

Keeping Families Together Act

(HB 1227)



KEEPING FAMILIES TOGETHER
Court Community Initiative

In 2021 the Washington State Legislature passed the Keeping Families Together Act (KFTA) in recognition that children and families are best served when children are cared for by their loved ones and in their communities. KFTA expands how courts make decisions about child safety to include consideration of the short-term and long-term harms that a child is likely to experience as a result of being forcibly removed from the home.

Effective: July 1, 2023

Legal Standard for Child Removal

- The legal standard by which a court may enter an order directing a child be removed from the home is raised from “present a serious threat of substantial harm” to “prevent imminent physical harm”.
- The existence of community factors, such as family poverty, inadequate housing, substance abuse, etc. do not by themselves constitute imminent physical harm.

The Balancing Test: Threat to Safety vs. Harm of Removal

- Evidence must demonstrate a causal relationship between imminent physical harm to the child and the particular conditions in the home.
- Consideration of whether the threat of imminent physical harm outweighs the harms of removal that a child will likely experience.
- If there are prevention services that the family could participate in that would prevent or eliminate the need for removal and the parent agrees to participate, the court will be required to order that the child be released to that parent.

Prioritizing Relative and Suitable Other Placement

- Prioritizes placement with relatives and suitable other persons over licensed foster care.
- Removes common barriers to placement with unlicensed relatives and suitable others.
- Requires DCYF to make continuing efforts to place children with relatives and suitable other persons.
- Creates new inquiries to help judicial officers determine the best foster care placement option.

Learn more



<https://www.wacita.org>

**Tools &
Resources**

