
HOUSE BILL 2472

State of Washington

57th Legislature

2002 Regular Session

By Representatives Lantz and Esser; by request of Administrator for the Courts

Read first time 01/18/2002. Referred to Committee on Judiciary.

1 AN ACT Relating to the administrative office of the courts;
2 amending RCW 2.14.110, 2.43.020, 2.43.030, 2.43.070, 2.56.010,
3 2.56.020, 2.56.030, 2.56.120, 2.56.150, 2.68.020, 2.70.050, 3.46.030,
4 3.50.020, 3.66.010, 3.66.070, 9.73.230, 9.94A.660, 9.94A.850,
5 9.94A.855, 10.64.120, 10.98.080, 10.98.100, 10.98.160, 13.34.102,
6 13.64.080, 13.70.130, 26.12.177, 26.12.802, 26.12.804, 26.18.210,
7 26.18.220, 26.19.011, 26.19.035, 26.19.050, 26.26.065, 26.50.030,
8 26.50.035, 35.20.030, 36.01.050, 36.18.018, 43.70.540, 43.101.280,
9 46.20.286, 74.14C.100, 74.20A.340, and 82.14.310; amending 2000 c 111
10 s 8 (uncodified); amending 1983 c 199 s 2 (uncodified); and reenacting
11 and amending RCW 43.08.250.

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

13 **Sec. 1.** RCW 2.14.110 and 1996 c 42 s 1 are each amended to read as
14 follows:

15 If a member dies, the amount of the accumulated contributions
16 standing to the member's credit at the time of the member's death shall
17 be paid to the member's estate, or such person or persons, trust, or
18 organization as the member has nominated by written designation duly
19 executed and filed with the administrative office of the

1 ((~~administrator for the~~)) courts. If there is no such designated
2 person or persons still living at the time of the member's death, the
3 member's accumulated contributions shall be paid to the member's
4 surviving spouse as if in fact the spouse had been nominated by written
5 designation or, if there is no such surviving spouse, then to the
6 member's legal representatives.

7 **Sec. 2.** RCW 2.43.020 and 1989 c 358 s 2 are each amended to read
8 as follows:

9 As used in this chapter:

10 (1) "Non-English-speaking person" means any person involved in a
11 legal proceeding who cannot readily speak or understand the English
12 language, but does not include hearing-impaired persons who are covered
13 under chapter 2.42 RCW.

14 (2) "Qualified interpreter" means a person who is able readily to
15 interpret or translate spoken and written English for non-English-
16 speaking persons and to interpret or translate oral or written
17 statements of non-English-speaking persons into spoken English.

18 (3) "Legal proceeding" means a proceeding in any court in this
19 state, grand jury hearing, or hearing before an inquiry judge, or
20 before ((~~an~~)) an administrative board, commission, agency, or
21 licensing body of the state or any political subdivision thereof.

22 (4) "Certified interpreter" means an interpreter who is certified
23 by the administrative office of the ((~~administrator for the~~)) courts.

24 (5) "Appointing authority" means the presiding officer or similar
25 official of any court, department, board, commission, agency, licensing
26 authority, or legislative body of the state or of any political
27 subdivision thereof.

28 **Sec. 3.** RCW 2.43.030 and 1990 c 183 s 1 are each amended to read
29 as follows:

30 (1) Whenever an interpreter is appointed to assist a non-English-
31 speaking person in a legal proceeding, the appointing authority shall,
32 in the absence of a written waiver by the person, appoint a certified
33 or a qualified interpreter to assist the person throughout the
34 proceedings.

35 (a) Except as otherwise provided for in (b) of this subsection, the
36 interpreter appointed shall be a qualified interpreter.

1 (b) Beginning on July 1, 1990, when a non-English-speaking person
2 is a party to a legal proceeding, or is subpoenaed or summoned by an
3 appointing authority or is otherwise compelled by an appointing
4 authority to appear at a legal proceeding, the appointing authority
5 shall use the services of only those language interpreters who have
6 been certified by the administrative office of the ((~~administrator for~~
7 ~~the~~)) courts, unless good cause is found and noted on the record by the
8 appointing authority. For purposes of chapter 358, Laws of 1989, "good
9 cause" includes but is not limited to a determination that:

10 (i) Given the totality of the circumstances, including the nature
11 of the proceeding and the potential penalty or consequences involved,
12 the services of a certified interpreter are not reasonably available to
13 the appointing authority; or

14 (ii) The current list of certified interpreters maintained by the
15 administrative office of the ((~~administrator for the~~)) courts does not
16 include an interpreter certified in the language spoken by the non-
17 English-speaking person.

18 (c) Except as otherwise provided in this section, when a non-
19 English-speaking person is involved in a legal proceeding, the
20 appointing authority shall appoint a qualified interpreter.

21 (2) If good cause is found for using an interpreter who is not
22 certified or if a qualified interpreter is appointed, the appointing
23 authority shall make a preliminary determination, on the basis of
24 testimony or stated needs of the non-English-speaking person, that the
25 proposed interpreter is able to interpret accurately all communications
26 to and from such person in that particular proceeding. The appointing
27 authority shall satisfy itself on the record that the proposed
28 interpreter:

29 (a) Is capable of communicating effectively with the court or
30 agency and the person for whom the interpreter would interpret; and

31 (b) Has read, understands, and will abide by the code of ethics for
32 language interpreters established by court rules.

33 **Sec. 4.** RCW 2.43.070 and 1989 c 358 s 7 are each amended to read
34 as follows:

35 (1) Subject to the availability of funds, the administrative office
36 of the ((~~administrator for the~~)) courts shall establish and administer
37 a comprehensive testing and certification program for language
38 interpreters.

1 (2) The administrative office of the (~~administrator for the~~)
2 courts shall work cooperatively with community colleges and other
3 private or public educational institutions, and with other public or
4 private organizations to establish a certification preparation
5 curriculum and suitable training programs to ensure the availability of
6 certified interpreters. Training programs shall be made readily
7 available in both eastern and western Washington locations.

8 (3) The administrative office of the (~~administrator for the~~)
9 courts shall establish and adopt standards of proficiency, written and
10 oral, in English and the language to be interpreted.

11 (4) The administrative office of the (~~administrator for the~~)
12 courts shall conduct periodic examinations to ensure the availability
13 of certified interpreters. Periodic examinations shall be made readily
14 available in both eastern and western Washington locations.

15 (5) The administrative office of the (~~administrator for the~~)
16 courts shall compile, maintain, and disseminate a current list of
17 interpreters certified by the office (~~of the administrator for the~~
18 ~~courts~~)).

19 (6) The administrative office of the (~~administrator for the~~)
20 courts may charge reasonable fees for testing, training, and
21 certification.

22 **Sec. 5.** RCW 2.56.010 and 1984 c 20 s 1 are each amended to read as
23 follows:

24 There shall be a state office to be known as the administrative
25 office of (~~administrator for~~) the courts. The executive officer of
26 the administrative office of the courts is the administrator for the
27 courts, who shall be appointed by the supreme court of this state from
28 a list of five persons submitted by the governor of the state of
29 Washington, and shall hold office at the pleasure of the appointing
30 power. (~~He shall not be over the age of sixty years at the time of~~
31 ~~his appointment. He shall receive a~~) The administrator's salary
32 (~~to~~) shall be fixed by the supreme court.

33 **Sec. 6.** RCW 2.56.020 and 1957 c 259 s 2 are each amended to read
34 as follows:

35 The administrator for the courts, with the approval of the chief
36 justice of the supreme court of this state, shall appoint and fix the
37 compensation of such assistants as are necessary to enable (~~him to~~

1 ~~perform))~~ performance of the power and duties vested in ((him.—During
2 ~~his term of office or employment,))~~ the administrative office of the
3 courts. Neither the administrator nor any assistant shall engage
4 ~~((directly or indirectly))~~ in the practice of law for remuneration in
5 this state.

6 **Sec. 7.** RCW 2.56.030 and 1997 c 41 s 2 are each amended to read as
7 follows:

8 The administrator for the courts shall, under the supervision and
9 direction of the chief justice:

10 (1) Examine the administrative methods and systems employed in the
11 offices of the judges, clerks, stenographers, and employees of the
12 courts and make recommendations, through the chief justice, for the
13 improvement of the same;

14 (2) Examine the state of the dockets of the courts and determine
15 the need for assistance by any court;

16 (3) Make recommendations to the chief justice relating to the
17 assignment of judges where courts are in need of assistance and carry
18 out the direction of the chief justice as to the assignments of judges
19 to counties and districts where the courts are in need of assistance;

20 (4) Collect and compile statistical and other data and make reports
21 of the business transacted by the courts and transmit the same to the
22 chief justice to the end that proper action may be taken in respect
23 thereto;

24 (5) Prepare and submit budget estimates of state appropriations
25 necessary for the maintenance and operation of the judicial system and
26 make recommendations in respect thereto;

27 (6) Collect statistical and other data and make reports relating to
28 the expenditure of public moneys, state and local, for the maintenance
29 and operation of the judicial system and the offices connected
30 therewith;

31 (7) Obtain reports from clerks of courts in accordance with law or
32 rules adopted by the supreme court of this state on cases and other
33 judicial business in which action has been delayed beyond periods of
34 time specified by law or rules of court and make report thereof to
35 supreme court of this state;

36 (8) Act as secretary of the judicial conference referred to in RCW
37 2.56.060;

1 (9) Submit annually, as of February 1st, to the chief justice, a
2 report of the activities of the administrator's office for the
3 preceding calendar year including activities related to courthouse
4 security;

5 (10) Administer programs and standards for the training and
6 education of judicial personnel;

7 (11) Examine the need for new superior court and district judge
8 positions under (~~a weighted caseload~~) an objective workload analysis
9 that takes into account (~~the time required to hear all the cases in a~~
10 ~~particular court and the amount of time existing judges have available~~
11 ~~to hear cases in that~~) available judicial resources and the caseload
12 activity of each court. The results of the (~~weighted caseload~~)
13 objective workload analysis shall be reviewed by the board for judicial
14 administration which shall make recommendations to the legislature. It
15 is the intent of the legislature that (~~weighted caseload~~) an
16 objective workload analysis become the basis for creating additional
17 district court positions, and recommendations should address that
18 objective;

19 (12) Provide staff to the judicial retirement account plan under
20 chapter 2.14 RCW;

21 (13) Attend to such other matters as may be assigned by the supreme
22 court of this state;

