



# Reinstatement of Parental Rights in Washington State

*RCW 13.34.215*

February 5, 2021

Washington Defender Association

# The Landscape of Reinstatement of Parental Rights

How did we get here?

- Prior to 2007 when the Reinstatement statute, RCW 13.34.215, was passed, a child had to be 12 years old and they needed to ask for an attorney to be appointed – it was rare that they knew they could ask.
- The Reinstatement statute also required the court to appoint an attorney once a petition for reinstatement was filed.
- RCW 13.34.100 was amended in 2010 required the GAL and the Department to ask every 12-year-old if they wanted an attorney – an improvement, but reinstatement petitions were still rare.
- In 2014, RCW 13.34.100(6) was enacted appointing counsel to children of all ages who had been in care six months post-TPR.

## The Landscape, cont.

- How many such petitions been filed? Anecdotally, less than 100, but most of them have been since the 2014 amendment giving all youth representation at the age they became potentially eligible to file for reinstatement.
- Notification requirements in the statute are outdated - it's the youth's attorney who files and provide notice to all parties.

### ► **What drives Reinstatement of Parental Rights?**

- A parent comes forward and requests reunification
- A youth has reconnected with a bio parent and wants reunification
- The youth's team of professionals recognizes a parent has turned themselves around and alerts the parties that the case is ripe for reinstatement.

## How do you start this process?

- Understand eligibility, pleadings, notice, and hearing requirements of the statute.
- Work with your client, advocate with parent, and plan for the evidence you will need
- Work with professional team to ensure your client and their parent are ready for reunification and will be successful during the trial return home and beyond.

## What do you need for the petition?

- Get the cause number(s) of the parent's termination case
- Request discovery - shelter care petition, any other relevant information
- Get parent's legal name, driver's license number and current home address
- Work on declarations from child and parent to file with the petition
- Request your appointment in this new action (Page 2 of Petition form)
- Your client needs to sign the petition, unless they can't
- When you file you will get a new cause number for this action.

## Elements of Reinstatement of Parental Rights

- Child was a Dependent
- Parents rights were terminated
- No permanency achieved, or it had not been sustained
- Three years passed since TPR
- Child is 12 or older

## RCW 13.34.215 (1) a, b

(1) A child may petition the juvenile court to reinstate the previously terminated parental rights of his or her parent under the following circumstances:

(a) The child was previously found to be a dependent child under this chapter;

(b) The child's parent's rights were terminated in a proceeding under this chapter;

## RCW 13.34.215 (1) c, d, e

- Per RCW 13.34.215(9), the Department (or other supervising agency) must provide the court with all the information relating to efforts to achieve permanency. This will generally be in the case worker's court reports but they will probably file an additional memo covering the child's and Department's history - be sure it's accurate!

(c)(i) The child has not achieved his or her permanency plan; or (ii) While the child achieved a permanency plan, it has not since been sustained;

(d) Three years have passed since the final order of termination was entered; and

(e) The child must be at least twelve years old at the time the petition is filed. Upon the child's motion for good cause shown, or on its own motion, the court may hear a petition filed by a child younger than twelve years old.

## RCW 13.34.215(2),(3),(4)

### Eligibility, notification to the child, representation

- The department or the GAL must notify the child if the child is eligible and a parent comes forward.
- Per 13.34.100 the child will already be represented but just in case per .215(3) they shall be provided counsel under the statute.
- The child must sign the petition unless good cause shown why they can't.

(2) If the child is eligible to petition the juvenile court under subsection (1) of this section and a parent whose rights have been previously terminated contacts the department or the child's guardian ad litem regarding reinstatement,

the department or the guardian ad litem must notify the eligible child about his or her right to petition for reinstatement of parental rights.

(3) A child seeking to petition under this section shall be provided counsel at no cost to the child.

(4) The petition must be signed by the child in the absence of a showing of good cause as to why the child could not do so.










# Court Forms: Termination and Reinstatement of Parent-Child Relationship – Mandatory Pattern Forms

To download these forms, right click the mouse and choose "Save Target As" (for Mozilla/Firefox choose "Save Link As"). [More...]

