
SUBSTITUTE SENATE BILL 5631

State of Washington

64th Legislature

2015 Regular Session

By Senate Human Services, Mental Health & Housing (originally sponsored by Senators Hargrove, O'Ban, Darneille, Pearson, Ranker, Litzow, Rolfes, Jayapal, Liiias, Frockt, Dansel, Hill, Fain, Kohl-Welles, Hasegawa, Keiser, Angel, McAuliffe, and Conway)

READ FIRST TIME 02/20/15.

1 AN ACT Relating to the administration of a statewide network of
2 community-based domestic violence victim services by the department
3 of social and health services; amending RCW 70.123.010, 70.123.020,
4 70.123.030, 70.123.040, 70.123.070, 70.123.075, 70.123.080,
5 70.123.090, 70.123.110, 70.123.150, 36.18.016, 43.235.020, and
6 43.235.040; adding a new section to chapter 70.123 RCW; creating a
7 new section; repealing RCW 70.123.050 and 70.123.130; and providing
8 an effective date.

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

10 **Sec. 1.** RCW 70.123.010 and 1979 ex.s. c 245 s 1 are each amended
11 to read as follows:

12 (1) The legislature finds that domestic violence is an issue of
13 ~~((growing))~~ serious concern at all levels of society and government
14 and that there is a ~~((present and growing))~~ pressing need ~~((to~~
15 ~~develop))~~ for innovative strategies to address and prevent domestic
16 violence and to strengthen services which will ameliorate and reduce
17 the trauma of domestic violence and enhance survivors' resiliency and
18 autonomy. ~~((Research findings show that domestic violence constitutes~~
19 ~~a significant percentage of homicides, aggravated assaults, and~~
20 ~~assaults and batteries in the United States. Domestic violence is a~~

1 ~~disruptive influence on personal and community life and is often~~
2 ~~interrelated with a number of other family problems and stresses.))~~

3 (2) The legislature finds that there are a wide range of
4 consequences to domestic violence, including deaths, injuries,
5 hospitalizations, homelessness, employment problems, property damage,
6 and lifelong physical and psychological impacts on victims and their
7 children. These impacts also affect victims' friends and families,
8 neighbors, employers, landlords, law enforcement, the courts, the
9 health care system, and Washington state and society as a whole.
10 Advocacy and shelters for victims of domestic violence are essential
11 to provide ((protection)) support to victims ((from)) in preventing
12 further abuse ((and physical harm)) and to help ((the victim find))
13 victims assess and plan for their immediate and longer term safety,
14 including finding long-range alternative living situations, if
15 requested. ((Shelters provide safety, refuge, advocacy, and helping
16 resources to victims who may not have access to such things if they
17 remain in abusive situations.

18 ~~The legislature therefore recognizes the need for the statewide~~
19 ~~development and expansion of shelters for victims of domestic~~
20 ~~violence.))~~

21 (3) Thus, it is the intent of the legislature to:

22 (a) Provide for a statewide network of supportive services,
23 emergency shelter services, and advocacy for victims of domestic
24 violence and their dependents;

25 (b) Provide for culturally relevant and appropriate services for
26 victims of domestic violence and their children from populations that
27 have been traditionally unserved or underserved;

28 (c) Provide for a statewide domestic violence information and
29 referral resource;

30 (d) Assist communities in efforts to increase public awareness
31 about, and primary and secondary prevention of domestic violence;

32 (e) Provide for the collection, analysis, and dissemination of
33 current information related to emerging issues and model and
34 promising practices related to preventing and intervening in
35 situations involving domestic violence; and

36 (f) Provide for ongoing training and technical assistance for
37 individuals working with victims in community-based domestic violence
38 programs and other persons seeking such training and technical
39 assistance.

1 **Sec. 2.** RCW 70.123.020 and 2008 c 6 s 303 are each amended to
2 read as follows:

3 (~~Unless the context clearly requires otherwise,~~) The
4 definitions in this section apply throughout this chapter unless the
5 context clearly requires otherwise.

6 (1) "Shelter" means (~~a place of temporary refuge, offered on a~~
7 ~~twenty four hour, seven day per week basis~~) temporary lodging and
8 supportive services, offered by community-based domestic violence
9 programs to victims of domestic violence and their children.

