

# HOUSE BILL REPORT

## ESSB 5491

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**As Reported By House Committee On:**  
Children & Family Services

**Title:** An act relating to termination of the parent and child relationship.

**Brief Description:** Revising provisions for termination of parent and child relationship.

**Sponsors:** Senate Committee on Human Services & Corrections (originally sponsored by Senators Stevens, Swecker, Strannigan, Schow and Hochstatter).

**Brief History:**

**Committee Activity:**

Children & Family Services: 4/1/97, 4/3/97 [DPA].

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### HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

**Majority Report:** Do pass as amended. Signed by 11 members: Representatives Cooke, Chairman; Boldt, Vice Chairman; Bush, Vice Chairman; Tokuda, Ranking Minority Member; Kastama, Assistant Ranking Minority Member; Ballasiotes; Carrell; Dickerson; Gombosky; McDonald and Wolfe.

**Staff:** David Knutson (786-7146).

**Background:** A petition seeking the termination of a parent and child relationship may be filed in juvenile court by any party to the dependency proceeding concerning that child. The petition for the termination of a parent and child relationship must allege (1) the child has been determined to be a dependent child; (2) the child has been removed from the custody of the parent for a period of at least six months; (3) services capable of correcting parental deficiencies have been provided; (4) there is little likelihood that conditions will be remedied so that the child may be returned home; and (5) the continuation of the parent and child relationship clearly diminishes the child's prospects for early integration into a stable and permanent home.

**Summary of Amended Bill:** A petition seeking the termination of the parent and child relationship must allege that the child is currently a dependent child. This allegation must be proved by clear, cogent and convincing evidence. The court hearing the petition may only use the findings of the dependency proceeding to establish that the child has been determined a dependent child.

**Amended Bill Compared to Engrossed Substitute Bill:** The requirement that the court may continue the removal of a child from the home based upon clear, cogent and convincing evidence is removed.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill will clarify the process for the termination of parental rights.

**Testimony Against:** None presented.

**Testified:** Senator Val Stevens, prime sponsor.