

# HOUSE BILL REPORT

## HB 1790

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

**Title:** An act relating to dependency petitions where the department of social and health services is the petitioner.

**Brief Description:** Concerning dependency petitions where the department of social and health services is the petitioner.

**Sponsors:** Representatives Lovick, Dent, Kagi, Frame and Jinkins; by request of Department of Social and Health Services.

#### **Brief History:**

##### **Committee Activity:**

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

#### **Brief Summary of Bill**

- Creates an exception to the requirement that probation officers review dependency petitions when the Department of Social and Health Services files the dependency petition.

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### HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

**Majority Report:** 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:**

##### Child Welfare Court Proceedings.

Anyone, including the Department of Social and Health Services (DSHS), may file a petition in court alleging that a child should be a dependent of the state due to abuse, neglect, or because there is no parent, guardian, or custodian capable of adequately caring for the child.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

In counties that have paid probation officers, those officers must, to the extent possible, determine whether dependency petitions are justifiable. These petitions must be verified and contain a statement of facts that constitute a dependency and the names and residence of the parents if known.

If a court determines that a child is dependent, then the court will conduct periodic reviews and make determinations regarding the child's placement, the provision of services by the DSHS, compliance of the parents, and whether progress has been made by the parents.

Under certain circumstances after a child has been removed from the custody of a parent for at least six months pursuant to a finding of dependency, a petition may be filed seeking termination of parental rights.

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**Summary of Bill:**

An exception is made that probation officers do not have to determine whether dependency petitions are justifiable when the DSHS files a dependency petition.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) When social workers and attorneys are filing dependency petitions, there is not a need for probation officers to review these petitions. This requirement can delay the filing. Mason and Kitsap counties are the only cases that adhere to this requirement.

(Opposed) None.

**Persons Testifying:** Representative Lovick, prime sponsor; Jennifer Strus, Department of Social and Health Services; and Antonio Ginatta, Columbia Legal Services.

**Persons Signed In To Testify But Not Testifying:** None.