10 (2) "Domestic violence" (~~is~~) means the infliction or threat of
11 physical harm against an intimate partner, and includes physical,
12 sexual, and psychological abuse against the partner, and is a part of
13 a pattern of assaultive, coercive, and controlling behaviors directed
14 at achieving compliance from or control over that intimate partner.
15 It may include, but is not limited to, a categorization of offenses,
16 as defined in RCW 10.99.020, committed by one (~~cohabitant~~) intimate
17 partner against another.

18 (3) "Department" means the department of social and health
19 services.

20 (4) "Victim" means (~~a cohabitant~~) an intimate partner who has
21 been subjected to domestic violence.

22 (5) (~~Cohabitant~~) Intimate partner" means a person who is or
23 was married, in a state registered domestic partnership, or
24 (~~cohabiting with another person~~) in an intimate or dating
25 relationship with another person at the present or at sometime in the
26 past. Any person who has one or more children in common with another
27 person, regardless of whether they have been married, in a domestic
28 partnership with each other, or lived together at any time, shall be
29 treated as (~~a cohabitant~~) an intimate partner.

30 (6) "Community advocate" means a person employed or supervised by
31 a (~~local~~) community-based domestic violence program who is trained
32 to provide ongoing assistance (~~to~~) and advocacy for victims of
33 domestic violence in assessing and planning for safety needs,
34 (~~documenting the incidents and the extent of violence for possible~~
35 ~~use in the legal system,~~) making appropriate social service, legal,
36 and housing referrals, (~~and developing protocols and~~) providing
37 community education, maintaining (~~ongoing~~) contacts necessary for
38 prevention efforts, and developing protocols for local systems
39 coordination.

1 (7) "Domestic violence program" means an agency (~~that provides~~
2 ~~shelter, advocacy, and counseling for domestic violence victims in a~~
3 ~~supportive environment~~), organization, or program with a primary
4 purpose and a history of effective work in providing advocacy, safety
5 assessment and planning, and self-help services for domestic violence
6 in a supportive environment, and includes, but is not limited to, a
7 community-based domestic violence program, emergency shelter, or
8 domestic violence transitional housing program.

9 (8) "Legal advocate" means a person employed by a domestic
10 violence program or court system to advocate for victims of domestic
11 violence, within the criminal and civil justice systems, by attending
12 court proceedings, assisting in document and case preparation, and
13 ensuring linkage with the community advocate.

14 (9) "Secretary" means the secretary of the department of social
15 and health services or the secretary's designee.

16 (10) "Community-based domestic violence program" means a
17 nonprofit program or organization that provides, as its primary
18 purpose, assistance and advocacy for domestic violence
19 victims. Domestic violence assistance and advocacy includes crisis
20 intervention, individual and group support, information and
21 referrals, and safety assessment and planning. Domestic violence
22 assistance and advocacy may also include, but is not limited to:
23 Provision of shelter, emergency transportation, self-help services,
24 culturally specific services, legal advocacy, economic advocacy,
25 community education, primary and secondary prevention efforts, and
26 accompaniment and advocacy through medical, legal, immigration, human
27 services, and financial assistance systems. Domestic violence
28 programs that are under the auspices of, or the direct supervision
29 of, a court, law enforcement or prosecution agency, or the child
30 protective services section of the department as defined in RCW
31 26.44.020, are not considered community-based domestic violence
32 programs.

33 (11) "Emergency shelter" means a place of supportive services and
34 safe, temporary lodging offered on a twenty-four hour, seven-day per
35 week basis to victims of domestic violence and their children.

36 (12) "Domestic violence coalition" means a statewide nonprofit
37 domestic violence organization that has a membership that includes
38 the majority of the primary purpose, community-based domestic
39 violence programs in the state, has board membership that is
40 representative of community-based, primary purpose domestic violence

1 programs, and has as its purpose to provide education, support, and
2 technical assistance to such community-based, primary purpose
3 domestic violence programs and to assist the programs in providing
4 shelter, advocacy, supportive services, and prevention efforts for
5 victims of domestic violence and dating violence and their
6 dependents.

