
SUBSTITUTE SENATE BILL 5631

AS AMENDED BY THE HOUSE

Passed Legislature - 2015 Regular Session

State of Washington 64th Legislature 2015 Regular Session

By Senate Human Services, Mental Health & Housing (originally sponsored by Senators Hargrove, O'Ban, Darneille, Pearson, Ranker, Litzow, Rolfes, Jayapal, Liiias, Frockt, Dansel, Hill, Fain, Kohl-Welles, Hasegawa, Keiser, Angel, McAuliffe, and Conway)

READ FIRST TIME 02/20/15.

1 AN ACT Relating to the administration of a statewide network of
2 community-based domestic violence victim services by the department
3 of social and health services; amending RCW 70.123.010, 70.123.020,
4 70.123.030, 70.123.040, 70.123.070, 70.123.075, 70.123.080,
5 70.123.090, 70.123.110, 70.123.150, 36.18.016, 43.235.020,
6 43.235.040, 10.99.080, and 26.50.110; and repealing RCW 70.123.050
7 and 70.123.130.

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

9 **Sec. 1.** RCW 70.123.010 and 1979 ex.s. c 245 s 1 are each amended
10 to read as follows:

11 (1) The legislature finds that domestic violence is an issue of
12 ~~((growing))~~ serious concern at all levels of society and government
13 and that there is a ~~((present and growing))~~ pressing need ~~((to~~
14 ~~develop))~~ for innovative strategies to address and prevent domestic
15 violence and to strengthen services which will ameliorate and reduce
16 the trauma of domestic violence and enhance survivors' resiliency and
17 autonomy. ~~((Research findings show that domestic violence constitutes~~
18 ~~a significant percentage of homicides, aggravated assaults, and~~
19 ~~assaults and batteries in the United States. Domestic violence is a~~
20 ~~disruptive influence on personal and community life and is often~~
21 ~~interrelated with a number of other family problems and stresses.))~~

1 (2) The legislature finds that there are a wide range of
2 consequences to domestic violence, including deaths, injuries,
3 hospitalizations, homelessness, employment problems, property damage,
4 and lifelong physical and psychological impacts on victims and their
5 children. These impacts also affect victims' friends and families,
6 neighbors, employers, landlords, law enforcement, the courts, the
7 health care system, and Washington state and society as a whole.
8 Advocacy and shelters for victims of domestic violence are essential
9 to provide ~~((protection))~~ support to victims ~~((from))~~ in preventing
10 further abuse ~~((and physical harm))~~ and to help ~~((the victim find))~~
11 victims assess and plan for their immediate and longer term safety,
12 including finding long-range alternative living situations, if
13 requested. ~~((Shelters provide safety, refuge, advocacy, and helping~~
14 resources to victims who may not have access to such things if they
15 remain in abusive situations.

16 ~~The legislature therefore recognizes the need for the statewide~~
17 ~~development and expansion of shelters for victims of domestic~~
18 ~~violence.))~~

19 (3) Thus, it is the intent of the legislature to:

20 (a) Provide for a statewide network of supportive services,
21 emergency shelter services, and advocacy for victims of domestic
22 violence and their dependents;

23 (b) Provide for culturally relevant and appropriate services for
24 victims of domestic violence and their children from populations that
25 have been traditionally unserved or underserved;

26 (c) Provide for a statewide domestic violence information and
27 referral resource;

28 (d) Assist communities in efforts to increase public awareness
29 about, and primary and secondary prevention of domestic violence;

30 (e) Provide for the collection, analysis, and dissemination of
31 current information related to emerging issues and model and
32 promising practices related to preventing and intervening in
33 situations involving domestic violence; and

34 (f) Provide for ongoing training and technical assistance for
35 individuals working with victims in community-based domestic violence
36 programs and other persons seeking such training and technical
37 assistance.

38 **Sec. 2.** RCW 70.123.020 and 2008 c 6 s 303 are each amended to
39 read as follows:

1 (~~Unless the context clearly requires otherwise,~~) The
2 definitions in this section apply throughout this chapter unless the
3 context clearly requires otherwise.

4 (1) "Shelter" means (~~a place of temporary refuge, offered on a~~
5 ~~twenty-four hour, seven-day per week basis~~) temporary lodging and
6 supportive services, offered by community-based domestic violence
7 programs to victims of domestic violence and their children.

