

SENATE BILL REPORT

SB 6068

As Reported by Senate Committee On:
Human Services, January 25, 2024
Ways & Means, February 5, 2024

Title: An act relating to reporting on dependency outcomes.

Brief Description: Reporting on dependency outcomes.

Sponsors: Senators Boehnke and Wilson, C..

Brief History:

Committee Activity: Human Services: 1/22/24, 1/25/24 [DPS-WM].
Ways & Means: 2/02/24, 2/05/24 [DP2S].

Brief Summary of Second Substitute Bill

- Directs the Administrative Office of the Courts, in consultation with other agencies and entities with relevant data or expertise, to identify measures of relational permanency and child well-being and report its findings to the Legislature by July 1, 2025, subject to appropriations.

SENATE COMMITTEE ON HUMAN SERVICES

Majority Report: That Substitute Senate Bill No. 6068 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame, Nguyen, Warnick and Wilson, J..

Staff: Alison Mendiola (786-7488)

SENATE COMMITTEE ON WAYS & MEANS

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: That Second Substitute Senate Bill No. 6068 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig, Boehnke, Braun, Conway, Dhingra, Hasegawa, Hunt, Keiser, Muzzall, Pedersen, Randall, Saldaña, Torres, Van De Wege, Wagoner and Wellman.

Staff: Josh Hinman (786-7281)

Background: The Administrative Office of the Courts (AOC), in consultation with the Attorney General's Office and the Department of Children, Youth and Families, is directed by statute to compile an annual report providing information about cases that fail to meet statutory guidelines to achieve permanency for dependent children. This report is submitted to the Legislature and a representative of the Foster Parent Association of Washington State on December 1st of each year.

The annual report also includes information about:

- whether foster parents received timely notification of dependency hearings as required by statute; and
- whether caregivers submitted reports to the court.

The AOC develops standard court forms for mandatory use by parties in dependency matters. The AOC provides these forms to all county court clerks.

Summary of Bill (Second Substitute): Subject to the availability of amounts appropriated for this specific purpose, the AOC is to, in consultation with others, identify measures of relational permanency and child well-being and shall report to the Legislature by July 1, 2025, in compliance with state law, the following information:

- a plan for reporting on child well-being and relational permanency;
- a plan for tracking and reporting on whether an order or portion of an order was agreed or contested, and if contested, by which party or parties;
- how to make such information publicly available;
- what can be reported using existing data;
- what additional information should be collected; and
- what data-sharing agreements are necessary to ensure an accurate picture of the needs of families in the dependency system.

In making these determinations, the AOC must consult with representatives who have knowledge of data collection systems from the Office of the Superintendent of Public Instruction (OSPI); the Health Care Authority (HCA); the Department of Children, Youth, and Families (DCYF); the Department of Social and Health Services (DSHS); the Department of Corrections (DOC), and any other entity holding relevant data or expertise.

To collect data necessary to evaluate the relational permanency and well-being of dependent children, the AOC must execute data-sharing agreements with OSPI, HCA, DCYF, DOC, and DSHS.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Second Substitute):

Restores RCW 13.34.820(1) by removing additional requirement to include certain specified data requirements.

Restores RCW 13.34.820(2) by removing additional requirement to report to the Office of Civil Legal Aid and the Office of Public Defense.

Adds a requirement to the child well-being report due July 1, 2025, to include a plan for tracking and reporting on whether an order was agreed or contested, and if contested, by which party or parties.

Requires that AOC shall execute a data-sharing agreement with various agencies, and includes DOC to the list of agencies.

EFFECT OF CHANGES MADE BY HUMAN SERVICES COMMITTEE (First Substitute):

AOC is to track whether an order or a portion of an order is agreed to or contested and by which party or parties, and the number of dependent children with incarcerated parents. AOC is to consult with the Department of Corrections, among others, in regards to knowledge of data collection systems. Section 3 is struck.

Appropriation: The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

Fiscal Note: Requested on January 26, 2024.

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 on Original Bill (Human Services): *The committee recommended a different version of the bill than what was heard.* PRO: There may have been years of ineffective policies, but being able to look at the data, we're able to make effective policy decisions going forward, with more transparency. Right now the only measure of success is whether a dependency meets the statutory deadline but that doesn't tell us how the child is doing, how many schools they have attended. Since 2007 the AOC

has been collecting this data which is also shared online but AOC lacks access to important data that this bill will help them get access to. Children are languishing in the system. Data will help us understand how they are doing, what kind of relationships they are developing, and it sends a message to courts that we want to be looking at more than the length of time in care. Having better data will help improve the foster care system. We should include data about incarceration rates - how many children in dependency have incarcerated parents.

OTHER: The data is helpful because it's important to look at what's going on in DCYF.

Persons Testifying (Human Services): PRO: Senator Matt Boehnke, Prime Sponsor; Tara Urs, King County Department of Public Defense; Kelly Warner-King, Administrative Office of the Courts; Laurie Lippold, Partners for Our Children; Daniel Lugo, Treehouse; Jim Chambers.

OTHER: SHAUN BEALS.

Persons Signed In To Testify But Not Testifying (Human Services): No one.

Staff Summary of Public Testimony on First Substitute (Ways & Means): *The committee recommended a different version of the bill than what was heard.* PRO: This bill allows the data sharing agreement to get at the accuracy of the data analysis which we need. AOC and stakeholders worked with us on this in the last few weeks.

Strong support. In 2007, the Legislature directed AOC to measure the timeliness in dependencies. Still valuable, yet is not all we need to know. How are youth actually doing? This bill helps answer that question and is a great investment.

We need to evaluate whether the dependency system is servicing children well. The court system has a critical role and the ultimate authority. This bill provides guidance to AOC and no longer limits reporting to only time metrics.

AOC works with DCYF on timeliness data, yet we lack data on services, family time visits, connections to siblings, school outcomes, and other data relevant to measuring relational permanency and well-being.

AOC will need a full-time manager for this. It is important that all agencies have a good understanding of dependency outcomes and we be fully transparent and accountable.

Persons Testifying (Ways & Means): PRO: Senator Matt Boehnke, Prime Sponsor; Tara Urs, King County Department of Public Defense; Laurie Lippold, Partners for Our Children; Carl McCurley, Admin. Ofc. of the Courts, WA ST Center for Court Research.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.