7 **Sec. 3.** RCW 70.123.030 and 2005 c 374 s 4 are each amended to
8 read as follows:

9 The department of social and health services, in consultation
10 with ~~((the state department of health, and individuals or groups~~
11 ~~having experience and knowledge of the problems of victims of~~
12 ~~domestic violence))~~ relevant state departments, the domestic violence
13 coalition, and individuals or groups having experience and knowledge
14 of the prevention of, and the problems facing victims of domestic
15 violence, including those with experience providing culturally
16 appropriate services to populations that have traditionally been
17 underserved or unserved, shall:

18 (1) Develop and maintain a plan for delivering domestic violence
19 victim services, prevention efforts, and access to emergency shelter
20 across the state. In developing the plan under this section, the
21 department shall consider the distribution of community-based
22 domestic violence programs and emergency shelter programs in a
23 particular geographic area, population density, and specific
24 population needs, including the needs in rural and urban areas, the
25 availability and existence of domestic violence outreach and
26 prevention activities, and the need for culturally and linguistically
27 appropriate services. The department shall also develop and maintain
28 a plan for providing a statewide toll-free information and referral
29 hotline or other statewide accessible information and referral
30 service for victims of domestic violence;

31 (2) Establish minimum standards for ~~((shelters))~~ community-based
32 domestic violence programs, emergency shelter programs, programs
33 providing culturally or linguistically specific services, programs
34 providing prevention and intervention services to children or youth,
35 and programs conducting domestic violence outreach and prevention
36 activities applying for grants from the department under this
37 chapter~~((. Classifications may be made dependent upon size,~~
38 ~~geographic location, and population needs))~~;

1 ~~((2))~~ (3) Receive grant applications for the development and
2 establishment of ~~((shelters for victims of domestic violence))~~
3 community-based domestic violence programs, emergency shelter
4 programs, and culturally or linguistically specific services for
5 victims of domestic violence, programs providing prevention and
6 intervention services to children who have been exposed to domestic
7 violence or youth who have been victims of dating violence, and
8 programs conducting domestic violence outreach and prevention
9 activities;

10 ~~((3))~~ (4) Distribute funds~~((, within forty five days after~~
11 ~~approval,))~~ to those ~~((shelters))~~ community-based domestic violence
12 programs, emergency shelter programs, programs providing culturally
13 or linguistically specific services, programs providing prevention
14 and intervention services to children or youth, and programs
15 conducting domestic violence outreach and prevention activities
16 meeting departmental standards;

17 ~~((4))~~ (5) Evaluate biennially each ~~((shelter))~~ community-based
18 domestic violence program, emergency shelter program, program
19 providing culturally or linguistically specific services, program
20 providing prevention and intervention services to children or youth,
21 and program conducting domestic violence outreach and prevention
22 activities receiving departmental funds for compliance with the
23 established minimum standards;

24 ~~((5))~~ (6) Review the minimum standards each biennium to ensure
25 applicability to community and client needs; ~~((and~~

26 ~~(6))~~ (7) Administer funds available from the domestic violence
27 prevention account under RCW 70.123.150 ~~((and establish minimum~~
28 ~~standards for preventive, nonshelter community-based services~~
29 ~~receiving funds administered by the department. Preventive,~~
30 ~~nonshelter community-based services include services for victims of~~
31 ~~domestic violence from communities that have been traditionally~~
32 ~~underserved or unserved and services for children who have witnessed~~
33 ~~domestic violence))~~ to provide for:

34 (a) Culturally specific prevention efforts and culturally
35 appropriate community-based domestic violence services for victims of
36 domestic violence from populations that have been traditionally
37 underserved or unserved;

38 (b) Age appropriate prevention and intervention services for
39 children who have been exposed to domestic violence or youth who have
40 been victims of dating violence; and

1 (c) Outreach and education efforts by community-based domestic
2 violence programs designed to increase public awareness about, and
3 primary and secondary prevention of, domestic and dating violence;
4 and

5 (8) Receive applications from, and award grants or issue
6 contracts to, eligible nonprofit groups or organizations with
7 experience and expertise in the field of domestic violence and a
8 statewide perspective for:

9 (a) Providing resources, ongoing training opportunities, and
10 technical assistance relating to domestic violence for community-
11 based domestic violence programs across the state to develop
12 effective means for preventing domestic violence and providing
13 effective and supportive services and interventions for victims of
14 domestic violence;

15 (b) Providing resource information, technical assistance, and
16 collaborating to develop model policies and protocols to improve the
17 capacity of individuals, governmental entities, and communities to
18 prevent domestic violence and to provide effective, supportive
19 services and interventions to address domestic violence; and

20 (c) Providing opportunities to persons working in the area of
21 domestic violence to exchange information and resources.