8 (2) "Domestic violence" (~~is~~) means the infliction or threat of
9 physical harm against an intimate partner, and includes physical,
10 sexual, and psychological abuse against the partner, and is a part of
11 a pattern of assaultive, coercive, and controlling behaviors directed
12 at achieving compliance from or control over that intimate partner.
13 It may include, but is not limited to, a categorization of offenses,
14 as defined in RCW 10.99.020, committed by one (~~cohabitant~~) intimate
15 partner against another.

16 (3) "Department" means the department of social and health
17 services.

18 (4) "Victim" means (~~a cohabitant~~) an intimate partner who has
19 been subjected to domestic violence.

20 (5) "~~Cohabitant~~) Intimate partner" means a person who is or
21 was married, in a state registered domestic partnership, or
22 (~~cohabiting with another person~~) in an intimate or dating
23 relationship with another person at the present or at sometime in the
24 past. Any person who has one or more children in common with another
25 person, regardless of whether they have been married, in a domestic
26 partnership with each other, or lived together at any time, shall be
27 treated as (~~a cohabitant~~) an intimate partner.

28 (6) "Community advocate" means a person employed or supervised by
29 a (~~local~~) community-based domestic violence program who is trained
30 to provide ongoing assistance (~~to~~) and advocacy for victims of
31 domestic violence in assessing and planning for safety needs,
32 (~~documenting the incidents and the extent of violence for possible~~
33 ~~use in the legal system,~~) making appropriate social service, legal,
34 and housing referrals, (~~and developing protocols and~~) providing
35 community education, maintaining (~~ongoing~~) contacts necessary for
36 prevention efforts, and developing protocols for local systems
37 coordination.

38 (7) "Domestic violence program" means an agency (~~that provides~~
39 ~~shelter, advocacy, and counseling for domestic violence victims in a~~
40 ~~supportive environment~~), organization, or program with a primary

1 purpose and a history of effective work in providing advocacy, safety
2 assessment and planning, and self-help services for domestic violence
3 in a supportive environment, and includes, but is not limited to, a
4 community-based domestic violence program, emergency shelter, or
5 domestic violence transitional housing program.

6 (8) "Legal advocate" means a person employed by a domestic
7 violence program or court system to advocate for victims of domestic
8 violence, within the criminal and civil justice systems, by attending
9 court proceedings, assisting in document and case preparation, and
10 ensuring linkage with the community advocate.

11 (9) "Secretary" means the secretary of the department of social
12 and health services or the secretary's designee.

13 (10) "Community-based domestic violence program" means a
14 nonprofit program or organization that provides, as its primary
15 purpose, assistance and advocacy for domestic violence
16 victims. Domestic violence assistance and advocacy includes crisis
17 intervention, individual and group support, information and
18 referrals, and safety assessment and planning. Domestic violence
19 assistance and advocacy may also include, but is not limited to:
20 Provision of shelter, emergency transportation, self-help services,
21 culturally specific services, legal advocacy, economic advocacy,
22 community education, primary and secondary prevention efforts, and
23 accompaniment and advocacy through medical, legal, immigration, human
24 services, and financial assistance systems. Domestic violence
25 programs that are under the auspices of, or the direct supervision
26 of, a court, law enforcement or prosecution agency, or the child
27 protective services section of the department as defined in RCW
28 26.44.020, are not considered community-based domestic violence
29 programs.

30 (11) "Emergency shelter" means a place of supportive services and
31 safe, temporary lodging offered on a twenty-four hour, seven-day per
32 week basis to victims of domestic violence and their children.

33 (12) "Domestic violence coalition" means a statewide nonprofit
34 domestic violence organization that has a membership that includes
35 the majority of the primary purpose, community-based domestic
36 violence programs in the state, has board membership that is
37 representative of community-based, primary purpose domestic violence
38 programs, and has as its purpose to provide education, support, and
39 technical assistance to such community-based, primary purpose
40 domestic violence programs and to assist the programs in providing

1 shelter, advocacy, supportive services, and prevention efforts for
2 victims of domestic violence and dating violence and their
3 dependents.

