

HOUSE BILL REPORT

HB 2401

As Reported By House Committee On:
Law & Justice

Title: An act relating to the courthouse facilitator program.

Brief Description: Clarifying the authority of courthouse facilitators.

Sponsors: Representatives Sheahan and Hatfield.

Brief History:

Committee Activity:

Law & Justice: 2/5/98 [DPS].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Sheahan, Chairman; McDonald, Vice Chairman; Sterk, Vice Chairman; Costa, Ranking Minority Member; Constantine, Assistant Ranking Minority Member; Carrell; Cody; Kenney; Lambert; Lantz; Mulliken; Robertson and Sherstad.

Staff: Daniel Jablonsky (786-5793); Trudes Hutcheson (786-7384).

Background: In 1993, the Legislature provided authority for counties to create courthouse facilitator programs. The purpose of the courthouse facilitator program is to provide basic services to pro se litigants in family law cases.

Additionally, the legislation allowed the counties to impose a user fee, surcharges of up to \$10 on domestic relations cases filed in superior court, or both, to pay for the expenses of the courthouse facilitator program. Eleven counties have operated a courthouse facilitator program and have used the surcharge provision to generate funds.

The legislation does not address the limits of the services the courthouse facilitators may provide, except to stipulate the program is for basic services.—

Summary of Substitute Bill: A limitation is placed upon the type of service courthouse facilitators may provide. Consistent with local court rules, courthouse facilitators may refer pro se litigants to lawyers and social services, but may not provide any professional services, even if licensed as a professional provider.

Substitute Bill Compared to Original Bill: Language is added making any referral activity by courthouse facilitators contingent on being consistent with local court rules.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The duties of courthouse facilitators need to be clarified. Court authorities are generally not authorized to practice law, and having them do so could increase county liability and jeopardize the courthouse facilitator program statewide.

Testimony Against: None.

Testified: Debbie Wilke, Washington Association of County Officials (pro).