

SSB 5631 - H COMM AMD

By Committee on Public Safety

ADOPTED 4/13/2015

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 70.123.010 and 1979 ex.s. c 245 s 1 are each
4 amended to read as follows:

5 (1) The legislature finds that domestic violence is an issue of
6 ((growing)) serious concern at all levels of society and government
7 and that there is a ((present and growing)) pressing need ((to
8 develop)) for innovative strategies to address and prevent domestic
9 violence and to strengthen services which will ameliorate and reduce
10 the trauma of domestic violence and enhance survivors' resiliency and
11 autonomy. ((Research findings show that domestic violence constitutes
12 a significant percentage of homicides, aggravated assaults, and
13 assaults and batteries in the United States. Domestic violence is a
14 disruptive influence on personal and community life and is often
15 interrelated with a number of other family problems and stresses.))

16 (2) The legislature finds that there are a wide range of
17 consequences to domestic violence, including deaths, injuries,
18 hospitalizations, homelessness, employment problems, property damage,
19 and lifelong physical and psychological impacts on victims and their
20 children. These impacts also affect victims' friends and families,
21 neighbors, employers, landlords, law enforcement, the courts, the
22 health care system, and Washington state and society as a whole.
23 Advocacy and shelters for victims of domestic violence are essential
24 to provide ((protection)) support to victims ((from)) in preventing
25 further abuse ((and physical harm)) and to help ((the victim find))
26 victims assess and plan for their immediate and longer term safety,
27 including finding long-range alternative living situations, if
28 requested. ((Shelters provide safety, refuge, advocacy, and helping
29 resources to victims who may not have access to such things if they
30 remain in abusive situations.

31 The legislature therefore recognizes the need for the statewide
32 development and expansion of shelters for victims of domestic
33 violence.))

1 (3) Thus, it is the intent of the legislature to:

2 (a) Provide for a statewide network of supportive services,
3 emergency shelter services, and advocacy for victims of domestic
4 violence and their dependents;

5 (b) Provide for culturally relevant and appropriate services for
6 victims of domestic violence and their children from populations that
7 have been traditionally unserved or underserved;

8 (c) Provide for a statewide domestic violence information and
9 referral resource;

10 (d) Assist communities in efforts to increase public awareness
11 about, and primary and secondary prevention of domestic violence;

12 (e) Provide for the collection, analysis, and dissemination of
13 current information related to emerging issues and model and
14 promising practices related to preventing and intervening in
15 situations involving domestic violence; and

16 (f) Provide for ongoing training and technical assistance for
17 individuals working with victims in community-based domestic violence
18 programs and other persons seeking such training and technical
19 assistance.

20 **Sec. 2.** RCW 70.123.020 and 2008 c 6 s 303 are each amended to
21 read as follows:

22 ~~((Unless the context clearly requires otherwise,))~~ The
23 definitions in this section apply throughout this chapter unless the
24 context clearly requires otherwise.

25 (1) "Shelter" means ~~((a place of temporary refuge, offered on a~~
26 ~~twenty four hour, seven day per week basis))~~ temporary lodging and
27 supportive services, offered by community-based domestic violence
28 programs to victims of domestic violence and their children.

29 (2) "Domestic violence" ~~((is))~~ means the infliction or threat of
30 physical harm against an intimate partner, and includes physical,
31 sexual, and psychological abuse against the partner, and is a part of
32 a pattern of assaultive, coercive, and controlling behaviors directed
33 at achieving compliance from or control over that intimate partner.
34 It may include, but is not limited to, a categorization of offenses,
35 as defined in RCW 10.99.020, committed by one ~~((cohabitant))~~ intimate
36 partner against another.

37 (3) "Department" means the department of social and health
38 services.

1 (4) "Victim" means (~~(a cohabitant)~~) an intimate partner who has
2 been subjected to domestic violence.

3 (5) "~~(Cohabitant)~~ Intimate partner" means a person who is or
4 was married, in a state registered domestic partnership, or
5 (~~(cohabiting with another person)~~) in an intimate or dating
6 relationship with another person at the present or at sometime in the
7 past. Any person who has one or more children in common with another
8 person, regardless of whether they have been married, in a domestic
9 partnership with each other, or lived together at any time, shall be
10 treated as (~~(a cohabitant)~~) an intimate partner.

11 (6) "Community advocate" means a person employed or supervised by
12 a (~~(local)~~) community-based domestic violence program who is trained
13 to provide ongoing assistance (~~(to)~~) and advocacy for victims of
14 domestic violence in assessing and planning for safety needs,
15 (~~(documenting the incidents and the extent of violence for possible~~
16 ~~use in the legal system,)~~) making appropriate social service, legal,
17 and housing referrals, (~~(and developing protocols and)~~) providing
18 community education, maintaining (~~(ongoing)~~) contacts necessary for
19 prevention efforts, and developing protocols for local systems
20 coordination.