## JUVENILE COURT FORMS

- [Emancipation](#)
- [Shelter Care Proceedings](#)
- [Dependency Proceedings](#)
- [Termination and Reinstatement of Parent-Child Relationship](#)
- [CHINS/At-Risk Youth](#)
- [Juvenile Offense – Diversion Agreements](#)
- [Juvenile Offense Proceedings in Juvenile court](#)
- [Declining Juvenile Court Jurisdiction](#)
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- [Truancy](#)
- [Vulnerable Youth Guardianship](#)
- [Juvenile Court Forms](#)
- [King County Truancy, At-Risk Youth &](#)

## Termination and Reinstatement of Parent-Child Relationship – Mandatory Pattern Forms

Form	Title	Download	Revised
<b>JU 04.0100</b>	Petition for Termination of Parent-Child Relationship (PTPCR)		12/2017
<b>JU 04.0110</b>	Hearing, Findings, and Order Regarding Termination of Parent-Child Relationship (ORTPCR, ORDSM)		07/2018
<b>JU 04.0500</b>	Petition for Reinstatement of Terminated Parental Rights		07/2011
<b>JU 04.0510</b>	Order Appointing Guardian ad Litem (ORAPGL)		11/2009
<b>JU 04.0600</b>	Order re Notice of Hearing on Petition for Reinstatement of Terminated Parental Rights		07/2018
<b>JU 04.0700</b>	Order on Threshold Hearing (Petition for Reinstatement of Terminated Parental Rights)		07/2018
<b>JU 04.0800</b>	Order on Hearing re Petition for Reinstatement of Terminated Parental Rights		07/2018
<b>JU 04.0810</b>	Order on Review Hearing re Petition for Reinstatement of Terminated Parental Rights		07/2018
<b>JU 04.0820</b>	Order Reinstating Parental Rights (ORRPR)		07/2018

Note: Additional documents may be required by local county superior court rules.

Important: To obtain legal advice you should hire a lawyer (for "full service" representation or for "limited" representation) or, if you cannot afford

Declaration of Soci...pdf  
 ✓ Verified

Show all



## Threshold Hearing

Plan to file/present to the court:

- Proper notice was given to all parties
- Declarations by child and parent were filed with the petition that give the judge an understanding of the case.
- Summarize the evidence filed so the judge can determine the parent is a **fit parent, they have an interest in reinstating their parental rights, and the best interests of the child are served by reinstatement.**
- At this hearing the preponderance of the evidence standard is used, the lowest possible standard
- Schedule the Merits Hearing on page 2 of the threshold hearing order.

## RCW 13.34.215(5)

(5) If, after a threshold hearing to consider the parent's apparent fitness and interest in reinstatement of parental rights,

the court finds by a preponderance of the evidence that the best interests of the child may be served by reinstatement of parental rights,

the juvenile court shall order that a hearing on the merits of the petition be held.

## Notification to interested parties

- First sentence of (6) has almost been rendered moot because youth attorneys are now petitioning the court.
- You as youth's attorney will be providing notice to all parties in your Notice of Hearing filed with your petition.
- In the Threshold Hearing order on page 2 you will set the Merits Hearing date

### RCW 13.34.215(6)

(6) The court shall give prior notice for any proceeding under this section, or cause prior notice to be given, to the department, the child's attorney, and the child.

The court shall also order the department to give prior notice of any hearing to the child's former parent whose parental rights are the subject of the petition, any parent whose rights have not been terminated, the child's current foster parent, relative caregiver, guardian or custodian, and the child's tribe, if applicable.

## Merits Hearing

Plan to show by clear and convincing evidence:

- Parent has remedied their prior deficits, listed in the TPR order and that they are a “fit parent” now
- File certificates of completed classes, treatment, and declarations from professionals, GAL and support people
- Show that our client has the age and maturity of child and their ability to express their wish to return home

## RCW 13.34.215(7)

(7) The juvenile court shall conditionally grant the petition if it finds by clear and convincing evidence that the child has not achieved his or her permanency plan and is not likely to imminently achieve his or her permanency plan and that reinstatement of parental rights is in the child's best interest.

In determining whether reinstatement is in the child's best interest the court shall consider, but is not limited to, the following:

(a) Whether the parent whose rights are to be reinstated is a fit parent and has remedied his or her deficits as provided in the record of the prior termination proceedings and prior termination order;

(b) The age and maturity of the child, and the ability of the child to express his or her preference;

## Merits Hearing, cont.

- Reinstatement will not present risks to child's health, welfare or safety
- There have been changes in circumstances that warrant granting the petition
- Make sure the Department files the caseworker's declaration showing why the child has not achieved permanency.
- Make sure to schedule an interim review hearing for approximately three months out to report to the court how all parties are doing.
- The statute says nothing about a review hearing, but there is an order for a review hearing which contemplates the need for one. We think an interim review hearing is important to ensure things move forward.

## RCW 13.34.215(7), (8)

(c) Whether the reinstatement of parental rights will present a risk to the child's health, welfare, or safety; and

(d) Other material changes in circumstances, if any, that may have occurred which warrant the granting of the petition.

(8) In determining whether the child has or has not achieved his or her permanency plan or whether the child is likely to achieve his or her permanency plan, the department shall provide the court, and the court shall review, information related to any efforts to achieve the permanency plan including efforts to achieve adoption or a permanent guardianship.

