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HOUSE BILL 1089

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State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives Appelwick, Paris and Padden.

Read first time January 18, 1991. Referred to Committee on Judiciary.

1            AN ACT Relating to confidentiality of postdecree mediation  
2 proceedings; and amending RCW 26.09.015.

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

4            **Sec. 1.** RCW 26.09.015 and 1989 c 375 s 2 are each amended to read  
5 as follows:

6            (1) In any proceeding under this chapter, the matter may be set for  
7 mediation of the contested issues before or concurrent with the setting  
8 of the matter for hearing. The purpose of the mediation proceeding  
9 shall be to reduce acrimony which may exist between the parties and to  
10 develop an agreement assuring the child's close and continuing contact  
11 with both parents after the marriage is dissolved. The mediator shall  
12 use his or her best efforts to effect a settlement of the dispute.

13            (2) Each superior court may make available a mediator. The  
14 mediator may be a member of the professional staff of a family court or

1 mental health services agency, or may be any other person or agency  
2 designated by the court. In order to provide mediation services, the  
3 court is not required to institute a family court.

4 (3) Mediation proceedings shall be held in private and shall be  
5 confidential. The mediator shall not testify as to any aspect of the  
6 mediation proceedings. This subsection shall not apply to postdecree  
7 mediation required pursuant to a parenting plan.

8 (4) The mediator shall assess the needs and interests of the child  
9 or children involved in the controversy and may interview the child or  
10 children if the mediator deems such interview appropriate or necessary.

11 (5) Any agreement reached by the parties as a result of mediation  
12 shall be reported to the court and to counsel for the parties by the  
13 mediator on the day set for mediation or any time thereafter designated  
14 by the court.

15 (~~(6) This section shall not apply to postdecree mediation required~~  
16 ~~pursuant to a parenting plan.))~~