22 **Sec. 4.** RCW 70.123.040 and 2006 c 259 s 3 are each amended to
23 read as follows:

24 (1) The department shall establish minimum standards that ensure
25 that community-based domestic violence programs provide client-
26 centered advocacy and services designed to enhance immediate and
27 longer term safety, victim autonomy, and security by means such as,
28 but not limited to, safety assessment and planning, information and
29 referral, legal advocacy, culturally and linguistically appropriate
30 services, access to shelter, and client confidentiality.

31 (2) Minimum standards established by the department under RCW
32 70.123.030 shall ensure that ~~emergency~~ shelter(~~s~~) ~~programs~~
33 receiving grants under this chapter provide services meeting basic
34 survival needs, where not provided by other means, such as, but not
35 limited to, food, clothing, housing, (~~safety,~~) ~~emergency~~
36 transportation, child care assistance, safety assessment and
37 planning, and security(~~, client advocacy, client confidentiality,~~
38 and ~~counseling~~)). ~~Emergency shelters receiving grants under this~~
39 chapter shall also provide client-centered advocacy and services

1 designed to enhance client autonomy, client confidentiality, and
2 immediate and longer term safety. These services shall be problem-
3 oriented and designed to provide necessary assistance to the victims
4 of domestic violence and their children.

5 ~~((2) The department shall establish minimum standards that~~
6 ~~ensure that nonshelter community-based services for victims of~~
7 ~~domestic violence funded under RCW 70.123.150 provide services~~
8 ~~designed to enhance safety and security by means such as, but not~~
9 ~~limited to, client advocacy, client confidentiality, and~~
10 ~~counseling.))~~

11 (3) In establishing minimum standards for programs providing
12 culturally relevant prevention efforts and culturally appropriate
13 services, priority for funding must be given to agencies or
14 organizations that have a demonstrated history and expertise of
15 serving domestic violence victims from the relevant populations that
16 have traditionally been underserved or unserved.

17 (4) In establishing minimum standards for age appropriate
18 prevention and intervention services for children who have been
19 exposed to domestic violence, or youth who have been victims of
20 dating violence, priority for funding must be given to programs with
21 a documented history of effective work in providing advocacy and
22 services to victims of domestic violence or dating violence, or an
23 agency with a demonstrated history of effective work with children
24 and youth partnered with a domestic violence program.

25 **Sec. 5.** RCW 70.123.070 and 1979 ex.s. c 245 s 7 are each amended
26 to read as follows:

27 ~~((Shelters))~~ (1) Community-based domestic violence programs
28 receiving state funds under this chapter shall:

29 (a) Provide a location to assist victims of domestic violence who
30 have a need for community advocacy or support services;

31 (b) Make available confidential services, advocacy, and
32 prevention programs to victims of domestic violence and to their
33 children within available resources;

34 (c) Require that persons employed by or volunteering services for
35 a community-based domestic violence program protect the
36 confidentiality and privacy of domestic violence victims and their
37 families in accordance with this chapter and RCW 5.60.060(8);

38 (d) Recruit, to the extent feasible, persons who are former
39 victims of domestic violence to work as volunteers or staff

1 personnel. An effort shall also be made to recruit staff and
2 volunteers from relevant communities to provide culturally and
3 linguistically appropriate services;

4 (e) Ensure that all employees or volunteers providing
5 intervention or prevention programming to domestic violence victims
6 or their children have completed or will complete sufficient training
7 in connection with domestic violence; and

8 (f) Refrain from engaging in activities that compromise the
9 safety of victims or their children.

10 (2) Emergency shelter programs receiving state funds under this
11 chapter shall:

12 ~~((1) Make available))~~ (a) Provide intake for and access to safe
13 shelter services to any person who is a victim of domestic violence
14 and to that person's children, within available resources. Priority
15 for emergency shelter shall be made for victims who are in immediate
16 risk of harm or imminent danger from domestic violence;

17 ~~((2) Encourage victims, with the financial means to do so, to~~
18 ~~reimburse the shelter for the services provided;~~

19 ~~(3))~~ (b) Require that persons employed by or volunteering
20 services for an emergency shelter protect the confidentiality and
21 privacy of domestic violence victims and their families in accordance
22 with this chapter and RCW 5.60.060(8);

23 (c) Recruit, to the extent feasible, persons who are former
24 victims of domestic violence to work as volunteers or staff
25 personnel. An effort shall also be made to (~~provide bilingual~~
26 ~~services)) recruit staff and volunteers from relevant communities to
27 provide culturally and linguistically appropriate services;~~

28 ~~((4) Provide prevention and treatment programs to victims of~~
29 ~~domestic violence, their children and, where possible, the abuser;~~

30 ~~(5) Provide a day program or drop-in center to assist victims of~~
31 ~~domestic violence who have found other shelter but who have a need~~
32 ~~for support services.))~~ (d) Ensure that all employees or volunteers
33 providing intervention or prevention programming to domestic violence
34 victims or their children have completed or will complete sufficient
35 training in connection with domestic violence; and

36 (e) Refrain from engaging in activities that compromise the
37 safety of victims or their children.