21 (7) "Domestic violence program" means an agency (~~(that provides~~
22 ~~shelter, advocacy, and counseling for domestic violence victims in a~~
23 ~~supportive environment)~~), organization, or program with a primary
24 purpose and a history of effective work in providing advocacy, safety
25 assessment and planning, and self-help services for domestic violence
26 in a supportive environment, and includes, but is not limited to, a
27 community-based domestic violence program, emergency shelter, or
28 domestic violence transitional housing program.

29 (8) "Legal advocate" means a person employed by a domestic
30 violence program or court system to advocate for victims of domestic
31 violence, within the criminal and civil justice systems, by attending
32 court proceedings, assisting in document and case preparation, and
33 ensuring linkage with the community advocate.

34 (9) "Secretary" means the secretary of the department of social
35 and health services or the secretary's designee.

36 (10) "Community-based domestic violence program" means a
37 nonprofit program or organization that provides, as its primary
38 purpose, assistance and advocacy for domestic violence
39 victims. Domestic violence assistance and advocacy includes crisis
40 intervention, individual and group support, information and

1 referrals, and safety assessment and planning. Domestic violence
2 assistance and advocacy may also include, but is not limited to:
3 Provision of shelter, emergency transportation, self-help services,
4 culturally specific services, legal advocacy, economic advocacy,
5 community education, primary and secondary prevention efforts, and
6 accompaniment and advocacy through medical, legal, immigration, human
7 services, and financial assistance systems. Domestic violence
8 programs that are under the auspices of, or the direct supervision
9 of, a court, law enforcement or prosecution agency, or the child
10 protective services section of the department as defined in RCW
11 26.44.020, are not considered community-based domestic violence
12 programs.

13 (11) "Emergency shelter" means a place of supportive services and
14 safe, temporary lodging offered on a twenty-four hour, seven-day per
15 week basis to victims of domestic violence and their children.

16 (12) "Domestic violence coalition" means a statewide nonprofit
17 domestic violence organization that has a membership that includes
18 the majority of the primary purpose, community-based domestic
19 violence programs in the state, has board membership that is
20 representative of community-based, primary purpose domestic violence
21 programs, and has as its purpose to provide education, support, and
22 technical assistance to such community-based, primary purpose
23 domestic violence programs and to assist the programs in providing
24 shelter, advocacy, supportive services, and prevention efforts for
25 victims of domestic violence and dating violence and their
26 dependents.

27 **Sec. 3.** RCW 70.123.030 and 2005 c 374 s 4 are each amended to
28 read as follows:

29 The department of social and health services, in consultation
30 with (~~the state department of health, and individuals or groups~~
31 ~~having experience and knowledge of the problems of victims of~~
32 ~~domestic violence)) relevant state departments, the domestic violence
33 coalition, and individuals or groups having experience and knowledge
34 of the prevention of, and the problems facing victims of domestic
35 violence, including those with experience providing culturally
36 appropriate services to populations that have traditionally been
37 underserved or unserved, shall:~~

38 (1) Develop and maintain a plan for delivering domestic violence
39 victim services, prevention efforts, and access to emergency shelter

1 across the state. In developing the plan under this section, the
2 department shall consider the distribution of community-based
3 domestic violence programs and emergency shelter programs in a
4 particular geographic area, population density, and specific
5 population needs, including the needs in rural and urban areas, the
6 availability and existence of domestic violence outreach and
7 prevention activities, and the need for culturally and linguistically
8 appropriate services. The department shall also develop and maintain
9 a plan for providing a statewide toll-free information and referral
10 hotline or other statewide accessible information and referral
11 service for victims of domestic violence;

12 (2) Establish minimum standards for ((shelters)) community-based
13 domestic violence programs, emergency shelter programs, programs
14 providing culturally or linguistically specific services, programs
15 providing prevention and intervention services to children or youth,
16 and programs conducting domestic violence outreach and prevention
17 activities applying for grants from the department under this
18 chapter((. — Classifications may be made dependent upon size,
19 geographic location, and population needs));

20 ((+2)) (3) Receive grant applications for the development and
21 establishment of ((shelters for victims of domestic violence))
22 community-based domestic violence programs, emergency shelter
23 programs, and culturally or linguistically specific services for
24 victims of domestic violence, programs providing prevention and
25 intervention services to children who have been exposed to domestic
26 violence or youth who have been victims of dating violence, and
27 programs conducting domestic violence outreach and prevention
28 activities;

29 ((+3)) (4) Distribute funds((, within forty five days after
30 approval,)) to those ((shelters)) community-based domestic violence
31 programs, emergency shelter programs, programs providing culturally
32 or linguistically specific services, programs providing prevention
33 and intervention services to children or youth, and programs
34 conducting domestic violence outreach and prevention activities
35 meeting departmental standards;

36 ((+4)) (5) Evaluate biennially each ((shelter)) community-based
37 domestic violence program, emergency shelter program, program
38 providing culturally or linguistically specific services, program
39 providing prevention and intervention services to children or youth,
40 and program conducting domestic violence outreach and prevention

