

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE HOUSE BILL 2822

Chapter 279, Laws of 2008

60th Legislature
2008 Regular Session

FAMILY AND JUVENILE COURT IMPROVEMENT PROGRAM

EFFECTIVE DATE: 06/12/08

Passed by the House March 12, 2008
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 11, 2008
Yeas 49 Nays 0

BRAD OWEN

President of the Senate

Approved March 31, 2008, 2:45 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 2822** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

April 1, 2008

**Secretary of State
State of Washington**

SECOND SUBSTITUTE HOUSE BILL 2822

AS AMENDED BY THE SENATE

Passed Legislature - 2008 Regular Session

State of Washington 60th Legislature 2008 Regular Session

By House Appropriations (originally sponsored by Representatives Kagi, Walsh, Lantz, Dickerson, Haler, Sullivan, Seaquist, and Kenney)

READ FIRST TIME 02/12/08.

1 AN ACT Relating to the family and juvenile court improvement
2 program; amending RCW 2.56.030; adding new sections to chapter 2.56
3 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 2.56 RCW
6 to read as follows:

7 Subject to the availability of funds appropriated therefor, the
8 family and juvenile court improvement grant program is created.

9 (1) The purpose of the program is to assist superior courts in
10 improving their family and juvenile court systems, especially in
11 dependency cases, with the goals of:

12 (a) Assuring a stable and well-trained judiciary in family and
13 juvenile law providing consistency of judicial officers hearing all of
14 the proceedings in a case involving one family, especially in
15 dependency cases; and

16 (b) Ensuring judicial accountability in implementing specific
17 principles and practices for family and juvenile court.

18 (2) The administrator for the courts shall develop and administer
19 the program subject to requirements in section 2 of this act. As part

1 of administering the program, the administrator for the courts shall
2 define appropriate outcome measures, collect data, and gather
3 information from courts receiving grants.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 2.56 RCW
5 to read as follows:

6 (1) A superior court may apply for grants from the family and
7 juvenile court improvement grant program by submitting a local
8 improvement plan with the administrator for the courts. To be eligible
9 for grant funds, a superior court's local improvement plan must meet
10 the criteria developed by the administrator for the courts and approved
11 by the board for judicial administration. The criteria must be
12 consistent with the principles adopted for unified family courts. At
13 a minimum, the criteria must require that the court's local improvement
14 plan meet the following requirements:

15 (a) Commit to a chief judge assignment to the family and juvenile
16 court for a minimum of two years;

17 (b) Implementation of the principle of one judicial team hearing
18 all of the proceedings in a case involving one family, especially in
19 dependency cases;

20 (c) Require court commissioners and judges assigned to family and
21 juvenile court to receive a minimum of thirty hours specialized
22 training in topics related to family and juvenile matters within six
23 months of assuming duties in family and juvenile court. Where
24 possible, courts should utilize local, statewide, and national training
25 forums. A judicial officer's recorded educational history may be
26 applied toward the thirty-hour requirement. The topics for training
27 must include:

28 (i) Parentage;

29 (ii) Adoption;

30 (iii) Domestic relations;

31 (iv) Dependency and termination of parental rights;

32 (v) Child development;

33 (vi) The impact of child abuse and neglect;

34 (vii) Domestic violence;

35 (viii) Substance abuse;

36 (ix) Mental health;

37 (x) Juvenile status offenses;

- 1 (xi) Juvenile offenders;
- 2 (xii) Self-representation issues;
- 3 (xiii) Cultural competency;
- 4 (xiv) Roles of family and juvenile court judges and commissioners;
- 5 and

6 (d) As part of the application for grant funds, submit a spending
7 proposal detailing how the superior court would use the grant funds.

8 (2) Courts receiving grant money must use the funds to improve and
9 support family and juvenile court operations based on standards
10 developed by the administrator for the courts and approved by the board
11 for judicial administration. The standards may allow courts to use the
12 funds to:

13 (a) Pay for family and juvenile court training of commissioners and
14 judges or pay for pro tem commissioners and judges to assist the court
15 while the commissioners and judges receive training;

16 (b) Increase judicial and nonjudicial staff, including
17 administrative staff to improve case coordination and referrals in
18 family and juvenile cases, guardian ad litem volunteers or
19 court-appointed special advocates, security, and other staff;

20 (c) Improve the court facility to better meet the needs of children
21 and families;

22 (d) Improve referral and treatment options for court participants,
23 including enhancing court facilitator programs and family treatment
24 court and increasing the availability of alternative dispute
25 resolution;

26 (e) Enhance existing family and children support services funded by
27 the courts and expand access to social service programs for families
28 and children ordered by the court; and

29 (f) Improve or support family and juvenile court operations in any
30 other way deemed appropriate by the administrator for the courts.

31 (3) The administrator for the courts shall allocate available grant
32 moneys based upon the needs of the court as expressed in their local
33 improvement plan.

34 (4) Money received by the superior court under this program must be
35 used to supplement, not supplant, any other local, state, and federal
36 funds for the court.

37 (5) Upon receipt of grant funds, the superior court shall submit to
38 the administrator for the courts a spending plan detailing the use of

1 funds. At the end of the fiscal year, the superior court shall submit
2 to the administrator for the courts a financial report comparing the
3 spending plan to actual expenditures. The administrator for the courts
4 shall compile the financial reports and submit them to the appropriate
5 committees of the legislature.

