

# FINAL BILL REPORT

## 2SHB 1205

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Synopsis as Enacted

**Brief Description:** Responsibility for providing service by publication of a summons or notice in dependency and termination of parental rights cases.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Taylor, Reed and Senn).

**House Committee on Civil Rights & Judiciary**  
**House Committee on Appropriations**  
**Senate Committee on Law & Justice**

#### **Background:**

Under child dependency laws, any person or the Department of Children, Youth, and Families (DCYF) may file a court petition alleging that a child is dependent due to alleged abuse or neglect, or because there is no parent, guardian, or custodian capable of adequately caring for the child. If the child is found to be dependent, the court will conduct periodic reviews. During the court process, a social worker provides services to the family and assists in reunification and permanency efforts. In some circumstances after a dependent child has been removed from the custody of a parent for at least six months, a petition for termination of parental rights may be filed.

After filing a dependency or termination petition, the petitioner must issue a summons to the child if the child is 12 years old or older, and another summons to the parents, guardian, or custodian, and other necessary parties, requiring them to appear personally for the hearing on the petition. Generally, the summons must be personally served on the party, or if personal service is not possible, the summons may be served by certified mail.

Notice of the petition is provided by publication when there is a petition or verified statement that: the parent or guardian does not reside in the state or the whereabouts of the parent is unknown; and after due diligence, the person attempting service has been unable to make service, and a copy of the notice has been sent by mail to the person's last known

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place of residence. In these circumstances, the clerk must publish the notice in a legal newspaper printed in the county that is qualified to publish summons. The notice must be published once a week for three consecutive weeks, and the first publication must be at least 25 days before the hearing date. The cost of publication is paid by the county.

**Summary:**

In a dependency or termination of parental rights proceeding where notice by publication is required, the petitioner, rather than the clerk of court, is responsible for publishing notice of the petition and hearing date. The petitioner must pay for the cost of publication, except if the petitioner is a minor, the Office of Civil Legal Aid (OCLA) must pay for or reimburse the publication costs, and if the petitioner is an indigent parent or legal guardian, the Office of Public Defense (OPD) must pay for or reimburse the publication costs. The requirement that the publication be in a legal newspaper "printed in the county" is eliminated.

**Votes on Final Passage:**

House	95	0	
House	97	0	
Senate	49	0	(Senate amended)
House	95	0	(House concurred)

**Effective:** January 31, 2026