1 activities receiving departmental funds for compliance with the
2 established minimum standards;

3 ~~((+5))~~ (6) Review the minimum standards each biennium to ensure
4 applicability to community and client needs; ~~((and~~

5 ~~+6))~~ (7) Administer funds available from the domestic violence
6 prevention account under RCW 70.123.150 ~~((and establish minimum~~
7 ~~standards for preventive, nonshelter community-based services~~
8 ~~receiving funds administered by the department. Preventive,~~
9 ~~nonshelter community-based services include services for victims of~~
10 ~~domestic violence from communities that have been traditionally~~
11 ~~underserved or unserved and services for children who have witnessed~~
12 ~~domestic violence))~~ to provide for:

13 (a) Culturally specific prevention efforts and culturally
14 appropriate community-based domestic violence services for victims of
15 domestic violence from populations that have been traditionally
16 underserved or unserved;

17 (b) Age appropriate prevention and intervention services for
18 children who have been exposed to domestic violence or youth who have
19 been victims of dating violence; and

20 (c) Outreach and education efforts by community-based domestic
21 violence programs designed to increase public awareness about, and
22 primary and secondary prevention of, domestic and dating violence;
23 and

24 (8) Receive applications from, and award grants or issue
25 contracts to, eligible nonprofit groups or organizations with
26 experience and expertise in the field of domestic violence and a
27 statewide perspective for:

28 (a) Providing resources, ongoing training opportunities, and
29 technical assistance relating to domestic violence for community-
30 based domestic violence programs across the state to develop
31 effective means for preventing domestic violence and providing
32 effective and supportive services and interventions for victims of
33 domestic violence;

34 (b) Providing resource information, technical assistance, and
35 collaborating to develop model policies and protocols to improve the
36 capacity of individuals, governmental entities, and communities to
37 prevent domestic violence and to provide effective, supportive
38 services and interventions to address domestic violence; and

39 (c) Providing opportunities to persons working in the area of
40 domestic violence to exchange information and resources.

1 **Sec. 4.** RCW 70.123.040 and 2006 c 259 s 3 are each amended to
2 read as follows:

3 (1) The department shall establish minimum standards that ensure
4 that community-based domestic violence programs provide client-
5 centered advocacy and services designed to enhance immediate and
6 longer term safety, victim autonomy, and security by means such as,
7 but not limited to, safety assessment and planning, information and
8 referral, legal advocacy, culturally and linguistically appropriate
9 services, access to shelter, and client confidentiality.

10 (2) Minimum standards established by the department under RCW
11 70.123.030 shall ensure that emergency shelter((s)) programs
12 receiving grants under this chapter provide services meeting basic
13 survival needs, where not provided by other means, such as, but not
14 limited to, food, clothing, housing, ((safety,)) emergency
15 transportation, child care assistance, safety assessment and
16 planning, and security((, client advocacy, client confidentiality,
17 and counseling)). Emergency shelters receiving grants under this
18 chapter shall also provide client-centered advocacy and services
19 designed to enhance client autonomy, client confidentiality, and
20 immediate and longer term safety. These services shall be problem-
21 oriented and designed to provide necessary assistance to the victims
22 of domestic violence and their children.

23 ~~((2) The department shall establish minimum standards that~~
24 ~~ensure that nonshelter community-based services for victims of~~
25 ~~domestic violence funded under RCW 70.123.150 provide services~~
26 ~~designed to enhance safety and security by means such as, but not~~
27 ~~limited to, client advocacy, client confidentiality, and~~
28 ~~counseling.))~~

29 (3) In establishing minimum standards for programs providing
30 culturally relevant prevention efforts and culturally appropriate
31 services, priority for funding must be given to agencies or
32 organizations that have a demonstrated history and expertise of
33 serving domestic violence victims from the relevant populations that
34 have traditionally been underserved or unserved.

35 (4) In establishing minimum standards for age appropriate
36 prevention and intervention services for children who have been
37 exposed to domestic violence, or youth who have been victims of
38 dating violence, priority for funding must be given to programs with
39 a documented history of effective work in providing advocacy and
40 services to victims of domestic violence or dating violence, or an

1 agency with a demonstrated history of effective work with children
2 and youth partnered with a domestic violence program.

3 **Sec. 5.** RCW 70.123.070 and 1979 ex.s. c 245 s 7 are each amended
4 to read as follows:

5 ~~((Shelters))~~ (1) Community-based domestic violence programs
6 receiving state funds under this chapter shall:

7 (a) Provide a location to assist victims of domestic violence who
8 have a need for community advocacy or support services;

9 (b) Make available confidential services, advocacy, and
10 prevention programs to victims of domestic violence and to their
11 children within available resources;

12 (c) Require that persons employed by or volunteering services for
13 a community-based domestic violence program protect the
14 confidentiality and privacy of domestic violence victims and their
15 families in accordance with this chapter and RCW 5.60.060(8);

16 (d) Recruit, to the extent feasible, persons who are former
17 victims of domestic violence to work as volunteers or staff
18 personnel. An effort shall also be made to recruit staff and
19 volunteers from relevant communities to provide culturally and
20 linguistically appropriate services;

21 (e) Ensure that all employees or volunteers providing
22 intervention or prevention programming to domestic violence victims
23 or their children have completed or will complete sufficient training
24 in connection with domestic violence; and

25 (f) Refrain from engaging in activities that compromise the
26 safety of victims or their children.

