
SUBSTITUTE HOUSE BILL 1934

State of Washington

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2013 Regular Session

By House Judiciary (originally sponsored by Representatives Pedersen, Nealey, Hope, Kagi, Johnson, Goodman, Hansen, Orwall, Pollet, Roberts, Appleton, Hunt, Maxwell, Ormsby, Jinkins, Green, Morrell, Carlyle, Seaquist, Haigh, Hudgins, Pettigrew, Tarleton, Sells, Smith, Reykdal, Sawyer, Morris, Dunshee, Magendanz, Hunter, Wylie, Lias, Fitzgibbon, Fagan, Upthegrove, Farrell, Takko, Ryu, Riccelli, Bergquist, Freeman, Habib, Van De Wege, Haler, Clibborn, Sullivan, Walsh, Tharinger, Moeller, Blake, Cody, Springer, Lytton, McCoy, Stanford, Moscoso, Fey, and Santos)

READ FIRST TIME 02/22/13.

1 AN ACT Relating to granting all persons who have an ongoing and
2 substantial relationship with a child, including but not limited to
3 grandparents, the right to seek visitation with that child through the
4 courts; amending RCW 26.10.160; adding a new chapter to Title 26 RCW;
5 and repealing RCW 26.09.240.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** (1) A person who is not the parent of the
8 child may petition for visitation with the child if the person has
9 established an ongoing and substantial relationship with the child.

10 (2) For the purposes of this chapter "parent" means a biological,
11 adoptive, or adjudicated parent.

12 (3) A person has established an ongoing and substantial
13 relationship with a child if the person and the child have had a
14 relationship formed and sustained through interaction, companionship,
15 and mutuality of interest and affection, without expectation of
16 financial compensation, with substantial continuity for at least one
17 year, and with a shared expectation of and desire for an ongoing
18 relationship. An ongoing and substantial relationship may not be

1 established solely on the basis of a relationship with the child that
2 results from the person acting in a paid or volunteer service provider
3 role, such as teacher, counselor, coach, or child care provider.

4 NEW SECTION. **Sec. 2.** (1) A petition for visitation under section
5 1 of this act must be filed in the county where the child primarily
6 resides.

7 (2) The petitioner may not file a petition for visitation more than
8 once, unless:

9 (a) At least two years have passed since the final order issued on
10 the previous petition for visitation; and

11 (b) The petitioner shows there has been a substantial change in
12 circumstances of the nonmoving party or the child based on facts that
13 have arisen since, or facts that were unknown to the court at the time
14 of, the order issued on the previous petition for visitation.

15 (3) The petitioner must file with the petition an affidavit
16 alleging that:

17 (a) A sufficient relationship with the child exists or existed
18 before interference by the respondent; and

19 (b) The child would likely suffer harm or the substantial risk of
20 harm if visitation between the petitioner and child were not granted.

21 (4) The petitioner shall set forth facts in the affidavit
22 supporting the petitioner's requested order for visitation.

23 (5) The petitioner shall serve notice of the filing to each person
24 having legal custody of, or court-ordered residential time with, the
25 child. A person having legal custody or residential time may file an
26 opposing affidavit.

27 (6) If, based on the petition and affidavits, the court finds that
28 it is more likely than not that visitation will be granted, the court
29 shall hold a hearing.

30 (7) The court may not enter any temporary orders to establish,
31 enforce, or modify visitation under this section.

32 NEW SECTION. **Sec. 3.** (1)(a) At a hearing pursuant to section 2(6)
33 of this act, the court shall enter an order granting visitation if it
34 finds that the child would likely suffer harm or the substantial risk
35 of harm if visitation between the petitioner and the child is not

1 granted and that granting visitation between the child and petitioner
2 is in the best interest of the child.

3 (b) An order granting visitation does not confer upon the person
4 the rights and duties of a parent.

5 (2) In making its determination, the court shall consider the
6 respondent's reasons for denying visitation. It is presumed that a fit
7 parent's decision to deny visitation is in the best interest of the
8 child and does not create a likelihood of harm or a substantial risk of
9 harm to the child.

10 (3) To rebut the presumption, the petitioner must prove by clear
11 and convincing evidence that the child would likely suffer harm or the
12 substantial risk of harm if visitation between the petitioner and the
13 child were not granted.