## RCW 13.34.215(9)

### Trial return home

- If the merits hearing is successful the court will conditionally grant the petition. There will be a return home that day or shortly thereafter.
- Child may already be at home.
- Continue to collaborate with case worker, GAL, Wise team, etc., insuring all services
- Work together to assure the family is doing what they need to do to maintain this return home successfully. Staffings with all parties will be helpful
- After the interim review hearing be sure to schedule the Reinstatement of Parental Rights and dismissal hearing, no sooner than 6 months from the date of the merits hearing.

(9)(a) If the court conditionally grants the petition under subsection (7) of this section, the case will be continued for six months and a temporary order of reinstatement entered.

During this period, the child shall be placed in the custody of the parent.

The department shall develop a permanency plan for the child reflecting the plan to be reunification and shall provide transition services to the family as appropriate.

## Final Reinstatement Hearing

- The case will be dismissed if the child has to be removed from the parent—that’s why your planning and advocacy from the start is so important.
- *However, with this case being successful, the Court will order reinstatement and the dependency will be dismissed!*
- Your order granting reinstatement will be presented and a certified copy provided to the parent. (You might need to birddog this.)
- Both the Reinstatement Petition and the dependency cases will be dismissed.

## RCW 13.34.215 (9), (10)

(b) If the child must be removed from the parent due to abuse or neglect allegations prior to the expiration of the conditional six-month period, the court shall dismiss the petition for reinstatement of parental rights if the court finds the allegations have been proven by a preponderance of the evidence.

(c) If the child has been successfully placed with the parent for six months, the court order reinstating parental rights remains in effect and the court shall dismiss the dependency.

(10) After the child has been placed with the parent for six months, the court shall hold a hearing. If the placement with the parent has been successful, the court shall enter a final order of reinstatement of parental rights, which shall restore all rights, powers, privileges, immunities, duties, and obligations of the parent as to the child, including those relating to custody, control, and support of the child. The court shall dismiss the dependency and direct the clerk's office to provide a certified copy of the final order of reinstatement of parental rights to the parent at no cost.

## RCW 13.34.215(11), (12),(13)

Sections 11-15 are general housekeeping notes regarding the original termination case, the parent's prior child support obligations and the Department's liability.

(11) The granting of the petition under this section does not vacate or otherwise affect the validity of the original termination order.

(12) Any parent whose rights are reinstated under this section shall not be liable for any child support owed to the department pursuant to RCW 13.34.160 or Title 26 RCW or costs of other services provided to a child for the time period from the date of termination of parental rights to the date parental rights are reinstated.

(13) A proceeding to reinstate parental rights is a separate action from the termination of parental rights proceeding and does not vacate the original termination of parental rights. An order granted under this section reinstates the parental rights to the child. This reinstatement is a recognition that the situation of the parent and child have changed since the time of the termination of parental rights and reunification is now appropriate.

## RCW 13.34.215(14), (15)

Sections 11-15 are general housekeeping notes regarding the original termination case, the parent's prior child support obligations and the Department's liability.

(14) This section is retroactive and applies to any child who is under the jurisdiction of the juvenile court at the time of the hearing regardless of the date parental rights were terminated.

(15) The state, the department, and its employees are not liable for civil damages resulting from any act or omission in the provision of services under this section, unless the act or omission constitutes gross negligence. This section does not create any duty and shall not be construed to create a duty where none exists. This section does not create a cause of action against the state, the department, or its employees concerning the original termination.



## Questions for attendees!

- ▶ 1a) Have you filed for reinstatement in Washington?  
1b) Was reinstatement granted?
- ▶ Have you successfully argued for reinstatement earlier than three years post-TPR?
- ▶ Have you successfully motioned for good cause to file a petition for a child under 12?

What questions do you have for us?

## Case Law and Resources

- ▶ CITA Reinstatement bench book:  
<https://www.wacita.org/benchbook/chapter-23-reinstatement-of-parental-rights/>
- ▶ Petition for Reinstatement of Parental Rights pattern form:  
<https://www.courts.wa.gov/forms/?fa=forms.contribute&formID=15>
- ▶ In Re the Interest of J.R. Court of Appeals of Washington Div. 3, 2010:  
<https://www.courtlistener.com/opinion/2626029/in-re-jr/>
- ▶ Lynnda Brown's redacted Reinstatement filings are appended to the PowerPoint which will be sent to attendees.
- ▶ Rachel da Silva's summary of her successful Reinstatement case and trial will be sent to attendees.