27 (2) Emergency shelter programs receiving state funds under this
28 chapter shall:

29 ~~((1) Make available))~~ (a) Provide intake for and access to safe
30 shelter services to any person who is a victim of domestic violence
31 and to that person's children, within available resources. Priority
32 for emergency shelter shall be made for victims who are in immediate
33 risk of harm or imminent danger from domestic violence;

34 ~~((2) Encourage victims, with the financial means to do so, to~~
35 ~~reimburse the shelter for the services provided;~~

36 ~~(3))~~ (b) Require that persons employed by or volunteering
37 services for an emergency shelter protect the confidentiality and
38 privacy of domestic violence victims and their families in accordance
39 with this chapter and RCW 5.60.060(8);

1 (c) Recruit, to the extent feasible, persons who are former
2 victims of domestic violence to work as volunteers or staff
3 personnel. An effort shall also be made to (~~provide bilingual~~
4 ~~services~~) recruit staff and volunteers from relevant communities to
5 provide culturally and linguistically appropriate services;

6 (~~(4) Provide prevention and treatment programs to victims of~~
7 ~~domestic violence, their children and, where possible, the abuser;~~

8 ~~(5) Provide a day program or drop-in center to assist victims of~~
9 ~~domestic violence who have found other shelter but who have a need~~
10 ~~for support services.)) (d) Ensure that all employees or volunteers~~
11 providing intervention or prevention programming to domestic violence
12 victims or their children have completed or will complete sufficient
13 training in connection with domestic violence; and

14 (e) Refrain from engaging in activities that compromise the
15 safety of victims or their children.

16 **Sec. 6.** RCW 70.123.075 and 1994 c 233 s 1 are each amended to
17 read as follows:

18 (1) Client records maintained by domestic violence programs shall
19 not be subject to discovery in any judicial proceeding unless:

20 (a) A written pretrial motion is made to a court stating that
21 discovery is requested of the client's domestic violence records;

22 (b) The written motion is accompanied by an affidavit or
23 affidavits setting forth specifically the reasons why discovery is
24 requested of the domestic violence program's records;

25 (c) The court reviews the domestic violence program's records in
26 camera to determine whether the domestic violence program's records
27 are relevant and whether the probative value of the records is
28 outweighed by the victim's privacy interest in the confidentiality of
29 such records, taking into account the further trauma that may be
30 inflicted upon the victim or the victim's children by the disclosure
31 of the records; and

32 (d) The court enters an order stating whether the records or any
33 part of the records are discoverable and setting forth the basis for
34 the court's findings. The court shall further order that the parties
35 are prohibited from further dissemination of the records or parts of
36 the records that are discoverable, and that any portion of any
37 domestic violence program records included in the court file be
38 sealed.

1 (2) For purposes of this section, "domestic violence program"
2 means a program that provides shelter, advocacy, or counseling
3 services for domestic violence victims.

4 (3) Disclosure of domestic violence program records is not a
5 waiver of the victim's rights or privileges under statutes, rules of
6 evidence, or common law.

7 (4) If disclosure of a victim's records is required by court
8 order, the domestic violence program shall make reasonable attempts
9 to provide notice to the recipient affected by the disclosure, and
10 shall take steps necessary to protect the privacy and safety of the
11 persons affected by the disclosure of the information.

12 **Sec. 7.** RCW 70.123.080 and 1979 ex.s. c 245 s 8 are each amended
13 to read as follows:

14 The department shall consult in all phases with key stakeholders
15 in the implementation of this chapter, including relevant state
16 departments, the domestic violence coalition, individuals or groups
17 who have experience providing culturally appropriate services to
18 populations that have traditionally been underserved or unserved, and
19 other persons and organizations having experience and expertise in
20 the field of domestic violence.

21 **Sec. 8.** RCW 70.123.090 and 1979 ex.s. c 245 s 9 are each amended
22 to read as follows:

23 The department is authorized, under this chapter and the rules
24 adopted to effectuate its purposes, to make available grants awarded
25 on a contract basis to public or private nonprofit agencies,
26 organizations, or individuals providing community-based domestic
27 violence services, emergency shelter services, domestic violence
28 hotline or information and referral services, and prevention efforts
29 meeting minimum standards established by the department.
30 Consideration as to need, geographic location, population ratios, the
31 needs of specific underserved and cultural populations, and the
32 extent of existing services shall be made in the award of grants. The
33 department shall provide (~~technical assistance~~) consultation to any
34 nonprofit organization desiring to apply for the contracts if the
35 organization does not possess the resources and expertise necessary
36 to develop and transmit an application without assistance.

