

**RCW 10.05.040 Investigation and examination. (Effective until January 1, 2026.)** The program to which such person is referred, or the department of social and health services if the petition is brought under RCW 10.05.020(2), shall conduct an investigation and examination to determine:

- (1) Whether the person suffers from the problem described;
- (2) Whether the problem is such that if not treated, or if no child welfare services are provided, there is a probability that similar misconduct will occur in the future;
- (3) Whether extensive and long term treatment is required;
- (4) Whether effective treatment or child welfare services for the person's problem are available; and
- (5) Whether the person is amenable to treatment or willing to cooperate with child welfare services. [2018 c 201 s 9005; 2002 c 219 s 9; 1985 c 352 s 7; 1975 1st ex.s. c 244 s 4.]

**Findings—Intent—Effective date—2018 c 201:** See notes following RCW 41.05.018.

**Intent—Finding—2002 c 219:** See note following RCW 9A.42.037.

**Legislative finding—Severability—1985 c 352:** See notes following RCW 10.05.010.

**RCW 10.05.040 Investigation and examination. (Effective January 1, 2026.)** The program to which such person is referred, or the department of children, youth, and families if the petition is brought under RCW 10.05.020(2), shall conduct an investigation and examination to determine:

- (1) Whether the person suffers from the problem described;
- (2) Whether the problem is such that if not treated, or if no child welfare services are provided, there is a probability that similar misconduct will occur in the future;
- (3) Whether extensive and long term treatment is required;
- (4) Whether effective treatment or child welfare services for the person's problem are available; and
- (5) Whether the person is: (a) Amenable to treatment as demonstrated by (i) completion of residential treatment; (ii) completion of a minimum of 18 hours of intensive outpatient treatment, for substance use disorder petitions; (iii) completion of a minimum of six mental health sessions, for mental health disorder petitions; or (iv) completion of a minimum of six domestic violence treatment sessions for domestic violence petitions; or (b) willing to cooperate with child welfare services. The requirement for completing a minimum number of sessions may be waived if the court finds good cause. [2024 c 306 s 15; 2018 c 201 s 9005; 2002 c 219 s 9; 1985 c 352 s 7; 1975 1st ex.s. c 244 s 4.]

**Effective date—2024 c 306:** See note following RCW 9.94A.661.

**Findings—Intent—Effective date—2018 c 201:** See notes following RCW 41.05.018.

**Intent—Finding—2002 c 219:** See note following RCW 9A.42.037.

**Legislative finding—Severability—1985 c 352:** See notes following  
RCW 10.05.010.