38 **Sec. 6.** RCW 70.123.075 and 1994 c 233 s 1 are each amended to
39 read as follows:

1 (1) Client records maintained by domestic violence programs shall
2 not be subject to discovery in any judicial proceeding unless:

3 (a) A written pretrial motion is made to a court stating that
4 discovery is requested of the client's domestic violence records;

5 (b) The written motion is accompanied by an affidavit or
6 affidavits setting forth specifically the reasons why discovery is
7 requested of the domestic violence program's records;

8 (c) The court reviews the domestic violence program's records in
9 camera to determine whether the domestic violence program's records
10 are relevant and whether the probative value of the records is
11 outweighed by the victim's privacy interest in the confidentiality of
12 such records, taking into account the further trauma that may be
13 inflicted upon the victim or the victim's children by the disclosure
14 of the records; and

15 (d) The court enters an order stating whether the records or any
16 part of the records are discoverable and setting forth the basis for
17 the court's findings. The court shall further order that the parties
18 are prohibited from further dissemination of the records or parts of
19 the records that are discoverable, and that any portion of any
20 domestic violence program records included in the court file be
21 sealed.

22 (2) For purposes of this section, "domestic violence program"
23 means a program that provides shelter, advocacy, or counseling
24 services for domestic violence victims.

25 (3) Disclosure of domestic violence program records is not a
26 waiver of the victim's rights or privileges under statutes, rules of
27 evidence, or common law.

28 (4) If disclosure of a victim's records is required by court
29 order, the domestic violence program shall make reasonable attempts
30 to provide notice to the recipient affected by the disclosure, and
31 shall take steps necessary to protect the privacy and safety of the
32 persons affected by the disclosure of the information.

33 **Sec. 7.** RCW 70.123.080 and 1979 ex.s. c 245 s 8 are each amended
34 to read as follows:

35 The department shall consult in all phases with key stakeholders
36 in the implementation of this chapter, including relevant state
37 departments, the domestic violence coalition, individuals or groups
38 who have experience providing culturally appropriate services to
39 populations that have traditionally been underserved or unserved, and

1 other persons and organizations having experience and expertise in
2 the field of domestic violence.

3 **Sec. 8.** RCW 70.123.090 and 1979 ex.s. c 245 s 9 are each amended
4 to read as follows:

5 The department is authorized, under this chapter and the rules
6 adopted to effectuate its purposes, to make available grants awarded
7 on a contract basis to public or private nonprofit agencies,
8 organizations, or individuals providing community-based domestic
9 violence services, emergency shelter services, domestic violence
10 hotline or information and referral services, and prevention efforts
11 meeting minimum standards established by the department.
12 Consideration as to need, geographic location, population ratios, the
13 needs of specific underserved and cultural populations, and the
14 extent of existing services shall be made in the award of grants. The
15 department shall provide (~~technical assistance~~) consultation to any
16 nonprofit organization desiring to apply for the contracts if the
17 organization does not possess the resources and expertise necessary
18 to develop and transmit an application without assistance.

19 **Sec. 9.** RCW 70.123.110 and 2011 1st sp.s. c 36 s 16 are each
20 amended to read as follows:

21 Aged, blind, or disabled assistance benefits, essential needs and
22 housing support benefits, pregnant women assistance benefits, or
23 temporary assistance for needy families payments shall be made to
24 otherwise eligible individuals who are residing in a secure shelter,
25 a housing network, an emergency shelter, or other shelter facility
26 which provides shelter services to persons who are victims of
27 domestic violence. Provisions shall be made by the department for the
28 confidentiality of the shelter addresses where victims are residing.