4 **Sec. 3.** RCW 70.123.030 and 2005 c 374 s 4 are each amended to
5 read as follows:

6 The department of social and health services, in consultation
7 with ~~((the state department of health, and individuals or groups~~
8 ~~having experience and knowledge of the problems of victims of~~
9 ~~domestic violence))~~ relevant state departments, the domestic violence
10 coalition, and individuals or groups having experience and knowledge
11 of the prevention of, and the problems facing victims of domestic
12 violence, including those with experience providing culturally
13 appropriate services to populations that have traditionally been
14 underserved or unserved, shall:

15 (1) Develop and maintain a plan for delivering domestic violence
16 victim services, prevention efforts, and access to emergency shelter
17 across the state. In developing the plan under this section, the
18 department shall consider the distribution of community-based
19 domestic violence programs and emergency shelter programs in a
20 particular geographic area, population density, and specific
21 population needs, including the needs in rural and urban areas, the
22 availability and existence of domestic violence outreach and
23 prevention activities, and the need for culturally and linguistically
24 appropriate services. The department shall also develop and maintain
25 a plan for providing a statewide toll-free information and referral
26 hotline or other statewide accessible information and referral
27 service for victims of domestic violence;

28 (2) Establish minimum standards for ~~((shelters))~~ community-based
29 domestic violence programs, emergency shelter programs, programs
30 providing culturally or linguistically specific services, programs
31 providing prevention and intervention services to children or youth,
32 and programs conducting domestic violence outreach and prevention
33 activities applying for grants from the department under this
34 chapter~~((Classifications may be made dependent upon size,~~
35 ~~geographic location, and population needs))~~;

36 ~~((+2))~~ (3) Receive grant applications for the development and
37 establishment of ~~((shelters for victims of domestic violence))~~
38 community-based domestic violence programs, emergency shelter
39 programs, and culturally or linguistically specific services for

1 victims of domestic violence, programs providing prevention and
2 intervention services to children who have been exposed to domestic
3 violence or youth who have been victims of dating violence, and
4 programs conducting domestic violence outreach and prevention
5 activities;

6 ~~((3))~~ (4) Distribute funds~~(, within forty-five days after~~
7 ~~approval,))~~ to those ~~((shelters))~~ community-based domestic violence
8 programs, emergency shelter programs, programs providing culturally
9 or linguistically specific services, programs providing prevention
10 and intervention services to children or youth, and programs
11 conducting domestic violence outreach and prevention activities
12 meeting departmental standards;

13 ~~((4))~~ (5) Evaluate biennially each ~~((shelter))~~ community-based
14 domestic violence program, emergency shelter program, program
15 providing culturally or linguistically specific services, program
16 providing prevention and intervention services to children or youth,
17 and program conducting domestic violence outreach and prevention
18 activities receiving departmental funds for compliance with the
19 established minimum standards;

20 ~~((5))~~ (6) Review the minimum standards each biennium to ensure
21 applicability to community and client needs; ~~((and~~

22 ~~+6))~~ (7) Administer funds available from the domestic violence
23 prevention account under RCW 70.123.150 ~~((and establish minimum~~
24 ~~standards for preventive, nonshelter community-based services~~
25 ~~receiving funds administered by the department. Preventive,~~
26 ~~nonshelter community-based services include services for victims of~~
27 ~~domestic violence from communities that have been traditionally~~
28 ~~underserved or unserved and services for children who have witnessed~~
29 ~~domestic violence))~~ to provide for:

30 (a) Culturally specific prevention efforts and culturally
31 appropriate community-based domestic violence services for victims of
32 domestic violence from populations that have been traditionally
33 underserved or unserved;

34 (b) Age appropriate prevention and intervention services for
35 children who have been exposed to domestic violence or youth who have
36 been victims of dating violence; and

37 (c) Outreach and education efforts by community-based domestic
38 violence programs designed to increase public awareness about, and
39 primary and secondary prevention of, domestic and dating violence;
40 and

1 (8) Receive applications from, and award grants or issue
2 contracts to, eligible nonprofit groups or organizations with
3 experience and expertise in the field of domestic violence and a
4 statewide perspective for:

5 (a) Providing resources, ongoing training opportunities, and
6 technical assistance relating to domestic violence for community-
7 based domestic violence programs across the state to develop
8 effective means for preventing domestic violence and providing
9 effective and supportive services and interventions for victims of
10 domestic violence;

11 (b) Providing resource information, technical assistance, and
12 collaborating to develop model policies and protocols to improve the
13 capacity of individuals, governmental entities, and communities to
14 prevent domestic violence and to provide effective, supportive
15 services and interventions to address domestic violence; and

16 (c) Providing opportunities to persons working in the area of
17 domestic violence to exchange information and resources.

