

HOUSE BILL REPORT

HB 1617

As Reported by House Committee On:
Early Learning & Human Services

Title: An act relating to child welfare volunteer guardian ad litem program requirements.

Brief Description: Concerning child welfare volunteer guardian ad litem program requirements.

Sponsors: Representatives Ortiz-Self, Farrell and Riccelli.

Brief History:

Committee Activity:

Early Learning & Human Services: 2/10/17, 2/15/17 [DPS].

Brief Summary of Substitute Bill

- Requires guardian ad litem programs to limit the caseload of volunteer guardian ad litem coordinators so they supervise no more than 30 volunteer guardians ad litem.
- Requires guardian ad litem programs to provide additional training to volunteer guardian ad litem coordinators.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Frame, Goodman, Griffey, Kilduff, Klippert, Lovick, McCaslin, Muri and Ortiz-Self.

Staff: Luke Wickham (786-7146).

Background:

A guardian ad litem (GAL) is a person appointed in a court proceeding to represent the best interests of a party and to investigate and report to the court on relevant matters. In the context of a child dependency proceeding, the court must appoint a GAL to represent the best interests of the child who is the subject of the dependency. A GAL is authorized to investigate, present evidence at court hearings, submit factual reports, and make

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recommendations to the court regarding the child's situation and the best interests of the child.

Many GALs appointed in dependency proceedings are volunteers that work through a court established GAL program or a court-appointed special advocate (CASA) program. When a CASA or volunteer GAL is requested on a case, the court appoints the person recommended by the CASA or GAL program. If a court does not have a GAL program with a sufficient number of volunteers, the court may appoint a suitable person who may be compensated for his or her services. Compensated GALs must be appointed based on a rotational registry system, unless the court finds there are extraordinary circumstances, or if a joint recommendation of a GAL is made by the parties.

Each GAL volunteer must complete 30 hours of preservice training and 12 hours of annual continuing education training.

Summary of Substitute Bill:

Volunteer guardian ad litem (GAL) programs are required to ensure that volunteer GAL coordinators supervise no more than 30 volunteer GALs. Guardian ad litem programs are also required to provide additional training to volunteer GAL coordinators to include the appropriate screening of volunteer GAL reports before those reports are submitted to the court to ensure that those reports are based on information within the expertise of the volunteer GAL.

Substitute Bill Compared to Original Bill:

The substitute bill removes the word objective from the additional training provided to volunteer guardian ad litem (GAL) coordinators so that the training includes the appropriate screening of court reports to ensure that those reports are based on information that is within the expertise of the volunteer GAL.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The state support for guardian ad litem (GAL) programs has been cut. The state used to support these programs with 50 percent state support, but that has been decreased to 25 percent state support. There are some programs that have coordinators who supervise 75

volunteers. This bill limits the caseload to a reasonable number and provides some checks and balances.

There is no question about the value of volunteer GALs. Of all the various groups requesting state support, the best value for your money is support of volunteer GALs. Children are in desperate need of GALs to look out for their interests. Many social workers are only involved in a case for a limited time, like six months. The funding of court-appointed special advocate programs is very important. Guardians ad litem are available at any time for the children they work with. Court-appointed special advocates are able to share the hopes and dreams of children with the court that otherwise would not be heard.

Only the biological parents have standing in child welfare proceedings, and it would be helpful to provide foster parents with standing in these cases. Guardians ad litem often spend the time necessary to properly assess and advocate for the needs of the child. Program staff in court-appointed special advocate programs were cut after state funding was reduced for these programs. Some of these programs have two staff for the 300 children that they serve.

The court-appointed special advocate movement was born in Washington. Research demonstrates that children with a court-appointed special advocate receive better outcomes and permanency. The one to 30 coordinator-to-GAL ratio is very important to support. The staff-to-volunteer GALs ratio can be 100 to one. The waiting list for volunteer GAL has never been higher.

(Opposed) None.

Persons Testifying: Representative Ortiz-Self, prime sponsor; Stephen Warning, Washington State Superior Court Judges' Association; Dan Casey, Garrett Harrison and Bill Jones, Court Appointed Special Advocates; Corie Dow and Ryan Murrey, Washington State Court Appointed Special Advocates; and Brad Ray, National Court Appointed Special Advocates Association.

Persons Signed In To Testify But Not Testifying: None.