29 **Sec. 10.** RCW 70.123.150 and 2005 c 374 s 3 are each amended to
30 read as follows:

31 The domestic violence prevention account is created in the state
32 treasury. All receipts from fees imposed for deposit in the domestic
33 violence prevention account under RCW 36.18.016 must be deposited
34 into the account. Moneys in the account may be spent only after
35 appropriation. Expenditures from the account may be used only for
36 funding (~~nonshelter community-based services for victims of domestic~~
37 ~~violence~~) the following:

1 (1) Culturally specific prevention efforts and culturally
2 appropriate community-based domestic violence services for victims of
3 domestic violence from populations that have been traditionally
4 underserved or unserved;

5 (2) Age appropriate prevention and intervention services for
6 children who have been exposed to domestic violence or youth who have
7 been victims of dating violence; and

8 (3) Outreach and education efforts by community-based domestic
9 violence programs designed to increase public awareness about, and
10 primary and secondary prevention of, domestic and dating violence.

11 NEW SECTION. Sec. 11. A new section is added to chapter 70.123
12 RCW to read as follows:

13 The Washington institute for public policy shall review
14 community-based domestic violence victims' services nationwide and
15 determine which programs are the most effective and most efficient in
16 improving the capacity of individuals, governmental entities, and
17 communities to provide effective, supportive services and
18 interventions to address domestic and dating violence from the
19 victims' perspective. Victims' services include culturally,
20 linguistically, and geographically relevant programs, as well as
21 outreach and awareness programs that include children and youth. The
22 institute shall review what services and programs are currently
23 available in Washington and determine whether there is a gap in
24 services and what services, if any, are needed. The institute shall
25 report on models that can be replicated in Washington state, provide
26 the estimated cost for such programs, and describe funding sources
27 proven effective in other states. The institute may consult with the
28 department and existing domestic violence victims' services in
29 Washington state. A report of the institute's findings shall be
30 provided to the legislature by December 31, 2015.

31 **Sec. 12.** RCW 36.18.016 and 2009 c 417 s 2 are each amended to
32 read as follows:

33 (1) Revenue collected under this section is not subject to
34 division under RCW 36.18.025 or 27.24.070.

35 (2)(a) For the filing of a petition for modification of a decree
36 of dissolution or paternity, within the same case as the original
37 action, and any party filing a counterclaim, cross-claim, or third-

1 party claim in any such action, a fee of thirty-six dollars must be
2 paid.

3 (b) The party filing the first or initial petition for
4 dissolution, legal separation, or declaration concerning the validity
5 of marriage shall pay, at the time and in addition to the filing fee
6 required under RCW 36.18.020, a fee of thirty dollars. The clerk of
7 the superior court shall transmit monthly twenty-four dollars of the
8 thirty dollar fee collected under this subsection to the state
9 treasury for deposit in the domestic violence prevention account. The
10 remaining six dollars shall be retained by the county for the purpose
11 of supporting community-based domestic violence services within the
12 county (~~for victims of domestic violence~~), except for five percent
13 of the six dollars, which may be retained by the court for
14 administrative purposes. Moneys retained by the county under this
15 subsection may be used to supplement, not supplant, other federal
16 state, and local funds for community-based domestic violence
17 services. In any county where the remaining six dollars have not been
18 allocated for community-based domestic violence program services
19 within six months of collection, the county shall transmit such funds
20 to the state treasury for deposit in the domestic violence prevention
21 account. Until June 30, 2020, an additional fee of fifteen dollars
22 shall be collected under this subsection. The clerk of the superior
23 court shall transmit monthly the fees collected under this subsection
24 to the state treasury for deposit in the domestic violence prevention
25 account.

26 (3)(a) The party making a demand for a jury of six in a civil
27 action shall pay, at the time, a fee of one hundred twenty-five
28 dollars; if the demand is for a jury of twelve, a fee of two hundred
29 fifty dollars. If, after the party demands a jury of six and pays the
30 required fee, any other party to the action requests a jury of
31 twelve, an additional one hundred twenty-five dollar fee will be
32 required of the party demanding the increased number of jurors.

33 (b) Upon conviction in criminal cases a jury demand charge of one
34 hundred twenty-five dollars for a jury of six, or two hundred fifty
35 dollars for a jury of twelve may be imposed as costs under RCW
36 10.46.190.

37 (4) For preparing a certified copy of an instrument on file or of
38 record in the clerk's office, for the first page or portion of the
39 first page, a fee of five dollars, and for each additional page or
40 portion of a page, a fee of one dollar must be charged. For

1 authenticating or exemplifying an instrument, a fee of two dollars
2 for each additional seal affixed must be charged. For preparing a
3 copy of an instrument on file or of record in the clerk's office
4 without a seal, a fee of fifty cents per page must be charged. When
5 copying a document without a seal or file that is in an electronic
6 format, a fee of twenty-five cents per page must be charged. For
7 copies made on a compact disc, an additional fee of twenty dollars
8 for each compact disc must be charged.