14 (4) If the court finds that the petitioner has met the standard for
15 rebutting the presumption, or if there is no presumption because no
16 parent has custody of the child, the court shall consider whether it is
17 in the best interest of the child to enter an order granting
18 visitation. The petitioner must prove by clear and convincing evidence
19 that visitation is in the child's best interest. In determining
20 whether it is in the best interest of the child, the court shall
21 consider the following, nonexclusive factors:

22 (a) The love, affection, and strength of the current relationship
23 between the child and the petitioner and how the relationship is
24 beneficial to the child;

25 (b) The length and quality of the prior relationship between the
26 child and the petitioner before the respondent denied visitation,
27 including the role performed by the petitioner and the emotional ties
28 that existed between the child and the petitioner;

29 (c) The relationship between the petitioner and the respondent;

30 (d) The nature and reason for the respondent's objection to
31 granting the petitioner visitation;

32 (e) The effect that granting visitation will have on the
33 relationship between the child and the respondent;

34 (f) The residential time-sharing arrangements between the parties
35 having residential time with the child;

36 (g) The good faith of the petitioner and respondent;

37 (h) Any history of physical, emotional, or sexual abuse or neglect
38 by the petitioner, or any history of physical, emotional, or sexual

1 abuse or neglect by a person residing with the petitioner if visitation
2 would involve contact between the child and the person with such
3 history;

4 (i) The child's reasonable preference, if the court considers the
5 child to be of sufficient age to express a preference; and

6 (j) Any other factor relevant to the child's best interest.

7 NEW SECTION. **Sec. 4.** (1)(a) For the purposes of sections 1
8 through 3 of this act, the court shall, on motion of the respondent,
9 order the petitioner to pay a reasonable amount for costs and
10 reasonable attorneys' fees to the respondent in advance and prior to
11 any hearing, unless the court finds, considering the financial
12 resources of all parties, that it would be unjust to do so.

13 (b) Regardless of the financial resources of the parties, if the
14 court finds that a petition for visitation was brought in bad faith or
15 without reasonable basis in light of the requirements of sections 1
16 through 3 of this act, the court shall order the petitioner to pay a
17 reasonable amount for costs and reasonable attorneys' fees to the
18 respondent.

19 (2) If visitation is granted, the court shall order the petitioner
20 to pay all transportation costs associated with visitation.

21 NEW SECTION. **Sec. 5.** (1) A court may not modify or terminate an
22 order granting visitation under section 3 of this act unless it finds,
23 on the basis of facts that have arisen since the entry of the order or
24 were unknown to the court at the time it entered the order, that a
25 substantial change of circumstances has occurred in the circumstances
26 of the child or nonmoving party and that modification or termination of
27 the order is necessary for the best interest of the child.

28 (2) The petitioner must file a petition for modification or
29 termination in the county where the child primarily resides.

30 (3) The petitioner must file with the petition an affidavit
31 alleging that, on the basis of facts that have arisen since the entry
32 of the order or were unknown to the court at the time it entered the
33 order, there is a substantial change of circumstances of the child or
34 nonmoving party and that modification or termination of the order is
35 necessary for the best interest of the child. The petitioner shall set

1 forth facts in the affidavit supporting the petitioner's requested
2 order.

3 (4) The petitioner shall serve notice of the petition to each
4 person having legal custody of, or court-ordered residential time or
5 court-ordered visitation with, the child. A person having legal
6 custody or residential or visitation time may file an opposing
7 affidavit.

8 (5) If, based on the petition and affidavits, the court finds that
9 it is more likely than not that a modification or termination will be
10 granted, the court shall hold a hearing.

11 (6) The court may award reasonable attorneys' fees and costs to
12 either party.

13 **Sec. 6.** RCW 26.10.160 and 2011 c 89 s 7 are each amended to read
14 as follows:

15 (1) A parent not granted custody of the child is entitled to
16 reasonable visitation rights except as provided in subsection (2) of
17 this section.