Expedite  
 Hearing Set  
 No Hearing Set  
 Date  
 Time 1:30 p.m.  
 Judge: Dependency Calendar

**SUPERIOR COURT OF WASHINGTON  
 COUNTY OF THURSTON  
 JUVENILE COURT**

In Re: Dependency of

D.O.B.:

No: **19-7-**

**Petition for Reinstatement of Terminated  
 Parental Rights  
 (PTRTPR)**

**I. Basis**

Petitioner represents to the court the following:

1.1 Identification of the Child:

male  female

Name	
Date of Birth	

1.2 Identification of the parent(s) whose parental rights the child wants reinstated:

	<input type="checkbox"/> Mother	<input checked="" type="checkbox"/> Father <input type="checkbox"/> presumed <input type="checkbox"/> alleged
Name		Y1983
Date of Birth		
Marital status	<input type="checkbox"/> single <input type="checkbox"/> married <input type="checkbox"/> other	<input checked="" type="checkbox"/> single <input type="checkbox"/> married <input type="checkbox"/> other
Driver's License or Identificard (# and State)		
Home Address		

1.3 Underlying Dependency Proceeding:

The court previously found the child to be dependent under Chapter 13.34 RCW in

**Pierce County**  **Bio-Father**, Thurston County No. \_\_\_\_\_  **Adoptive Father**

FOR OFFICIAL USE ONLY  
 Inv. Ref. No.

1.4. Child's Indian status:

PT Reinstatement of Term Parental Rights (PTRTPR) - Page 1 of 3 **Law Office of Lynnda Brown**  
 P.O. Box 13373  
 Olympia, WA 98502  
 (360) 628-1453

FILED  
 SEP -3 2019  
 Superior Court  
 Juvenile Department  
 Thurston County Clerk

The child is not an Indian child as defined in Laws of 2011, ch. 309, §4, based upon prior findings and order(s). The federal and Washington State Indian Child Welfare Acts do not apply to these proceedings.

The child is an Indian child as defined in Laws of 2011, ch. 309, §4, based upon prior findings and order(s). The federal and Washington State Indian Child Welfare Acts apply to these proceedings. The notice and evidentiary requirements of the federal and Washington State Indian Child Welfare Acts were found in previous proceedings and are incorporated here by reference.

Other: \_\_\_\_\_

1.5 Dependency History:

The court terminated parental rights in a proceeding under Chapter 13.34 RCW and entered an order terminating the parent-child relationship pursuant to RCW 13.34.200 on September 29, 2010—to \_\_\_\_\_; and on 4/01/2018 and 5/04/2018 by adoptive parents (maternal grandparents).

The permanency plan for the child:

has not been achieved.  
 has been achieved, but it has not been sustained.

and more than three (3) years have passed since the entry of the final order terminating parental rights.

The child is at least 12 years old on the date of this petition.  
 The child is under the age of 12 years as of the date of this petition and the following reasons constitute good cause for the petition:

1.6 Child's Attorney:

The child filing this petition is entitled to appointment of an attorney at no cost and does seek appointment of such an attorney. In the underlying dependency action, the court appointed **Lynnda Brown** (name) **WSBA 36228**, as the attorney for the child. Ms. Brown is willing to serve as the child's attorney in this matter and the child requests her appointment.

1.7 Child's Guardian Ad Litem:

In the underlying dependency action, the court appointed \_\_\_\_\_ (name) as guardian ad litem for the child.

1.8 Other: The child petitioner asserts that his biological father meets the requirements of RCW 13.34.125. His father can, and has been, providing a safe home to meet his physical, emotional and developmental needs and is willing to have his parental rights reinstated. DCYF has completed a background check and home study for the father and the father's roommates who also lives in the home. And the child has been living in his father's home for approximately four months.

PT Reinstatement of Term Parental Rights (PTRTPR) - Page 2 of 3 **Law Office of Lynnda Brown**  
 P.O. Box 13373  
 Olympia, WA 98502  
 (360) 628-1453

**II. Relief Requested**

The child requests that the court:

2.1 Inquire into this matter at a Threshold Hearing, and immediately following the Threshold Hearing, at the Merit Hearing, per RCW 13.34.215(5), for the purpose of reinstating the parental rights of \_\_\_\_\_; the person listed in paragraph 1.2

2.2  Appoint Lynnda Brown, attorney for the child (petitioner) in this matter.

Dated: 8/27/2019 \_\_\_\_\_ Child: \_\_\_\_\_  
 \_\_\_\_\_  
 Print Name

**III. Certification**

I certify under penalty of perjury under the laws of the state of Washington that the foregoing representations are true and correct.

Signed at Olympia (city), Washington on 9/3/2019 (date).