6 **Sec. 3.** RCW 2.56.030 and 2007 c 496 s 302 are each amended to read
7 as follows:

8 The administrator for the courts shall, under the supervision and
9 direction of the chief justice:

10 (1) Examine the administrative methods and systems employed in the
11 offices of the judges, clerks, stenographers, and employees of the
12 courts and make recommendations, through the chief justice, for the
13 improvement of the same;

14 (2) Examine the state of the dockets of the courts and determine
15 the need for assistance by any court;

16 (3) Make recommendations to the chief justice relating to the
17 assignment of judges where courts are in need of assistance and carry
18 out the direction of the chief justice as to the assignments of judges
19 to counties and districts where the courts are in need of assistance;

20 (4) Collect and compile statistical and other data and make reports
21 of the business transacted by the courts and transmit the same to the
22 chief justice to the end that proper action may be taken in respect
23 thereto;

24 (5) Prepare and submit budget estimates of state appropriations
25 necessary for the maintenance and operation of the judicial system and
26 make recommendations in respect thereto;

27 (6) Collect statistical and other data and make reports relating to
28 the expenditure of public moneys, state and local, for the maintenance
29 and operation of the judicial system and the offices connected
30 therewith;

31 (7) Obtain reports from clerks of courts in accordance with law or
32 rules adopted by the supreme court of this state on cases and other
33 judicial business in which action has been delayed beyond periods of
34 time specified by law or rules of court and make report thereof to
35 supreme court of this state;

36 (8) Act as secretary of the judicial conference referred to in RCW
37 2.56.060;

1 (9) Submit annually, as of February 1st, to the chief justice, a
2 report of the activities of the administrator's office for the
3 preceding calendar year including activities related to courthouse
4 security;

5 (10) Administer programs and standards for the training and
6 education of judicial personnel;

7 (11) Examine the need for new superior court and district court
8 judge positions under an objective workload analysis. The results of
9 the objective workload analysis shall be reviewed by the board for
10 judicial administration which shall make recommendations to the
11 legislature. It is the intent of the legislature that an objective
12 workload analysis become the basis for creating additional district and
13 superior court positions, and recommendations should address that
14 objective;

15 (12) Provide staff to the judicial retirement account plan under
16 chapter 2.14 RCW;

17 (13) Attend to such other matters as may be assigned by the supreme
18 court of this state;

19 (14) Within available funds, develop a curriculum for a general
20 understanding of child development, placement, and treatment resources,
21 as well as specific legal skills and knowledge of relevant statutes
22 including chapters 13.32A, 13.34, and 13.40 RCW, cases, court rules,
23 interviewing skills, and special needs of the abused or neglected
24 child. This curriculum shall be completed and made available to all
25 juvenile court judges, court personnel, and service providers and be
26 updated yearly to reflect changes in statutes, court rules, or case
27 law;

28 (15) Develop, in consultation with the entities set forth in RCW
29 2.56.150(3), a comprehensive statewide curriculum for persons who act
30 as guardians ad litem under Title 13 or 26 RCW. The curriculum shall
31 be made available July 1, 2008, and include specialty sections on child
32 development, child sexual abuse, child physical abuse, child neglect,
33 domestic violence, clinical and forensic investigative and interviewing
34 techniques, family reconciliation and mediation services, and relevant
35 statutory and legal requirements. The curriculum shall be made
36 available to all superior court judges, court personnel, and all
37 persons who act as guardians ad litem;

1 (16) Develop a curriculum for a general understanding of crimes of
2 malicious harassment, as well as specific legal skills and knowledge of
3 RCW 9A.36.080, relevant cases, court rules, and the special needs of
4 malicious harassment victims. This curriculum shall be made available
5 to all superior court and court of appeals judges and to all justices
6 of the supreme court;

7 (17) Develop, in consultation with the criminal justice training
8 commission and the commissions established under chapters 43.113,
9 43.115, and 43.117 RCW, a curriculum for a general understanding of
10 ethnic and cultural diversity and its implications for working with
11 youth of color and their families. The curriculum shall be available
12 to all superior court judges and court commissioners assigned to
13 juvenile court, and other court personnel. Ethnic and cultural
14 diversity training shall be provided annually so as to incorporate
15 cultural sensitivity and awareness into the daily operation of juvenile
16 courts statewide;

17 (18) Authorize the use of closed circuit television and other
18 electronic equipment in judicial proceedings. The administrator shall
19 promulgate necessary standards and procedures and shall provide
20 technical assistance to courts as required;

21 (19) Develop a Washington family law handbook in accordance with
22 RCW 2.56.180;

23 (20) Administer state funds for improving the operation of the
24 courts and provide support for court coordinating councils, under the
25 direction of the board for judicial administration;

26 (21) Administer the family and juvenile court improvement grant
27 program;

28 (22)(a) Administer and distribute amounts appropriated from the
29 equal justice subaccount under RCW 43.08.250(2) for district court
30 judges' and qualifying elected municipal court judges' salary
31 contributions. The administrator for the courts shall develop a
32 distribution formula for these amounts that does not differentiate
33 between district and elected municipal court judges.

34 (b) A city qualifies for state contribution of elected municipal
35 court judges' salaries under (a) of this subsection if:

36 (i) The judge is serving in an elected position;

37 (ii) The city has established by ordinance that a full-time judge

1 is compensated at a rate equivalent to at least ninety-five percent,
2 but not more than one hundred percent, of a district court judge salary
3 or for a part-time judge on a pro rata basis the same equivalent; and
4 (iii) The city has certified to the office of the administrator for
5 the courts that the conditions in (b)(i) and (ii) of this subsection
6 have been met.

7 NEW SECTION. **Sec. 4.** If specific funding for the purposes of this
8 act, referencing this act by bill or chapter number, is not provided by
9 June 30, 2008, in the omnibus appropriations act, this act is null and
10 void.

Passed by the House March 12, 2008.
Passed by the Senate March 11, 2008.
Approved by the Governor March 31, 2008.
Filed in Office of Secretary of State April 1, 2008.