

# FINAL BILL REPORT

## E2SHB 3205

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Synopsis as Enacted

**Brief Description:** Promoting the long-term well-being of children.

**Sponsors:** By House Committee on Appropriations (originally sponsored by Representatives Jarrett, Walsh, Kagi, Roberts, Hunter, Sullivan, Green, Kelley, Morrell, Chase, McIntire, Seaquist and Kenney).

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

**House Committee on Appropriations**

**Senate Committee on Human Services & Corrections**

**Senate Committee on Ways & Means**

### **Background:**

#### The Federal Adoption and Safe Families Act.

The federal Adoption and Safe Families Act (Act) requires states to have a plan for operating a coordinated system of programs of community-based family support services, family preservation services, time-limited family reunification services and, adoption promotion and support services. A state's system of programs and services is intended to demonstrate reasonable efforts to prevent the need for out-of-home placement, and in cases where out-of-home placement is necessary, to make reasonable efforts to reunify the family and, in cases where reunification is not in the child's best interests, to place the child with a permanent family through adoption.

In cases where children have been removed from home, most cases require the offering of time-limited services designed to facilitate the reunification of the child safely and appropriately. The concept of services being time-limited conveys the need to balance the goal of reunification against the child's needs for safety and permanency, with the child's interests being paramount.

The Act requires that when a child has been in out-of-home care for 15 of the past 22 months, a petition for termination of parental rights be filed, unless one of three exceptions applies:

- (1) At the state's option, the child is being cared for by relatives.
- (2) The child's case plan documents a compelling reason why a termination petition would not be in the child's best interests.
- (3) The state has not provided the necessary family reunification services in the time period set out in the case plan.

#### Timeliness of Dependency Case Processing.

Washington law requires permanency planning and review hearings, and declares a preference for achieving the permanency planning goals before the child has been in out-of-home care

for 15 months. There is, however, no requirement for a specific judicial finding on the issue of whether a termination petition should be filed when a dependency case reaches the 15-month threshold and the permanency goal for the child has not been achieved.

A recent review by the Administrative Office of the Courts (AOC) regarding the timeliness of dependency case processing in Washington examined 82 percent of dependency cases for which adequate data was available. Of those cases in which a petition for termination of parental rights was filed during 2004, 2005, and 2006 calendar years, 50 percent met this timeliness standard.

**Summary:**

Dependency Case Processing.

When a child has been in out-of-home care for 15 of the most recent 22 months since the dependency was filed, the court must require the filing of a petition to terminate parental rights, unless the court finds that filing the petition is not appropriate based on a good cause exception. Examples of good cause exceptions include the exceptions recognized under the Adoption and Safe Families Act, and other compelling reasons identified by the court. If the court makes such a finding, it must be reviewed at all subsequent motion and review hearings pertaining to the child.

**Votes on Final Passage:**

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

**Effective:** June 12, 2008