9 (5) For executing a certificate, with or without a seal, a fee of
10 two dollars must be charged.

11 (6) For a garnishee defendant named in an affidavit for
12 garnishment and for a writ of attachment, a fee of twenty dollars
13 must be charged.

14 (7) For filing a supplemental proceeding, a fee of twenty dollars
15 must be charged.

16 (8) For approving a bond, including justification on the bond, in
17 other than civil actions and probate proceedings, a fee of two
18 dollars must be charged.

19 (9) For the issuance of a certificate of qualification and a
20 certified copy of letters of administration, letters testamentary, or
21 letters of guardianship, there must be a fee of five dollars.

22 (10) For the preparation of a passport application, the clerk may
23 collect an execution fee as authorized by the federal government.

24 (11) For clerk's services such as performing historical searches,
25 compiling statistical reports, and conducting exceptional record
26 searches, the clerk may collect a fee not to exceed thirty dollars
27 per hour.

28 (12) For processing ex parte orders, the clerk may collect a fee
29 of thirty dollars.

30 (13) For duplicated recordings of court's proceedings there must
31 be a fee of ten dollars for each audio tape and twenty-five dollars
32 for each video tape or other electronic storage medium.

33 (14) For registration of land titles, Torrens Act, under RCW
34 65.12.780, a fee of twenty dollars must be charged.

35 (15) For the issuance of extension of judgment under RCW 6.17.020
36 and chapter 9.94A RCW, a fee of two hundred dollars must be charged.
37 When the extension of judgment is at the request of the clerk, the
38 two hundred dollar charge may be imposed as court costs under RCW
39 10.46.190.

1 (16) A facilitator surcharge of up to twenty dollars must be
2 charged as authorized under RCW 26.12.240.

3 (17) For filing (~~a water rights statement~~) an adjudication
4 claim under RCW 90.03.180, a fee of twenty-five dollars must be
5 charged.

6 (18) For filing a claim of frivolous lien under RCW 60.04.081, a
7 fee of thirty-five dollars must be charged.

8 (19) For preparation of a change of venue, a fee of twenty
9 dollars must be charged by the originating court in addition to the
10 per page charges in subsection (4) of this section.

11 (20) A service fee of five dollars for the first page and one
12 dollar for each additional page must be charged for receiving faxed
13 documents, pursuant to Washington state rules of court, general rule
14 17.

15 (21) For preparation of clerk's papers under RAP 9.7, a fee of
16 fifty cents per page must be charged.

17 (22) For copies and reports produced at the local level as
18 permitted by RCW 2.68.020 and supreme court policy, a variable fee
19 must be charged.

20 (23) Investment service charge and earnings under RCW 36.48.090
21 must be charged.

22 (24) Costs for nonstatutory services rendered by clerk by
23 authority of local ordinance or policy must be charged.

24 (25) For filing a request for mandatory arbitration, a filing fee
25 may be assessed against the party filing a statement of arbitrability
26 not to exceed two hundred twenty dollars as established by authority
27 of local ordinance. This charge shall be used solely to offset the
28 cost of the mandatory arbitration program.

29 (26) For filing a request for trial de novo of an arbitration
30 award, a fee not to exceed two hundred fifty dollars as established
31 by authority of local ordinance must be charged.

32 (27) A public agency may not charge a fee to a law enforcement
33 agency, for preparation, copying, or mailing of certified copies of
34 the judgment and sentence, information, affidavit of probable cause,
35 and/or the notice of requirement to register, of a sex offender
36 convicted in a Washington court, when such records are necessary for
37 risk assessment, preparation of a case for failure to register, or
38 maintenance of a sex offender's registration file.

39 (28) For the filing of a will or codicil under the provisions of
40 chapter 11.12 RCW, a fee of twenty dollars must be charged.

1 (29) For the collection of unpaid legal financial obligations,
2 the clerk may impose an annual fee of up to one hundred dollars,
3 pursuant to RCW 9.94A.780.

4 (30) A surcharge of up to twenty dollars may be charged in
5 dissolution and legal separation actions as authorized by RCW
6 26.12.260.

7 The revenue to counties from the fees established in this section
8 shall be deemed to be complete reimbursement from the state for the
9 state's share of benefits paid to the superior court judges of the
10 state prior to July 24, 2005, and no claim shall lie against the
11 state for such benefits.

