

HOUSE BILL REPORT

HB 1945

As Reported By House Committee On:
Judiciary

Title: An act relating to seminars for parents.

Brief Description: Requiring a parents seminar for parents involved in certain domestic relations actions.

Sponsors: Representative Romero.

Brief History:

Reported by House Committee on:
Judiciary, January 26, 1994, DPS.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Appelwick, Chair; Johanson, Vice Chair; Padden, Ranking Minority Member; Ballasiotes, Assistant Ranking Minority Member; Campbell; Chappell; Eide; Forner; J. Kohl; Long; Morris; H. Myers; Scott; Tate and Wineberry.

Staff: Pat Shelledy (786-7149).

Background: Family law judges and court commissioners may order or recommend family court services, drug and alcohol abuse evaluations and monitoring of parties in a divorce or other domestic action through public or private treatment services. They may also order the parties to see physicians, psychiatrists, other specialists, or obtain "other services." The statute authorizing the court to order family court services does not expressly provide that courts may order parents to attend parenting seminars. Some courts order parents to attend parenting seminars on a case-by-case basis, and other courts have adopted court rules which require parents in all actions to attend seminars. Some concern has been expressed that the courts do not have the power to adopt court rules requiring parents to attend parenting seminars in all cases.

The parties bear the cost of all or a portion of the family court services according to the parties' ability to pay.

Summary of Substitute Bill: Family law judges and court commissioners are expressly authorized to order parents to attend parenting seminars. If court rules are adopted to implement parenting seminars, the rules must include certain provisions. The rules may not require opposing parties to attend seminars together; the court may waive the seminar for good cause; and, upon a showing of domestic violence or abuse or that attending the seminar is not in the children's best interests, the court must either waive the requirement or provide an alternative, voluntary parenting seminar for battered spouses.

Parties will pay for the parenting seminars based on the parties' ability to pay.

Substitute Bill Compared to Original Bill: The original bill is entirely replaced. The underlying bill required parents to attend seminars in all cases and did not leave judges the option of ordering them on a case-by-case basis or under adopted rules. Numerous details concerning the structure, content, and cost of the seminars were included in the original bill.

Fiscal Note: Not requested.

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

Testimony For: Parenting seminars are extremely beneficial for divorcing families, particularly because the seminars help parents recognize the impact of divorce on their children. Parents generally won't attend voluntarily, so they must be ordered to attend. Concern exists that courts may not adopt court rules requiring parents to attend seminars unless the Legislature authorizes the courts to adopt rules.

Testimony Against: Parenting seminars may be entirely inappropriate in cases involving domestic violence and child abuse. Attendance at the classes may pose a risk of physical injury to the battered spouse. Limitations on fees and waivers for indigent parties must be included.

Witnesses: Judge Paula Casey, Thurston County Superior Court (pro); Judge James Allendoerfer, Snohomish County Superior Court (pro); Christine Gregoire, Attorney General (pro); Steve Gustafson, Assistant Attorney General (pro); Mary Hammerly, attorney (pro); Ruth Garrett, Family Court Services (pro); Lonnie Johns-Brown, National Organization of Women, Washington State Chapter, and Washington Coalition of Sexual Assault Programs (concerns); Mary Pontarolo, Coalition Against Domestic Violence (concerns); Judy Turpin,

Northwest Women's Law Center (concerns); Ann Simons, Washington Women United and Washington Association of Marriage and Family Therapy (concerns); Donna Poali, Evergreen Legal Services (concerns); Margaret Casey, Superior Court Judges Association (pro); Jerry Sheehan, American Civil Liberties Union (concerns); and Virginia Penn, Mothers Against Gangs (pro).