23 (14) Within available funds, develop a curriculum for a general
24 understanding of child development, placement, and treatment resources,
25 as well as specific legal skills and knowledge of relevant statutes
26 including chapters 13.32A, 13.34, and 13.40 RCW, cases, court rules,
27 interviewing skills, and special needs of the abused or neglected
28 child. This curriculum shall be completed and made available to all
29 juvenile court judges, court personnel, and service providers and be
30 updated yearly to reflect changes in statutes, court rules, or case
31 law;

32 (15) Develop, in consultation with the entities set forth in RCW
33 2.56.150(3), a comprehensive statewide curriculum for persons who act
34 as guardians ad litem under Title 13 or 26 RCW. The curriculum shall
35 be made available July 1, 1997, and include specialty sections on child
36 development, child sexual abuse, child physical abuse, child neglect,
37 clinical and forensic investigative and interviewing techniques, family
38 reconciliation and mediation services, and relevant statutory and legal
39 requirements. The curriculum shall be made available to all superior

1 court judges, court personnel, and all persons who act as guardians ad
2 litem;

3 (16) Develop a curriculum for a general understanding of crimes of
4 malicious harassment, as well as specific legal skills and knowledge of
5 RCW 9A.36.080, relevant cases, court rules, and the special needs of
6 malicious harassment victims. This curriculum shall be made available
7 to all superior court and court of appeals judges and to all justices
8 of the supreme court;

9 (17) Develop, in consultation with the criminal justice training
10 commission and the commissions established under chapters 43.113,
11 43.115, and 43.117 RCW, a curriculum for a general understanding of
12 ethnic and cultural diversity and its implications for working with
13 youth of color and their families. The curriculum shall be available
14 to all superior court judges and court commissioners assigned to
15 juvenile court, and other court personnel. Ethnic and cultural
16 diversity training shall be provided annually so as to incorporate
17 cultural sensitivity and awareness into the daily operation of juvenile
18 courts statewide;

19 (18) Authorize the use of closed circuit television and other
20 electronic equipment in judicial proceedings. The administrator shall
21 promulgate necessary standards and procedures and shall provide
22 technical assistance to courts as required;

23 (19) Administer state funds for improving the operation of the
24 courts and provide support for court coordinating councils, under the
25 direction of the board for judicial administration.

26 **Sec. 8.** RCW 2.56.120 and 1986 c 158 s 1 are each amended to read
27 as follows:

28 (1) The administrative office of the (~~administrator for the~~)
29 courts, in cooperation with appropriate legislative committees and
30 legislative staff, shall establish a procedure for the provision of
31 judicial impact notes on the effect legislative bills will have on the
32 workload and administration of the courts of this state. The
33 (~~administrator for~~) administrative office of the courts and the
34 office of financial management shall coordinate the development of
35 judicial impact notes with the preparation of fiscal notes under
36 chapters 43.88A and 43.132 RCW.

37 (2) The (~~administrator for~~) administrative office of the courts
38 shall provide a judicial impact note on any legislative proposal at the

1 request of any legislator. The note shall be provided to the
2 requesting legislator and copies filed with the appropriate legislative
3 committees in accordance with subsection (3) of this section when the
4 proposed legislation is introduced in either house.

5 (3) When a judicial impact note is prepared and approved by the
6 (~~administrator for~~) administrative office of the courts, copies of
7 the note shall be filed with:

8 (a) The chairperson of the committee to which the bill was referred
9 upon introduction in the house of origin;

10 (b) The senate committee on ways and means;

11 (c) The house of representatives committee on ways and means;

12 (d) The senate judiciary committee;

13 (e) The house of representatives judiciary committee; and

14 (f) The office of financial management.

15 (4) This section shall not prevent either house of the legislature
16 from acting on any bill before it as otherwise provided by the state
17 Constitution, by law, and by the rules and joint rules of the senate
18 and house of representatives, nor shall the lack of any judicial impact
19 note as provided in this section or any error in the accuracy thereof
20 affect the validity of any measure otherwise duly passed by the
21 legislature.

22 **Sec. 9.** RCW 2.56.150 and 1996 c 249 s 3 are each amended to read
23 as follows:

24 (1) The administrator for the courts shall review the advisability
25 and feasibility of the statewide mandatory use of court-appointed
26 special advocates as described in RCW 26.12.175 to act as guardians ad
27 litem in appropriate cases under Titles 13 and 26 RCW. The review must
28 explore the feasibility of obtaining various sources of private and
29 public funding to implement statewide mandatory use of court-appointed
30 special advocates, such as grants and donations, instead of or in
31 combination with raising court fees or assessments.

32 (2) The administrator shall also conduct a study on the feasibility
33 and desirability of requiring all persons who act as guardians ad litem
34 under Titles 11, 13, and 26 RCW to be certified as qualified guardians
35 ad litem prior to their eligibility for appointment.

36 (3) In conducting the review and study the administrator shall
37 consult with: (a) The presidents or directors of all public benefit
38 nonprofit corporations that are eligible to receive state funds under

1 RCW 43.330.135; (b) the attorney general, or a designee; (c) the
2 secretary of the department of social and health services, or a
3 designee; (d) the superior court judges association; (e) the Washington
4 state bar association; (f) public defenders who represent children
5 under Title 13 or 26 RCW; (g) private attorneys who represent parents
6 under Title 13 or 26 RCW; (h) professionals who evaluate families for
7 the purposes of determining the custody or placement decisions of
8 children; (i) the office of financial management; (j) persons who act
9 as volunteer or compensated guardians ad litem; and (k) parents who
10 have dealt with guardians ad litem in court cases. For the purposes of
11 studying the feasibility of a certification requirement for guardians
12 ad litem acting under Title 11 RCW the administrator shall consult with
13 the advisory group formed under RCW 11.88.090.

14 (4) The (~~office of the~~) administrator (~~for the courts~~) shall
15 also conduct a review of problems and concerns about the role of
16 guardians ad litem in actions under Titles 11, 13, and 26 RCW and
17 recommend alternatives to strengthen judicial oversight of guardians ad
18 litem and ensure fairness and impartiality of the process. The
19 (~~office of the~~) administrator (~~for the courts~~) must accept and
20 obtain comments from parties designated in subsection (3) of this
21 section.

22 **Sec. 10.** 2000 c 111 s 8 (uncodified) is amended to read as
23 follows:

24 The program established by the (~~office of the~~) administrator for
25 the courts pursuant to RCW 2.56.160 shall by June 1, 2003, report to
26 the legislature on the effectiveness and costs of the pilot program.
27 Copies of the report shall be distributed to the house of
28 representatives judiciary committee and the senate judiciary committee.

29 **Sec. 11.** RCW 2.68.020 and 1994 c 8 s 1 are each amended to read as
30 follows:

31 There is created an account in the custody of the state treasurer
32 to be known as the judicial information system account. The
33 administrative office of the (~~administrator for the~~) courts shall
34 maintain and administer the account, in which shall be deposited all
35 moneys received from in-state noncourt users and any out-of-state users
36 of the judicial information system and moneys as specified in RCW
37 2.68.040 for the purposes of providing judicial information system

1 access to noncourt users and providing an adequate level of automated
2 services to the judiciary. The legislature shall appropriate the funds
3 in the account for the purposes of the judicial information system.
4 The account shall be used for the acquisition of equipment, software,
5 supplies, services, and other costs incidental to the acquisition,
6 development, operation, and administration of information services,
7 telecommunications, systems, software, supplies, and equipment,
8 including the payment of principal and interest on items paid in
9 installments.

10 **Sec. 12.** RCW 2.70.050 and 1996 c 221 s 6 are each amended to read
11 as follows:

12 (1) All powers, duties, and functions of the supreme court and the
13 administrative office of the ((~~administrator for the~~)) courts
14 pertaining to appellate indigent defense are transferred to the office
15 of public defense.

16 (2)(a) All reports, documents, surveys, books, records, files,
17 papers, or written material in the possession of the supreme court or
18 the administrative office of the ((~~administrator for the~~)) courts
19 pertaining to the powers, functions, and duties transferred shall be
20 delivered to the custody of the office of public defense. All
21 cabinets, furniture, office equipment, motor vehicles, and other
22 tangible property employed by the supreme court or the administrative
23 office of the ((~~administrator for the~~)) courts in carrying out the
24 powers, functions, and duties transferred shall be made available to
25 the office of public defense. All funds, credits, or other assets held
26 in connection with the powers, functions, and duties transferred shall
27 be assigned to the office of public defense.

28 (b) Any appropriations made to the supreme court or the
29 administrative office of the ((~~administrator for the~~)) courts for
30 carrying out the powers, functions, and duties transferred shall, on
31 June 6, 1996, be transferred and credited to the office of public
32 defense.

33 (c) Whenever any question arises as to the transfer of any
34 personnel, funds, books, documents, records, papers, files, equipment,
35 or other tangible property used or held in the exercise of the powers
36 and the performance of the duties and functions transferred, the
37 director of financial management shall make a determination as to the
38 proper allocation and certify the same to the state agencies concerned.

1 (3) All employees of the supreme court or the administrative office
2 of the ((~~administrator for the~~)) courts engaged in performing the
3 powers, functions, and duties transferred are transferred to the
4 jurisdiction of the office of public defense. All employees classified
5 under chapter 41.06 RCW, the state civil service law, are assigned to
6 the office of public defense to perform their usual duties upon the
7 same terms as formerly, without any loss of rights, subject to any
8 action that may be appropriate thereafter in accordance with the laws
9 and rules governing state civil service.

10 (4) All rules and all pending business before the supreme court or
11 the administrative office of the ((~~administrator for the~~)) courts
12 pertaining to the powers, functions, and duties transferred shall be
13 continued and acted upon by the office of public defense. All existing
14 contracts and obligations shall remain in full force and shall be
15 performed by the office of public defense.

16 (5) The transfer of the powers, duties, functions, and personnel of
17 the supreme court or the administrative office of the ((~~administrator~~
18 ~~for the~~)) courts shall not affect the validity of any act performed
19 before June 6, 1996.

20 (6) If apportionments of budgeted funds are required because of the
21 transfers directed by this section, the director of financial
22 management shall certify the apportionments to the agencies affected,
23 the state auditor, and the state treasurer. Each of these shall make
24 the appropriate transfer and adjustments in funds and appropriation
25 accounts and equipment records in accordance with the certification.

26 (7) Nothing contained in this section may be construed to alter any
27 existing collective bargaining unit or the provisions of any existing
28 collective bargaining agreement until the agreement has expired or
29 until the bargaining unit has been modified by action of the personnel
30 board as provided by law.

