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HOUSE BILL 2095

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State of Washington

55th Legislature

1997 Regular Session

By Representatives Gombosky and Wolfe

Read first time 02/20/97. Referred to Committee on Law & Justice.

1 AN ACT Relating to postdecree mediation; and amending RCW  
2 26.09.015.

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

4 **Sec. 1.** RCW 26.09.015 and 1991 c 367 s 2 are each amended to read  
5 as follows:

6 (1) In any proceeding under this chapter, the matter may be set for  
7 mediation of the contested issues before or concurrent with the setting  
8 of the matter for hearing. The purpose of the mediation proceeding  
9 shall be to reduce acrimony which may exist between the parties and to  
10 develop an agreement assuring the child's close and continuing contact  
11 with both parents after the marriage is dissolved. The mediator shall  
12 use his or her best efforts to effect a settlement of the dispute.

13 (2) Each superior court may make available a mediator. The  
14 mediator may be a member of the professional staff of a family court or  
15 mental health services agency, or may be any other person or agency  
16 designated by the court. In order to provide mediation services, the  
17 court is not required to institute a family court.

18 (3) Mediation proceedings shall be held in private and shall be  
19 confidential. The mediator shall not testify as to any aspect of the

1 mediation proceedings. (~~(This subsection shall not apply to postdecree~~  
2 ~~mediation required pursuant to a parenting plan.)~~)

3 (4) The mediator shall assess the needs and interests of the child  
4 or children involved in the controversy and may interview the child or  
5 children if the mediator deems such interview appropriate or necessary.

6 (5) Any agreement reached by the parties as a result of mediation  
7 shall be reported to the court and to counsel for the parties by the  
8 mediator on the day set for mediation or any time thereafter designated  
9 by the court.

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