



STATE OF WASHINGTON  
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February 19, 2010

**WRITTEN TESTIMONY ON SSB 6730**  
**Mary Meinig, Director Washington State Office of the Family and Children's Ombudsman**

House Committee on Early Learning & Children's Services  
Hearing Rm E, John L. O'Brien Building, 1:30 p.m.

Good afternoon Madam Kagi and Members of the Committee. My name is Mary Meinig and I am the Director of the Office of the Family and Children's Ombudsman.

While the Ombudsman does not support or oppose proposed legislation, we support the intent of SSB 6730, which acknowledges several OFCO findings and significantly implements some of the recommendations from our 2009 Colville DCFS Investigative Report. Specifically, this legislation aims to improve communication between the department and parents and care providers; strengthen relative placements; and clarify the duties of a guardian ad litem. My following comments focus on these topics:

**Notice to Child's Care Provider-**

Section 4 of this bill would require the department to provide five days advance written notice to a relative who has provided care for a child for at least 90 days, advising them of a decision to remove the child from their care. The substitute includes language that permits less than five days notice when there is a court order requiring an immediate placement move, the child is returning home, or the child's safety is in jeopardy. This provision affords relative care providers with the same five day notice as is already provided to foster parents.

If the care provider is the subject of a child abuse or neglect referral, the department must meet in person with the care provider, explain the nature of the allegations and provide a reasonable opportunity to respond.

**Increased Stability of Relative Placements-**

Section 4 of this bill prohibits the department from removing a child from a relative care provider unless the department has made a finding that the relative has abused or neglected the child, violated a court order, or when a court has ordered the move to a different placement, the child is returning home, or the child is at imminent risk of harm.

Section 5 of the substitute bill grants relatives who have cared for a dependent child for more than 12 months a right to petition the court to be heard regarding the agency's decision to remove the child from their home. The relative caregiver has 10 days to ask the court to review the decision, and the parents of the child must consent to the relative's petition. This provision does not grant the relative party status in the underlying dependency action.

These provisions will increase the stability of relative placements by preventing the arbitrary removal of children from relative care due to a perceived conflict between the department social worker and the relative care provider. This bill will also increase court oversight of the department's decisions regarding placement of dependent children with relatives.

**Clarification of the GAL/CASA's Role-**

Section 6 of this bill clarifies that duties of the guardian ad litem do not include investigating allegations of child abuse or neglect.

This is not intended to restrict a GAL/CASA from conducting an investigation regarding the best interest of the child. Instead, this section helps distinguish the duties of a GAL/CASA and the purpose of a Child Protective Services and or law enforcement investigation. For example, a dependent child's spontaneous statement to a GAL/CASA alleging abuse or neglect would generate a CPS referral, as the GAL/CASA is a mandated reporter. The GAL/CASA would then step back, just as CWS would do, as CPS and/or law enforcement investigate the referral.

**Conclusion**

Thank you for the opportunity to comment on SSB 6730.