

# SENATE BILL REPORT

## HB 2361

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As Reported By Senate Committee On:  
Law & Justice, February 18, 1998

**Title:** An act relating to notice in proceedings involving support or income-withholding orders.

**Brief Description:** Revising notice requirements in proceedings involving support and income-withholding orders.

**Sponsors:** Representative Sheahan.

**Brief History:**

**Committee Activity:** Law & Justice: 2/18/98 [DP].

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Goings, Hargrove, Long, Thibaudeau and Zarelli.

**Staff:** Aldo Melchiori (786-7439)

**Background:** The Uniform Interstate Family Support Act provides for reciprocal interstate establishment, modification, and enforcement of a child support order when the other parent is residing in another state. A registering out-of-state tribunal files an order as a foreign judgment, and the registered order is enforceable in the same manner and is subject to the same procedures as an order issued in Washington.

When a support order or income-withholding order is registered, the registering tribunal must notify the obligor. The notice must inform the obligor of specific information, including the right to contest the validity or enforcement of the registered order.

Individuals who receive public assistance are required to assign their rights to child support to the state. In these cases, the state must be notified within a certain time prior to the entry of any final order or temporary order involving child support. The statute requires that notice must be given by personal service or registered mail to the Attorney General's office. In some counties, the prosecutor contracts with the state to provide legal representation.

**Summary of Bill:** Either the registering tribunal or the petitioner gives notice to the non-registering party when an interstate child support obligation is registered in Washington.

When an individual has assigned his or her rights to child support to the state, prior notice of any order involving support may be served on the prosecutor's office instead of the Attorney General's office in those counties where the prosecutor represents the state. The Attorney General's office gives written notification to the superior courts in which notice should be given to the prosecutor.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** The bill recognizes what is actually occurring now. It allows prosecuting attorneys to send and accept orders for these proceedings.

**Testimony Against:** None.

**Testified:** Russ Hauge, Kitsap County Prosecuting Attorney (pro).