

2SHB 1320 - H AMD 223

By Representative Goodman

ADOPTED 03/01/2021

1 On page 26, beginning on line 26, strike all of subsection (1) and  
2 insert the following:

3 "(1)(a) By January 1, 2023, all superior courts and, by January 1,  
4 2026, all courts of limited jurisdiction, must permit petitions for  
5 protection orders and all other filings in connection with the  
6 petition to be filed either: (i) In person; (ii) remotely through an  
7 electronic filing system; or (iii) by mail for persons who are  
8 incarcerated or who are otherwise unable to file in person or remotely  
9 through an electronic filing system. The court or clerk must make all  
10 electronically filed court documents available for electronic access  
11 by judicial officers statewide. Judicial officers may not be charged  
12 for access to such documents. Cities and counties using their own  
13 independent systems that are not provided by the state shall ensure  
14 this access at their own expense. The electronic filing system must  
15 allow for protection orders to be filed at any time of the day.  
16 Petitioners and respondents should not be charged for electronic  
17 filing for petitions and documents filed pursuant to this section.

18 (b) By January 1, 2023, all superior courts' systems and, by  
19 January 1, 2026, all limited jurisdiction courts' systems, should  
20 allow for the petitioner to electronically track the progress of the  
21 petition for a protection order. Notification may be provided by text  
22 messaging or email, and should provide reminders of court appearances  
23 and alert the petitioner when the following occur: (i) The petition  
24 has been processed and is under review by a judicial officer; (ii) the  
25 order has been signed; (iii) the order has been transmitted to law  
26 enforcement for entry into the Washington crime information center  
27 system; (iv) return of service upon the respondent has been filed with

1 the court or clerk; and (v) a receipt for the surrender of firearms  
2 has been filed with the court or clerk. Respondents, once served,  
3 should be able to sign up for similar electronic notification.  
4 Petitioners and respondents should not be charged for electronic  
5 notification."

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EFFECT: Delays implementation of electronic filing and  
electronic notification provisions until January 1, 2023, for  
superior courts, and January 1, 2026, for courts of limited  
jurisdiction.

Revises electronic filing and notification requirements as follows:  
(i) Removes the provision that the electronic filing system be  
accessible on the websites of every court clerk and the website for  
Washington courts, or an alternative online portal; (ii) requires  
the clerk to make all electronically filed documents available for  
electronic access statewide; (iii) provides that judicial officers  
may not be charged for electronic access and petitioners and  
respondents should not be charged for electronic filing of petitions  
or documents; (iv) removes language indicating electronic  
notification to the parties must be provided through the electronic  
filing system; and (v) revises language governing the information  
that should be part of the electronic notification system.

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