final Passage:

House	95	0	
Senate	48	0	(Senate amended)
House			(House refused to concur)
Senate	49	0	(Senate amended)
House	97	0	(House concurred)

Effective: June 12, 2008