

The Mockingbird Society 2010 Legislative Summary: Bringing Hope to Youth and Alumni of Foster Care

This year an uncertain economic climate challenged our Legislators to use multiple strategies to balance the state budget. And, on April 8th, the state of Washington ended a special session with the passage of a more than \$30 billion supplemental budget to take us into 2011. New taxes, along with cuts in spending were required to keep the state on solid footing and meet the needs of our most vulnerable citizens.

At The Mockingbird Society we advocated for prioritizing basic needs. And, in doing so we pushed, along with our other child welfare advocates, for the state to meet its obligation to care for and support dependent children and youth. We are proud to report that we were successful in achieving our goals. Our legislative agenda was passed with overwhelming support, and the laws go into effect on June 10, 2010. These include:

- Safe Housing and Support for Youth in Care (Hope Beds and Responsible Livings Skills Program)
- Notification of the Right to Request Counsel in Dependency Proceedings
- Vesting Youth or Alumni of Foster Care with Full Voting Rights on the Transformation Design Committee - A System-wide Reform Initiative
- Subsidized Guardianships to Provide Support to Kinship Families
- Expanding Sealing Juvenile Records
- 8-Hour Notification Expanded in Certain Cases

A brief summary of these important protection and civil rights measures is detailed below.

Providing Safe Housing and Support For Youth in Care

SB 6444 - General Fund Budget

Under Age 18: Passed in 1999 the HOPE Act provides two critical services to adolescents in the foster care system. These services include Hope beds and Responsible Living Skills Programs. The final 2010 supplemental budget funded 23 Hope beds with an appropriation of \$972,077. In addition, the 32 RLSPs remained funded at \$1,160,440 to provide vital transitional services.

- **Retained the HOPE beds:** The Hope beds provide 30-day emergency shelter for teenagers who are on the streets or on a runaway status. HOPE beds are the only beds in the State of Washington that adolescents can self-refer to. HOPE beds provide safe emergency care and reduce the length of time adolescents are on

runaway status. The HOPE beds are targeted to both adolescents who are legal dependents of Washington State as well as those who are from private families.

- **Retained the Responsible Living Skills Programs (RLSP):** RLSP beds are long term programs targeting older youth in the foster care system who have experienced multiple placements and educational changes. Typically family reunification is not considered probable and the RLSP are designed to support the “readiness” of older youth to exit the foster care system.

Over Age 18: Approximately 465 youth exit Washington’s foster care system each year. Safe housing is crucial to their ability to achieve their educational and employment goals.

- **Retained the Foster Care to 21 and Independent Youth Housing Program:** Washington State has been a leader in developing safe housing for youth being discharged from the foster care system. The federal Fostering Connections to Success and Increasing Adoptions Act provides a 50% match to those states that offer safe housing to youth exiting foster care. We were able to continue the initial progress made to leverage the new Federal legislation, but much more work needs to be done to ensure the youth have continued support into adulthood.

Ensuring Youth are Notified of their Right to Request Counsel in Dependency Proceedings

HB2735: An act relating to the representation of children in dependency matters

Sponsored by Representative Goodman

House Bill 2735 encourages the need for representation of children in dependency matters. This bill directs the department, supervising agency and guardian ad litem of a dependent child at least 12 years old to notify this child of his or her right to request counsel, and ask the child whether or not he or she wishes to have counsel. The court is then directed to inquire whether a child, at least 12 years old in a dependency proceeding, received notice of his or her right to request legal counsel.

Giving Youth a Voice in System Reform. Giving Youth and Alumni of Foster Care Full Voting Rights on the Transformation Design Committee

SSB6832: An Act relating to the implementation of delivery of child welfare services through performance-based contracts

Sponsored by Senator James Hargrove

In 2009, the Legislature enacted 2SHB 2106, which established the Child Welfare Transformation Design Committee charged with selecting two demonstration sites, and developing performance measures, and criteria for the contracting of child welfare services. While, a youth from foster care previously had been included in deliberations, they had not been vested with formal voting rights. Now, the legislation has been amended to ensure the youth or alumni of care have full voting rights. In addition, the legislation moved the dates for contract conversion and demonstration site implementation out to July 2011 and December 2012 respectively.

Aligning state guardianship laws with the federal Fostering Connections to Success and Increasing Adoptions Act -- This new legislation will allow for the use of federal funds to provide subsidy payments to relatives serving as guardians for children exiting the system.

HB2680: An act relating to implementing a guardianship program

Sponsored by Representative Mary Helen Roberts

House Bill 2680 establishes guardianship as a permanency option for children in foster care through the appointment of a guardian and dismissal of dependency. The bill specifies the requirements of establishing, modifying and terminating a guardianship. Guardians who are licensed foster parents and have fostered a child for at least six months are eligible to receive a guardianship subsidy. The department is directed to waive non-safety standards for relatives that seek to become licensed foster parents when this action is determined to be in the best interest of the child.

SB6561: An act relating to restricting access to juvenile offender records

Sponsored by Senator James Hargrove

SB 6561 ensures that young people, who have committed a crime but fulfilled all of the court requirements, including no further infractions with the law, are able to have their record sealed. This will allow the youth to engage in gainful employment, secure college scholarships and continue to create a positive future by having their juvenile record sealed.

Senate Bill 6561 modifies language in the law regarding access to juvenile offender records. Specifically the bill:

- Makes juvenile class A felonies (other than sex offenses sealable 5 years after release if the individual has paid restitution and has committed no further offenses.
- Makes juvenile class B felonies (other than sex offenses) sealable 2 years after release if the individual has paid restitution and has committed no further offenses.

8-Hour Notification (HB 2752)

Sponsored by Representative Mary Lou Dickerson

Staff who work at emergency shelters for youth must report within 8 hours to DSHS, family or law enforcement. Shelter providers believed that this law pushed youth deeper underground into the hands of predators. The new law specifies that the preferred timeline for notifying the parent of a minor admitted to a shelter is 24 hours and the maximum time allowed for contacting the parents is 72 hours. This intent is to allow time for staff to develop a relationship with the youth and engage them in services including reunification to family when appropriate.