

2SHB 1205 - S COMM AMD

By Committee on Law & Justice

ADOPTED AND ENGROSSED 02/29/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 13.34.080 and 2000 c 122 s 9 are each amended to
4 read as follows:

5 (1) The court shall direct the (~~clerk~~) petitioner to publish
6 notice in a legal newspaper (~~(printed in the county, qualified to~~
7 ~~publish summons)~~), as described under RCW 65.16.020, once a week for
8 three consecutive weeks, with the first publication of the notice to
9 be at least twenty-five days prior to the date fixed for the hearing
10 when it appears by the petition or verified statement that:

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

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

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

23 (2) Publication may proceed simultaneously with efforts to
24 provide service in person or by mail, when the court determines there
25 is reason to believe that service in person or by mail will not be
26 successful. Notice shall be directed to the parent, parents, or other
27 person claiming the right to the custody of the child, if their names
28 are known. If their names are unknown, the phrase "To whom it may
29 concern" shall be used, apply to, and be binding upon, those persons
30 whose names are unknown. The name of the court, the name of the child
31 (or children if of one family), the date of the filing of the
32 petition, the date of hearing, and the object of the proceeding in

1 general terms shall be set forth. There shall be filed with the clerk
2 an affidavit showing due publication of the notice. ((The))

3 (3) (a) Except as provided in (b) of this subsection, the cost of
4 publication shall be paid by the ((county)) petitioner at a rate not
5 greater than the rate paid for other legal notices.

6 (b) If the petitioner is a minor child or the court finds that
7 the petitioner is an indigent parent or legal guardian, the cost of
8 publication shall be paid or reimbursed by the office of civil legal
9 aid where the petitioner is a minor child, or the office of public
10 defense where the petitioner is a parent or legal guardian, pursuant
11 to procedures set by each agency.

12 (4) The publication of notice shall be deemed equivalent to
13 personal service upon all persons, known or unknown, who have been
14 designated as provided in this section.

15 NEW SECTION. Sec. 2. If specific funding for the purposes of
16 this act, referencing this act by bill or chapter number, is not
17 provided by June 30, 2024, in the omnibus appropriations act, this
18 act is null and void.

19 NEW SECTION. Sec. 3. This act takes effect January 31, 2026."

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20 On page 1, line 3 of the title, after "cases;" strike the
21 remainder of the title and insert "amending RCW 13.34.080; creating a
22 new section; and providing an effective date."

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