

SENATE BILL REPORT

SB 6421

As Reported By Senate Committee On:
Judiciary, February 7, 2002

Title: An act relating to protection orders.

Brief Description: Waiving filing fees and costs for certain protection orders.

Sponsors: Senators Costa, Long and Kline; by request of Office of Community Development.

Brief History:

Committee Activity: Judiciary: 2/7/02 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Kastama, Vice Chair; Costa, Hargrove, Johnson, Long, McCaslin, Poulsen, Thibaudeau and Zarelli.

Staff: Lidia Mori (786-7755)

Background: The Violence Against Women Act was established under Title IV and the Federal Violent Crime Control Act of 1994 and reauthorized as the Federal Victims of Trafficking and Violence Protection Act of 2000. The reauthorization placed an additional requirement on states. In order to stay eligible for federal funds and meet the additional requirement, states may not require a victim of domestic violence, stalking, or sexual assault to pay a filing fee or service of process fees in order to seek a protection order. Washington State does currently require payment of a fee in order to file a petition for an order for protection and a fee for service of process.

Summary of Bill: Petitioners seeking an order for protection from a person who has stalked them, engaged in conduct that constitutes a sex offense, or is a family or household member who has engaged in conduct that constitutes domestic violence are not required to pay a filing fee or fees for service of process. The court may require the respondent to pay the filing fee and service fees.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Victims do not need more barriers to surmount in order to get relief in the form of a protection order. The requirement to pay filing fees and costs is one of those barriers.

Testimony Against: None.

Testified: Bev Emory, Office of Crime Victims Advocacy; Margaret McKinney, Secretary of State Address Confidentiality Program.