31 **Sec. 13.** RCW 3.46.030 and 2000 c 111 s 5 are each amended to read
32 as follows:

33 A municipal department shall have exclusive jurisdiction of matters
34 arising from ordinances of the city, and no jurisdiction of other
35 matters except as conferred by statute. A municipal department
36 participating in the program established by the administrative office
37 of the ((~~administrator for the~~)) courts pursuant to RCW 2.56.160 shall
38 have jurisdiction to take recognizance, approve bail, and arraign

1 defendants held within its jurisdiction on warrants issued by any court
2 of limited jurisdiction participating in the program.

3 **Sec. 14.** RCW 3.50.020 and 2000 c 111 s 6 are each amended to read
4 as follows:

5 The municipal court shall have exclusive original jurisdiction over
6 traffic infractions arising under city ordinances and exclusive
7 original criminal jurisdiction of all violations of city ordinances
8 duly adopted by the city in which the municipal court is located and
9 shall have original jurisdiction of all other actions brought to
10 enforce or recover license penalties or forfeitures declared or given
11 by such ordinances or by state statutes. The municipal court shall
12 also have the jurisdiction as conferred by statute. The municipal
13 court is empowered to forfeit cash bail or bail bonds and issue
14 execution thereon; and in general to hear and determine all causes,
15 civil or criminal, including traffic infractions, arising under such
16 ordinances and to pronounce judgment in accordance therewith. A
17 municipal court participating in the program established by the
18 administrative office of the ((administrator for the)) courts pursuant
19 to RCW 2.56.160 shall have jurisdiction to take recognizance, approve
20 bail, and arraign defendants held within its jurisdiction on warrants
21 issued by any court of limited jurisdiction participating in the
22 program.

23 **Sec. 15.** RCW 3.66.010 and 2000 c 111 s 2 are each amended to read
24 as follows:

25 (1) The justices of the peace elected in accordance with chapters
26 3.30 through 3.74 RCW are authorized to hold court as judges of the
27 district court for the trial of all actions enumerated in chapters 3.30
28 through 3.74 RCW or assigned to the district court by law; to hear,
29 try, and determine the same according to the law, and for that purpose
30 where no special provision is otherwise made by law, such court shall
31 be vested with all the necessary powers which are possessed by courts
32 of record in this state; and all laws of a general nature shall apply
33 to such district court as far as the same may be applicable and not
34 inconsistent with the provisions of chapters 3.30 through 3.74 RCW.
35 The district court shall, upon the demand of either party, impanel a
36 jury to try any civil or criminal case in accordance with the

1 provisions of chapter 12.12 RCW. No jury trial may be held in a
2 proceeding involving a traffic infraction.

3 (2) A district court participating in the program established by
4 the administrative office of the ((~~administrator for the~~)) courts
5 pursuant to RCW 2.56.160 shall have jurisdiction to take recognizance,
6 approve bail, and arraign defendants held within its jurisdiction on
7 warrants issued by any other court of limited jurisdiction
8 participating in the program.

9 **Sec. 16.** RCW 3.66.070 and 2001 c 15 s 1 are each amended to read
10 as follows:

11 (1) All criminal actions shall be brought in the district where the
12 alleged violation occurred: PROVIDED, That (a) the prosecuting
13 attorney may file felony cases in the district in which the county seat
14 is located, (b) with the consent of the defendant criminal actions
15 other than those arising out of violations of city ordinances may be
16 brought in or transferred to the district in which the county seat is
17 located, (c) if the alleged violation relates to driving, or being in
18 actual physical control of, a motor vehicle while under the influence
19 of intoxicating liquor or any drug and the alleged violation occurred
20 within a judicial district which has been designated an enhanced
21 enforcement district under RCW 2.56.110, the charges may be filed in
22 that district or in a district within the same county which is adjacent
23 to the district in which the alleged violation occurred, and (d) a
24 district court participating in the program established by the
25 administrative office of the ((~~administrator for the~~)) courts pursuant
26 to RCW 2.56.160 shall have jurisdiction to take recognizance, approve
27 bail, and arraign defendants held within its jurisdiction on warrants
28 issued by any other court of limited jurisdiction participating in the
29 program.

30 (2) In the event of an emergency created by act of nature, civil
31 unrest, technological failure, or other hazardous condition, temporary
32 venue for court of limited jurisdiction matters may be had in a court
33 district not impacted by the emergency. Such emergency venue is
34 appropriate only for the duration of the emergency.

35 (3) A criminal action commenced under a local ordinance is deemed
36 to be properly heard by the court of original jurisdiction even though
37 the hearing may take place by video or other electronic means as
38 approved by the supreme court and the defendant is appearing by an

1 electronic method from a location outside the court's geographic
2 jurisdiction or boundaries.

3 **Sec. 17.** RCW 9.73.230 and 1989 c 271 s 204 are each amended to
4 read as follows:

5 (1) As part of a bona fide criminal investigation, the chief law
6 enforcement officer of a law enforcement agency or his or her designee
7 above the rank of first line supervisor may authorize the interception,
8 transmission, or recording of a conversation or communication by
9 officers under the following circumstances:

10 (a) At least one party to the conversation or communication has
11 consented to the interception, transmission, or recording;

12 (b) Probable cause exists to believe that the conversation or
13 communication involves the unlawful manufacture, delivery, sale, or
14 possession with intent to manufacture, deliver, or sell, controlled
15 substances as defined in chapter 69.50 RCW, or legend drugs as defined
16 in chapter 69.41 RCW, or imitation controlled substances as defined in
17 chapter 69.52 RCW; and

18 (c) A written report has been completed as required by subsection
19 (2) of this section.

20 (2) The agency's chief officer or designee authorizing an
21 interception, transmission, or recording under subsection (1) of this
22 section, shall prepare and sign a written report at the time of
23 authorization indicating:

24 (a) The circumstances that meet the requirements of subsection (1)
25 of this section;

26 (b) The names of the authorizing and consenting parties, except
27 that in those cases where the consenting party is a confidential
28 informant, the name of the confidential informant need not be divulged;

29 (c) The names of the officers authorized to intercept, transmit,
30 and record the conversation or communication;

31 (d) The identity of the particular person or persons, if known, who
32 may have committed or may commit the offense;

33 (e) The details of the particular offense or offenses that may have
34 been or may be committed and the expected date, location, and
35 approximate time of the conversation or communication; and

36 (f) Whether there was an attempt to obtain authorization pursuant
37 to RCW 9.73.090(2) and, if there was such an attempt, the outcome of
38 the attempt.

1 (3) An authorization under this section is valid in all
2 jurisdictions within Washington state and for the interception of
3 communications from additional persons if the persons are brought into
4 the conversation or transaction by the nonconsenting party or if the
5 nonconsenting party or such additional persons cause or invite the
6 consenting party to enter another jurisdiction.

7 (4) The recording of any conversation or communication under this
8 section shall be done in such a manner that protects the recording from
9 editing or other alterations.

10 (5) An authorization made under this section is valid for no more
11 than twenty-four hours from the time it is signed by the authorizing
12 officer, and each authorization shall independently meet all of the
13 requirements of this section. The authorizing officer shall sign the
14 written report required under subsection (2) of this section,
15 certifying the exact date and time of his or her signature. An
16 authorization under this section may be extended not more than twice
17 for an additional consecutive twenty-four hour period based upon the
18 same probable cause regarding the same suspected transaction. Each
19 such extension shall be signed by the authorizing officer.

20 (6) Within fifteen days after the signing of an authorization that
21 results in any interception, transmission, or recording of a
22 conversation or communication pursuant to this section, the law
23 enforcement agency which made the interception, transmission, or
24 recording shall submit a report including the original authorization
25 under subsection (2) of this section to a judge of a court having
26 jurisdiction which report shall identify (a) the persons, including the
27 consenting party, who participated in the conversation, and (b) the
28 date, location, and approximate time of the conversation.

29 In those cases where the consenting party is a confidential
30 informant, the name of the confidential informant need not be divulged.

31 A monthly report shall be filed by the law enforcement agency with
32 the administrator for the courts indicating the number of
33 authorizations granted, the date and time of each authorization,
34 interceptions made, arrests resulting from an interception, and
35 subsequent invalidations.

36 (7)(a) Within two judicial days of receipt of a report under
37 subsection (6) of this section, the court shall make an ex parte review
38 of the authorization, but not of the evidence, and shall make a
39 determination whether the requirements of subsection (1) of this

1 section were met. If the court determines that any of the requirements
2 of subsection (1) of this section were not met, the court shall order
3 that any recording and any copies or transcriptions of the conversation
4 or communication be destroyed. Destruction of recordings, copies, or
5 transcriptions shall be stayed pending any appeal of a finding that the
6 requirements of subsection (1) of this section were not met.

7 (b) Absent a continuation under (c) of this subsection, six months
8 following a determination under (a) of this subsection that probable
9 cause did not exist, the court shall cause a notice to be mailed to the
10 last known address of any nonconsenting party to the conversation or
11 communication that was the subject of the authorization. The notice
12 shall indicate the date, time, and place of any interception,
13 transmission, or recording made pursuant to the authorization. The
14 notice shall also identify the agency that sought the authorization and
15 shall indicate that a review under (a) of this subsection resulted in
16 a determination that the authorization was made in violation of this
17 section.

18 (c) An authorizing agency may obtain six-month extensions to the
19 notice requirement of (b) of this subsection in cases of active,
20 ongoing criminal investigations that might be jeopardized by sending
21 the notice.

22 (8) In any subsequent judicial proceeding, evidence obtained
23 through the interception or recording of a conversation or
24 communication pursuant to this section shall be admissible only if:

25 (a) The court finds that the requirements of subsection (1) of this
26 section were met and the evidence is used in prosecuting an offense
27 listed in subsection (1)(b) of this section; or

28 (b) The evidence is admitted with the permission of the person
29 whose communication or conversation was intercepted, transmitted, or
30 recorded; or

31 (c) The evidence is admitted in a prosecution for a "serious
32 violent offense" as defined in RCW 9.94A.030 in which a party who
33 consented to the interception, transmission, or recording was a victim
34 of the offense; or

35 (d) The evidence is admitted in a civil suit for personal injury or
36 wrongful death arising out of the same incident, in which a party who
37 consented to the interception, transmission, or recording was a victim
38 of a serious violent offense as defined in RCW 9.94A.030.

