
**Early Learning & Human Services
Committee**

HB 2798

Brief Description: Concerning the baby court initiative.

Sponsors: Representatives Kagi and Jenkins.

Brief Summary of Bill

- Establishes the baby court grant program administered by the Family and Juvenile Court Improvement Grant Program that would support five baby courts in urban and rural areas of the state.
- Provides that baby court grant funds would support an intensive, voluntary court process for parents with a documented substance use disorder treatment need and a child under six who has been found to be dependent.

Hearing Date: 1/31/18

Staff: Luke Wickham (786-7146).

Background:

The state's superior courts handle a variety of family and juvenile cases. Family court cases include proceedings involving dissolution, parenting plans, child custody and support, paternity, and adoption. Juvenile court is division of superior court that handles cases involving juveniles including juvenile offenses, dependencies, termination of parental rights, at risk youth and children in need of services out-of-home placements, and emancipation of minors.

Family and Juvenile Court Improvement Program.

The Family and Juvenile Court Improvement Program (FJCIP) was established in 2008 to provide grants to superior courts to implement plans for improving the handling of family and juvenile court cases, especially child dependency cases, consistent with Unified Family Court (UFC) principles. The UFC is a model for handling cases involving children and families based

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on the following principles: the assignment of one judicial team to one family; centralized case management; specialized education for judicial officers; judicial assignments for longer terms to provide continuity; and mandatory mediation in certain cases.

The Administrative Office of the Courts administers the FJCIP. A court wishing to receive FJCIP grant money must submit a plan that meets criteria consistent with UFC principles and: (1) commits to a chief judge assignment to the family an juvenile court for a minimum of two years; (2) implements the principal of one judicial team hearing all proceedings in a case involving one family, especially in dependency cases; and (3) requires family and juvenile court commissioners and judges to receive a minimum of 30 hours of specialized training in family and juvenile matters within six months of assuming family and juvenile court duties.

Thirteen superior courts currently receive FJCIP funding to improve their family and juvenile court programs: Asotin with Columbia and Garfield; Clallam and Jefferson; King; Pierce; Snohomish; Chelan; Island; Kitsap; Spokane; and Thurston.

Therapeutic Courts.

Therapeutic courts, also known as specialty courts, are courts that deal with treating underlying substance abuse, mental health and/or co-occurring disorders of defendants or other parties to a court action while under the supervision of the courts. Therapeutic courts are currently authorized by statute.

Drug courts, driving under the influence (DUI) courts, mental health courts, family dependency courts, and juvenile gang courts are each specifically authorized. However, any jurisdiction that seeks a state appropriation to fund these court programs must first exhaust all federal funding that is available to support their operation and match, on a dollar-for-dollar basis, state moneys allocated for these courts. Minimum requirements for the participation of offenders in these programs are also set, including that a participant may not have been convicted of a serious violent offense or sex offense, or be currently charged with a crime that is a sex offense, a serious violent offense, an offense alleging intentional discharge of a firearm, vehicular homicide, or an offense during which the defendant used a firearm or caused substantial bodily harm or death to another person.

More than 80 therapeutic courts currently exist in Washington, including: adult drug courts, juvenile drug courts, family treatment courts, DUI courts, domestic violence courts, mental health courts, and veterans treatment courts.

Summary of Bill:

The baby court grant program is created, which is administered by the Family and Juvenile Court Improvement Grant Program (FJCIP).

A baby court is an intensive court process for families with a child under age 6 who has been found dependent. A baby court must:

- allow parents with a documented substance use disorder treatment need to voluntarily participate;
- review at least every 30 days whether the parents are actively engaged and making progress;

- aim to reduce the removal of children from parents and reunify children with their parents;
- aim to reduce child abuse and neglect;
- reduce the effects of traumatic experiences on child brain development; and
- promote effective interaction and use of resources between the court and public and private child and family service providers.

By January 1, 2019, the FJCIP must distribute grant funds to support baby courts in five superior courts that serve both urban and rural populations in all three regions established by the Children's Administration of the Department of Social and Health Services.

The FJCIP must also develop and define outcome measures for baby courts that must be reported annually to the fiscal committees of the Legislature by December 1, 2020.

Appropriation: None.

Fiscal Note: Available.

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