

SENATE AMENDMENTS TO SENATE BILL 320

By COMMITTEE ON JUDICIARY

April 5

1 On page 2 of the printed bill, line 28, after the period insert “If the court finds that the de-
2 partment has not provided services, but that reasonable services would not have eliminated the need
3 for removal, the court shall find that the department has made reasonable efforts or, if the Indian
4 Child Welfare Act applies, active efforts to prevent the need for removal. The court shall include
5 in the written findings a brief description of what preventive and reunification efforts were made
6 by the department.”.

7 On page 4, line 4, delete “provided” and insert “continued”.

8 In line 6, after “(d)” delete the rest of the line.

9 In line 7, delete “placement for restorative services.”.

10 In line 8, after “services” insert “under this subsection”.

11 After line 12, insert:

12 “(e) If the court concludes that the youth must be removed from the youth’s current placement,
13 the court must make written findings that the department has made reasonable efforts or, if the
14 Indian Child Welfare Act applies, active efforts to prevent the need for removal of the youth from
15 the youth’s current placement and to make it possible for the youth to safely return to the youth’s
16 current placement upon completion of the restorative services. If the court finds that the department
17 has not provided services, but that reasonable services would not have eliminated the need for re-
18 moval, the court shall find that the department has made reasonable efforts or, if the Indian Child
19 Welfare Act applies, active efforts to prevent the need for removal. The court shall include in the
20 written findings a brief description of what preventive and reunification efforts were made by the
21 department.”.

22 In line 13, delete “(e)” and insert “(f)”.

23 In line 17, delete “committed” and insert “continued in restorative services”.

24 In line 18, delete “youth was initially removed” and insert “petition was filed”.

25 In line 22, delete “(f)” and insert “(g)”.

26 In line 29, delete “and qualifications” and insert “standards”.

27 In line 31, delete “rules” and insert “guidelines”.

28 In line 33, after the period insert “Neither the parties nor the court is required to choose an
29 evaluator from the list provided by the department.

30 “(7) The department shall adopt rules necessary to carry out the provisions of subsection (6) of
31 this section.”.

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