18 (2)(a) Visitation with the child shall be limited if it is found
19 that the parent seeking visitation has engaged in any of the following
20 conduct: (i) Willful abandonment that continues for an extended period
21 of time or substantial refusal to perform parenting functions; (ii)
22 physical, sexual, or a pattern of emotional abuse of a child; (iii) a
23 history of acts of domestic violence as defined in RCW 26.50.010(1) or
24 an assault or sexual assault which causes grievous bodily harm or the
25 fear of such harm; or (iv) the parent has been convicted as an adult of
26 a sex offense under:

27 (A) RCW 9A.44.076 if, because of the difference in age between the
28 offender and the victim, no rebuttable presumption exists under (d) of
29 this subsection;

30 (B) RCW 9A.44.079 if, because of the difference in age between the
31 offender and the victim, no rebuttable presumption exists under (d) of
32 this subsection;

33 (C) RCW 9A.44.086 if, because of the difference in age between the
34 offender and the victim, no rebuttable presumption exists under (d) of
35 this subsection;

36 (D) RCW 9A.44.089;

37 (E) RCW 9A.44.093;

1 (F) RCW 9A.44.096;

2 (G) RCW 9A.64.020 (1) or (2) if, because of the difference in age
3 between the offender and the victim, no rebuttable presumption exists
4 under (d) of this subsection;

5 (H) Chapter 9.68A RCW;

6 (I) Any predecessor or antecedent statute for the offenses listed
7 in (a)(iv)(A) through (H) of this subsection;

8 (J) Any statute from any other jurisdiction that describes an
9 offense analogous to the offenses listed in (a)(iv)(A) through (H) of
10 this subsection.

11 This subsection (2)(a) shall not apply when (c) or (d) of this
12 subsection applies.

13 (b) The parent's visitation with the child shall be limited if it
14 is found that the parent resides with a person who has engaged in any
15 of the following conduct: (i) Physical, sexual, or a pattern of
16 emotional abuse of a child; (ii) a history of acts of domestic violence
17 as defined in RCW 26.50.010(1) or an assault or sexual assault that
18 causes grievous bodily harm or the fear of such harm; or (iii) the
19 person has been convicted as an adult or as a juvenile has been
20 adjudicated of a sex offense under:

21 (A) RCW 9A.44.076 if, because of the difference in age between the
22 offender and the victim, no rebuttable presumption exists under (e) of
23 this subsection;

24 (B) RCW 9A.44.079 if, because of the difference in age between the
25 offender and the victim, no rebuttable presumption exists under (e) of
26 this subsection;

27 (C) RCW 9A.44.086 if, because of the difference in age between the
28 offender and the victim, no rebuttable presumption exists under (e) of
29 this subsection;

30 (D) RCW 9A.44.089;

31 (E) RCW 9A.44.093;

32 (F) RCW 9A.44.096;

33 (G) RCW 9A.64.020 (1) or (2) if, because of the difference in age
34 between the offender and the victim, no rebuttable presumption exists
35 under (e) of this subsection;

36 (H) Chapter 9.68A RCW;

37 (I) Any predecessor or antecedent statute for the offenses listed
38 in (b)(iii)(A) through (H) of this subsection;

1 (J) Any statute from any other jurisdiction that describes an
2 offense analogous to the offenses listed in (b)(iii)(A) through (H) of
3 this subsection.

4 This subsection (2)(b) shall not apply when (c) or (e) of this
5 subsection applies.

6 (c) If a parent has been found to be a sexual predator under
7 chapter 71.09 RCW or under an analogous statute of any other
8 jurisdiction, the court shall restrain the parent from contact with a
9 child that would otherwise be allowed under this chapter. If a parent
10 resides with an adult or a juvenile who has been found to be a sexual
11 predator under chapter 71.09 RCW or under an analogous statute of any
12 other jurisdiction, the court shall restrain the parent from contact
13 with the parent's child except contact that occurs outside that
14 person's presence.

15 (d) There is a rebuttable presumption that a parent who has been
16 convicted as an adult of a sex offense listed in (d)(i) through (ix) of
17 this subsection poses a present danger to a child. Unless the parent
18 rebuts this presumption, the court shall restrain the parent from
19 contact with a child that would otherwise be allowed under this
20 chapter:

21 (i) RCW 9A.64.020 (1) or (2), provided that the person convicted
22 was at least five years older than the other person;

23 (ii) RCW 9A.44.073;

24 (iii) RCW 9A.44.076, provided that the person convicted was at
25 least eight years older than the victim;

26 (iv) RCW 9A.44.079, provided that the person convicted was at least
27 eight years older than the victim;

28 (v) RCW 9A.44.083;

29 (vi) RCW 9A.44.086, provided that the person convicted was at least
30 eight years older than the victim;

31 (vii) RCW 9A.44.100;

32 (viii) Any predecessor or antecedent statute for the offenses
33 listed in (d)(i) through (vii) of this subsection;

34 (ix) Any statute from any other jurisdiction that describes an
35 offense analogous to the offenses listed in (d)(i) through (vii) of
36 this subsection.

