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HOUSE BILL 2558

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State of Washington

55th Legislature

1998 Regular Session

By Representatives Tokuda and Cooke; by request of Department of Social and Health Services

Read first time 01/15/98. Referred to Committee on Children & Family Services.

1 AN ACT Relating to technical corrections to statutory references;  
2 and amending RCW 13.34.090 and 43.43.700.

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

4 **Sec. 1.** RCW 13.34.090 and 1990 c 246 s 4 are each amended to read  
5 as follows:

6 (1) Any party has a right to be represented by an attorney in all  
7 proceedings under this chapter, to introduce evidence, to be heard in  
8 his or her own behalf, to examine witnesses, to receive a decision  
9 based solely on the evidence adduced at the hearing, and to an unbiased  
10 fact-finder.

11 (2) At all stages of a proceeding in which a child is alleged to be  
12 dependent pursuant to RCW 13.34.030(~~(+2)~~) (4), the child's parent,  
13 guardian, or legal custodian has the right to be represented by  
14 counsel, and if indigent, to have counsel appointed for him or her by  
15 the court. Unless waived in court, counsel shall be provided to the  
16 child's parent, guardian, or legal custodian, if such person (a) has  
17 appeared in the proceeding or requested the court to appoint counsel  
18 and (b) is financially unable to obtain counsel because of indigency as  
19 defined in chapter 10.101 RCW.

1 (3) If a party to an action under this chapter is represented by  
2 counsel, no order shall be provided to that party for his or her  
3 signature without prior notice and provision of the order to counsel.

4 (4) Copies of department of social and health services or  
5 supervising agency records to which parents have legal access pursuant  
6 to chapter 13.50 RCW shall be given to the child's parent, guardian,  
7 legal custodian, or his or her legal counsel, within twenty days after  
8 the department or supervising agency receives a written request for  
9 such records from the parent, guardian, legal custodian, or his or her  
10 legal counsel. These records shall be provided to the child's parents,  
11 guardian, legal custodian, or legal counsel prior to the shelter care  
12 hearing in order to allow an opportunity to review the records prior to  
13 the hearing. These records shall be legible and shall be provided at  
14 no expense to the parents, guardian, legal custodian, or his or her  
15 counsel.

16 **Sec. 2.** RCW 43.43.700 and 1989 c 334 s 6 are each amended to read  
17 as follows:

18 There is hereby established within the Washington state patrol a  
19 section on identification, child abuse, vulnerable adult abuse, and  
20 criminal history hereafter referred to as the section.

21 In order to aid the administration of justice the section shall  
22 install systems for the identification of individuals, including the  
23 fingerprint system and such other systems as the chief deems necessary.  
24 The section shall keep a complete record and index of all information  
25 received in convenient form for consultation and comparison.

26 The section shall obtain from whatever source available and file  
27 for record the fingerprints, palmprints, photographs, or such other  
28 identification data as it deems necessary, of persons who have been or  
29 shall hereafter be lawfully arrested and charged with, or convicted of  
30 any criminal offense. The section may obtain like information  
31 concerning persons arrested for or convicted of crimes under the laws  
32 of another state or government.

33 The section shall also contain like information concerning persons,  
34 over the age of eighteen years, who have been found, pursuant to a  
35 dependency proceeding under RCW 13.34.030(~~(+2)(b)~~) (4)(b) to have  
36 physically abused or sexually abused or exploited a child or, pursuant

1 to a protection proceeding under chapter 74.34 RCW, to have abused or  
2 financially exploited a vulnerable adult.

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