

SENATE BILL REPORT

SB 6167

As Passed Senate, February 7, 1996

Title: An act relating to jurisdiction of petitions for dissolution of marriage.

Brief Description: Revising requirements for filing petitions for dissolution of marriage.

Sponsors: Senators Smith, Johnson, Newhouse and Winsley.

Brief History:

Committee Activity: Law & Justice: 1/18/96, 1/24/96 [DP].
Passed Senate, 2/7/96, 49-0.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Smith, Chair; Fairley, Vice Chair; Goings, Hargrove, Haugen, Johnson, Long, McCaslin, Roach and Schow.

Staff: Dick Armstrong (786-7460)

Background: Superior courts only have jurisdiction to hear divorce cases for a person who is a resident of Washington or who is a member of the armed forces and stationed in this state. Occasionally, a spouse who intends to obtain a divorce and who has been a resident of Washington finds it necessary to move to another state (i.e., to escape from an abusive spouse or to obtain work).

Washington statutes do not presently allow a person married to a Washington resident but living in another state to file for divorce in Washington, even though Washington may be the state which is most convenient or appropriate to decide all issues of the divorce, particularly child custody issues.

Summary of Bill: Superior courts are given jurisdiction to hear divorce cases if the petitioner is a nonresident spouse who is married (1) to a resident of this state or (2) to a member of the armed forces who is stationed in this state.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Persons living in border counties who move to another state are not able to get a divorce in Washington. This is an inefficient use of court time, since all child support or child custody issues may have to be heard in Washington where the children have been living.

Testimony Against: None.

Testified: Howard Marshack, WSBA (pro).