37 (e) There is a rebuttable presumption that a parent who resides
38 with a person who, as an adult, has been convicted, or as a juvenile

1 has been adjudicated, of the sex offenses listed in (e)(i) through (ix)
2 of this subsection places a child at risk of abuse or harm when that
3 parent exercises visitation in the presence of the convicted or
4 adjudicated person. Unless the parent rebuts the presumption, the
5 court shall restrain the parent from contact with the parent's child
6 except for contact that occurs outside of the convicted or adjudicated
7 person's presence:

8 (i) RCW 9A.64.020 (1) or (2), provided that the person convicted
9 was at least five years older than the other person;

10 (ii) RCW 9A.44.073;

11 (iii) RCW 9A.44.076, provided that the person convicted was at
12 least eight years older than the victim;

13 (iv) RCW 9A.44.079, provided that the person convicted was at least
14 eight years older than the victim;

15 (v) RCW 9A.44.083;

16 (vi) RCW 9A.44.086, provided that the person convicted was at least
17 eight years older than the victim;

18 (vii) RCW 9A.44.100;

19 (viii) Any predecessor or antecedent statute for the offenses
20 listed in (e)(i) through (vii) of this subsection;

21 (ix) Any statute from any other jurisdiction that describes an
22 offense analogous to the offenses listed in (e)(i) through (vii) of
23 this subsection.

24 (f) The presumption established in (d) of this subsection may be
25 rebutted only after a written finding that:

26 (i) If the child was not the victim of the sex offense committed by
27 the parent requesting visitation, (A) contact between the child and the
28 offending parent is appropriate and poses minimal risk to the child,
29 and (B) the offending parent has successfully engaged in treatment for
30 sex offenders or is engaged in and making progress in such treatment,
31 if any was ordered by a court, and the treatment provider believes such
32 contact is appropriate and poses minimal risk to the child; or

33 (ii) If the child was the victim of the sex offense committed by
34 the parent requesting visitation, (A) contact between the child and the
35 offending parent is appropriate and poses minimal risk to the child,
36 (B) if the child is in or has been in therapy for victims of sexual
37 abuse, the child's counselor believes such contact between the child
38 and the offending parent is in the child's best interest, and (C) the

1 offending parent has successfully engaged in treatment for sex
2 offenders or is engaged in and making progress in such treatment, if
3 any was ordered by a court, and the treatment provider believes such
4 contact is appropriate and poses minimal risk to the child.

5 (g) The presumption established in (e) of this subsection may be
6 rebutted only after a written finding that:

7 (i) If the child was not the victim of the sex offense committed by
8 the person who is residing with the parent requesting visitation, (A)
9 contact between the child and the parent residing with the convicted or
10 adjudicated person is appropriate and that parent is able to protect
11 the child in the presence of the convicted or adjudicated person, and
12 (B) the convicted or adjudicated person has successfully engaged in
13 treatment for sex offenders or is engaged in and making progress in
14 such treatment, if any was ordered by a court, and the treatment
15 provider believes such contact is appropriate and poses minimal risk to
16 the child; or

17 (ii) If the child was the victim of the sex offense committed by
18 the person who is residing with the parent requesting visitation, (A)
19 contact between the child and the parent in the presence of the
20 convicted or adjudicated person is appropriate and poses minimal risk
21 to the child, (B) if the child is in or has been in therapy for victims
22 of sexual abuse, the child's counselor believes such contact between
23 the child and the parent residing with the convicted or adjudicated
24 person in the presence of the convicted or adjudicated person is in the
25 child's best interest, and (C) the convicted or adjudicated person has
26 successfully engaged in treatment for sex offenders or is engaged in
27 and making progress in such treatment, if any was ordered by a court,
28 and the treatment provider believes contact between the parent and
29 child in the presence of the convicted or adjudicated person is
30 appropriate and poses minimal risk to the child.