18 **Sec. 4.** RCW 70.123.040 and 2006 c 259 s 3 are each amended to
19 read as follows:

20 (1) The department shall establish minimum standards that ensure
21 that community-based domestic violence programs provide client-
22 centered advocacy and services designed to enhance immediate and
23 longer term safety, victim autonomy, and security by means such as,
24 but not limited to, safety assessment and planning, information and
25 referral, legal advocacy, culturally and linguistically appropriate
26 services, access to shelter, and client confidentiality.

27 (2) Minimum standards established by the department under RCW
28 70.123.030 shall ensure that ~~emergency~~ shelter(~~s~~) ~~programs~~
29 receiving grants under this chapter provide services meeting basic
30 survival needs, where not provided by other means, such as, but not
31 limited to, food, clothing, housing, (~~safety,~~) ~~emergency~~
32 transportation, child care assistance, safety assessment and
33 planning, and security(~~, client advocacy, client confidentiality,~~
34 and ~~counseling~~)). Emergency shelters receiving grants under this
35 chapter shall also provide client-centered advocacy and services
36 designed to enhance client autonomy, client confidentiality, and
37 immediate and longer term safety. These services shall be problem-
38 oriented and designed to provide necessary assistance to the victims
39 of domestic violence and their children.

1 ~~((2) The department shall establish minimum standards that~~
2 ~~ensure that nonshelter community-based services for victims of~~
3 ~~domestic violence funded under RCW 70.123.150 provide services~~
4 ~~designed to enhance safety and security by means such as, but not~~
5 ~~limited to, client advocacy, client confidentiality, and~~
6 ~~counseling.))~~

7 (3) In establishing minimum standards for programs providing
8 culturally relevant prevention efforts and culturally appropriate
9 services, priority for funding must be given to agencies or
10 organizations that have a demonstrated history and expertise of
11 serving domestic violence victims from the relevant populations that
12 have traditionally been underserved or unserved.

13 (4) In establishing minimum standards for age appropriate
14 prevention and intervention services for children who have been
15 exposed to domestic violence, or youth who have been victims of
16 dating violence, priority for funding must be given to programs with
17 a documented history of effective work in providing advocacy and
18 services to victims of domestic violence or dating violence, or an
19 agency with a demonstrated history of effective work with children
20 and youth partnered with a domestic violence program.

21 **Sec. 5.** RCW 70.123.070 and 1979 ex.s. c 245 s 7 are each amended
22 to read as follows:

23 ~~((Shelters))~~ (1) Community-based domestic violence programs
24 receiving state funds under this chapter shall:

25 (a) Provide a location to assist victims of domestic violence who
26 have a need for community advocacy or support services;

27 (b) Make available confidential services, advocacy, and
28 prevention programs to victims of domestic violence and to their
29 children within available resources;

30 (c) Require that persons employed by or volunteering services for
31 a community-based domestic violence program protect the
32 confidentiality and privacy of domestic violence victims and their
33 families in accordance with this chapter and RCW 5.60.060(8);

34 (d) Recruit, to the extent feasible, persons who are former
35 victims of domestic violence to work as volunteers or staff
36 personnel. An effort shall also be made to recruit staff and
37 volunteers from relevant communities to provide culturally and
38 linguistically appropriate services;

1 (e) Ensure that all employees or volunteers providing
2 intervention or prevention programming to domestic violence victims
3 or their children have completed or will complete sufficient training
4 in connection with domestic violence; and

5 (f) Refrain from engaging in activities that compromise the
6 safety of victims or their children.

7 (2) Emergency shelter programs receiving state funds under this
8 chapter shall:

9 ~~((1) Make available))~~ (a) Provide intake for and access to safe
10 shelter services to any person who is a victim of domestic violence
11 and to that person's children, within available resources. Priority
12 for emergency shelter shall be made for victims who are in immediate
13 risk of harm or imminent danger from domestic violence;

14 ~~((2) Encourage victims, with the financial means to do so, to~~
15 ~~reimburse the shelter for the services provided;~~

16 ~~(3))~~ (b) Require that persons employed by or volunteering
17 services for an emergency shelter protect the confidentiality and
18 privacy of domestic violence victims and their families in accordance
19 with this chapter and RCW 5.60.060(8);

