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**SENATE BILL 5651**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators King, Saldaña, Walsh, Darneille, Das, Wilson, C., and Hasegawa

Read first time 01/25/19. Referred to Committee on Law & Justice.

1 AN ACT Relating to establishing a kinship care legal aid  
2 coordinator; amending RCW 74.13.621; adding a new section to chapter  
3 2.53 RCW; providing an effective date; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 2.53 RCW  
6 to read as follows:

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

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

14 (i) The kinship care oversight committee as provided for in RCW  
15 74.13.621;

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

18 (iii) The Washington state bar association moderate means  
19 program;

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

1 (v) The office of public defense.

2 (b) The kinship care legal aid coordinator shall work with  
3 entities stated in (a) of this subsection to identify and facilitate  
4 the development of local and regional kinship care legal aid  
5 initiatives, and further efforts to implement relevant  
6 recommendations from the kinship care oversight committee as provided  
7 for in RCW 74.13.621.

8 (3) The kinship care legal aid coordinator shall maintain the  
9 following duties:

10 (a) Develop, expand, and deliver training materials designed to  
11 help pro bono and low bono attorneys provide legal advice and  
12 assistance to kinship caregivers on matters that relate to their  
13 ability to meet physical, mental, social, educational, and other  
14 needs of children and youth in their care;

15 (b) Produce a biennial report outlining activities undertaken by  
16 the coordinator; legal aid resources developed at the statewide,  
17 regional, and local levels; and other information regarding  
18 development and expansion of legal aid services to kinship caregivers  
19 in Washington state. Reports are due to the department of children,  
20 youth, and families, department of social and health services, and  
21 relevant standing committees of the legislature by December 1st of  
22 each even-numbered year.

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

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

28 (a) Draft a kinship care definition that is restricted to persons  
29 related by blood, marriage, or adoption, including marriages that  
30 have been dissolved, or for a minor defined as an "Indian child"  
31 under the federal Indian child welfare act (25 U.S.C. Sec. 1901 et  
32 seq.), the definition of "extended family member" under the federal  
33 Indian child welfare act, and a set of principles. If the committee  
34 concludes that one or more programs or services would be more  
35 efficiently and effectively delivered under a different definition of  
36 kin, it shall state what definition is needed, and identify the  
37 program or service in the report. It shall also provide evidence of  
38 how the program or service will be more efficiently and effectively  
39 delivered under the different definition. The department shall not

1 adopt rules or policies changing the definition of kin without  
2 authorizing legislation;

3 (b) Monitor and provide consultation on the implementation of  
4 recommendations contained in the 2002 kinship care report, including  
5 but not limited to the recommendations relating to legal and respite  
6 care services and resources;

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

9 (d) Assist with developing future recommendations on kinship care  
10 issues; and

11 (e) Coordinate with the kinship care legal aid coordinator to  
12 develop, expand, and deliver training materials designed to help pro  
13 bono and low bono attorneys provide legal advice and assistance to  
14 kinship caregivers on matters that relate to their ability to meet  
15 physical, mental, social, educational, and other needs of children  
16 and youth in their care.

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

20 (3) The oversight committee must consist of a minimum of thirty  
21 percent kinship caregivers, who shall represent a diversity of  
22 kinship families. Statewide representation with geographic, ethnic,  
23 and gender diversity is required. Other members shall include  
24 representatives of the department, representatives of relevant state  
25 agencies, representatives of the private nonprofit and business  
26 sectors, child advocates, representatives of Washington state Indian  
27 tribes as defined under the federal Indian welfare act (25 U.S.C.  
28 Sec. 1901 et seq.), and representatives of the legal or judicial  
29 field. Birth parents, foster parents, and others who have an interest  
30 in these issues may also be included.

31 (4) To the extent funding is available, the department may  
32 reimburse nondepartmental members of the oversight committee for  
33 costs incurred in participating in the meetings of the oversight  
34 committee.

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

38 ~~((6) This section expires June 30, 2019.))~~

1        NEW SECTION.    **Sec. 3.**    This act is necessary for the immediate  
2    preservation of the public peace, health, or safety, or support of  
3    the state government and its existing public institutions, and takes  
4    effect June 30, 2019.

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