

1563

Sponsor(s): Representatives Lantz, Delvin, Dickerson, Carrell, Upthegrove, Talcott, Kessler, Kagi, McDermott, Lovick, Moeller, Morrell, Murray, Pettigrew, Berkey, Kenney and Santos

Brief Description: Providing a procedure for court-ordered contact with a child for nonparents.

HB 1563.E - DIGEST

(AS OF HOUSE 2ND READING 3/06/03)

Affirms that parents have a paramount right to raise their minor children.

Recognizes that this paramount right must be considered in conjunction with a minor child's interest in maintaining the strong emotional bonds with others that the child has developed and relies upon.

Authorizes a nonparent to initiate a court proceeding for contact with a child by filing a verified application to obtain court-ordered contact when all of the following criteria are satisfied: (1) The applicant is an individual with a parent-like relationship with the child. To satisfy this criterion, the applicant must show that: (a) His or her relationship with the child has been parental in nature for a substantial period of time; (b) A parent or custodian of the child consented to or allowed the formation and establishment of the relationship or the relationship was formed as a result of the unavailability or inability of any legal parent to perform caretaking functions; and (c) His or her relationship with the child is beneficial; and

(2) A parent or custodian has substantially interfered with the applicant's relationship with the child and the applicant has unsuccessfully attempted to resolve any disagreement with the parent or custodian before going to court.

Provides that, if the parent or custodian fails to comply with a court order awarding contact between the nonparent and the child, the nonparent may file a motion to initiate a contempt action under RCW 26.09.160.