
ENGROSSED SUBSTITUTE HOUSE BILL 2591

State of Washington

64th Legislature

2016 Regular Session

By House Early Learning & Human Services (originally sponsored by Representatives Hargrove, Kagi, Walsh, Dent, Caldier, Senn, Frame, Muri, Zeiger, McBride, Ormsby, and Gregerson)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to notifying foster parents of dependency
2 hearings and their opportunity to be heard in those hearings; and
3 amending RCW 13.34.096 and 13.34.820.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 13.34.096 and 2009 c 520 s 25 are each amended to
6 read as follows:

7 (1) The department or supervising agency shall provide the
8 child's foster parents, preadoptive parents, or other caregivers with
9 timely and adequate notice of their right to be heard prior to each
10 proceeding held with respect to the child in juvenile court under
11 this chapter. For purposes of this section, "timely and adequate
12 notice" means notice at the time the department would be required to
13 give notice to parties to the case and by any means reasonably
14 certain of notifying the foster parents, preadoptive parents, or
15 other caregivers, including but not limited to written, telephone, or
16 in person oral notification. For emergency hearings, the department
17 shall give notice to foster parents, preadoptive parents, or other
18 caregivers as soon as is practicable. For six-month review and annual
19 permanency hearings, the department shall give notice to foster
20 parents upon placement or as soon as practicable.

1 (2) The court shall establish and include in the court record
2 after every hearing for which the department or supervising agency is
3 required to provide notice to the child's foster parents, preadoptive
4 parents, and caregivers whether the department provided adequate and
5 timely notice, whether a caregiver's report was received by the
6 court, and whether the court provided the child's foster parents,
7 preadoptive parents, or caregivers with an opportunity to be heard in
8 court. For purposes of this section, "caregiver's report" means a
9 form provided by the department of social and health services to a
10 child's foster parents, preadoptive parents, or caregivers that
11 provides an opportunity for those individuals to share information
12 about the child with the court before a court hearing. A caregiver's
13 report shall not include information related to a child's biological
14 parent that is not directly related to the child's well-being.

15 (3) Absent exigent circumstances, the department shall provide
16 the child's foster family home notice of expected placement changes
17 as required by RCW 74.13.300.

18 (4) The rights to notice and to be heard apply only to persons
19 with whom a child has been placed by the department (~~before shelter~~
20 ~~care~~) or supervising agency and who are providing care to the child
21 at the time of the proceeding. This section shall not be construed to
22 grant party status to any person solely on the basis of such notice
23 and right to be heard.

24 **Sec. 2.** RCW 13.34.820 and 2007 c 410 s 6 are each amended to
25 read as follows:

26 (1) The administrative office of the courts, in consultation with
27 the attorney general's office and the department of social and health
28 services, shall compile an annual report, providing information about
29 cases that fail to meet statutory guidelines to achieve permanency
30 for dependent children.

31 (2) The administrative office of the courts shall submit the
32 annual report required by this section to appropriate committees of
33 the legislature by December 1st of each year, beginning on December
34 1, 2007. The administrative office of the courts shall also submit
35 the annual report to a representative of the foster parent
36 association of Washington state.

37 (3) The annual report shall include information regarding whether
38 foster parents received timely notification of dependency hearings as

1 required by RCW 13.34.096 and 13.34.145 and whether caregivers
2 submitted reports to the court.

--- END ---