
HOUSE BILL 2398

State of Washington 58th Legislature 2004 Regular Session

By Representatives Upthegrove, Delvin, Dickerson, Chase, Schual-Berke, Hudgins, Kessler and Morrell

Read first time 01/13/2004. Referred to Committee on Juvenile Justice & Family Law.

1 AN ACT Relating to providing notice of a modification or
2 termination of a protection order; and amending RCW 26.50.130.

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

4 **Sec. 1.** RCW 26.50.130 and 1984 c 263 s 14 are each amended to read
5 as follows:

6 (1) Upon application with notice to all parties and after a
7 hearing, the court may modify the terms of an existing order for
8 protection. Except as provided in RCW 26.50.085 and 26.50.123,
9 personal service shall be made upon the respondent not less than five
10 court days prior to the hearing to modify. If timely personal service
11 cannot be made, the court shall set a new hearing date and shall either
12 require additional attempts at obtaining personal service or permit
13 service by publication as provided in RCW 26.50.085 or service by mail
14 as provided in RCW 26.50.123. If the court permits service by
15 publication or by mail, the court shall set the hearing date not later
16 than twenty-four days from the date of the order permitting service by
17 publication or by mail.

18 (2) In any situation where an order is terminated or modified
19 before its expiration date, the clerk of the court shall forward on or

1 before the next judicial day a true copy of the modified order or the
2 termination order to the appropriate law enforcement agency specified
3 in the modified or termination order. Upon receipt of the order, the
4 law enforcement agency shall promptly enter it in the law enforcement
5 information system.

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