
HOUSE BILL 2466

State of Washington 60th Legislature 2008 Regular Session

By Representatives Warnick and O'Brien

Prefiled 12/18/07. Read first time 01/14/08. Referred to Committee on Judiciary.

1 AN ACT Relating to county clerk duties; and amending RCW 53.48.030
2 and 13.34.080.

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

4 **Sec. 1.** RCW 53.48.030 and 1941 c 87 s 3 are each amended to read
5 as follows:

6 Upon the filing of such petition for an order of dissolution, the
7 superior court shall enter an order setting the same for hearing at a
8 date not less than thirty days from the date of filing, and the (~~clerk~~
9 ~~of the court of said county~~) petitioner shall give notice of such
10 hearing by publication in a newspaper of general circulation in the
11 county in which the district is located once a week for three
12 successive weeks, and by posting in three public places in the county
13 in which the district is located at least twenty-one days before said
14 hearing. At least one notice shall be posted in the district. The
15 notices shall set forth the filing of the petition, its purpose and the
16 date and place of the hearing thereon.

17 **Sec. 2.** RCW 13.34.080 and 2000 c 122 s 9 are each amended to read
18 as follows:

1 (1) The court shall direct the (~~clerk~~) department of social and
2 health services to publish notice in a legal newspaper printed in the
3 county, qualified to publish summons, once a week for three consecutive
4 weeks, with the first publication of the notice to be at least twenty-
5 five days prior to the date fixed for the hearing when it appears by
6 the petition or verified statement that:

7 (a)(i) The parent or guardian is a nonresident of this state; or

8 (ii) The name or place of residence or whereabouts of the parent or
9 guardian is unknown; and

10 (b) After due diligence, the person attempting service of the
11 summons or notice provided for in RCW 13.34.070 has been unable to make
12 service, and a copy of the notice has been deposited in the post
13 office, postage prepaid, directed to such person at his or her last
14 known place of residence. If the parent, guardian, or legal custodian
15 is believed to be a resident of another state or a county other than
16 the county in which the petition has been filed, notice also shall be
17 published in the county in which the parent, guardian, or legal
18 custodian is believed to reside.

19 (2) Publication may proceed simultaneously with efforts to provide
20 service in person or by mail, when the court determines there is reason
21 to believe that service in person or by mail will not be successful.
22 Notice shall be directed to the parent, parents, or other person
23 claiming the right to the custody of the child, if their names are
24 known. If their names are unknown, the phrase "To whom it may concern"
25 shall be used, apply to, and be binding upon, those persons whose names
26 are unknown. The name of the court, the name of the child (or children
27 if of one family), the date of the filing of the petition, the date of
28 hearing, and the object of the proceeding in general terms shall be set
29 forth. There shall be filed with the clerk an affidavit showing due
30 publication of the notice. The cost of publication shall be paid by
31 the (~~county~~) state at a rate not greater than the rate paid for other
32 legal notices. The publication of notice shall be deemed equivalent to
33 personal service upon all persons, known or unknown, who have been
34 designated as provided in this section.

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