

FINAL BILL REPORT

E2SSB 6347

PARTIAL VETO

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SYNOPSIS AS ENACTED

Brief Description: Making changes to the domestic violence statute.

SPONSORS: Senate Committee on Ways & Means (originally sponsored by Senators Nelson, A. Smith, Erwin, Madsen, Rinehart, Thorsness and von Reichbauer)

SENATE COMMITTEE ON LAW & JUSTICE

SENATE COMMITTEE ON WAYS & MEANS

HOUSE COMMITTEE ON JUDICIARY

HOUSE COMMITTEE ON APPROPRIATIONS

BACKGROUND:

The Domestic Violence Task Force created by the Legislature in 1990 issued its final report in June 1991. The report included recommendations that the Legislature mandate the use of simplified form protection orders, provide additional training for professionals who deal frequently with domestic violence, and require centralized statewide collection of domestic violence incidents. The task force also recommended that mutual protection orders be prohibited absent proper legal process.

The King County Human Services Roundtable along with members of the task force and other domestic violence groups have worked together to formulate a domestic violence bill addressing some of the task force recommendations. In addition, concern has been expressed about the high rates of violence in juvenile dating relationships and the need to make protection orders available in these circumstances.

SUMMARY:

The Legislature finds that domestic violence is a problem of immense proportions and is at the core of other major social problems. Domestic violence costs the state millions of dollars annually, and the crisis is growing.

By January 1, 1993, the Administrator for the Courts, in consultation with interested persons, is required to prepare standard petition and order forms to be used by all courts. After April 15, 1993, these forms must be used for all

petitions and orders. The Administrator shall also prepare instructions and informational brochures describing the protection order process and listing community resources. The instructions and informational brochures must be translated into five specified languages.

Orders for protection may not be granted except upon filing of a petition, notice to the other party, and a scheduled hearing on the petition. For purposes of the domestic violence statutes, "family or household members" include persons 16 years of age or older with whom a respondent 16 years of age or older has had a dating relationship and persons who have a biological or legal parent-child relationship. A juvenile who is 16 years of age or older may seek a protection order on his or her own behalf, but the court may appoint a guardian ad litem if it deems necessary.

Beginning January 1, 1993, all law enforcement agencies must submit records of incidents of domestic violence to the Washington Association of Sheriffs and Police Chiefs. A compilation of this data is required to be included in the annual report of crime produced by the association.

The Department of Social and Health Services, along with other agencies, is required to review and report on the current level of domestic violence education available to professions that deal with domestic violence. The analysis must include suggestions for achieving any needed additional education. The department is required to report its findings and recommendations to the House Judiciary Committee and the Senate Law and Justice Committee by September 1, 1992.

The sections of the act requiring standard forms and compilation of domestic violence incidents are contingent on funding being provided in the budget act.

VOTES ON FINAL PASSAGE:

Senate	49	0
House	98	0

EFFECTIVE: June 11, 1992

Partial Veto Summary: The veto strikes the section establishing deadlines for preparation, use and translation of domestic violence petition and order forms. The Administrator for the Courts is still required to prepare "standardized forms" to be made available through court clerks. The section requiring compilation of domestic violence incidents was also stricken. In addition, the null and void clause relating to these sections was vetoed. (See VETO MESSAGE)