1 **Sec. 9.** RCW 70.123.110 and 2011 1st sp.s. c 36 s 16 are each
2 amended to read as follows:

3 Aged, blind, or disabled assistance benefits, essential needs and
4 housing support benefits, pregnant women assistance benefits, or
5 temporary assistance for needy families payments shall be made to
6 otherwise eligible individuals who are residing in a secure shelter,
7 a housing network, an emergency shelter, or other shelter facility
8 which provides shelter services to persons who are victims of
9 domestic violence. Provisions shall be made by the department for the
10 confidentiality of the shelter addresses where victims are residing.

11 **Sec. 10.** RCW 70.123.150 and 2005 c 374 s 3 are each amended to
12 read as follows:

13 The domestic violence prevention account is created in the state
14 treasury. All receipts from fees imposed for deposit in the domestic
15 violence prevention account under RCW 36.18.016 must be deposited
16 into the account. Moneys in the account may be spent only after
17 appropriation. Expenditures from the account may be used only for
18 funding (~~(nonshelter community-based services for victims of domestic~~
19 ~~violence)) the following:~~

20 (1) Culturally specific prevention efforts and culturally
21 appropriate community-based domestic violence services for victims of
22 domestic violence from populations that have been traditionally
23 underserved or unserved;

24 (2) Age appropriate prevention and intervention services for
25 children who have been exposed to domestic violence or youth who have
26 been victims of dating violence; and

27 (3) Outreach and education efforts by community-based domestic
28 violence programs designed to increase public awareness about, and
29 primary and secondary prevention of, domestic and dating violence.

30 **Sec. 11.** RCW 36.18.016 and 2009 c 417 s 2 are each amended to
31 read as follows:

32 (1) Revenue collected under this section is not subject to
33 division under RCW 36.18.025 or 27.24.070.

34 (2)(a) For the filing of a petition for modification of a decree
35 of dissolution or paternity, within the same case as the original
36 action, and any party filing a counterclaim, cross-claim, or third-
37 party claim in any such action, a fee of thirty-six dollars must be
38 paid.

1 (b) The party filing the first or initial petition for
2 dissolution, legal separation, or declaration concerning the validity
3 of marriage shall pay, at the time and in addition to the filing fee
4 required under RCW 36.18.020, a fee of (~~thirty~~) fifty-four dollars.
5 The clerk of the superior court shall transmit monthly (~~twenty-~~
6 ~~four~~) forty-eight dollars of the (~~thirty~~) fifty-four dollar fee
7 collected under this subsection to the state treasury for deposit in
8 the domestic violence prevention account. The remaining six dollars
9 shall be retained by the county for the purpose of supporting
10 community-based domestic violence services within the county (~~for~~
11 ~~victims of domestic violence~~), except for five percent of the six
12 dollars, which may be retained by the court for administrative
13 purposes. On or before December 15th of each year, the county shall
14 report to the department of social and health services revenues
15 associated with this section and community-based domestic violence
16 services expenditures. The department of social and health services
17 shall develop a reporting form to be utilized by counties for uniform
18 reporting purposes.

19 (3)(a) The party making a demand for a jury of six in a civil
20 action shall pay, at the time, a fee of one hundred twenty-five
21 dollars; if the demand is for a jury of twelve, a fee of two hundred
22 fifty dollars. If, after the party demands a jury of six and pays the
23 required fee, any other party to the action requests a jury of
24 twelve, an additional one hundred twenty-five dollar fee will be
25 required of the party demanding the increased number of jurors.

26 (b) Upon conviction in criminal cases a jury demand charge of one
27 hundred twenty-five dollars for a jury of six, or two hundred fifty
28 dollars for a jury of twelve may be imposed as costs under RCW
29 10.46.190.

30 (4) For preparing a certified copy of an instrument on file or of
31 record in the clerk's office, for the first page or portion of the
32 first page, a fee of five dollars, and for each additional page or
33 portion of a page, a fee of one dollar must be charged. For
34 authenticating or exemplifying an instrument, a fee of two dollars
35 for each additional seal affixed must be charged. For preparing a
36 copy of an instrument on file or of record in the clerk's office
37 without a seal, a fee of fifty cents per page must be charged. When
38 copying a document without a seal or file that is in an electronic
39 format, a fee of twenty-five cents per page must be charged. For

1 copies made on a compact disc, an additional fee of twenty dollars
2 for each compact disc must be charged.

3 (5) For executing a certificate, with or without a seal, a fee of
4 two dollars must be charged.

5 (6) For a garnishee defendant named in an affidavit for
6 garnishment and for a writ of attachment, a fee of twenty dollars
7 must be charged.

8 (7) For filing a supplemental proceeding, a fee of twenty dollars
9 must be charged.

10 (8) For approving a bond, including justification on the bond, in
11 other than civil actions and probate proceedings, a fee of two
12 dollars must be charged.

