
HOUSE BILL 1205

State of Washington

68th Legislature

2023 Regular Session

By Representatives Taylor, Reed, and Senn

Read first time 01/10/23. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to responsibility for providing service by
2 publication of a summons or notice in dependency and termination of
3 parental rights cases; and amending RCW 13.34.080.

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

5 **Sec. 1.** RCW 13.34.080 and 2000 c 122 s 9 are each amended to
6 read as follows:

7 (1) The court shall direct the (~~clerk~~) petitioner to publish
8 notice in a legal newspaper (~~printed in the county, qualified to~~
9 ~~publish summons~~), as described under RCW 65.16.020, once a week for
10 three consecutive weeks, with the first publication of the notice to
11 be at least twenty-five days prior to the date fixed for the hearing
12 when it appears by the petition or verified statement that:

13 (a) (i) The parent or guardian is a nonresident of this state; or

14 (ii) The name or place of residence or whereabouts of the parent
15 or guardian is unknown; and

16 (b) After due diligence, the person attempting service of the
17 summons or notice provided for in RCW 13.34.070 has been unable to
18 make service, and a copy of the notice has been deposited in the post
19 office, postage prepaid, directed to such person at his or her last
20 known place of residence. If the parent, guardian, or legal custodian
21 is believed to be a resident of another state or a county other than

1 the county in which the petition has been filed, notice also shall be
2 published in the county in which the parent, guardian, or legal
3 custodian is believed to reside.

4 (2) Publication may proceed simultaneously with efforts to
5 provide service in person or by mail, when the court determines there
6 is reason to believe that service in person or by mail will not be
7 successful. Notice shall be directed to the parent, parents, or other
8 person claiming the right to the custody of the child, if their names
9 are known. If their names are unknown, the phrase "To whom it may
10 concern" shall be used, apply to, and be binding upon, those persons
11 whose names are unknown. The name of the court, the name of the child
12 (or children if of one family), the date of the filing of the
13 petition, the date of hearing, and the object of the proceeding in
14 general terms shall be set forth. There shall be filed with the clerk
15 an affidavit showing due publication of the notice. The cost of
16 publication shall be paid by the (~~county~~) petitioner at a rate not
17 greater than the rate paid for other legal notices. The publication
18 of notice shall be deemed equivalent to personal service upon all
19 persons, known or unknown, who have been designated as provided in
20 this section.

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