
HOUSE BILL 2634

State of Washington 58th Legislature 2004 Regular Session

By Representatives Upthegrove and Chase

Read first time 01/19/2004. Referred to Committee on Judiciary.

1 AN ACT Relating to attorneys serving as guardians ad litem;
2 amending RCW 2.08.185; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature recognizes that qualified
5 and experienced attorneys who have expertise as guardians ad litem or
6 as judicial officers should be permitted to use their expertise to
7 serve the judicial system. However, if a potential conflict of
8 interest exists when an attorney seeks to act as a pro tempore judge or
9 commissioner, the attorney should not be permitted to act in a judicial
10 capacity. The legislature finds that it is necessary to prohibit these
11 situations to protect the integrity of the judicial system and the
12 interests of the children involved in these cases.

13 **Sec. 2.** RCW 2.08.185 and 1996 c 249 s 12 are each amended to read
14 as follows:

15 An attorney may not serve as a ((~~superior court~~)) judge pro tempore
16 or a ((~~superior court~~)) commissioner pro tempore in ((~~a judicial~~
17 ~~district while appointed to or serving on a case in that judicial~~
18 ~~district as a guardian ad litem for compensation under Title 11, 13, or~~

1 ~~26 RCW, if that judicial district is contained within division one or~~
2 ~~two of the court of appeals and has a population of more than one~~
3 ~~hundred thousand)) any matter in which the attorney has ever served as~~
4 ~~an attorney for any party or guardian ad litem for the child of any~~
5 ~~party. An attorney is disqualified from serving as a guardian ad litem~~
6 ~~in any matter in which the attorney has ever served as a judge pro~~
7 ~~tempore or a court commissioner pro tempore.~~

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