Lynnda Brown  
 Lynnda Brown WSBA # 36228  
 Attorney for Youth

PT Reinstatement of Term Parental Rights (PTRTPR) - Page 3 of 3 **Law Office of Lynnda Brown**  
 P.O. Box 13373  
 Olympia, WA 98502  
 (360) 628-1453

ORH  
Order for Hearing  
08/7/08



THRESHOLD HEARING

FILED  
SUPERIOR COURT  
THURSTON COUNTY, WASH.

19 SEP 18 PM 3:34

Linda Myhre Enlow  
Thurston County Clerk

Superior Court of Washington  
County of Thurston Juvenile Court

In Re:

No: 19-7-

Order on Threshold Hearing (Petition for  
Reinstatement of Terminated Parental  
Rights)

Dismiss Petition (ORDSM)  
 Set Hearing (ORH)

Clerk's Action Required: Paragraphs 3.1,  
3.2

D.O.B.: 12/16/2005

I. Basis

- 1.1 The court held a threshold hearing in this matter on 9/18/19 [date].
- 1.2 The following persons were present:

<input checked="" type="checkbox"/> Child	<input checked="" type="checkbox"/> Child's Lawyer
<input type="checkbox"/> Child's Guardian ad Litem	<input type="checkbox"/> Guardian ad Litem's Lawyer
<input type="checkbox"/> Mother	<input type="checkbox"/> Mother's Lawyer
<input checked="" type="checkbox"/> Father	<input type="checkbox"/> Father's Lawyer
<input type="checkbox"/> DCYF	<input checked="" type="checkbox"/> DCYF's Lawyer
<input type="checkbox"/> Tribal Representative	<input type="checkbox"/> Current Caregiver
<input type="checkbox"/> Interpreter for <input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> Other
<input type="checkbox"/> other	

II. Findings

- 2.1 The court has jurisdiction over the parties and the subject matter.
- 2.2 Proper notice of this hearing  was  was not given.
- 2.3 The court has received and considered evidence relating to the apparent fitness of and of his interest in reinstatement of his or her parental rights.
- 2.4 The court  does  does not find, by a preponderance of the evidence, that the best interests of the child may be served by reinstatement of parental rights.

Or on Threshold Hearing (ORDSM/ORH) - Page 1 of 2  
WPF JU 04.0700 (07/2018) - RCW 13.34.215

2.5 Other

III. Order

- 3.1  The petition for reinstatement of terminated parental rights is dismissed.
- 3.2  The court has scheduled a hearing on the merits:  
On: 9/18/19 [date] at 1:30 a.m./p.m.  
At: Juvenile Court, Room/Department: \_\_\_\_\_  
Address: 2801 32nd Ave S.W  
Tumwater WA 98512
- 3.3  DCYF <sup>has</sup> provided the court with information relating to efforts to achieve the permanency plan, including efforts to achieve adoption or permanent guardianship, \_\_\_\_\_ days prior to the hearing set in paragraph 3.2.
- 3.4  The child's dependency attorney, Lynnda Brown, shall be appointed, to further the purpose of the child's petition for reinstatement of terminated parental rights

Dated: 9/18/19

Ame Hinsel  
Judge/Commissioner

Presented by:

Lynnda Brown  
Signature Child's Lawyer  
LYNDA BROWN 36228  
Print Name/Title WSBA No.

Copy Received; Approved for Entry; Notice of Presentation Waived:

Signature of Child

[Signature]  
Signature of DCYF Representative

Print Name

[Signature]  
Signature of AAG for Jessica R. Pelt

Print Name

WSBA No.

Signature of Father

Print Name

Or on Threshold Hearing (ORDSM/ORH) - Page 2 of 2  
WPF JU 04.0700 (07/2018) - RCW 13.34.215

MERITS HEARING

ORCG 11  
Order Conditionally Granting  
867724



FILED  
SUPERIOR COURT  
THURSTON COUNTY, WASH.  
19 SEP 18 PM 3:38  
Linda Myhre Enlow  
Thurston County Clerk

Superior Court of Washington  
County of Thurston Juvenile Court

In Re  
D.O.B.:

No: 19

Order on Hearing re Petition for  
Reinstatement of Terminated Parental  
Rights  
 Dismiss Petition (ORDSM)  
 Order Conditionally Granting (ORCG)  
 Review Hearing Set (ORSRH)

AA

Clerk's Action Required: 3.1, 3.4

The court will hear review on [date] Oct 9 2019 at 1:30 a.m/p.m.  
at Juvenile Court, Room/Department: \_\_\_\_\_, located  
at 4300 2801 3rd Ave. S.W.,  
Tamwater, WA 98512