31 (h) If the court finds that the parent has met the burden of
32 rebutting the presumption under (f) of this subsection, the court may
33 allow a parent who has been convicted as an adult of a sex offense
34 listed in (d)(i) through (ix) of this subsection to have visitation
35 with the child supervised by a neutral and independent adult and
36 pursuant to an adequate plan for supervision of such visitation. The
37 court shall not approve of a supervisor for contact between the child
38 and the parent unless the court finds, based on the evidence, that the

1 supervisor is willing and capable of protecting the child from harm.
2 The court shall revoke court approval of the supervisor upon finding,
3 based on the evidence, that the supervisor has failed to protect the
4 child or is no longer willing or capable of protecting the child.

5 (i) If the court finds that the parent has met the burden of
6 rebutting the presumption under (g) of this subsection, the court may
7 allow a parent residing with a person who has been adjudicated as a
8 juvenile of a sex offense listed in (e)(i) through (ix) of this
9 subsection to have visitation with the child in the presence of the
10 person adjudicated as a juvenile, supervised by a neutral and
11 independent adult and pursuant to an adequate plan for supervision of
12 such visitation. The court shall not approve of a supervisor for
13 contact between the child and the parent unless the court finds, based
14 on the evidence, that the supervisor is willing and capable of
15 protecting the child from harm. The court shall revoke court approval
16 of the supervisor upon finding, based on the evidence, that the
17 supervisor has failed to protect the child or is no longer willing or
18 capable of protecting the child.

19 (j) If the court finds that the parent has met the burden of
20 rebutting the presumption under (g) of this subsection, the court may
21 allow a parent residing with a person who, as an adult, has been
22 convicted of a sex offense listed in (e)(i) through (ix) of this
23 subsection to have visitation with the child in the presence of the
24 convicted person supervised by a neutral and independent adult and
25 pursuant to an adequate plan for supervision of such visitation. The
26 court shall not approve of a supervisor for contact between the child
27 and the parent unless the court finds, based on the evidence, that the
28 supervisor is willing and capable of protecting the child from harm.
29 The court shall revoke court approval of the supervisor upon finding,
30 based on the evidence, that the supervisor has failed to protect the
31 child or is no longer willing or capable of protecting the child.

32 (k) A court shall not order unsupervised contact between the
33 offending parent and a child of the offending parent who was sexually
34 abused by that parent. A court may order unsupervised contact between
35 the offending parent and a child who was not sexually abused by the
36 parent after the presumption under (d) of this subsection has been
37 rebutted and supervised visitation has occurred for at least two years
38 with no further arrests or convictions of sex offenses involving

1 children under chapter 9A.44 RCW, RCW 9A.64.020, or chapter 9.68A RCW
2 and (i) the sex offense of the offending parent was not committed
3 against a child of the offending parent, and (ii) the court finds that
4 unsupervised contact between the child and the offending parent is
5 appropriate and poses minimal risk to the child, after consideration of
6 the testimony of a state-certified therapist, mental health counselor,
7 or social worker with expertise in treating child sexual abuse victims
8 who has supervised at least one period of visitation between the parent
9 and the child, and after consideration of evidence of the offending
10 parent's compliance with community supervision requirements, if any.
11 If the offending parent was not ordered by a court to participate in
12 treatment for sex offenders, then the parent shall obtain a
13 psychosexual evaluation conducted by a certified sex offender treatment
14 provider or a certified affiliate sex offender treatment provider
15 indicating that the offender has the lowest likelihood of risk to
16 reoffend before the court grants unsupervised contact between the
17 parent and a child.

18 (1) A court may order unsupervised contact between the parent and
19 a child which may occur in the presence of a juvenile adjudicated of a
20 sex offense listed in (e)(i) through (ix) of this subsection who
21 resides with the parent after the presumption under (e) of this
22 subsection has been rebutted and supervised visitation has occurred for
23 at least two years during which time the adjudicated juvenile has had
24 no further arrests, adjudications, or convictions of sex offenses
25 involving children under chapter 9A.44 RCW, RCW 9A.64.020, or chapter
26 9.68A RCW, and (i) the court finds that unsupervised contact between
27 the child and the parent that may occur in the presence of the
28 adjudicated juvenile is appropriate and poses minimal risk to the
29 child, after consideration of the testimony of a state-certified
30 therapist, mental health counselor, or social worker with expertise in
31 treatment of child sexual abuse victims who has supervised at least one
32 period of visitation between the parent and the child in the presence
33 of the adjudicated juvenile, and after consideration of evidence of the
34 adjudicated juvenile's compliance with community supervision or parole
35 requirements, if any. If the adjudicated juvenile was not ordered by
36 a court to participate in treatment for sex offenders, then the
37 adjudicated juvenile shall obtain a psychosexual evaluation conducted
38 by a certified sex offender treatment provider or a certified affiliate

1 sex offender treatment provider indicating that the adjudicated
2 juvenile has the lowest likelihood of risk to reoffend before the court
3 grants unsupervised contact between the parent and a child which may
4 occur in the presence of the adjudicated juvenile who is residing with
5 the parent.