1 Nothing in this subsection bars the admission of testimony of a
2 party or eyewitness to the intercepted, transmitted, or recorded
3 conversation or communication when that testimony is unaided by
4 information obtained solely by violation of RCW 9.73.030.

5 (9) Any determination of invalidity of an authorization under this
6 section shall be reported by the court to the administrative office of
7 the ((~~administrator for the~~)) courts.

8 (10) Any person who intentionally intercepts, transmits, or records
9 or who intentionally authorizes the interception, transmission, or
10 recording of a conversation or communication in violation of this
11 section, is guilty of a class C felony punishable according to chapter
12 9A.20 RCW.

13 (11) An authorizing agency is liable for twenty-five thousand
14 dollars in exemplary damages, in addition to any other damages
15 authorized by this chapter or by other law, to a person whose
16 conversation or communication was intercepted, transmitted, or recorded
17 pursuant to an authorization under this section if:

18 (a) In a review under subsection (7) of this section, or in a
19 suppression of evidence proceeding, it has been determined that the
20 authorization was made without the probable cause required by
21 subsection (1)(b) of this section; and

22 (b) The authorization was also made without a reasonable suspicion
23 that the conversation or communication would involve the unlawful acts
24 identified in subsection (1)(b) of this section.

25 **Sec. 18.** RCW 9.94A.660 and 2001 c 10 s 4 are each amended to read
26 as follows:

27 (1) An offender is eligible for the special drug offender
28 sentencing alternative if:

29 (a) The offender is convicted of a felony that is not a violent
30 offense or sex offense and the violation does not involve a sentence
31 enhancement under RCW 9.94A.510 (3) or (4);

32 (b) The offender has no current or prior convictions for a sex
33 offense or violent offense in this state, another state, or the United
34 States;

35 (c) For a violation of the Uniform Controlled Substances Act under
36 chapter 69.50 RCW or a criminal solicitation to commit such a violation
37 under chapter 9A.28 RCW, the offense involved only a small quantity of
38 the particular controlled substance as determined by the judge upon

1 consideration of such factors as the weight, purity, packaging, sale
2 price, and street value of the controlled substance; and

3 (d) The offender has not been found by the United States attorney
4 general to be subject to a deportation detainer or order and does not
5 become subject to a deportation order during the period of the
6 sentence.

7 (2) If the standard sentence range is greater than one year and the
8 sentencing court determines that the offender is eligible for this
9 alternative and that the offender and the community will benefit from
10 the use of the alternative, the judge may waive imposition of a
11 sentence within the standard sentence range and impose a sentence that
12 must include a period of total confinement in a state facility for one-
13 half of the midpoint of the standard sentence range. During
14 incarceration in the state facility, offenders sentenced under this
15 subsection shall undergo a comprehensive substance abuse assessment and
16 receive, within available resources, treatment services appropriate for
17 the offender. The treatment services shall be designed by the division
18 of alcohol and substance abuse of the department of social and health
19 services, in cooperation with the department of corrections.

20 The court shall also impose:

21 (a) The remainder of the midpoint of the standard range as a term
22 of community custody which must include appropriate substance abuse
23 treatment in a program that has been approved by the division of
24 alcohol and substance abuse of the department of social and health
25 services;

26 (b) Crime-related prohibitions including a condition not to use
27 illegal controlled substances;

28 (c) A requirement to submit to urinalysis or other testing to
29 monitor that status; and

30 (d) A term of community custody pursuant to RCW 9.94A.715 to be
31 imposed upon failure to complete or administrative termination from the
32 special drug offender sentencing alternative program.

33 The court may prohibit the offender from using alcohol or
34 controlled substances and may require that the monitoring for
35 controlled substances be conducted by the department or by a treatment
36 alternatives to street crime program or a comparable court or agency-
37 referred program. The offender may be required to pay thirty dollars
38 per month while on community custody to offset the cost of monitoring.

1 In addition, the court shall impose three or more of the following
2 conditions:

3 (i) Devote time to a specific employment or training;

4 (ii) Remain within prescribed geographical boundaries and notify
5 the court or the community corrections officer before any change in the
6 offender's address or employment;

7 (iii) Report as directed to a community corrections officer;

8 (iv) Pay all court-ordered legal financial obligations;

9 (v) Perform community service work;

10 (vi) Stay out of areas designated by the sentencing court;

11 (vii) Such other conditions as the court may require such as
12 affirmative conditions.

13 (3) If the offender violates any of the sentence conditions in
14 subsection (2) of this section or is found by the United States
15 attorney general to be subject to a deportation order, a violation
16 hearing shall be held by the department unless waived by the offender.

17 (a) If the department finds that conditions have been willfully
18 violated, the offender may be reclassified to serve the remaining
19 balance of the original sentence.

20 (b) If the department finds that the offender is subject to a valid
21 deportation order, the department may administratively terminate the
22 offender from the program and reclassify the offender to serve the
23 remaining balance of the original sentence.

24 (4) The department shall determine the rules for calculating the
25 value of a day fine based on the offender's income and reasonable
26 obligations which the offender has for the support of the offender and
27 any dependents. These rules shall be developed in consultation with
28 the ((~~administrator for~~)) administrative office of the courts, the
29 office of financial management, and the commission.

30 (5) An offender who fails to complete the special drug offender
31 sentencing alternative program or who is administratively terminated
32 from the program shall be reclassified to serve the unexpired term of
33 his or her sentence as ordered by the sentencing court and shall be
34 subject to all rules relating to earned release time. An offender who
35 violates any conditions of supervision as defined by the department
36 shall be sanctioned. Sanctions may include, but are not limited to,
37 reclassifying the offender to serve the unexpired term of his or her
38 sentence as ordered by the sentencing court. If an offender is

1 reclassified to serve the unexpired term of his or her sentence, the
2 offender shall be subject to all rules relating to earned release time.

3 **Sec. 19.** RCW 9.94A.850 and 2000 c 28 s 41 are each amended to read
4 as follows:

5 (1) A sentencing guidelines commission is established as an agency
6 of state government.

7 (2) The legislature finds that the commission, having accomplished
8 its original statutory directive to implement this chapter, and having
9 expertise in sentencing practice and policies, shall:

10 (a) Evaluate state sentencing policy, to include whether the
11 sentencing ranges and standards are consistent with and further:

12 (i) The purposes of this chapter as defined in RCW 9.94A.010; and

13 (ii) The intent of the legislature to emphasize confinement for the
14 violent offender and alternatives to confinement for the nonviolent
15 offender.

16 The commission shall provide the governor and the legislature with
17 its evaluation and recommendations under this subsection not later than
18 December 1, 1996, and every two years thereafter;

19 (b) Recommend to the legislature revisions or modifications to the
20 standard sentence ranges, state sentencing policy, prosecuting
21 standards, and other standards. If implementation of the revisions or
22 modifications would result in exceeding the capacity of correctional
23 facilities, then the commission shall accompany its recommendation with
24 an additional list of standard sentence ranges which are consistent
25 with correction capacity;

26 (c) Study the existing criminal code and from time to time make
27 recommendations to the legislature for modification;

28 (d)(i) Serve as a clearinghouse and information center for the
29 collection, preparation, analysis, and dissemination of information on
30 state and local adult and juvenile sentencing practices; (ii) develop
31 and maintain a computerized adult and juvenile sentencing information
32 system by individual superior court judge consisting of offender,
33 offense, history, and sentence information entered from judgment and
34 sentence forms for all adult felons; and (iii) conduct ongoing research
35 regarding adult and juvenile sentencing guidelines, use of total
36 confinement and alternatives to total confinement, plea bargaining, and
37 other matters relating to the improvement of the adult criminal justice
38 system and the juvenile justice system;

1 (e) Assume the powers and duties of the juvenile disposition
2 standards commission after June 30, 1996;

3 (f) Evaluate the effectiveness of existing disposition standards
4 and related statutes in implementing policies set forth in RCW
5 13.40.010 generally, specifically review the guidelines relating to the
6 confinement of minor and first-time offenders as well as the use of
7 diversion, and review the application of current and proposed juvenile
8 sentencing standards and guidelines for potential adverse impacts on
9 the sentencing outcomes of racial and ethnic minority youth;

10 (g) Solicit the comments and suggestions of the juvenile justice
11 community concerning disposition standards, and make recommendations to
12 the legislature regarding revisions or modifications of the standards.
13 The evaluations shall be submitted to the legislature on December 1 of
14 each odd-numbered year. The department of social and health services
15 shall provide the commission with available data concerning the
16 implementation of the disposition standards and related statutes and
17 their effect on the performance of the department's responsibilities
18 relating to juvenile offenders, and with recommendations for
19 modification of the disposition standards. The administrative office
20 of the (~~administrator for the~~) courts shall provide the commission
21 with available data on diversion and dispositions of juvenile offenders
22 under chapter 13.40 RCW; and

23 (h) Not later than December 1, 1997, and at least every two years
24 thereafter, based on available information, report to the governor and
25 the legislature on:

26 (i) Racial disproportionality in juvenile and adult sentencing;

27 (ii) The capacity of state and local juvenile and adult facilities
28 and resources; and

29 (iii) Recidivism information on adult and juvenile offenders.

30 (3) Each of the commission's recommended standard sentence ranges
31 shall include one or more of the following: Total confinement, partial
32 confinement, community supervision, community service, and a fine.

33 (4) The standard sentence ranges of total and partial confinement
34 under this chapter are subject to the following limitations:

35 (a) If the maximum term in the range is one year or less, the
36 minimum term in the range shall be no less than one-third of the
37 maximum term in the range, except that if the maximum term in the range
38 is ninety days or less, the minimum term may be less than one-third of
39 the maximum;

1 (b) If the maximum term in the range is greater than one year, the
2 minimum term in the range shall be no less than seventy-five percent of
3 the maximum term in the range, except that for murder in the second
4 degree in seriousness level XIV under RCW 9.94A.510, the minimum term
5 in the range shall be no less than fifty percent of the maximum term in
6 the range; and

7 (c) The maximum term of confinement in a range may not exceed the
8 statutory maximum for the crime as provided in RCW 9A.20.021.

9 (5)(a) Not later than December 31, 1999, the commission shall
10 propose to the legislature the initial community custody ranges to be
11 included in sentences under RCW 9.94A.715 for crimes committed on or
12 after July 1, 2000. Not later than December 31 of each year, the
13 commission may propose modifications to the ranges. The ranges shall
14 be based on the principles in RCW 9.94A.010, and shall take into
15 account the funds available to the department for community custody.
16 The minimum term in each range shall not be less than one-half of the
17 maximum term.

