The following summary of Washington statutes on Reasonable Efforts is contained in: Child Welfare Information Gateway. (2020). *Reasonable efforts to preserve or reunify families and achieve permanency for children.* Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau. (at pages 54-55.)

The full document can be accessed at https://www.childwelfare.gov/pubPDFs/reunify.pdf

**WASHINGTON**

*Current Through September 2019*

**What Are Reasonable Efforts? Citation: Rev. Code §§ 13.34.025; 13.34.130**

The Department of Children, Youth, and Families shall coordinate within the administrations of the department and with contracted service providers, including supervising agencies, to ensure that parents in dependency proceedings receive priority access to remedial services recommended by the department or supervising agency in its social study or ordered by the court for the purpose of correcting any parental deficiencies identified in the dependency proceeding that are capable of being corrected in the foreseeable future. Services also may be provided to caregivers other than the parents as identified in § 13.34.138.

For purposes of this chapter, remedial services are those services defined in the Federal Adoption and Safe Families Act as time-limited family reunification services. Remedial services include the following:

* Individual, group, and family counseling
* Substance abuse treatment services
* Mental health services
* Assistance to address domestic violence
* Services designed to provide temporary child care and therapeutic services

for families

* Transportation to or from any of the above services and activities

Reasonable efforts include specific services, such as housing assistance, that are provided to the child and the child's parent, guardian, or legal custodian, and preventive services that are offered or provided to prevent the need for out-of-home placement.

**When Reasonable Efforts Are Required Citation: Rev. Code §§ 13.34.110; 13.34.130**

Reasonable efforts are required to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home.

An order for out-of-home placement may be made only if the court finds that reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home, specifying the services (including housing assistance) that have been provided to the child and the child's parent, guardian, or legal custodian, and that preventive services have been offered or provided to the child and the child's parent, guardian, or custodian, and the services have failed to prevent the need for out-of-home placement, unless the health, safety, and welfare of the child cannot be protected adequately in the home.

**When Reasonable Efforts Are NOT Required Citation: Rev. Code § 13.34.132**

Reasonable efforts are not required when there are aggravated circumstances. In determining whether aggravated circumstances exist by clear, cogent, and convincing evidence, the court shall consider one or more of the following:

* Conviction of the parent of rape, criminal mistreatment, or assault of the

child

* Conviction of the parent of murder, manslaughter, or homicide by abuse of

the child's other parent, sibling, or another child

* Conviction of the parent of attempting, soliciting, or conspiring to commit

any of the above crimes

* Conviction of the parent of trafficking or promoting commercial sexual

abuse of a minor when the victim of the crime is the child, the child's other

parent, a sibling of the child, or another child

* A finding by a court that a parent is a sexually violent predator
* Failure of the parent to complete a treatment plan where such failure has

resulted in a prior termination of parental rights to another child and the

parent has failed to effect significant change in the interim

* Abandonment of an infant younger than age 3
* Conviction of the parent of a sex offense or incest when the child is born of

the offense

Copied below is partial text of DCYF Policy and Procedure 4304 Reasonable Efforts. The official text is at: https://www.dcyf.wa.gov/4300-case-planning/4304-reasonable-efforts

Purpose

The Adoption and Safe Families Act requires that reasonable efforts must be made to prevent placement of a child in out-of-home care and achieve timely permanency for a child who is placed in out-of-home care. For children protected under either the state or federal Indian Child Welfare Act (ICWA), active efforts must be made.

Policy

1. Reasonable efforts must be made by the assigned CA worker to:
   1. Prevent placement of a child in out-of-home care, unless the child is determined to be unsafe.
   2. Return a child home.
   3. Achieve timely permanency when a child is placed in out-of-home care.
2. Active efforts must be made by the CA worker for children protected under the state or federal Indian Child Welfare Act (ICWA).
3. The CA worker must identify appropriate reasonably available services for the family to remedy identified parenting deficiencies that made the child unsafe.
4. When a child is in out-of-home care, the CA worker must offer reunification services to the family in an attempt to eliminate the need for out-of-home placement, unless a court has found that aggravated circumstances exist.
5. Reasonable efforts must be made to achieve timely permanency including efforts to locate a permanent placement other than return home.

Procedures

1. Placement Prevention - Unless the child is determined to be unsafe (See [1100 Child Safety](https://www.dcyf.wa.gov/node/576)) and an in-home [Safety Plan](https://www.dcyf.wa.gov/node/576) cannot be used to keep the child safe, the CA worker must make the following **reasonable efforts** to prevent placement:
   1. Complete the Comprehensive Family Evaluation with the family to determine what reasonably available remedial services and activities would remedy identified safety threats.
   2. Develop a written [Case Plan](https://www.dcyf.wa.gov/node/1436).
   3. Services must:
      1. Focus on the identified safety threats.
      2. Be culturally appropriate
      3. Be geographically accessible.
      4. Consider whether a parent is developmentally delayed and eligible for developmental disability services. If so, services and their delivery must be tailored to the parent's needs and coordinated with Developmental Disabilities Administration (DDA).
   4. The assigned worker must review case plans regularly for the following:
      1. Parental progress.
      2. Changes needed in the plan.
      3. Parental resistance to the case plan.
      4. Alternative approaches such as court action that may be needed.
2. Returning a Child Home - If a child is removed from the home due to [present or impending danger](https://www.dcyf.wa.gov/node/577), the CA worker must make **reasonable efforts** to:
   1. Offer remedial services to the family, unless [aggravated circumstances](https://www.dcyf.wa.gov/node/1307) exist.
   2. Services must:
      1. Focus on the identified safety threats and help families eliminate the need for placement.
      2. Be culturally appropriate
      3. Be geographically accessible.
      4. Consider whether a parent is eligible for developmental disability services. If so, services and their delivery must be tailored to the parent's needs and coordinated with DDA.
3. Achieving Timely Permanency
   1. Make reasonable efforts to locate a permanent placement. Identify appropriate relatives, kin or other persons who may be a permanent resource for the child.
   2. Follow [Concurrent Planning](https://www.dcyf.wa.gov/node/1303) Policy.
   3. Continue reasonable efforts until permanency is achieved. The following are appropriate permanency options and are listed in order of priority:
      1. Return home
      2. Adoption
      3. [Guardianship](https://www.dcyf.wa.gov/node/1328)
      4. Third Party Custody