

SENATE BILL REPORT

SHB 2979

As Reported By Senate Committee On:
Human Services & Corrections, February 23, 2006

Title: An act relating to addressing cultural upbringing in parenting plans.

Brief Description: Addressing cultural upbringing in parenting plans.

Sponsors: House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Hasegawa, Chase, Roberts and Santos).

Brief History: Passed House: 2/08/06, 97-1.

Committee Activity: Human Services & Corrections: 2/23/06 [DP, DNP, w/oRec].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member and McAuliffe.

Minority Report: Do not pass.

Signed by Senator Carrell.

Minority Report: That it be referred without recommendation.

Signed by Senator Brandland.

Staff: Indu Thomas (786-7536)

Background: Under Washington's dissolution of marriage and legal separation law, divorcing couples with children must establish a parenting plan. The parenting plan establishes the rights and responsibilities of each parent. Each plan must include: (1) a dispute resolution process for handling disagreements between the parents; (2) an allocation of decision-making authority to one or both parents for each child's education, health care, and religious training; and (3) a schedule of when each child is to reside with each parent.

A parenting plan must allocate decision-making authority to one or both parents in three areas: education, health care, and religious upbringing. Other areas of decision-making may also be included in the parenting plan. For example, some parenting plans contain a provision that there be joint decision-making for the child's extra-curricular activities that occur during both parties' parenting time.

Summary of Bill: This bill requires the court to consider the cultural heritage and religious beliefs of a child when establishing a parenting plan.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: This bill stems from a case that happened where an Asian mother was divorcing from a Caucasian father. Despite the benefits of exposure to new languages the judge in that case refused to permit the mother to enroll her child in a Japanese pre-school because the father objected. This bill requires the court to consider cultural heritage and balances the scale which has shifted completely away from considering other cultures.

Testimony Against: None.

Who Testified: PRO: Representative Hasegawa, prime sponsor.