I. Basis

1.1 The court held a hearing in this matter on 9/18/19  
(date).

1.2 The following persons were present:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Child  | <input checked="" type="checkbox"/> Child's Lawyer  |
| <input type="checkbox"/> Child's Guardian ad Litem   | <input type="checkbox"/> Guardian ad Litem's Lawyer |
| <input type="checkbox"/> Mother  | <input type="checkbox"/> Mother's Lawyer            |
| <input checked="" type="checkbox"/> Father   | <input type="checkbox"/> Father's Lawyer            |
| <input type="checkbox"/> DCYF  | <input checked="" type="checkbox"/> DCYF's Lawyer   |
| <input type="checkbox"/> Tribal Representative   | <input type="checkbox"/> Current Caregiver          |
| <input type="checkbox"/> Interpreter for <input type="checkbox"/> mother <input type="checkbox"/> father | <input type="checkbox"/> Other _____                |
| <input type="checkbox"/> other _____   |   |

II. Findings

2.1 Proper notice of this hearing  was  was not given.

2.2 Child's Indian status:

- The child is not an Indian child as defined in Laws of 2011, ch. 309, §4, based upon prior findings and order(s). The federal and Washington State Indian Child Welfare Acts do not apply to these proceedings.
- The child is an Indian child as defined in Laws of 2011, ch. 309, §4, based upon prior findings and order(s). The federal and Washington State Indian Child Welfare Acts apply to these proceedings. The notice and evidentiary requirements of the federal and Washington State Indian Child Welfare Acts were found in previous proceedings and are incorporated here by reference.
- Other: \_\_\_\_\_

2.3 Dependency History:

The child was previously found to be a dependent child under Chapter 13.34 RCW; and The child's parent(s) parental rights were terminated in a proceeding under Chapter 13.34 RCW; and

The petition was filed three or more years after the final order of termination.

The child was:

- at least 12 years old on the date the petition was filed.
- under 12 years of age on the date the petition was filed and the court found that good cause existed for the child to file the petition.

2.4 The court held a threshold hearing and found by a preponderance of the evidence that it was in the best interest of the child to proceed to a hearing on the merits of the child's petition.

2.5 Clear and convincing evidence has established that the permanency plan for the child:

- has  has not been achieved; and
- is  is not likely to be achieved imminently.
- other: \_\_\_\_\_

2.6 Clear and convincing evidence has established that reinstatement of parental rights  is  is not in the child's best interest. In making this determination, the court considered:

- Whether the parent whose rights are to be reinstated is a fit parent and has remedied his or her deficits as provided in the record of prior termination proceedings and prior termination orders.
- The age and maturity of the child, and the ability of the child to express his or her preference.
- Whether the reinstatement of parental rights will present a risk to the child's health, welfare, or safety.
- Other material changes in circumstances, if any, that may have occurred which warrant the granting of the petition.
- The information provided by the DCYF regarding efforts to achieve the permanency plan, including efforts to achieve adoption or permanent guardianship.

Other:

2.7 Other

III. Order

- 3.1  The petition for reinstatement of terminated parental rights is dismissed.
- 3.2  The petition for reinstatement of terminated parental rights is conditionally granted and the parent's rights are temporarily reinstated pending further review by the court.
- 3.3  The child shall be placed with \_\_\_\_\_ (name(s)) for a six-month period.
- 3.4  All parties shall appear at the review hearing (see page one).
- 3.5  Within \_\_\_\_\_ days, DCYF shall develop, serve, and file a permanency plan for the reunification of the child with his or her parent(s), including transitional services that DCYF shall provide to the family. The reunification plan shall be subject to review and further order of the court.
- 3.6 Other \_\_\_\_\_

Dated: 9/18/19  
Anne Hirsch  
Judge/Commissioner ANNE HIRSCH

Presented by:  
Lynnda Brown  
Signature  
Lynnda Brown 36228  
Print Name WSBA No.

Copy Received; Approved for Entry; Notice of Presentation Waived:

Signature of Child \_\_\_\_\_  
 Signature of Child's Lawyer  
Lynnda Brown  
Print Name 36228  
WSBA No.

ORRVH 18  
Order on Review Hearing  
7228142



2

FILED  
SUPERIOR COURT  
THURSTON COUNTY, WASH.