18 (b) The legislature may, by enactment of a legislative bill, adopt
19 or modify the community custody ranges proposed by the commission. If
20 the legislature fails to adopt or modify the initial ranges in its next
21 regular session after they are proposed, the proposed ranges shall take
22 effect without legislative approval for crimes committed on or after
23 July 1, 2000.

24 (c) When the commission proposes modifications to ranges pursuant
25 to this subsection, the legislature may, by enactment of a bill, adopt
26 or modify the ranges proposed by the commission for crimes committed on
27 or after July 1 of the year after they were proposed. Unless the
28 legislature adopts or modifies the commission's proposal in its next
29 regular session, the proposed ranges shall not take effect.

30 (6) The commission shall exercise its duties under this section in
31 conformity with chapter 34.05 RCW.

32 **Sec. 20.** RCW 9.94A.855 and 1999 c 143 s 10 are each amended to
33 read as follows:

34 The commission shall appoint a research staff of sufficient size
35 and with sufficient resources to accomplish its duties. The commission
36 may request from the office of financial management, the indeterminate
37 sentence review board, (~~administrator for~~) the administrative office
38 of the courts, the department of corrections, and the department of

1 social and health services such data, information, and data processing
2 assistance as it may need to accomplish its duties, and such services
3 shall be provided without cost to the commission. The commission shall
4 adopt its own bylaws.

5 The salary for a full-time executive officer, if any, shall be
6 fixed by the governor pursuant to RCW 43.03.040.

7 **Sec. 21.** 1983 c 199 s 2 (uncodified) is amended to read as
8 follows:

9 The administrative office of the ((~~administrator for the~~)) courts
10 shall notify all courts of the requirements contained in RCW 10.40.200.
11 The judicial council shall recommend to the supreme court appropriate
12 court rules to ensure compliance with the requirements of RCW
13 10.40.200. Until court rules are promulgated, the administrative
14 office of the ((~~administrator for the~~)) courts shall develop and
15 distribute forms necessary for the courts to comply with RCW 10.40.200.

16 **Sec. 22.** RCW 10.64.120 and 1996 c 298 s 6 are each amended to read
17 as follows:

18 (1) Every judge of a court of limited jurisdiction shall have the
19 authority to levy upon a person a monthly assessment not to exceed one
20 hundred dollars for services provided whenever the person is referred
21 by the court to the misdemeanor probation department for evaluation or
22 supervision services. The assessment may also be made by a judge in
23 superior court when such misdemeanor or gross misdemeanor cases are
24 heard in the superior court.

25 (2) For the purposes of this section the administrative office of
26 the ((~~administrator for the~~)) courts shall define a probation
27 department and adopt rules for the qualifications of probation officers
28 based on occupational and educational requirements developed by an
29 oversight committee. This oversight committee shall include a
30 representative from the district and municipal court judges
31 association, the misdemeanor corrections association, the
32 administrative office of the ((~~administrator for the~~)) courts, and
33 associations of cities and counties. The oversight committee shall
34 consider qualifications that provide the training and education
35 necessary to (a) conduct presentencing and postsentencing background
36 investigations, including sentencing recommendations to the court
37 regarding jail terms, alternatives to incarceration, and conditions of

1 release; and (b) provide ongoing supervision and assessment of
2 offenders' needs and the risk they pose to the community.

3 (3) It shall be the responsibility of the probation services office
4 to implement local procedures approved by the court of limited
5 jurisdiction to ensure collection and payment of such fees into the
6 general fund of the city or county treasury.

7 (4) Revenues raised under this section shall be used to fund
8 programs for probation services and shall be in addition to those funds
9 provided in RCW 3.62.050.

10 **Sec. 23.** RCW 10.98.080 and 1985 c 201 s 3 are each amended to read
11 as follows:

12 The section shall promptly furnish a state identification number to
13 the originating agency and to the prosecuting attorney who received a
14 copy of the arrest and fingerprint form. In the case of juvenile
15 felony-like adjudications, the section shall furnish, upon request, the
16 state identification number to the juvenile information section of the
17 (~~administrator for~~) administrative office of the courts.

18 **Sec. 24.** RCW 10.98.100 and 1985 c 201 s 5 are each amended to read
19 as follows:

20 The section shall administer a compliance audit at least once
21 annually for each prosecuting attorney, district and municipal court,
22 and originating agency to ensure that all disposition reports have been
23 received and added to the criminal offender record information
24 described in RCW 43.43.705. The section shall prepare listings of all
25 arrests charged and listed in the criminal offender record information
26 for which no disposition report has been received and which has been
27 outstanding for more than nine months since the date of arrest. Each
28 prosecuting attorney, district and municipal court, and originating
29 agency shall be furnished a list of outstanding disposition reports.
30 Cases pending prosecution shall be considered outstanding dispositions
31 in the compliance audit. Within forty-five days, the prosecuting
32 attorney, district and municipal court, and originating agency shall
33 provide the section with a current disposition report for each
34 outstanding disposition. The section shall assist prosecuting
35 attorneys with the compliance audit by cross-checking outstanding cases
36 with the (~~administrator for~~) administrative office of the courts and
37 the department of corrections. The section may provide technical

1 assistance to prosecuting attorneys, district or municipal courts, or
2 originating agencies for their compliance audits. The results of
3 compliance audits shall be published annually and distributed to
4 legislative committees dealing with criminal justice issues, the office
5 of financial management, and criminal justice agencies and
6 associations.

7 **Sec. 25.** RCW 10.98.160 and 1999 c 143 s 53 are each amended to
8 read as follows:

9 In the development and modification of the procedures, definitions,
10 and reporting capabilities of the section, the department, the office
11 of financial management, and the responsible agencies and persons shall
12 consider the needs of other criminal justice agencies such as the
13 (~~administrator for~~) administrative office of the courts, local law
14 enforcement agencies, jailers, the sentencing guidelines commission,
15 the indeterminate sentence review board, the clemency board,
16 prosecuting attorneys, and affected state agencies such as the office
17 of financial management and legislative committees dealing with
18 criminal justice issues. An executive committee appointed by the heads
19 of the department, the Washington state patrol, and the office of
20 financial management shall review and provide recommendations for
21 development and modification of the section, the department, and the
22 office of financial management's felony criminal information systems.

23 **Sec. 26.** RCW 13.34.102 and 2000 c 124 s 3 are each amended to read
24 as follows:

25 (1) All guardians ad litem must comply with the training
26 requirements established under RCW 2.56.030(15), prior to their
27 appointment in cases under Title 13 RCW, except that volunteer
28 guardians ad litem or court-appointed special advocates may comply with
29 alternative training requirements approved by the administrative office
30 of the (~~administrator for the~~) courts that meet or exceed the
31 statewide requirements.

32 (2)(a) Each guardian ad litem program for compensated guardians ad
33 litem shall establish a rotational registry system for the appointment
34 of guardians ad litem. If a judicial district does not have a program
35 the court shall establish the rotational registry system. Guardians ad
36 litem shall be selected from the registry except in exceptional
37 circumstances as determined and documented by the court. The parties

1 may make a joint recommendation for the appointment of a guardian ad
2 litem from the registry.

3 (b) In judicial districts with a population over one hundred
4 thousand, a list of three names shall be selected from the registry and
5 given to the parties along with the background information as specified
6 in RCW 13.34.100(3), including their hourly rate for services. Each
7 party may, within three judicial days, strike one name from the list.
8 If more than one name remains on the list, the court shall make the
9 appointment from the names on the list. In the event all three names
10 are stricken the person whose name appears next on the registry shall
11 be appointed.

12 (c) If a party reasonably believes that the appointed guardian ad
13 litem lacks the necessary expertise for the proceeding, charges an
14 hourly rate higher than what is reasonable for the particular
15 proceeding, or has a conflict of interest, the party may, within three
16 judicial days from the appointment, move for substitution of the
17 appointed guardian ad litem by filing a motion with the court.

18 (d) The superior court shall remove any person from the guardian ad
19 litem registry who misrepresents his or her qualifications pursuant to
20 a grievance procedure established by the court.

21 (3) The rotational registry system shall not apply to court-
22 appointed special advocate programs.

23 **Sec. 27.** RCW 13.64.080 and 1993 c 294 s 8 are each amended to read
24 as follows:

25 The administrative office of the (~~administrator for the~~) courts
26 shall prepare and distribute to the county court clerks appropriate
27 forms for minors seeking to initiate a petition of emancipation.

28 **Sec. 28.** RCW 13.70.130 and 1989 1st ex.s. c 17 s 15 are each
29 amended to read as follows:

30 The (~~administrator for~~) administrative office of the courts may
31 apply for and receive funds from federal, local, and private sources
32 for carrying out the purposes of this chapter.

33 **Sec. 29.** RCW 26.12.177 and 2000 c 124 s 7 are each amended to read
34 as follows:

35 (1) All guardians ad litem and investigators appointed under this
36 title must comply with the training requirements established under RCW

1 2.56.030(15), prior to their appointment in cases under Title 26 RCW,
2 except that volunteer guardians ad litem or court-appointed special
3 advocates may comply with alternative training requirements approved by
4 the administrative office of the (~~administrator for the~~) courts that
5 meet or exceed the statewide requirements.

6 (2)(a) Each guardian ad litem program for compensated guardians ad
7 litem shall establish a rotational registry system for the appointment
8 of guardians ad litem and investigators under this title. If a
9 judicial district does not have a program the court shall establish the
10 rotational registry system. Guardians ad litem and investigators under
11 this title shall be selected from the registry except in exceptional
12 circumstances as determined and documented by the court. The parties
13 may make a joint recommendation for the appointment of a guardian ad
14 litem from the registry.

15 (b) In judicial districts with a population over one hundred
16 thousand, a list of three names shall be selected from the registry and
17 given to the parties along with the background information as specified
18 in RCW 26.12.175(3), including their hourly rate for services. Each
19 party may, within three judicial days, strike one name from the list.
20 If more than one name remains on the list, the court shall make the
21 appointment from the names on the list. In the event all three names
22 are stricken the person whose name appears next on the registry shall
23 be appointed.

24 (c) If a party reasonably believes that the appointed guardian ad
25 litem lacks the necessary expertise for the proceeding, charges an
26 hourly rate higher than what is reasonable for the particular
27 proceeding, or has a conflict of interest, the party may, within three
28 judicial days from the appointment, move for substitution of the
29 appointed guardian ad litem by filing a motion with the court.

