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HOUSE BILL 1768

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State of Washington                      53rd Legislature                      1993 Regular Session

By Representatives Appelwick, Padden and Johanson

Read first time 02/08/93. Referred to Committee on Judiciary.

1            AN ACT Relating to facilitating pro se litigation in domestic  
2 relations cases; amending RCW 26.12.220; and adding a new section to  
3 chapter 26.12 RCW.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 26.12 RCW  
6 to read as follows:

7            A county may create a courthouse facilitator program to provide  
8 basic services to pro se litigants in family law cases.

9            **Sec. 2.** RCW 26.12.220 and 1991 c 367 s 15 are each amended to read  
10 as follows:

11            (1) The legislative authority of any county may authorize family  
12 court services as provided in RCW 26.12.230. The legislative authority  
13 may impose a fee in excess of that prescribed in RCW 36.18.010 for the  
14 issuance of a marriage license. The fee shall not exceed eight  
15 dollars.

16            (2) In addition to any other funds used therefor, the governing  
17 body of any county shall use the proceeds from the fee increase  
18 authorized by this section to pay the expenses of the family court and

1 the family court services under chapter 26.12 RCW. If there is no  
2 family court in the county, the legislative authority may provide such  
3 services through other county agencies or may contract with a public or  
4 private agency or person to provide such services. Family court  
5 services also may be provided jointly with other counties as provided  
6 in RCW 26.12.230.

7 (3) The family court services program may hire professional  
8 employees to provide the investigation, evaluation and reporting, and  
9 mediation services, or the county may contract for these services, or  
10 both. To facilitate and promote the purposes of this chapter, the  
11 court may order or recommend the aid of physicians, psychiatrists, or  
12 other specialists.

13 (4) The family court services program may provide or contract for:  
14 (a) Mediation; (b) investigation, evaluation, and reporting to the  
15 court; and (c) reconciliation; and may provide a referral mechanism for  
16 drug and alcohol testing, monitoring, and treatment; and any other  
17 treatment, parenting, or anger management programs the family court  
18 professional considers necessary or appropriate.

19 (5) Services other than family court investigation, evaluation,  
20 reconciliation, and mediation services shall be at the expense of the  
21 parties involved absent a court order to the contrary. The parties  
22 shall bear all or a portion of the family court investigation,  
23 evaluation, reconciliation, and mediation services according to the  
24 parties' ability to pay.

25 (6) The county legislative authority may establish rules of  
26 eligibility for the family court services funded under this section.  
27 The rules shall not conflict with rules of the court adopted under  
28 chapter 26.12 RCW or any other statute.

29 (7) The legislative authority may establish fees for family court  
30 investigation, evaluation, reconciliation, and mediation services under  
31 this chapter according to the parties' ability to pay for the services.  
32 The legislative authority may establish fees for a courthouse  
33 facilitator program created under section 1 of this act according to  
34 the parties' ability to pay for the services. Fees collected under  
35 this section shall be collected and deposited in the same manner as  
36 other county funds are collected and deposited, and shall be maintained  
37 in a separate account to be used as provided in this section.

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