

SSB 6416 - H COMM AMD

By Committee on General Government Appropriations

ADOPTED 03/04/2010

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 13.34 RCW  
4 to read as follows:

5 (1) A caregiver of a dependent child may petition the juvenile  
6 court to be heard on a decision by the department or supervising agency  
7 to remove the child from the caregiver's home if:

8 (a) The child has been found to be a dependent child under this  
9 chapter;

10 (b) The child was placed with the caregiver by the department or  
11 supervising agency and resided in the caregiver's home for twelve or  
12 more continuous months prior to the decision to remove, or the removal  
13 of, the child;

14 (c) The child is in the custody of the department or supervising  
15 agency at the time the petition to be heard is filed;

16 (d) The department or supervising agency has made the decision to  
17 remove or has already removed the child from the caregiver's home; and

18 (e) The child is not being returned home or moved to a permanent  
19 placement that is consistent with the child's permanency plan approved  
20 by the court.

21 (2) The caregiver may file a petition under this section within not  
22 more than ten business days after the date the caregiver receives  
23 notice of the removal decision, or the child is removed from the  
24 caregiver's home, whichever is later.

25 (3) If the requirements of subsection (1) of this section are met,  
26 the court shall grant the petition to be heard on the sole issue of the  
27 placement decision and shall schedule an expedited hearing on the  
28 matter.

29 (4) The caregiver has the right to be represented by counsel, at

1 his or her own expense, at the hearing on the issue of the placement  
2 decision.

3 (5) The granting of a petition to be heard under this section does  
4 not grant the caregiver party status in the underlying dependency.

5 (6) The right to file a petition to be heard under this section  
6 does not grant a caregiver the right to further review of the placement  
7 decision on which the caregiver petitioned to be heard.

8 (7) For the purposes of this section, "caregiver" means a licensed  
9 foster parent, another suitable person as described in RCW  
10 13.34.130(1)(b), or a relative as defined in RCW 74.15.020(2)(a) who is  
11 not the child's parent."

12 Correct the title.

EFFECT: Strikes the underlying bill, and establishes a right for caregivers with whom a child has been placed and resided for twelve continuous months to petition the court to be heard on the issue of changing the child's placement, except when the child is being reunified with his or her parents or being moved to a permanent placement consistent with the child's permanency plan approved by the court.

--- END ---