30 (d) Under this section, within either registry referred to in (a)
31 of this subsection, a subregistry may be created that consists of
32 guardians ad litem under contract with the department of social and
33 health services' division of child support. Guardians ad litem on such
34 a subregistry shall be selected and appointed in state-initiated
35 paternity cases only.

36 (e) The superior court shall remove any person from the guardian ad
37 litem registry who misrepresents his or her qualifications pursuant to
38 a grievance procedure established by the court.

1 (3) The rotational registry system shall not apply to court-
2 appointed special advocate programs.

3 **Sec. 30.** RCW 26.12.802 and 1999 c 397 s 2 are each amended to read
4 as follows:

5 The ((~~administrator for~~)) administrative office of the courts shall
6 conduct a unified family court pilot program.

7 (1) Pilot program sites shall be selected through a request for
8 proposal process, and shall be established in no more than three
9 superior court judicial districts.

10 (2) To be eligible for consideration as a pilot project site,
11 judicial districts must have a statutorily authorized judicial
12 complement of at least five judges.

13 (3) The ((~~administrator for~~)) administrative office of the courts
14 shall develop criteria for the unified family court pilot program. The
15 pilot program shall include:

16 (a) All case types under Title 13 RCW, chapters 26.09, 26.10,
17 26.12, 26.18, 26.19, 26.20, 26.26, 26.50, 26.27, and 28A.225 RCW;

18 (b) Unified family court judicial officers, who volunteer for the
19 program, and meet training requirements established by local court
20 rule;

21 (c) Case management practices that provide a flexible response to
22 the diverse court-related needs of families involved in multiple areas
23 of the justice system. Case management practices should result in a
24 reduction in process redundancies and an efficient use of time and
25 resources, and create a system enabling multiple case type resolution
26 by one judicial officer or judicial team;

27 (d) A court facilitator to provide assistance to parties with
28 matters before the unified family court; and

29 (e) An emphasis on providing nonadversarial methods of dispute
30 resolution such as a settlement conference, evaluative mediation by
31 attorney mediators, and facilitative mediation by nonattorney
32 mediators.

33 (4) The administrative office of the ((~~administrator for the~~))
34 courts shall publish and disseminate a state-approved listing of
35 definitions of nonadversarial methods of dispute resolution so that
36 court officials, practitioners, and users can choose the most
37 appropriate process for the matter at hand.

1 (5) The administrative office of the (~~administrator for the~~)
2 courts shall provide to the judicial districts selected for the pilot
3 program the computer resources needed by each judicial district to
4 implement the unified family court pilot program.

5 (6) The administrative office of the (~~administrator for the~~)
6 courts shall conduct a study of the pilot program measuring
7 improvements in the judicial system's response to family involvement in
8 the judicial system. The administrator for the courts shall report
9 preliminary findings and final results of the study to the governor,
10 the chief justice of the supreme court, and the legislature on a
11 biennial basis. The initial report is due by July 1, 2000, and the
12 final report is due by December 1, 2004.

13 **Sec. 31.** RCW 26.12.804 and 1999 c 397 s 3 are each amended to read
14 as follows:

15 The judges of the superior court judicial districts with unified
16 family court pilot programs shall adopt local court rules directing the
17 program. The local court rules shall comply with the criteria
18 established by the (~~administrator for~~) administrative office of the
19 courts and shall include:

20 (1) A requirement that all judicial officers hearing cases in
21 unified family court:

22 (a) Complete an initial training program including the topic areas
23 of childhood development, domestic violence, cultural awareness, child
24 abuse and neglect, chemical dependency, and mental illness; and

25 (b) Subsequent to the training in (a) of this subsection, annually
26 attend a minimum of eight hours of continuing education of pertinence
27 to the unified family court;

28 (2) Case management that is based on the practice of one judge or
29 judicial team handling all matters relating to a family;

30 (3) An emphasis on coordinating or consolidating, to the extent
31 possible, all cases before the unified family court relating to a
32 family; and

33 (4) Programs that provide for record confidentiality to protect the
34 confidentiality of court records in accordance with the law. However
35 law enforcement agencies shall have access to the records to the extent
36 permissible under the law.

1 **Sec. 32.** RCW 26.18.210 and 1990 1st ex.s. c 2 s 22 are each
2 amended to read as follows:

3 (1) The ((~~administrator for~~)) administrative office of the courts
4 shall develop a child support order summary report form to provide for
5 the reporting of summary information in every case in which a child
6 support order is entered or modified either judicially or
7 administratively. The ((~~administrator for~~)) administrative office of
8 the courts shall attempt to the greatest extent possible to make the
9 form simple and understandable by the parties. The form shall indicate
10 the following:

11 (a) The county in which the order was entered and the cause number;

12 (b) Whether it was a judicial or administrative order;

13 (c) Whether the order is an original order or from a modification;

14 (d) The number of children of the parties and the children's ages;

15 (e) The combined monthly net income of parties;

16 (f) The monthly net income of the father as determined by the
17 court;

18 (g) The monthly net income of the mother as determined by the
19 court;

20 (h) The basic child support obligation for each child as determined
21 from the economic table;

22 (i) Whether or not the court deviated from the child support for
23 each child;

24 (j) The reason or reasons stated by the court for the deviation;

25 (k) The amount of child support after the deviation;

26 (l) Any amount awarded for day care;

27 (m) Any other extraordinary amounts in the order;

28 (n) Any amount ordered for postsecondary education;

29 (o) The total amount of support ordered;

30 (p) In the case of a modification, the amount of support in the
31 previous order;

32 (q) If the change in support was in excess of thirty percent,
33 whether the change was phased in;

34 (r) The amount of the transfer payment ordered;

35 (s) Which parent was ordered to make the transfer payment; and

36 (t) The date of the entry of the order.

37 (2) The ((~~administrator for~~)) administrative office of the courts
38 shall make the form available to the parties.

1 **Sec. 33.** RCW 26.18.220 and 1992 c 229 s 5 are each amended to read
2 as follows:

3 (1) The ((~~administrator for~~)) administrative office of the courts
4 shall develop not later than July 1, 1991, standard court forms and
5 format rules for mandatory use by litigants in all actions commenced
6 under chapters 26.09, 26.10, and 26.26 RCW effective January 1, 1992.
7 The administrator for the courts shall develop mandatory forms for
8 financial affidavits for integration into the worksheets. The forms
9 shall be developed and approved not later than September 1, 1992. The
10 parties shall use the mandatory form for financial affidavits for
11 actions commenced on or after September 1, 1992. The ((~~administrator~~
12 ~~for~~)) administrative office of the courts has continuing responsibility
13 to develop and revise mandatory forms and format rules as appropriate.

14 (2) A party may delete unnecessary portions of the forms according
15 to the rules established by the ((~~administrator for~~)) administrative
16 office of the courts. A party may supplement the mandatory forms with
17 additional material.

18 (3) A party's failure to use the mandatory forms or follow the
19 format rules shall not be a reason to dismiss a case, refuse a filing,
20 or strike a pleading. However, the court may require the party to
21 submit a corrected pleading and may impose terms payable to the
22 opposing party or payable to the court, or both.

23 (4) The ((~~administrator for~~)) administrative office of the courts
24 shall distribute a master copy of the forms to all county court clerks.
25 The ((~~administrator for~~)) administrative office of the courts and
26 county clerks shall distribute the mandatory forms to the public upon
27 request and may charge for the cost of production and distribution of
28 the forms. Private vendors may distribute the mandatory forms.
29 Distribution may be in printed or electronic form.

30 **Sec. 34.** RCW 26.19.011 and 1991 sp.s. c 28 s 4 are each amended to
31 read as follows:

32 Unless the context clearly requires otherwise, the definitions in
33 this section apply throughout this chapter.

34 (1) "Basic child support obligation" means the monthly child
35 support obligation determined from the economic table based on the
36 parties' combined monthly net income and the number of children for
37 whom support is owed.

1 (2) "Child support schedule" means the standards, economic table,
2 worksheets, and instructions, as defined in this chapter.

3 (3) "Court" means a superior court judge, court commissioner, and
4 presiding and reviewing officers who administratively determine or
5 enforce child support orders.

6 (4) "Deviation" means a child support amount that differs from the
7 standard calculation.

8 (5) "Economic table" means the child support table for the basic
9 support obligation provided in RCW 26.19.020.

10 (6) "Instructions" means the instructions developed by the
11 administrative office of the ((~~administrator for the~~)) courts pursuant
12 to RCW 26.19.050 for use in completing the worksheets.

13 (7) "Standards" means the standards for determination of child
14 support as provided in this chapter.

15 (8) "Standard calculation" means the presumptive amount of child
16 support owed as determined from the child support schedule before the
17 court considers any reasons for deviation.

18 (9) "Support transfer payment" means the amount of money the court
19 orders one parent to pay to another parent or custodian for child
20 support after determination of the standard calculation and deviations.
21 If certain expenses or credits are expected to fluctuate and the order
22 states a formula or percentage to determine the additional amount or
23 credit on an ongoing basis, the term "support transfer payment" does
24 not mean the additional amount or credit.

25 (10) "Worksheets" means the forms developed by the administrative
26 office of the ((~~administrator for the~~)) courts pursuant to RCW
27 26.19.050 for use in determining the amount of child support.

28 **Sec. 35.** RCW 26.19.035 and 1992 c 229 s 6 are each amended to read
29 as follows:

30 (1) **Application of the child support schedule.** The child support
31 schedule shall be applied:

32 (a) In each county of the state;

33 (b) In judicial and administrative proceedings under this title or
34 Title 13 or 74 RCW;

35 (c) In all proceedings in which child support is determined or
36 modified;

37 (d) In setting temporary and permanent support;

1 (e) In automatic modification provisions or decrees entered
2 pursuant to RCW 26.09.100; and

3 (f) In addition to proceedings in which child support is determined
4 for minors, to adult children who are dependent on their parents and
5 for whom support is ordered pursuant to RCW 26.09.100.

6 The provisions of this chapter for determining child support and
7 reasons for deviation from the standard calculation shall be applied in
8 the same manner by the court, presiding officers, and reviewing
9 officers.

10 (2) **Written findings of fact supported by the evidence.** An order
11 for child support shall be supported by written findings of fact upon
12 which the support determination is based and shall include reasons for
13 any deviation from the standard calculation and reasons for denial of
14 a party's request for deviation from the standard calculation. The
15 court shall enter written findings of fact in all cases whether or not
16 the court: (a) Sets the support at the presumptive amount, for
17 combined monthly net incomes below five thousand dollars; (b) sets the
18 support at an advisory amount, for combined monthly net incomes between
19 five thousand and seven thousand dollars; or (c) deviates from the
20 presumptive or advisory amounts.