6 (m)(i) The limitations imposed by the court under (a) or (b) of
7 this subsection shall be reasonably calculated to protect the child
8 from the physical, sexual, or emotional abuse or harm that could result
9 if the child has contact with the parent requesting visitation. If the
10 court expressly finds based on the evidence that limitations on
11 visitation with the child will not adequately protect the child from
12 the harm or abuse that could result if the child has contact with the
13 parent requesting visitation, the court shall restrain the person
14 seeking visitation from all contact with the child.

15 (ii) The court shall not enter an order under (a) of this
16 subsection allowing a parent to have contact with a child if the parent
17 has been found by clear and convincing evidence in a civil action or by
18 a preponderance of the evidence in a dependency action to have sexually
19 abused the child, except upon recommendation by an evaluator or
20 therapist for the child that the child is ready for contact with the
21 parent and will not be harmed by the contact. The court shall not
22 enter an order allowing a parent to have contact with the child in the
23 offender's presence if the parent resides with a person who has been
24 found by clear and convincing evidence in a civil action or by a
25 preponderance of the evidence in a dependency action to have sexually
26 abused a child, unless the court finds that the parent accepts that the
27 person engaged in the harmful conduct and the parent is willing to and
28 capable of protecting the child from harm from the person.

29 (iii) If the court limits visitation under (a) or (b) of this
30 subsection to require supervised contact between the child and the
31 parent, the court shall not approve of a supervisor for contact between
32 a child and a parent who has engaged in physical, sexual, or a pattern
33 of emotional abuse of the child unless the court finds based upon the
34 evidence that the supervisor accepts that the harmful conduct occurred
35 and is willing to and capable of protecting the child from harm. The
36 court shall revoke court approval of the supervisor upon finding, based
37 on the evidence, that the supervisor has failed to protect the child or
38 is no longer willing to or capable of protecting the child.

1 (n) If the court expressly finds based on the evidence that
2 contact between the parent and the child will not cause physical,
3 sexual, or emotional abuse or harm to the child and that the
4 probability that the parent's or other person's harmful or abusive
5 conduct will recur is so remote that it would not be in the child's
6 best interests to apply the limitations of (a), (b), and (m)(i) and
7 (iii) of this subsection, or if the court expressly finds that the
8 parent's conduct did not have an impact on the child, then the court
9 need not apply the limitations of (a), (b), and (m)(i) and (iii) of
10 this subsection. The weight given to the existence of a protection
11 order issued under chapter 26.50 RCW as to domestic violence is within
12 the discretion of the court. This subsection shall not apply when (c),
13 (d), (e), (f), (g), (h), (i), (j), (k), (l), and (m)(ii) of this
14 subsection apply.

15 ~~(3) ((Any person may petition the court for visitation rights at~~
16 ~~any time including, but not limited to, custody proceedings. The court~~
17 ~~may order visitation rights for any person when visitation may serve~~
18 ~~the best interest of the child whether or not there has been any change~~
19 ~~of circumstances.~~

20 (+4)) The court may modify an order granting or denying visitation
21 rights whenever modification would serve the best interests of the
22 child. Modification of a parent's visitation rights shall be subject
23 to the requirements of subsection (2) of this section.

24 ((+5)) (4) For the purposes of this section:

25 (a) "A parent's child" means that parent's natural child, adopted
26 child, or stepchild; and

27 (b) "Social worker" means a person with a master's or further
28 advanced degree from a social work educational program accredited and
29 approved as provided in RCW 18.320.010.

30 NEW SECTION. **Sec. 7.** RCW 26.09.240 (Visitation rights--Person
31 other than parent--Grandparents' visitation rights) and 1996 c 177 s 1,
32 1989 c 375 s 13, 1987 c 460 s 18, 1977 ex.s. c 271 s 1, & 1973 1st
33 ex.s. c 157 s 24 are each repealed.

34 NEW SECTION. **Sec. 8.** Sections 1 through 5 of this act constitute

1 a new chapter in Title 26 RCW.

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