
HOUSE BILL 2852

State of Washington

57th Legislature

2002 Regular Session

By Representatives Miloscia, Esser, Benson, Lovick, Boldt, Morell and Anderson

Read first time 01/30/2002. Referred to Committee on Juvenile Justice & Family Law.

1 AN ACT Relating to a family law handbook; amending RCW 2.56.030;
2 adding a new section to chapter 2.56 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature declares that:

5 (1) Strong marital relationships result in stronger families,
6 children, and ultimately, stronger communities and place less of a
7 fiscal burden on the state; and

8 (2) The state has a compelling interest in providing couples,
9 applying for a marriage license, information with regard to marriage
10 and, if contemplated, the effects of divorce.

11 **Sec. 2.** RCW 2.56.030 and 1997 c 41 s 2 are each amended to read as
12 follows:

13 The administrator for the courts shall, under the supervision and
14 direction of the chief justice:

15 (1) Examine the administrative methods and systems employed in the
16 offices of the judges, clerks, stenographers, and employees of the
17 courts and make recommendations, through the chief justice, for the
18 improvement of the same;

- 1 (2) Examine the state of the dockets of the courts and determine
2 the need for assistance by any court;
- 3 (3) Make recommendations to the chief justice relating to the
4 assignment of judges where courts are in need of assistance and carry
5 out the direction of the chief justice as to the assignments of judges
6 to counties and districts where the courts are in need of assistance;
- 7 (4) Collect and compile statistical and other data and make reports
8 of the business transacted by the courts and transmit the same to the
9 chief justice to the end that proper action may be taken in respect
10 thereto;
- 11 (5) Prepare and submit budget estimates of state appropriations
12 necessary for the maintenance and operation of the judicial system and
13 make recommendations in respect thereto;
- 14 (6) Collect statistical and other data and make reports relating to
15 the expenditure of public moneys, state and local, for the maintenance
16 and operation of the judicial system and the offices connected
17 therewith;
- 18 (7) Obtain reports from clerks of courts in accordance with law or
19 rules adopted by the supreme court of this state on cases and other
20 judicial business in which action has been delayed beyond periods of
21 time specified by law or rules of court and make report thereof to
22 supreme court of this state;
- 23 (8) Act as secretary of the judicial conference referred to in RCW
24 2.56.060;
- 25 (9) Submit annually, as of February 1st, to the chief justice, a
26 report of the activities of the administrator's office for the
27 preceding calendar year including activities related to courthouse
28 security;
- 29 (10) Administer programs and standards for the training and
30 education of judicial personnel;
- 31 (11) Examine the need for new superior court and district judge
32 positions under a weighted caseload analysis that takes into account
33 the time required to hear all the cases in a particular court and the
34 amount of time existing judges have available to hear cases in that
35 court. The results of the weighted caseload analysis shall be reviewed
36 by the board for judicial administration which shall make
37 recommendations to the legislature. It is the intent of the
38 legislature that weighted caseload analysis become the basis for

1 creating additional district court positions, and recommendations
2 should address that objective;

3 (12) Provide staff to the judicial retirement account plan under
4 chapter 2.14 RCW;

5 (13) Attend to such other matters as may be assigned by the supreme
6 court of this state;

7 (14) Within available funds, develop a curriculum for a general
8 understanding of child development, placement, and treatment resources,
9 as well as specific legal skills and knowledge of relevant statutes
10 including chapters 13.32A, 13.34, and 13.40 RCW, cases, court rules,
11 interviewing skills, and special needs of the abused or neglected
12 child. This curriculum shall be completed and made available to all
13 juvenile court judges, court personnel, and service providers and be
14 updated yearly to reflect changes in statutes, court rules, or case
15 law;

16 (15) Develop, in consultation with the entities set forth in RCW
17 2.56.150(3), a comprehensive statewide curriculum for persons who act
18 as guardians ad litem under Title 13 or 26 RCW. The curriculum shall
19 be made available July 1, 1997, and include specialty sections on child
20 development, child sexual abuse, child physical abuse, child neglect,
21 clinical and forensic investigative and interviewing techniques, family
22 reconciliation and mediation services, and relevant statutory and legal
23 requirements. The curriculum shall be made available to all superior
24 court judges, court personnel, and all persons who act as guardians ad
25 litem;

26 (16) Develop a curriculum for a general understanding of crimes of
27 malicious harassment, as well as specific legal skills and knowledge of
28 RCW 9A.36.080, relevant cases, court rules, and the special needs of
29 malicious harassment victims. This curriculum shall be made available
30 to all superior court and court of appeals judges and to all justices
31 of the supreme court;

32 (17) Develop, in consultation with the criminal justice training
33 commission and the commissions established under chapters 43.113,
34 43.115, and 43.117 RCW, a curriculum for a general understanding of
35 ethnic and cultural diversity and its implications for working with
36 youth of color and their families. The curriculum shall be available
37 to all superior court judges and court commissioners assigned to
38 juvenile court, and other court personnel. Ethnic and cultural
39 diversity training shall be provided annually so as to incorporate

1 cultural sensitivity and awareness into the daily operation of juvenile
2 courts statewide;

3 (18) Authorize the use of closed circuit television and other
4 electronic equipment in judicial proceedings. The administrator shall
5 promulgate necessary standards and procedures and shall provide
6 technical assistance to courts as required;

7 (19) Develop a Washington family law handbook in accordance with
8 section 3 of this act.

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 2.56 RCW
10 to read as follows:

11 (1) The administrator for the courts will create a handbook
12 explaining the sections of Washington law pertaining to the rights and
13 responsibilities of marital partners to each other and to any children
14 during a marriage and a dissolution of marriage. The handbook may also
15 be provided in videotape or other electronic form.

16 (2) The handbook created under subsection (1) of this section will
17 be provided by the county auditor when an individual files a marriage
18 certificate under RCW 26.04.090.

19 (3) The information contained in the handbook created under
20 subsection (1) of this section will be reviewed and updated annually.
21 The handbook must contain the following information:

22 (a) Information on prenuptial agreements as contracts and as a
23 means of structuring financial arrangements and other aspects of the
24 marital relationship;

25 (b) Information on shared parental responsibility for children,
26 including the determination of primary residence, custody, visitation
27 arrangements, and the process for notice changes;

28 (c) Information on permanent relocation restrictions on parents
29 with primary residential responsibility;

30 (d) Information on child support for minor children;

31 (e) Information on property rights, including equitable
32 distribution of assets and premarital and postmarital property rights;

33 (f) Information on alimony;

34 (g) Information on domestic violence, child abuse, and neglect,
35 including penalties;

36 (h) Information on the court process for dissolution;

1 (j) Information on community resources that are available to
2 separating or divorcing persons and their children.

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