19 DEC 11 AM 4: 23

Linda Myhre Enlow  
Thurston County Clerk

Superior Court of Washington  
County of \_\_\_\_\_  
Juvenile Court

In Re:

No: 19-7-4

D.O.B.:

**Order on Review Hearing re Petition for Reinstatement of Terminated Parental Rights**

Order on Review Hearing (ORRVH)  
 Dismiss (ORDSM)  
Clerk's Action Required: Paragraphs 1.1, 3.1, 3.2, 3.3

**I. Basis**

1.1 The court held a review hearing in this matter on 12/11/2019.

Next hearing is scheduled for March 18, 2020

1.2 The following persons were present:

- |  |   |
|--|---|
| <input type="checkbox"/> Child   | <input checked="" type="checkbox"/> Child's Lawyer <i>Brown</i> |
| <input checked="" type="checkbox"/> A.A.G. <i>Reifer</i>   | <input type="checkbox"/> Guardian ad Litem's Lawyer             |
| <input type="checkbox"/> Mother  | <input type="checkbox"/> Mother's Lawyer                        |
| <input type="checkbox"/> Father  | <input type="checkbox"/> Father's Lawyer                        |
| <input checked="" type="checkbox"/> DCYF - <i>Dunlap</i>   | <input type="checkbox"/> DCYF's Lawyer                          |
| <input type="checkbox"/> Tribal Representative   | <input type="checkbox"/> Current Caregiver                      |
| <input type="checkbox"/> Interpreter for <input type="checkbox"/> mother <input type="checkbox"/> father | <input type="checkbox"/> Other _____                            |
| <input type="checkbox"/> other _____   |   |

**II. Findings**

- 2.1 The court granted, conditionally, a petition for reinstatement of terminated parental rights, and temporarily reinstated the parent's rights. On Sept. 18, 2019, the court signed an order placing the child with his or her parent(s) for a six month period.
- 2.2 DCYF  did  did not develop a permanency plan for reunification of the child with his or her parent(s).
- 2.3 DCYF  did  did not provide court-ordered transitional services to the family.

Or on Review Hrg re PT Reinst. (ORRVH/ORDSM) - Page 1 of 2  
WPF JU 04.0810 (07/2018) - RCW 13.34.215

- 2.4 The child's placement with his or her parent(s) for the conditional six month period  was  was not successful.
- 2.5  Other: The placement of child with his biological father is going well. Youth started new school in Sept. He is doing well, is engaged in school and is achieving good grades. Father and son are engaged in a variety of activities.

Plan is to Finalize Reinstatement of Father's Parental Rights and dismiss co-occurring dependency action on March 18, 2020—which will be six months from the date that Petition for Reinstatement of Parental Rights was Court Ordered.

**III. Order**

- 3.1  The court grants the petition by separate order.
- 3.2  The petition for reinstatement of terminated parental rights is dismissed.
- 3.3  Other: The child remains dependent pursuant to RCW 13.34. Court supervision shall Continue and the child shall remain in custody of his biological father.

The next scheduled hearing shall be March 18, 2020

Dated: 12/11/19

*Anne Hirsch*  
\_\_\_\_\_  
Judge/Commissioner

ANNE HIRSCH

Presented by:  
*Lynnda Brown*  
\_\_\_\_\_  
Signature

Lynnda Brown 36228  
Youth's Attorney WSBA No.

Copy Received; Approved for Entry; Notice of Presentation Waived:

*Did not appear*  
\_\_\_\_\_  
Signature of Child

*Did Not Appear*  
\_\_\_\_\_  
 Signature of Father

*Jennifer Dunlap*  
\_\_\_\_\_  
Signature of DCYF Representative  
Jennifer Dunlap

*Jessica Reifer*  
\_\_\_\_\_  
Signature of DCYF Representative's Lawyer  
Jessica Reifer  
A.A.G. WSBA No.

Or on Review Hrg re PT Reinst. (ORRVH/ORDSM) - Page 2 of 2  
WPF JU 04.0810 (07/2018) - RCW 13.34.215

2

FILED  
SUPERIOR COURT  
THURSTON COUNTY, WA

2020 MAR 18 AM 11:08

Linda Myhra Enlow  
Thurston County Clerk

OR 22  
Order  
7844327



**Superior Court of Washington  
County of Thurston Juvenile Court**

In Re: \_\_\_\_\_

No: 19-7

**Order on Review Hearing re Petition for  
Reinstatement of Terminated Parental  
Rights**

Order on Review Hearing (ORRVH)  
 Dismiss (ORDSM)  
Clerk's Action Required: Paragraphs 3.1, 3.2,  
3.3

D.O.B.: \_\_\_\_\_

**I. Basis**

1.1 The court held a review hearing in this matter on December 11, 2019 [date].

1.2 The following persons were present:

- |   |   |
|---|---|
| <input type="checkbox"/> Child  | <input type="checkbox"/> Child's Lawyer             |
| <input type="checkbox"/> Child's Guardian ad Litem                              | <input type="checkbox"/> Guardian ad Litem's Lawyer |
| <input type="checkbox"/> Mother   | <input type="checkbox"/> Mother's Lawyer            |
| <input type="checkbox"/> Father   | <input type="checkbox"/> Father's Lawyer            |
| <input type="checkbox"/> DCYF   | <input type="checkbox"/> DCYF's Lawyer              |
| <input type="checkbox"/> Tribal Representative                                  | <input type="checkbox"/> Current Caregiver          |
| Interpreter for <input type="checkbox"/> mother <input type="checkbox"/> father | Other _____   |
| <input type="checkbox"/> other _____  |   |