13 (9) For the issuance of a certificate of qualification and a
14 certified copy of letters of administration, letters testamentary, or
15 letters of guardianship, there must be a fee of five dollars.

16 (10) For the preparation of a passport application, the clerk may
17 collect an execution fee as authorized by the federal government.

18 (11) For clerk's services such as performing historical searches,
19 compiling statistical reports, and conducting exceptional record
20 searches, the clerk may collect a fee not to exceed thirty dollars
21 per hour.

22 (12) For processing ex parte orders, the clerk may collect a fee
23 of thirty dollars.

24 (13) For duplicated recordings of court's proceedings there must
25 be a fee of ten dollars for each audio tape and twenty-five dollars
26 for each video tape or other electronic storage medium.

27 (14) For registration of land titles, Torrens Act, under RCW
28 65.12.780, a fee of twenty dollars must be charged.

29 (15) For the issuance of extension of judgment under RCW 6.17.020
30 and chapter 9.94A RCW, a fee of two hundred dollars must be charged.
31 When the extension of judgment is at the request of the clerk, the
32 two hundred dollar charge may be imposed as court costs under RCW
33 10.46.190.

34 (16) A facilitator surcharge of up to twenty dollars must be
35 charged as authorized under RCW 26.12.240.

36 (17) For filing (~~(a water rights statement)~~) an adjudication
37 claim under RCW 90.03.180, a fee of twenty-five dollars must be
38 charged.

39 (18) For filing a claim of frivolous lien under RCW 60.04.081, a
40 fee of thirty-five dollars must be charged.

1 (19) For preparation of a change of venue, a fee of twenty
2 dollars must be charged by the originating court in addition to the
3 per page charges in subsection (4) of this section.

4 (20) A service fee of five dollars for the first page and one
5 dollar for each additional page must be charged for receiving faxed
6 documents, pursuant to Washington state rules of court, general rule
7 17.

8 (21) For preparation of clerk's papers under RAP 9.7, a fee of
9 fifty cents per page must be charged.

10 (22) For copies and reports produced at the local level as
11 permitted by RCW 2.68.020 and supreme court policy, a variable fee
12 must be charged.

13 (23) Investment service charge and earnings under RCW 36.48.090
14 must be charged.

15 (24) Costs for nonstatutory services rendered by clerk by
16 authority of local ordinance or policy must be charged.

17 (25) For filing a request for mandatory arbitration, a filing fee
18 may be assessed against the party filing a statement of arbitrability
19 not to exceed two hundred twenty dollars as established by authority
20 of local ordinance. This charge shall be used solely to offset the
21 cost of the mandatory arbitration program.

22 (26) For filing a request for trial de novo of an arbitration
23 award, a fee not to exceed two hundred fifty dollars as established
24 by authority of local ordinance must be charged.

25 (27) A public agency may not charge a fee to a law enforcement
26 agency, for preparation, copying, or mailing of certified copies of
27 the judgment and sentence, information, affidavit of probable cause,
28 and/or the notice of requirement to register, of a sex offender
29 convicted in a Washington court, when such records are necessary for
30 risk assessment, preparation of a case for failure to register, or
31 maintenance of a sex offender's registration file.

32 (28) For the filing of a will or codicil under the provisions of
33 chapter 11.12 RCW, a fee of twenty dollars must be charged.

34 (29) For the collection of unpaid legal financial obligations,
35 the clerk may impose an annual fee of up to one hundred dollars,
36 pursuant to RCW 9.94A.780.

37 (30) A surcharge of up to twenty dollars may be charged in
38 dissolution and legal separation actions as authorized by RCW
39 26.12.260.

1 The revenue to counties from the fees established in this section
2 shall be deemed to be complete reimbursement from the state for the
3 state's share of benefits paid to the superior court judges of the
4 state prior to July 24, 2005, and no claim shall lie against the
5 state for such benefits.

6 **Sec. 12.** RCW 43.235.020 and 2011 c 105 s 1 are each amended to
7 read as follows:

8 (1) The department is authorized, subject to the availability of
9 state funds, ((the department shall contract with)) to make available
10 grants awarded on a contract basis to an entity with expertise in
11 domestic violence policy and education and with a statewide
12 perspective to gather and maintain data relating to and coordinate
13 review of domestic violence fatalities.

14 (2) The coordinating entity shall be authorized to:

15 (a) Convene regional review panels;

16 (b) Convene statewide issue-specific review panels;

17 (c) Gather information for use of regional or statewide issue-
18 specific review panels;

19 (d) Provide training and technical assistance to regional or
20 statewide issue-specific review panels;

21 (e) Compile information and issue reports with recommendations;
22 and

23 (f) Establish a protocol that may be used as a guideline for
24 identifying domestic violence related fatalities, forming review
25 panels, convening reviews, and selecting which cases to review. The
26 coordinating entity may also establish protocols for data collection
27 and preservation of confidentiality.

28 ~~((+2))~~ (3)(a) The coordinating entity may convene a regional or
29 statewide issue-specific domestic violence fatality review panel to
30 review any domestic violence fatality.

