

SENATE BILL REPORT

SB 5028

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 15, 1991

Brief Description: Authorizing summary proceedings in trials relating to domestic relations.

SPONSORS: Senators Nelson and Talmadge.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5028 be substituted therefor, and the substitute bill do pass.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Erwin, Hayner, L. Kreidler, Madsen, Newhouse, Rasmussen, and A. Smith.

Staff: Richard Rodger (786-7461)

Hearing Dates: February 4, 1991; February 15, 1991

BACKGROUND:

Dissolution of marriage or legal separation cases which proceed to trial require the oral testimony of one or both parties. It has been suggested that many domestic relations cases are suitable for trial without the necessity of oral testimony.

SUMMARY:

State or local court rules may provide summary trial procedures for cases involving dissolution of marriage or legal separation. The summary procedures allow the court to conduct trials with evidence consisting of written statements and documentation submitted by the parties. The parties are not required to present oral testimony. The court issues a decision based on the written statements, documents, and oral arguments.

EFFECT OF PROPOSED SUBSTITUTE:

The parties must consent to the use of summary trial procedures.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR: None

TESTIMONY AGAINST: None

TESTIFIED: No one