

SB 5651 - H COMM AMD  
By Committee on Appropriations

ADOPTED 04/11/2019

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 2.53  
4 RCW to read as follows:

5 (1) Subject to amounts specifically appropriated for this  
6 purpose, the role of kinship care legal aid coordinator is hereby  
7 created at the office of civil legal aid. The office may contract  
8 with a separate nonprofit legal aid organization to satisfy the  
9 requirements of this section.

10 (2)(a) The kinship care legal aid coordinator shall consult with  
11 the following entities:

12 (i) The kinship care oversight committee as provided for in RCW  
13 74.13.621;

14 (ii) The Washington state supreme court access to justice board's  
15 pro bono council;

16 (iii) The Washington state bar association moderate means  
17 program;

18 (iv) The department of social and health services, aging and  
19 long-term support administration; and

20 (v) The office of public defense.

21 (b) The kinship care legal aid coordinator shall work with  
22 entities stated in (a) of this subsection to identify and facilitate  
23 the development of local and regional kinship care legal aid  
24 initiatives, and further efforts to implement relevant  
25 recommendations from the kinship care oversight committee as provided  
26 for in RCW 74.13.621.

27 (3) The kinship care legal aid coordinator shall maintain the  
28 following duties:

29 (a) Develop, expand, and deliver training materials designed to  
30 help pro bono and low bono attorneys provide legal advice and  
31 assistance to kinship caregivers on matters that relate to their

1 ability to meet physical, mental, social, educational, and other  
2 needs of children and youth in their care;

3 (b) Produce a biennial report outlining activities undertaken by  
4 the coordinator; legal aid resources developed at the statewide,  
5 regional, and local levels; and other information regarding  
6 development and expansion of legal aid services to kinship caregivers  
7 in Washington state. Reports are due to the department of children,  
8 youth, and families, department of social and health services, and  
9 relevant standing committees of the legislature by December 1st of  
10 each even-numbered year.

11 **Sec. 2.** RCW 74.13.621 and 2017 3rd sp.s. c 1 s 982 are each  
12 amended to read as follows:

13 (1) Within existing resources, the department shall establish an  
14 oversight committee to monitor, guide, and report on kinship care  
15 recommendations and implementation activities. The committee shall:

16 (a) Draft a kinship care definition that is restricted to persons  
17 related by blood, marriage, or adoption, including marriages that  
18 have been dissolved, or for a minor defined as an "Indian child"  
19 under the federal Indian child welfare act (25 U.S.C. Sec. 1901 et  
20 seq.), the definition of "extended family member" under the federal  
21 Indian child welfare act, and a set of principles. If the committee  
22 concludes that one or more programs or services would be more  
23 efficiently and effectively delivered under a different definition of  
24 kin, it shall state what definition is needed, and identify the  
25 program or service in the report. It shall also provide evidence of  
26 how the program or service will be more efficiently and effectively  
27 delivered under the different definition. The department shall not  
28 adopt rules or policies changing the definition of kin without  
29 authorizing legislation;

30 (b) Monitor and provide consultation on the implementation of  
31 recommendations contained in the 2002 kinship care report, including  
32 but not limited to the recommendations relating to legal and respite  
33 care services and resources;

34 (c) Partner with nonprofit organizations and private sector  
35 businesses to guide a public education awareness campaign; (~~and~~)

36 (d) Assist with developing future recommendations on kinship care  
37 issues; and

38 (e) Coordinate with the kinship care legal aid coordinator to  
39 develop, expand, and deliver training materials designed to help pro

1 bono and low bono attorneys provide legal advice and assistance to  
2 kinship caregivers on matters that relate to their ability to meet  
3 physical, mental, social, educational, and other needs of children  
4 and youth in their care.

5 (2) The department shall consult with the oversight committee on  
6 its efforts to better collaborate and coordinate services to benefit  
7 kinship care families.

8 (3) The oversight committee must consist of a minimum of thirty  
9 percent kinship caregivers, who shall represent a diversity of  
10 kinship families. Statewide representation with geographic, ethnic,  
11 and gender diversity is required. Other members shall include  
12 representatives of the department, representatives of relevant state  
13 agencies, representatives of the private nonprofit and business  
14 sectors, child advocates, representatives of Washington state Indian  
15 tribes as defined under the federal Indian welfare act (25 U.S.C.  
16 Sec. 1901 et seq.), and representatives of the legal or judicial  
17 field. Birth parents, foster parents, and others who have an interest  
18 in these issues may also be included.

19 (4) To the extent funding is available, the department may  
20 reimburse nondepartmental members of the oversight committee for  
21 costs incurred in participating in the meetings of the oversight  
22 committee.

23 (5) The kinship care oversight committee shall update the  
24 legislature and governor annually on committee activities, with ((the  
25 first)) each update due by ((January 1, 2006)) December 1st.

26 ((6) This section expires June 30, 2019.)

27 NEW SECTION. Sec. 3. If specific funding for the purposes of  
28 this act, referencing this act by bill or chapter number, is not  
29 provided by June 30, 2019, in the omnibus appropriations act, this  
30 act is null and void.

31 NEW SECTION. Sec. 4. This act is necessary for the immediate  
32 preservation of the public peace, health, or safety, or support of  
33 the state government and its existing public institutions, and takes  
34 effect June 30, 2019."

35 Correct the title.

EFFECT: Adds a null and void clause. The bill is null and void unless funded in the budget.

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