31 (b) Private citizens may request a review of a particular death
32 by submitting a written request to the coordinating entity within two
33 years of the death. Of these, the appropriate regional review panel
34 may review those cases which fit the criteria set forth in the
35 protocol for the project.

36 **Sec. 13.** RCW 43.235.040 and 2012 c 223 s 6 are each amended to
37 read as follows:

1 (1) An oral or written communication or a document shared with
2 the coordinating entity or within or produced by a domestic violence
3 fatality review panel related to a domestic violence fatality review
4 is confidential and not subject to disclosure or discoverable by a
5 third party. An oral or written communication or a document provided
6 by a third party to the coordinating entity or a domestic violence
7 fatality review panel, or between a third party and a domestic
8 violence fatality review panel, related to a domestic violence
9 fatality review is confidential and not subject to disclosure or
10 discovery by a third party. Notwithstanding the foregoing,
11 recommendations from the domestic violence fatality review panel and
12 the coordinating entity generally may be disclosed minus personal
13 identifiers.

14 (2) The coordinating entity and review panels, only to the extent
15 otherwise permitted by law or court rule, shall have access to
16 information and records regarding the domestic violence victims and
17 perpetrators under review held by domestic violence perpetrators'
18 treatment providers; dental care providers; hospitals, medical
19 providers, and pathologists; coroners and medical examiners; mental
20 health providers; lawyers; the state and local governments; the
21 courts; and employers. The coordinating entity and the review panels
22 shall maintain the confidentiality of such information to the extent
23 required by any applicable law.

24 (3) The coordinating entity or review panels shall review, only
25 to the extent otherwise permitted by law or court rule when
26 determined to be relevant and necessary to an investigation, guardian
27 ad litem reports, parenting evaluations, and victim impact
28 statements; probation information; mental health evaluations done for
29 court; presentence interviews and reports, and any recommendations
30 made regarding bail and release on own recognizance; child protection
31 services, welfare, and other information held by the department; any
32 law enforcement incident documentation, such as incident reports,
33 dispatch records, victim, witness, and suspect statements, and any
34 supplemental reports, probable cause statements, and 911 call taker's
35 reports; corrections and postsentence supervision reports; and any
36 other information determined to be relevant to the review. The
37 coordinating entity and the review panels shall maintain the
38 confidentiality of such information to the extent required by any
39 applicable law.

1 **Sec. 14.** RCW 10.99.080 and 2004 c 15 s 2 are each amended to
2 read as follows:

3 (1) All superior courts, and courts organized under Title 3 or 35
4 RCW, may impose a penalty of one hundred dollars, plus an additional
5 fifteen dollars on any person convicted of a crime involving domestic
6 violence; in no case shall a penalty assessment ((not to)) exceed one
7 hundred fifteen dollars on any person convicted of a crime involving
8 domestic violence. The assessment shall be in addition to, and shall
9 not supersede, any other penalty, restitution, fines, or costs
10 provided by law.

11 (2) Revenue from the:

12 (a) One hundred dollar assessment shall be used solely for the
13 purposes of establishing and funding domestic violence advocacy and
14 domestic violence prevention and prosecution programs in the city or
15 county of the court imposing the assessment. Such revenue from the
16 assessment shall not be used for indigent criminal defense. If the
17 city or county does not have domestic violence advocacy or domestic
18 violence prevention and prosecution programs, cities and counties may
19 use the revenue collected from the assessment to contract with
20 recognized community-based domestic violence program providers.

21 (b) Fifteen dollar assessment must be remitted monthly to the
22 state treasury for deposit in the domestic violence prevention
23 account.

24 (3) The one hundred dollar assessment imposed under this section
25 shall not be subject to any state or local remittance requirements
26 under chapter 3.46, 3.50, 3.62, 7.68, 10.82, or 35.20 RCW.

27 (4) For the purposes of this section, "convicted" includes a plea
28 of guilty, a finding of guilt regardless of whether the imposition of
29 the sentence is deferred or any part of the penalty is suspended, or
30 the levying of a fine. For the purposes of this section, "domestic
31 violence" has the same meaning as that term is defined under RCW
32 10.99.020 and includes violations of equivalent local ordinances.

33 (5) When determining whether to impose a penalty assessment under
34 this section, judges are encouraged to solicit input from the victim
35 or representatives for the victim in assessing the ability of the
36 convicted offender to pay the penalty, including information
37 regarding current financial obligations, family circumstances, and
38 ongoing restitution.

