
SUBSTITUTE HOUSE BILL 1768

State of Washington

53rd Legislature

1993 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Appelwick, Padden and Johanson)

Read first time 03/03/93.

1 AN ACT Relating to facilitating pro se litigation in domestic
2 relations cases; amending RCW 26.12.220; and adding a new section to
3 chapter 26.12 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 26.12 RCW
6 to read as follows:

7 A county may create a courthouse facilitator program to provide
8 basic services to pro se litigants in family law cases. The
9 legislative authority of any county may impose user fees or may impose
10 a surcharge on superior court filing fees for cases under Title 26 RCW,
11 or both, to pay for the expenses of the courthouse facilitator program.
12 Fees collected under this section shall be collected and deposited in
13 the same manner as other county funds are collected and deposited, and
14 shall be maintained in a separate account to be used as provided in
15 this section.

16 **Sec. 2.** RCW 26.12.220 and 1991 c 367 s 15 are each amended to read
17 as follows:

1 (1) The legislative authority of any county may authorize family
2 court services as provided in RCW (~~26.12.230~~) 26.12.190(2). The
3 legislative authority may impose a fee in excess of that prescribed in
4 RCW 36.18.010 for the issuance of a marriage license. The fee shall
5 not exceed eight dollars unless the county authorizes an additional fee
6 to enhance family court reconciliation services as provided in
7 subsection (2) of this section, in which case the additional fee
8 increase may not exceed another eight dollars.

9 (2) In addition to any other funds used therefor, the governing
10 body of any county shall use the proceeds from the fee increases
11 authorized by this section to pay the expenses of the family court and
12 the family court services under chapter 26.12 RCW. If the county
13 authorizes a fee in excess of eight dollars, the amount of the fee
14 increase that exceeds eight dollars may only be used to fund
15 reconciliation services. If there is no family court in the county,
16 the legislative authority may provide such services through other
17 county agencies or may contract with a public or private agency or
18 person to provide such services. Family court services also may be
19 provided jointly with other counties as provided in RCW 26.12.230.

20 (3) The family court services program may hire professional
21 employees to provide the investigation, evaluation and reporting, and
22 mediation services, or the county may contract for these services, or
23 both. To facilitate and promote the purposes of this chapter, the
24 court may order or recommend the aid of physicians, psychiatrists, or
25 other specialists.

26 (4) The family court services program may provide or contract for:
27 (a) Mediation; (b) investigation, evaluation, and reporting to the
28 court; and (c) reconciliation; and may provide a referral mechanism for
29 drug and alcohol testing, monitoring, and treatment; and any other
30 treatment, parenting, or anger management programs the family court
31 professional considers necessary or appropriate.

32 (5) Services other than family court investigation, evaluation,
33 reconciliation, and mediation services shall be at the expense of the
34 parties involved absent a court order to the contrary. The parties
35 shall bear all or a portion of the family court investigation,
36 evaluation, reconciliation, and mediation services according to the
37 parties' ability to pay.

38 (6) The county legislative authority may establish rules of
39 eligibility for the family court services funded under this section.

1 The rules shall not conflict with rules of the court adopted under
2 chapter 26.12 RCW or any other statute.

3 (7) The legislative authority may establish user fees for family
4 court investigation, evaluation, reconciliation, and mediation services
5 under this chapter according to the parties' ability to pay for the
6 services.

7 (8) Fees collected under this section shall be collected and
8 deposited in the same manner as other county funds are collected and
9 deposited, and shall be maintained in a separate account to be used as
10 provided in this section.

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