21 (3) **Completion of worksheets.** Worksheets in the form developed by
22 the administrative office of the ((~~administrator for the~~)) courts shall
23 be completed under penalty of perjury and filed in every proceeding in
24 which child support is determined. The court shall not accept
25 incomplete worksheets or worksheets that vary from the worksheets
26 developed by the administrative office of the ((~~administrator for the~~))
27 courts.

28 (4) **Court review of the worksheets and order.** The court shall
29 review the worksheets and the order setting support for the adequacy of
30 the reasons set forth for any deviation or denial of any request for
31 deviation and for the adequacy of the amount of support ordered. Each
32 order shall state the amount of child support calculated using the
33 standard calculation and the amount of child support actually ordered.
34 Worksheets shall be attached to the decree or order or if filed
35 separately shall be initialed or signed by the judge and filed with the
36 order.

37 **Sec. 36.** RCW 26.19.050 and 1990 1st ex.s. c 2 s 5 are each amended
38 to read as follows:

1 (1) The ((~~administrator for~~)) administrative office of the courts
2 shall develop and adopt worksheets and instructions to assist the
3 parties and courts in establishing the appropriate child support level
4 and apportionment of support. The ((~~administrator for~~)) administrative
5 office of the courts shall attempt to the greatest extent possible to
6 make the worksheets and instructions understandable by persons who are
7 not represented by legal counsel.

8 (2) The ((~~administrator for~~)) administrative office of the courts
9 shall develop and adopt standards for the printing of worksheets and
10 shall establish a process for certifying printed worksheets. The
11 administrator may maintain a register of sources for approved
12 worksheets.

13 (3) The ((~~administrator for~~)) administrative office of the courts
14 should explore methods to assist pro se parties and judges in the
15 courtroom to calculate support payments through automated software,
16 equipment, or personal assistance.

17 **Sec. 37.** RCW 26.26.065 and 1992 c 229 s 7 are each amended to read
18 as follows:

19 (1) Effective January 1, 1992, a party shall not file any pleading
20 with the clerk of the court in an action commenced under this chapter
21 unless on forms approved by the ((~~administrator for~~)) administrative
22 office of the courts.

23 (2) The parties shall comply with requirements for submission to
24 the court of forms as provided in RCW 26.18.220.

25 **Sec. 38.** RCW 26.50.030 and 1996 c 248 s 12 are each amended to
26 read as follows:

27 There shall exist an action known as a petition for an order for
28 protection in cases of domestic violence.

29 (1) A petition for relief shall allege the existence of domestic
30 violence, and shall be accompanied by an affidavit made under oath
31 stating the specific facts and circumstances from which relief is
32 sought. Petitioner and respondent shall disclose the existence of any
33 other litigation concerning the custody or residential placement of a
34 child of the parties as set forth in RCW 26.27.090 and the existence of
35 any other restraining, protection, or no-contact orders between the
36 parties.

1 (2) A petition for relief may be made regardless of whether or not
2 there is a pending lawsuit, complaint, petition, or other action
3 between the parties except in cases where the court realigns petitioner
4 and respondent in accordance with RCW 26.50.060(4).

5 (3) Within ninety days of receipt of the master copy from the
6 (~~administrator for~~) administrative office of the courts, all court
7 clerk's offices shall make available the standardized forms,
8 instructions, and informational brochures required by RCW 26.50.035 and
9 shall fill in and keep current specific program names and telephone
10 numbers for community resources. Any assistance or information
11 provided by clerks under this section does not constitute the practice
12 of law and clerks are not responsible for incorrect information
13 contained in a petition.

14 (4) No filing fee may be charged for proceedings under this
15 section. Forms and instructional brochures shall be provided free of
16 charge.

17 (5) A person is not required to post a bond to obtain relief in any
18 proceeding under this section.

19 **Sec. 39.** RCW 26.50.035 and 2000 c 119 s 14 are each amended to
20 read as follows:

21 (1) The (~~administrator for~~) administrative office of the courts
22 shall develop and prepare instructions and informational brochures
23 required under RCW 26.50.030(4), standard petition and order for
24 protection forms, and a court staff handbook on domestic violence and
25 the protection order process. The standard petition and order for
26 protection forms must be used after September 1, 1994, for all
27 petitions filed and orders issued under this chapter. The
28 instructions, brochures, forms, and handbook shall be prepared in
29 consultation with interested persons, including a representative of the
30 state domestic violence coalition, judges, and law enforcement
31 personnel.

32 (a) The instructions shall be designed to assist petitioners in
33 completing the petition, and shall include a sample of standard
34 petition and order for protection forms.

35 (b) The informational brochure shall describe the use of and the
36 process for obtaining, modifying, and terminating a domestic violence
37 protection order as provided under this chapter, an antiharassment no-
38 contact order as provided under chapter 9A.46 RCW, a domestic violence

1 no-contact order as provided under chapter 10.99 RCW, a restraining
2 order as provided under chapters 26.09, 26.10, 26.26, and 26.44 RCW, an
3 antiharassment protection order as provided by chapter 10.14 RCW, and
4 a foreign protection order as defined in chapter 26.52 RCW.

5 (c) The order for protection form shall include, in a conspicuous
6 location, notice of criminal penalties resulting from violation of the
7 order, and the following statement: "You can be arrested even if the
8 person or persons who obtained the order invite or allow you to violate
9 the order's prohibitions. The respondent has the sole responsibility
10 to avoid or refrain from violating the order's provisions. Only the
11 court can change the order upon written application."

12 (d) The court staff handbook shall allow for the addition of a
13 community resource list by the court clerk.

14 (2) All court clerks shall obtain a community resource list from a
15 domestic violence program, defined in RCW 70.123.020, serving the
16 county in which the court is located. The community resource list
17 shall include the names and telephone numbers of domestic violence
18 programs serving the community in which the court is located, including
19 law enforcement agencies, domestic violence agencies, sexual assault
20 agencies, legal assistance programs, interpreters, multicultural
21 programs, and batterers' treatment programs. The court shall make the
22 community resource list available as part of or in addition to the
23 informational brochures described in subsection (1) of this section.

24 (3) The ((~~administrator for~~)) administrative office of the courts
25 shall distribute a master copy of the petition and order forms,
26 instructions, and informational brochures to all court clerks and shall
27 distribute a master copy of the petition and order forms to all
28 superior, district, and municipal courts.

29 (4) For purposes of this section, "court clerks" means court
30 administrators in courts of limited jurisdiction and elected court
31 clerks.

32 (5) The ((~~administrator for~~)) administrative office of the courts
33 shall determine the significant non-English-speaking or limited
34 English-speaking populations in the state. The administrator shall
35 then arrange for translation of the instructions and informational
36 brochures required by this section, which shall contain a sample of the
37 standard petition and order for protection forms, into the languages
38 spoken by those significant non-English-speaking populations and shall

1 distribute a master copy of the translated instructions and
2 informational brochures to all court clerks by January 1, 1997.

3 (6) The ((~~administrator for~~)) administrative office of the courts
4 shall update the instructions, brochures, standard petition and order
5 for protection forms, and court staff handbook when changes in the law
6 make an update necessary.

7 **Sec. 40.** RCW 35.20.030 and 2000 c 111 s 7 are each amended to read
8 as follows:

9 The municipal court shall have jurisdiction to try violations of
10 all city ordinances and all other actions brought to enforce or recover
11 license penalties or forfeitures declared or given by any such
12 ordinances. It is empowered to forfeit cash bail or bail bonds and
13 issue execution thereon, to hear and determine all causes, civil or
14 criminal, arising under such ordinances, and to pronounce judgment in
15 accordance therewith: PROVIDED, That for a violation of the criminal
16 provisions of an ordinance no greater punishment shall be imposed than
17 a fine of five thousand dollars or imprisonment in the city jail not to
18 exceed one year, or both such fine and imprisonment, but the punishment
19 for any criminal ordinance shall be the same as the punishment provided
20 in state law for the same crime. All civil and criminal proceedings in
21 municipal court, and judgments rendered therein, shall be subject to
22 review in the superior court by writ of review or on appeal: PROVIDED,
23 That an appeal from the court's determination or order in a traffic
24 infraction proceeding may be taken only in accordance with RCW
25 46.63.090(5). Costs in civil and criminal cases may be taxed as
26 provided in district courts. A municipal court participating in the
27 program established by the administrative office of the ((~~administrator~~
28 ~~for the~~)) courts pursuant to RCW 2.56.160 shall have jurisdiction to
29 take recognizance, approve bail, and arraign defendants held within its
30 jurisdiction on warrants issued by any court of limited jurisdiction
31 participating in the program.

32 **Sec. 41.** RCW 36.01.050 and 2000 c 244 s 1 are each amended to read
33 as follows:

34 (1) All actions against any county may be commenced in the superior
35 court of such county, or in the superior court of either of the two
36 nearest judicial districts. All actions by any county shall be
37 commenced in the superior court of the county in which the defendant

1 resides, or in either of the two judicial districts nearest to the
2 county bringing the action.

3 (2) The determination of the nearest judicial districts is measured
4 by the travel time between county seats using major surface routes, as
5 determined by the administrative office of the (~~administrator for~~
6 ~~the~~) courts.

7 **Sec. 42.** RCW 36.18.018 and 1995 c 292 s 15 are each amended to
8 read as follows:

9 (1) State revenue collected by county clerks under subsection (2)
10 of this section must be transmitted to the appropriate state court.
11 The administrative office of the (~~state administrator for the~~) courts
12 shall retain fees collected under subsection (3) of this section.

13 (2) For appellate review under RAP 5.1(b), two hundred fifty
14 dollars must be charged.

15 (3) For all copies and reports produced by the (~~administrator~~
16 ~~for~~) administrative office of the courts as permitted under RCW
17 2.68.020 and supreme court policy, a variable fee must be charged.

