

HOUSE BILL REPORT

ESHB 1768

As Passed House
March 11, 1993

Title: An act relating to facilitating pro se litigation in domestic relations cases.

Brief Description: Creating a courthouse facilitator program.

Sponsors: By House Committee on Judiciary (originally sponsored by Representatives Appelwick, Padden and Johanson.)

Brief History:

Reported by House Committee on:
Judiciary, March 2, 1993, DPS;
Revenue, March 8, 1993, DPS(JUD-A REV);
Passed House, March 11, 1993, 89-9.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Ballasiotes, Assistant Ranking Minority Member; Campbell; Chappell; Forner; Johanson; Long; Mastin; H. Myers; Schmidt; Tate; and Wineberry.

Staff: Patricia Shelledy (786-7149).

HOUSE COMMITTEE ON REVENUE

Majority Report: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill as amended by Committee on Revenue do pass. Signed by 15 members: Representatives G. Fisher, Chair; Holm, Vice Chair; Foreman, Ranking Minority Member; Anderson; Brown; Cothorn; Leonard; Morris; Romero; Rust; Silver; Talcott; Thibaudeau; Van Luven; and Wang.

Staff: Rick Peterson (786-7150).

Background: Many people who are getting a divorce do not hire attorneys to represent them. People who represent themselves are referred to as "pro se" litigants. Pro se

litigants may be unaware of available services, such as family court service programs, and certain basic procedures to obtain a divorce. Some courts have used "courthouse facilitators" to help pro se litigants with certain basic services, such as advising the litigants how and where the litigants may obtain mandatory standard court forms to initiate the divorce, and forms for determining child support. The courthouse facilitator does not provide legal advice.

Summary of Bill: A county may create a courthouse facilitator program to provide basic services to pro se litigants in family law cases. The county legislative authority may impose user fees or may impose a surcharge on superior court filing fees for family law cases, or both, to pay for the courthouse facilitator program. Fees collected must be used just for the program.

Fiscal Note: Available. New fiscal note requested March 9, 1993.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: (Judiciary) The courthouse facilitator program is an inexpensive way to increase pro se litigants' access to the family law system. The pilot projects have worked very well.

(Revenue) This locally driven revenue source would be counties' means to start or continue these facilitator programs.

Testimony Against: (Judiciary) None.

(Revenue) None.

Witnesses: (Judiciary) Kim Prochnau, Washington State Bar Association (pro).

(Revenue) Representative Appelwick, prime sponsor (pro); and Kurt Sharar, Washington State Association of Counties (pro).