1 **Sec. 15.** RCW 26.50.110 and 2013 c 84 s 31 are each amended to
2 read as follows:

3 (1)(a) Whenever an order is granted under this chapter, chapter
4 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW,
5 or there is a valid foreign protection order as defined in RCW
6 26.52.020, and the respondent or person to be restrained knows of the
7 order, a violation of any of the following provisions of the order is
8 a gross misdemeanor, except as provided in subsections (4) and (5) of
9 this section:

10 (i) The restraint provisions prohibiting acts or threats of
11 violence against, or stalking of, a protected party, or restraint
12 provisions prohibiting contact with a protected party;

13 (ii) A provision excluding the person from a residence,
14 workplace, school, or day care;

15 (iii) A provision prohibiting a person from knowingly coming
16 within, or knowingly remaining within, a specified distance of a
17 location;

18 (iv) A provision prohibiting interfering with the protected
19 party's efforts to remove a pet owned, possessed, leased, kept, or
20 held by the petitioner, respondent, or a minor child residing with
21 either the petitioner or the respondent; or

22 (v) A provision of a foreign protection order specifically
23 indicating that a violation will be a crime.

24 (b) Upon conviction, and in addition to any other penalties
25 provided by law, the court:

26 (i) May require that the respondent submit to electronic
27 monitoring. The court shall specify who shall provide the electronic
28 monitoring services, and the terms under which the monitoring shall
29 be performed. The order also may include a requirement that the
30 respondent pay the costs of the monitoring. The court shall consider
31 the ability of the convicted person to pay for electronic monitoring.

32 (ii) Shall impose a fine of fifteen dollars, in addition to any
33 penalty or fine imposed, for a violation of a domestic violence
34 protection order issued under this chapter. Revenue from the fifteen
35 dollar fine must be remitted monthly to the state treasury for
36 deposit in the domestic violence prevention account.

37 (2) A peace officer shall arrest without a warrant and take into
38 custody a person whom the peace officer has probable cause to believe
39 has violated an order issued under this chapter, chapter 7.92, 7.90,
40 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid

1 foreign protection order as defined in RCW 26.52.020, that restrains
2 the person or excludes the person from a residence, workplace,
3 school, or day care, or prohibits the person from knowingly coming
4 within, or knowingly remaining within, a specified distance of a
5 location, if the person restrained knows of the order. Presence of
6 the order in the law enforcement computer-based criminal intelligence
7 information system is not the only means of establishing knowledge of
8 the order.

9 (3) A violation of an order issued under this chapter, chapter
10 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW,
11 or of a valid foreign protection order as defined in RCW 26.52.020,
12 shall also constitute contempt of court, and is subject to the
13 penalties prescribed by law.

14 (4) Any assault that is a violation of an order issued under this
15 chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10,
16 26.26, or 74.34 RCW, or of a valid foreign protection order as
17 defined in RCW 26.52.020, and that does not amount to assault in the
18 first or second degree under RCW 9A.36.011 or 9A.36.021 is a class C
19 felony, and any conduct in violation of such an order that is
20 reckless and creates a substantial risk of death or serious physical
21 injury to another person is a class C felony.

22 (5) A violation of a court order issued under this chapter,
23 chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or
24 74.34 RCW, or of a valid foreign protection order as defined in RCW
25 26.52.020, is a class C felony if the offender has at least two
26 previous convictions for violating the provisions of an order issued
27 under this chapter, chapter 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10,
28 26.26, or 74.34 RCW, or a valid foreign protection order as defined
29 in RCW 26.52.020. The previous convictions may involve the same
30 victim or other victims specifically protected by the orders the
31 offender violated.

32 (6) Upon the filing of an affidavit by the petitioner or any
33 peace officer alleging that the respondent has violated an order
34 granted under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99,
35 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection
36 order as defined in RCW 26.52.020, the court may issue an order to
37 the respondent, requiring the respondent to appear and show cause
38 within fourteen days why the respondent should not be found in
39 contempt of court and punished accordingly. The hearing may be held
40 in the court of any county or municipality in which the petitioner or

1 respondent temporarily or permanently resides at the time of the
2 alleged violation.

3 NEW SECTION. **Sec. 16.** The following acts or parts of acts are
4 each repealed:

5 (1) RCW 70.123.050 (Contracts with nonprofit organizations—
6 Purposes) and 1979 ex.s. c 245 s 5; and

7 (2) RCW 70.123.130 (Technical assistance grant program—Local
8 communities) and 1991 c 301 s 11."

9 Correct the title.

EFFECT: Increases the new filing fee for a dissolution of
marriage to \$24 (from \$15 as provided in original bill draft).

Increases the current fine imposed on any person convicted of
domestic violence offense by \$15.

Imposes a \$15 fine on any person convicted of violating a
domestic violence protection order.

Requires that revenue from each of the three fees/fines listed
above is to be deposited in the Domestic Violence Prevention Account.

Eliminates the provision that requires the Washington Institute
for Public Policy to review the effectiveness of community-based
domestic violence programs and submit a report to the Legislature by
December 2015.

Deletes the new provision that stated that if the dissolution of
marriage fee retained by the county for the purpose of funding
services for victims of domestic violence has not been allocated for
such services within six months of collection, the funds are to be
deposited in the DV Prevention Account. Instead, requires counties to
annually report to the Department of Revenue on the revenue collected
(and used) from that fee by December 15th of each year.

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