18 **Sec. 43.** RCW 43.08.250 and 2001 2nd sp.s. c 7 s 914 and 2001 c 289
19 s 4 are each reenacted and amended to read as follows:

20 The money received by the state treasurer from fees, fines,
21 forfeitures, penalties, reimbursements or assessments by any court
22 organized under Title 3 or 35 RCW, or chapter 2.08 RCW, shall be
23 deposited in the public safety and education account which is hereby
24 created in the state treasury. The legislature shall appropriate the
25 funds in the account to promote traffic safety education, highway
26 safety, criminal justice training, crime victims' compensation,
27 judicial education, the judicial information system, civil
28 representation of indigent persons, winter recreation parking, drug
29 court operations, and state game programs. During the fiscal biennium
30 ending June 30, 2003, the legislature may appropriate moneys from the
31 public safety and education account for purposes of appellate indigent
32 defense and other operations of the office of public defense, the
33 criminal litigation unit of the attorney general's office, the
34 treatment alternatives to street crimes program, crime victims advocacy
35 programs, justice information network telecommunication planning,
36 treatment for supplemental security income clients, sexual assault
37 treatment, operations of the administrative office of (~~administrator~~

1 ~~for~~) the courts, security in the common schools, alternative school
2 start-up grants, programs for disruptive students, criminal justice
3 data collection, Washington state patrol criminal justice activities,
4 drug court operations, unified family courts, local court backlog
5 assistance, financial assistance to local jurisdictions for
6 extraordinary costs incurred in the adjudication of criminal cases,
7 domestic violence treatment and related services, the department of
8 corrections' costs in implementing chapter 196, Laws of 1999,
9 reimbursement of local governments for costs associated with
10 implementing criminal and civil justice legislation, the replacement of
11 the department of corrections' offender-based tracking system, and
12 methamphetamine-related enforcement, education, training, and drug and
13 alcohol treatment services.

14 **Sec. 44.** RCW 43.70.540 and 1995 c 399 s 76 are each amended to
15 read as follows:

16 The legislature recognizes that the state patrol, the
17 administrative office of the (~~administrator for the~~) courts, the
18 sheriffs' and police chiefs' association, the department of social and
19 health services, the department of community, trade, and economic
20 development, the sentencing guidelines commission, the department of
21 corrections, and the superintendent of public instruction each have
22 comprehensive data and analysis capabilities that have contributed
23 greatly to our current understanding of crime and violence, and their
24 causes.

25 The legislature finds, however, that a single health-oriented
26 agency must be designated to provide consistent guidelines to all these
27 groups regarding the way in which their data systems collect this
28 important data. It is not the intent of the legislature by RCW
29 43.70.545 to transfer data collection requirements from existing
30 agencies or to require the addition of major new data systems. It is
31 rather the intent to make only the minimum required changes in existing
32 data systems to increase compatibility and comparability, reduce
33 duplication, and to increase the usefulness of data collected by these
34 agencies in developing more accurate descriptions of violence.

35 **Sec. 45.** RCW 43.101.280 and 1993 c 415 s 4 are each amended to
36 read as follows:

1 The criminal justice training commission shall develop, in
2 consultation with the ((~~administrator for~~)) administrative office of
3 the courts and the commissions established under chapters 43.113,
4 43.115, and 43.117 RCW, a curriculum for a general understanding of
5 ethnic and cultural diversity and its implications for working with
6 youth of color and their families. The curriculum shall be developed
7 by October 1, 1993. The commission shall ensure that ethnic and
8 diversity training becomes an integral part of the training of law
9 enforcement personnel so as to incorporate cultural sensitivity and
10 awareness into the daily activities of law enforcement personnel.

11 **Sec. 46.** RCW 46.20.286 and 1996 c 199 s 6 are each amended to read
12 as follows:

13 The department of licensing shall adopt procedures in cooperation
14 with the administrative office of the ((~~administrator for the~~)) courts
15 and the department of corrections to implement RCW 46.20.285.

16 **Sec. 47.** RCW 74.14C.100 and 1995 c 311 s 12 are each amended to
17 read as follows:

18 (1) The department shall, within available funds, provide for
19 ongoing training and consultation to department personnel to carry out
20 their responsibilities effectively. Such training may:

21 (a) Include the family unit as the primary focus of service;
22 identifying family member strengths; empowering families; child, adult,
23 and family development; stress management; and may include parent
24 training and family therapy techniques;

25 (b) Address intake and referral, assessment of risk, case
26 assessment, matching clients to services, and service planning issues
27 in the context of the home-delivered service model, including
28 strategies for engaging family members, defusing violent situations,
29 and communication and conflict resolution skills;

30 (c) Cover methods of helping families acquire the skills they need,
31 including home management skills, life skills, parenting, child
32 development, and the use of community resources;

33 (d) Address crisis intervention and other strategies for the
34 management of depression, and suicidal, assaultive, and other high-risk
35 behavior; and

1 (e) Address skills in collaborating with other disciplines and
2 services in promoting the safety of children and other family members
3 and promoting the preservation of the family.

4 (2) The department and the administrative office of the
5 (~~administrator for the~~) courts shall, within available funds,
6 collaborate in providing training to judges, and others involved in the
7 provision of services pursuant to this title, including service
8 providers, on the function and use of preservation services.

9 **Sec. 48.** RCW 74.20A.340 and 1997 c 58 s 804 are each amended to
10 read as follows:

11 (1) In furtherance of the public policy of increasing collection of
12 child support and to assist in evaluation of the program established in
13 RCW 74.20A.320, the department shall report the following to the
14 legislature and the governor on December 1, 1998, and annually
15 thereafter:

16 (a) The number of responsible parents identified as licensees
17 subject to RCW 74.20A.320;

18 (b) The number of responsible parents identified by the department
19 as not in compliance with a child support order;

20 (c) The number of notices of noncompliance served upon responsible
21 parents by the department;

22 (d) The number of responsible parents served a notice of
23 noncompliance who request an adjudicative proceeding;

24 (e) The number of adjudicative proceedings held, and the results of
25 the adjudicative proceedings;

26 (f) The number of responsible parents certified to the department
27 of licensing or licensing entities for noncompliance with a child
28 support order, and the number of each type of licenses that were
29 suspended;

30 (g) The costs incurred in the implementation and enforcement of RCW
31 74.20A.320 and an estimate of the amount of child support collected due
32 to the department under RCW 74.20A.320;

33 (h) Any other information regarding this program that the
34 department feels will assist in evaluation of the program;

35 (i) Recommendations for the addition of specific licenses in the
36 program or exclusion of specific licenses from the program, and reasons
37 for such recommendations; and

1 (j) Any recommendations for statutory changes necessary for the
2 cost-effective management of the program.

3 (2) To assist in evaluation of the program established in RCW
4 74.20A.320, the administrative office of the (~~administrator for the~~)
5 courts shall report the following to the legislature and the governor
6 on December 1, 1998, and annually thereafter:

7 (a) The number of motions for contempt for violation of a
8 visitation or residential order filed under RCW 26.09.160(3);

9 (b) The number of parents found in contempt under RCW 26.09.160(3);
10 and

11 (c) The number of parents whose licenses were suspended under RCW
12 26.09.160(3).

13 (3) This section expires December 2, 2002.

14 **Sec. 49.** RCW 82.14.310 and 2001 2nd sp.s. c 7 s 915 are each
15 amended to read as follows:

16 (1) The county criminal justice assistance account is created in
17 the state treasury. Beginning in fiscal year 2000, the state treasurer
18 shall transfer into the county criminal justice assistance account from
19 the general fund the sum of twenty-three million two hundred thousand
20 dollars divided into four equal deposits occurring on July 1, October
21 1, January 1, and April 1. For each fiscal year thereafter, the state
22 treasurer shall increase the total transfer by the fiscal growth
23 factor, as defined in RCW 43.135.025, forecast for that fiscal year by
24 the office of financial management in November of the preceding year.

25 (2) The moneys deposited in the county criminal justice assistance
26 account for distribution under this section, less any moneys
27 appropriated for purposes under subsection (4) of this section, shall
28 be distributed at such times as distributions are made under RCW
29 82.44.150 and on the relative basis of each county's funding factor as
30 determined under this subsection.

31 (a) A county's funding factor is the sum of:

32 (i) The population of the county, divided by one thousand, and
33 multiplied by two-tenths;

34 (ii) The crime rate of the county, multiplied by three-tenths; and

35 (iii) The annual number of criminal cases filed in the county
36 superior court, for each one thousand in population, multiplied by
37 five-tenths.

38 (b) Under this section and RCW 82.14.320 and 82.14.330:

1 (i) The population of the county or city shall be as last
2 determined by the office of financial management;

3 (ii) The crime rate of the county or city is the annual occurrence
4 of specified criminal offenses, as calculated in the most recent annual
5 report on crime in Washington state as published by the Washington
6 association of sheriffs and police chiefs, for each one thousand in
7 population;

8 (iii) The annual number of criminal cases filed in the county
9 superior court shall be determined by the most recent annual report of
10 the courts of Washington, as published by the administrative office of
11 the ((~~administrator for the~~)) courts;

12 (iv) Distributions and eligibility for distributions in the 1989-91
13 biennium shall be based on 1988 figures for both the crime rate as
14 described under (ii) of this subsection and the annual number of
15 criminal cases that are filed as described under (iii) of this
16 subsection. Future distributions shall be based on the most recent
17 figures for both the crime rate as described under (ii) of this
18 subsection and the annual number of criminal cases that are filed as
19 described under (iii) of this subsection.

20 (3) Moneys distributed under this section shall be expended
21 exclusively for criminal justice purposes and shall not be used to
22 replace or supplant existing funding. Criminal justice purposes are
23 defined as activities that substantially assist the criminal justice
24 system, which may include circumstances where ancillary benefit to the
25 civil or juvenile justice system occurs, and which includes (a)
26 domestic violence services such as those provided by domestic violence
27 programs, community advocates, and legal advocates, as defined in RCW
28 70.123.020, and (b) during the 2001-2003 fiscal biennium, juvenile
29 dispositional hearings relating to petitions for at-risk youth,
30 truancy, and children in need of services. Existing funding for
31 purposes of this subsection is defined as calendar year 1989 actual
32 operating expenditures for criminal justice purposes. Calendar year
33 1989 actual operating expenditures for criminal justice purposes
34 exclude the following: Expenditures for extraordinary events not
35 likely to reoccur, changes in contract provisions for criminal justice
36 services, beyond the control of the local jurisdiction receiving the
37 services, and major nonrecurring capital expenditures.

38 (4) Not more than five percent of the funds deposited to the county
39 criminal justice assistance account shall be available for

1 appropriations for enhancements to the state patrol crime laboratory
2 system and the continuing costs related to these enhancements. Funds
3 appropriated from this account for such enhancements shall not supplant
4 existing funds from the state general fund.

--- END ---