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HOUSE BILL 2444

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State of Washington                      63rd Legislature                      2014 Regular Session

By Representatives Senn, Haler, Sawyer, Bergquist, Ryu, Goodman, Tharinger, and Kagi

Read first time 01/17/14. Referred to Committee on Judiciary.

1            AN ACT Relating to consideration of domestic violence when ordering  
2 maintenance; and amending RCW 26.09.090.

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

4            **Sec. 1.** RCW 26.09.090 and 2008 c 6 s 1012 are each amended to read  
5 as follows:

6            (1) In a proceeding for dissolution of marriage or domestic  
7 partnership, legal separation, declaration of invalidity, or in a  
8 proceeding for maintenance following dissolution of the marriage or  
9 domestic partnership by a court which lacked personal jurisdiction over  
10 the absent spouse or absent domestic partner, the court may grant a  
11 maintenance order for either spouse or either domestic partner. The  
12 maintenance order shall be in such amounts and for such periods of time  
13 as the court deems just, without regard to misconduct except as  
14 provided in subsection (2) of this section, after considering all  
15 relevant factors including but not limited to:

16            (a) The financial resources of the party seeking maintenance,  
17 including separate or community property apportioned to him or her, and  
18 his or her ability to meet his or her needs independently, including

1 the extent to which a provision for support of a child living with the  
2 party includes a sum for that party;

3 (b) The time necessary to acquire sufficient education or training  
4 to enable the party seeking maintenance to find employment appropriate  
5 to his or her skill, interests, style of life, and other attendant  
6 circumstances;

7 (c) The standard of living established during the marriage or  
8 domestic partnership;

9 (d) The duration of the marriage or domestic partnership;

10 (e) The age, physical and emotional condition, and financial  
11 obligations of the spouse or domestic partner seeking maintenance; and

12 (f) The ability of the spouse or domestic partner from whom  
13 maintenance is sought to meet his or her needs and financial  
14 obligations while meeting those of the spouse or domestic partner  
15 seeking maintenance.

16 (2) When determining whether and to what extent maintenance is  
17 just, the court shall also consider any history of domestic violence,  
18 as defined in RCW 26.50.010, between the parties, including whether the  
19 party seeking maintenance committed acts of domestic violence against  
20 the party from whom maintenance is sought.

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