12 **Sec. 13.** RCW 43.235.020 and 2011 c 105 s 1 are each amended to
13 read as follows:

14 (1) The department is authorized, subject to the availability of
15 state funds, ((the department shall contract with)) to make available
16 grants awarded on a contract basis to an entity with expertise in
17 domestic violence policy and education and with a statewide
18 perspective to gather and maintain data relating to and coordinate
19 review of domestic violence fatalities.

20 (2) The coordinating entity shall be authorized to:

21 (a) Convene regional review panels;

22 (b) Convene statewide issue-specific review panels;

23 (c) Gather information for use of regional or statewide issue-
24 specific review panels;

25 (d) Provide training and technical assistance to regional or
26 statewide issue-specific review panels;

27 (e) Compile information and issue reports with recommendations;
28 and

29 (f) Establish a protocol that may be used as a guideline for
30 identifying domestic violence related fatalities, forming review
31 panels, convening reviews, and selecting which cases to review. The
32 coordinating entity may also establish protocols for data collection
33 and preservation of confidentiality.

34 ((+2)) (3)(a) The coordinating entity may convene a regional or
35 statewide issue-specific domestic violence fatality review panel to
36 review any domestic violence fatality.

37 (b) Private citizens may request a review of a particular death
38 by submitting a written request to the coordinating entity within two
39 years of the death. Of these, the appropriate regional review panel

1 may review those cases which fit the criteria set forth in the
2 protocol for the project.

3 **Sec. 14.** RCW 43.235.040 and 2012 c 223 s 6 are each amended to
4 read as follows:

5 (1) An oral or written communication or a document shared with
6 the coordinating entity or within or produced by a domestic violence
7 fatality review panel related to a domestic violence fatality review
8 is confidential and not subject to disclosure or discoverable by a
9 third party. An oral or written communication or a document provided
10 by a third party to the coordinating entity or a domestic violence
11 fatality review panel, or between a third party and a domestic
12 violence fatality review panel, related to a domestic violence
13 fatality review is confidential and not subject to disclosure or
14 discovery by a third party. Notwithstanding the foregoing,
15 recommendations from the domestic violence fatality review panel and
16 the coordinating entity generally may be disclosed minus personal
17 identifiers.

18 (2) The coordinating entity and review panels, only to the extent
19 otherwise permitted by law or court rule, shall have access to
20 information and records regarding the domestic violence victims and
21 perpetrators under review held by domestic violence perpetrators'
22 treatment providers; dental care providers; hospitals, medical
23 providers, and pathologists; coroners and medical examiners; mental
24 health providers; lawyers; the state and local governments; the
25 courts; and employers. The coordinating entity and the review panels
26 shall maintain the confidentiality of such information to the extent
27 required by any applicable law.

28 (3) The coordinating entity or review panels shall review, only
29 to the extent otherwise permitted by law or court rule when
30 determined to be relevant and necessary to an investigation, guardian
31 ad litem reports, parenting evaluations, and victim impact
32 statements; probation information; mental health evaluations done for
33 court; presentence interviews and reports, and any recommendations
34 made regarding bail and release on own recognizance; child protection
35 services, welfare, and other information held by the department; any
36 law enforcement incident documentation, such as incident reports,
37 dispatch records, victim, witness, and suspect statements, and any
38 supplemental reports, probable cause statements, and 911 call taker's
39 reports; corrections and postsentence supervision reports; and any

1 other information determined to be relevant to the review. The
2 coordinating entity and the review panels shall maintain the
3 confidentiality of such information to the extent required by any
4 applicable law.

5 NEW SECTION. **Sec. 15.** The following acts or parts of acts, as
6 now or hereafter amended, are each repealed, effective July 1, 2016:

7 (1) RCW 70.123.050 (Contracts with nonprofit organizations—
8 Purposes) and 1979 ex.s. c 245 s 5; and

9 (2) RCW 70.123.130 (Technical assistance grant program—Local
10 communities) and 1991 c 301 s 11.

11 NEW SECTION. **Sec. 16.** If specific funding for the purposes of
12 section 11 of this act, referencing section 11 of this act by bill or
13 chapter number and section number, is not provided by June 30, 2015,
14 in the omnibus appropriations act, section 11 of this act is null and
15 void.

16 NEW SECTION. **Sec. 17.** Sections 1 through 9 and 12 through 14 of
17 this act take effect July 1, 2016.

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