



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: January 24, 2023

TIME: 12:35 PM

WSR 23-04-024

Agency: Department of Children, Youth and Families (DCYF)

Subject of possible rule making: DCYF wants to amend the definition of Indian Child in WAC 110-110-0010.

Statutes authorizing the agency to adopt rules on this subject: RCW [74.08.090](#), chapter [13.38](#) RCW, and 25 U.S.C. chapter 21

Reasons why rules on this subject may be needed and what they might accomplish: Rules are needed for the delivery of child welfare services and, more specifically, for the department to better identify when to apply state and federal Indian Child Welfare Acts codified at chapter 13.38 RCW and 25 U.S.C. ch. 21 respectively. This rule making will address issues identified in the Court's opinion in Matter of Dependency of Z.J.G., 196 Wn.2d 152, 471 P.3d 853 (2020).

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: DCYF is coordinating rule development with tribal governments by convening a tribal-state workgroup to inform rule development. Final rules will be the subject of a formal Tribal consultation

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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Additional comments:

Date: January 24, 2023

Name: Brenda Villarreal

Title: DCYF Rules Coordinator

Signature: