
SENATE BILL 5331

State of Washington

67th Legislature

2021 Regular Session

By Senators Gildon, Darneille, Dhingra, Hasegawa, Nguyen, Nobles, Warnick, Wellman, and Wilson, C.

Read first time 01/22/21. Referred to Committee on Human Services, Reentry & Rehabilitation.

1 AN ACT Relating to establishing an early childhood court program
2 for young children and their families involved or at risk of becoming
3 involved in Washington's child welfare system; adding new sections to
4 chapter 2.30 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that there is an
7 urgent need to provide greater support to young children and their
8 families involved or at risk of becoming involved in Washington
9 state's child welfare system. Infants and toddlers comprise a
10 substantial portion of all child abuse and neglect cases in
11 Washington state; the rate of entry for children under age one into
12 the care of Washington state's child welfare system is the second
13 highest in the nation. Research demonstrates that both the trauma of
14 neglect as well as the trauma associated with entering the child
15 welfare system shapes young children's brain development and have
16 lifelong impacts on young children's social, emotional, and physical
17 well-being. Young children and families of color are particularly
18 impacted by child welfare involvement and the factors leading up to
19 it.

20 (2) The legislature further finds that early childhood court
21 programs minimize the impact of past trauma, improve well-being and

1 cognitive development, and prevent future trauma for young children
2 and their families in the child welfare system by providing timely,
3 research-based, and trauma-informed interventions. Early childhood
4 court programs reduce maltreatment recurrence, number of placements,
5 and the time it takes to achieve permanency, while increasing
6 equitable access to services.

7 (3) The legislature further finds that statewide standards are
8 necessary to ensure the quality, accountability, and fidelity to
9 research-based interventions of early childhood court programs.
10 Statewide standards will also promote equitable access to these
11 programs, especially among children and families of color.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 2.30 RCW
13 to read as follows:

14 (1) A superior court may establish an early childhood court
15 program to serve the needs of infants and toddlers in the dependency
16 system.

17 (2) If a superior court creates an early childhood court program,
18 it shall incorporate the following core components into the program:

19 (a) The court shall obtain a memorandum of understanding or other
20 agreement with the department of children, youth, and families that
21 outlines how the two entities will coordinate and collaborate to
22 improve services, identify state and local partnerships, and
23 implement the core components overall.

24 (b) The court shall employ a community coordinator who is
25 dedicated to: Facilitating real-time information sharing and
26 collaboration among cross-sector professionals; coordinating and
27 participating in family team meetings; identifying community-based
28 resources and connecting families to these resources; building
29 relationships and forming new partnerships across traditional and
30 nontraditional services and systems; identifying training needs and
31 facilitating the provision of training; and supporting the convening
32 of active community team meetings. The community coordinator carries
33 out the tasks outlined in the core components.

34 (c) The court shall establish an active community team that
35 fosters a learning environment and encourages an interdisciplinary
36 approach to meeting the needs of young children and families;
37 identifies and responds to challenges to accessing resources and
38 needed systems reforms; supports multidisciplinary trainings; and

1 institutes new policies and procedures that ensure families receive
2 equitable and timely access to resources and services.

3 (d) Regarding postremoval conferences and family team meetings:

4 (i) The judicial officer shall establish more frequent review
5 hearings to ensure close judicial oversight and set the expectations,
6 which include interdisciplinary collaboration and problem solving,
7 for frequent out of court family team meetings.

8 (ii) The family team convenes family engagement conferences as
9 soon as possible after removal, convenes frequent team meetings,
10 expedites timely screenings, conducts assessments and referrals,
11 identifies new needs as quickly as possible, and provides a platform
12 for concurrent planning and transition planning.

13 (iii) The community coordinator coordinates and ensures neutral
14 facilitation in the family team meetings and serves as a liaison for
15 identifying community-based resources.

16 (e) Parents are viewed as critical participants, with their voice
17 and insight valued through the court process. The court shall foster
18 an environment in which systems professionals increase their
19 awareness of different forms of bias, as well as holistically engage
20 parents as they address their histories with trauma and adversity
21 related to poverty, mental health, and substance use.

22 (f) The court shall facilitate connecting parents with informal
23 and formal social supports, including but not limited to peer,
24 community, and cultural supports.

25 (g) The court shall ensure a plan is created as soon as possible
26 following removal that: Establishes when families can expect the
27 earliest contact with their child, establishes frequent contact,
28 minimizes anxiety and stress, and prevents retraumatization for both
29 children and parents to the greatest extent possible; ensures
30 visitation is in a safe, comfortable, and unthreatening setting; and
31 provides mentoring and modeling to parents that strengthen their
32 sense of agency and capacity for nurturing and protective caregiving.

33 (h) The court shall ensure that: An individualized plan is
34 developed emphasizing stable, nurturing relationships; parents are
35 provided the opportunity for active engagement in planning for a
36 feasible alternative permanency plan, should it be necessary,
37 immediately; the focus of the plan is on protecting early caregiving
38 relationships, addressing protective factors, and ensuring proactive
39 efforts to promote reunification or other lasting permanency

1 outcomes; and all interactions with parents are strength-based,
2 respectful, transparent, and compassionate.

3 (i) The court shall ensure that: Stakeholders participate in any
4 available statewide structure that supports alignment to the approach
5 of the early childhood court program, cross-site cooperation, and
6 consistency; any program data is regularly and continuously reviewed
7 to ensure equity, inform and improve practice; and stakeholders
8 utilize technical assistance, training, and evaluation to assess
9 effectiveness and improve outcomes.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 2.30 RCW
11 to read as follows:

12 (1) The judges of the superior court judicial districts with
13 early childhood court programs shall adopt local rules directing the
14 programs. The local court rules shall include a requirement that all
15 judicial officers hearing cases in an early childhood court program:

16 (a) Complete an initial, eight-hour training program that can
17 include the topic areas of: The benefits of secure attachment with
18 primary caregivers; a trauma-informed approach; the importance of
19 maintaining children within their biological connections; the
20 importance of reunification of children with their families; and the
21 impact of trauma on child development;

22 (b) After the initial training, annually attend a minimum of
23 eight hours of continuing education of pertinence to the early
24 childhood court program.

25 (2) The administrative office of the courts shall administer the
26 certification of training requirements.

27 NEW SECTION. **Sec. 4.** A new section is added to chapter 2.30 RCW
28 to read as follows:

29 (1) Pursuant to available funding, the administrative office of
30 the courts shall perform, or contract for, an evaluation of the early
31 childhood court program to ensure the quality, accountability, and
32 fidelity of the programs' evidence-based treatment. Any evaluation of
33 the early childhood court program shall be posted on the
34 administrative office of the courts website.

35 (2) The administrative office of the courts may provide, or
36 contract for the provision of, training and technical assistance

1 related to program services, consultation and guidance for difficult
2 cases, and ongoing training for court teams.

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