**II. Findings**

- 2.1 The court granted, conditionally, a petition for reinstatement of terminated parental rights, and temporarily reinstated the parent's rights. On Sept. 18, 2019 [date], the court signed an order placing the child with his or her parent(s) for a six month period.
- 2.2 DCYF  did  did not develop a permanency plan for reunification of the child with his or her parent(s).
- 2.3 DCYF  did  did not provide court-ordered transitional services to the family.
- 2.4 The child's placement with his or her parent(s) for the conditional six month period  was  was not successful.

Or on Review Hrg re PT Reinst. (ORRVH/ORDSM) - Page 1 of 2  
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2.5 Other

**III. Order**

- 3.1  The court grants the petition by separate order.
- 3.2  The petition for reinstatement of terminated parental rights is dismissed.
- 3.3  Other.

Dated: 3-18-2020

Amelia Inoué  
Judge/Commissioner

Presented by:  
Lynnda Brown  
Signature

Lynnda Brown 38228  
Attorney for Youth WSBA No.

Copy Received; Approved for Entry; Notice of Presentation Waived:

\_\_\_\_\_  
Signature of Child

Signature of Father  Signature of Father's Lawyer

Jacki Chrystal by approval  
Signature of DCYF Representative

Stephen Noel  
Print Name  
Stephen Noel  
Signature of DCYF Representative's Lawyer

Jacki Chrystal  
Print Name

Alex Sieg  
Print Name WSBA No.

Or on Review Hrg re PT Reinst. (ORRVH/ORDSM) - Page 2 of 2  
WPF JU 04.0810 (07/2018) - RCW 13.34.215

3

FILED  
SUPERIOR COURT  
THURSTON COUNTY, WA

2020 MAR 18 AM 11:08

Linda Myhre Enlow  
Thurston County Clerk



Superior Court of Washington  
County of \_\_\_\_\_  
Juvenile Court

In Re:

No: 19-7- \_\_\_\_\_

Order Reinstating Parental Rights  
(ORRPR)

D.O.B.: \_\_\_\_\_

Petitioner: \_\_\_\_\_

Clerk's Action Required: Paragraph 3.6

**I. Basis**

The court held a hearing and review hearing on a Petition for Reinstatement of Terminated Parental Rights.

**II. Findings**

- 2.1 A court found previously by a preponderance of the evidence that the petition met the statutory threshold and that it was in the best interest of the child to proceed to a hearing on the merits of the child's petition.
- 2.2 A court found previously by clear and convincing evidence that the dependency history alleged in the petition for reinstatement is true.
- 2.3 A court found previously by clear and convincing evidence that reinstatement of parental rights is in the child's best interest.
- 2.4 The court conditionally granted the child's petition for reinstatement of terminated parental rights, temporarily reinstated the parent(s)' rights, and placed the child with \_\_\_\_\_ for a six-month or greater period.
- 2.5 The child's placement with \_\_\_\_\_ for the conditional six-month period was successful.
- 2.6 Reinstatement of parental rights should be final.

**III. Order**

- 3.1 The petition for reinstatement of terminated parental rights is granted.
- 3.2 The parental rights of: Parents Name | the minor child Child's Name [name] are hereby reinstated.
- 3.3 Effective as of the date of this order, all rights, powers, privileges, immunities, duties, and obligations of the parent to the child are restored, including those of custody, control, and support of the child.
- 3.4 DCYF shall prepare and submit an order dismissing the dependency as to the above-named youth in Thurston County Cause No. \_\_\_\_\_ by \_\_\_\_\_ Dependency Case # 3/18/20 (date) and provide a copy of the signed order to the parties and to the court.
- 3.5 The Clerk of the Court shall provide a certified copy of this order to the parent(s) at no cost.
- 3.6 Other: \_\_\_\_\_

Dated: 3/18/2020

Amel H. Iversen  
Judge/Commissioner

Presented by:

Lynnda Brown  
Signature

Lynnda Brown \_\_\_\_\_ 36228  
Print Name/Title WSBA No.

Copy Received; Approved for Entry; Notice of Presentation Waived:

Signature of Child \_\_\_\_\_  Signature of Child's Lawyer \_\_\_\_\_

Print Name \_\_\_\_\_

Signature of Father \_\_\_\_\_  Signature of Father's Lawyer \_\_\_\_\_

Print Name \_\_\_\_\_