

# SENATE BILL REPORT

## SB 5895

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As of February 14, 2019

**Title:** An act relating to fingerprint background checks for guardians ad litem.

**Brief Description:** Concerning fingerprint background checks for guardians ad litem.

**Sponsors:** Senators Wilson, C., Nguyen and Darneille.

**Brief History:**

**Committee Activity:** Human Services, Reentry & Rehabilitation: 2/13/19.

**Brief Summary of Bill**

- Requires finger-print based background checks of guardian ad litem be updated every three years.

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### SENATE COMMITTEE ON HUMAN SERVICES, REENTRY & REHABILITATION

**Staff:** Alison Mendiola (786-7488)

**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 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 their 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.

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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.*

Each GAL program must maintain a background information file on all GALs that must contain specified information, including education, training, experience, number of prior appointments, finger-print based background checks, and criminal history. Upon appointment, this information must be made available to the court and to the parties.

**Summary of Bill:** While a background information file on all guardian ad litem must be updated annually, the finger-print based background check is to be updated every three years.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: GALS and CASAs are the eyes of ears of the court. There are between 1500 and 2000 GAL/CASA volunteers who have to get their fingerprint background check updated every year. The Administrative Office of the Courts pays for this. Changing the fingerprint background check to every three years is what is required for social workers, daycare providers, and others.

**Persons Testifying:** PRO: Senator Claire Wilson, Prime Sponsor; Ryan Murrey, Washington State CASA.

**Persons Signed In To Testify But Not Testifying:** No one.