
HOUSE BILL 1790

State of Washington

65th Legislature

2017 Regular Session

By Representatives Lovick, Dent, Kagi, Frame, and Jenkins; by request of Department of Social and Health Services

Read first time 01/30/17. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to dependency petitions where the department of
2 social and health services is the petitioner; and amending RCW
3 13.34.040.

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

5 **Sec. 1.** RCW 13.34.040 and 2011 c 309 s 23 are each amended to
6 read as follows:

7 (1) Any person may file with the clerk of the superior court a
8 petition showing that there is within the county, or residing within
9 the county, a dependent child and requesting that the superior court
10 deal with such child as provided in this chapter. There shall be no
11 fee for filing such petitions.

12 (2) Except where the department is the petitioner, in counties
13 having paid probation officers, these officers shall, to the extent
14 possible, first determine if a petition is reasonably justifiable.
15 Each petition shall be verified and contain a statement of facts
16 constituting a dependency, and the names and residence, if known to
17 the petitioner, of the parents, guardian, or custodian of the alleged
18 dependent child.

19 (3) Every petition filed in proceedings under this chapter shall
20 contain a statement alleging whether the child is or may be an Indian

1 child as defined in RCW 13.38.040. If the child is an Indian child
2 chapter 13.38 RCW shall apply.

3 (4) Every order or decree entered under this chapter shall
4 contain a finding that the federal Indian child welfare act or
5 chapter 13.38 RCW does or does not apply. Where there is a finding
6 that the federal Indian child welfare act or chapter 13.38 RCW does
7 apply, the decree or order must also contain a finding that all
8 notice requirements and evidentiary requirements under the federal
9 Indian child welfare act and chapter 13.38 RCW have been satisfied.

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