

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE HOUSE BILL 1205

Chapter 312, Laws of 2024

68th Legislature
2024 Regular Session

CHILD DEPENDENCY CASES—SERVICE BY PUBLICATION

EFFECTIVE DATE: January 31, 2026

Passed by the House March 5, 2024
Yeas 95 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate February 29,
2024
Yeas 49 Nays 0

DENNY HECK

President of the Senate

Approved March 28, 2024 10:21 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 1205** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 29, 2024

**Secretary of State
State of Washington**

SECOND SUBSTITUTE HOUSE BILL 1205

AS AMENDED BY THE SENATE

Passed Legislature - 2024 Regular Session

State of Washington **68th Legislature** **2023 Regular Session**

By House Appropriations (originally sponsored by Representatives Taylor, Reed, and Senn)

READ FIRST TIME 02/24/23.

1 AN ACT Relating to responsibility for providing service by
2 publication of a summons or notice in dependency and termination of
3 parental rights cases; amending RCW 13.34.080; creating a new
4 section; and providing an effective date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 13.34.080 and 2000 c 122 s 9 are each amended to
7 read as follows:

8 (1) The court shall direct the (~~clerk~~) petitioner to publish
9 notice in a legal newspaper (~~(printed in the county, qualified to~~
10 ~~publish summons)~~), as described under RCW 65.16.020, once a week for
11 three consecutive weeks, with the first publication of the notice to
12 be at least twenty-five days prior to the date fixed for the hearing
13 when it appears by the petition or verified statement that:

14 (a) (i) The parent or guardian is a nonresident of this state; or

15 (ii) The name or place of residence or whereabouts of the parent
16 or guardian is unknown; and

17 (b) After due diligence, the person attempting service of the
18 summons or notice provided for in RCW 13.34.070 has been unable to
19 make service, and a copy of the notice has been deposited in the post
20 office, postage prepaid, directed to such person at his or her last
21 known place of residence. If the parent, guardian, or legal custodian

1 is believed to be a resident of another state or a county other than
2 the county in which the petition has been filed, notice also shall be
3 published in the county in which the parent, guardian, or legal
4 custodian is believed to reside.

5 (2) Publication may proceed simultaneously with efforts to
6 provide service in person or by mail, when the court determines there
7 is reason to believe that service in person or by mail will not be
8 successful. Notice shall be directed to the parent, parents, or other
9 person claiming the right to the custody of the child, if their names
10 are known. If their names are unknown, the phrase "To whom it may
11 concern" shall be used, apply to, and be binding upon, those persons
12 whose names are unknown. The name of the court, the name of the child
13 (or children if of one family), the date of the filing of the
14 petition, the date of hearing, and the object of the proceeding in
15 general terms shall be set forth. There shall be filed with the clerk
16 an affidavit showing due publication of the notice. ((The))

17 (3) (a) Except as provided in (b) of this subsection, the cost of
18 publication shall be paid by the ((county)) petitioner at a rate not
19 greater than the rate paid for other legal notices.

20 (b) If the petitioner is a minor child or the court finds that
21 the petitioner is an indigent parent or legal guardian, the cost of
22 publication shall be paid or reimbursed by the office of civil legal
23 aid where the petitioner is a minor child, or the office of public
24 defense where the petitioner is a parent or legal guardian, pursuant
25 to procedures set by each agency.

26 (4) The publication of notice shall be deemed equivalent to
27 personal service upon all persons, known or unknown, who have been
28 designated as provided in this section.

29 NEW SECTION. Sec. 2. If specific funding for the purposes of
30 this act, referencing this act by bill or chapter number, is not
31 provided by June 30, 2024, in the omnibus appropriations act, this
32 act is null and void.

33 NEW SECTION. Sec. 3. This act takes effect January 31, 2026.

Passed by the House March 5, 2024.
Passed by the Senate February 29, 2024.
Approved by the Governor March 28, 2024.
Filed in Office of Secretary of State March 29, 2024.

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