20 (c) Recruit, to the extent feasible, persons who are former
21 victims of domestic violence to work as volunteers or staff
22 personnel. An effort shall also be made to ((provide bilingual
23 services)) recruit staff and volunteers from relevant communities to
24 provide culturally and linguistically appropriate services;

25 ~~((4) Provide prevention and treatment programs to victims of~~
26 ~~domestic violence, their children and, where possible, the abuser;~~

27 ~~(5) Provide a day program or drop-in center to assist victims of~~
28 ~~domestic violence who have found other shelter but who have a need~~
29 ~~for support services.))~~ (d) Ensure that all employees or volunteers

30 providing intervention or prevention programming to domestic violence
31 victims or their children have completed or will complete sufficient
32 training in connection with domestic violence; and

33 (e) Refrain from engaging in activities that compromise the
34 safety of victims or their children.

35 **Sec. 6.** RCW 70.123.075 and 1994 c 233 s 1 are each amended to
36 read as follows:

37 (1) Client records maintained by domestic violence programs shall
38 not be subject to discovery in any judicial proceeding unless:

1 (a) A written pretrial motion is made to a court stating that
2 discovery is requested of the client's domestic violence records;

3 (b) The written motion is accompanied by an affidavit or
4 affidavits setting forth specifically the reasons why discovery is
5 requested of the domestic violence program's records;

6 (c) The court reviews the domestic violence program's records in
7 camera to determine whether the domestic violence program's records
8 are relevant and whether the probative value of the records is
9 outweighed by the victim's privacy interest in the confidentiality of
10 such records, taking into account the further trauma that may be
11 inflicted upon the victim or the victim's children by the disclosure
12 of the records; and

13 (d) The court enters an order stating whether the records or any
14 part of the records are discoverable and setting forth the basis for
15 the court's findings. The court shall further order that the parties
16 are prohibited from further dissemination of the records or parts of
17 the records that are discoverable, and that any portion of any
18 domestic violence program records included in the court file be
19 sealed.

20 (2) For purposes of this section, "domestic violence program"
21 means a program that provides shelter, advocacy, or counseling
22 services for domestic violence victims.

23 (3) Disclosure of domestic violence program records is not a
24 waiver of the victim's rights or privileges under statutes, rules of
25 evidence, or common law.

26 (4) If disclosure of a victim's records is required by court
27 order, the domestic violence program shall make reasonable attempts
28 to provide notice to the recipient affected by the disclosure, and
29 shall take steps necessary to protect the privacy and safety of the
30 persons affected by the disclosure of the information.

31 **Sec. 7.** RCW 70.123.080 and 1979 ex.s. c 245 s 8 are each amended
32 to read as follows:

33 The department shall consult in all phases with key stakeholders
34 in the implementation of this chapter, including relevant state
35 departments, the domestic violence coalition, individuals or groups
36 who have experience providing culturally appropriate services to
37 populations that have traditionally been underserved or unserved, and
38 other persons and organizations having experience and expertise in
39 the field of domestic violence.

1 **Sec. 8.** RCW 70.123.090 and 1979 ex.s. c 245 s 9 are each amended
2 to read as follows:

3 The department is authorized, under this chapter and the rules
4 adopted to effectuate its purposes, to make available grants awarded
5 on a contract basis to public or private nonprofit agencies,
6 organizations, or individuals providing community-based domestic
7 violence services, emergency shelter services, domestic violence
8 hotline or information and referral services, and prevention efforts
9 meeting minimum standards established by the department.
10 Consideration as to need, geographic location, population ratios, the
11 needs of specific underserved and cultural populations, and the
12 extent of existing services shall be made in the award of grants. The
13 department shall provide (~~technical assistance~~) consultation to any
14 nonprofit organization desiring to apply for the contracts if the
15 organization does not possess the resources and expertise necessary
16 to develop and transmit an application without assistance.

17 **Sec. 9.** RCW 70.123.110 and 2011 1st sp.s. c 36 s 16 are each
18 amended to read as follows:

19 Aged, blind, or disabled assistance benefits, essential needs and
20 housing support benefits, pregnant women assistance benefits, or
21 temporary assistance for needy families payments shall be made to
22 otherwise eligible individuals who are residing in a secure shelter,
23 a housing network, an emergency shelter, or other shelter facility
24 which provides shelter services to persons who are victims of
25 domestic violence. Provisions shall be made by the department for the
26 confidentiality of the shelter addresses where victims are residing.

27 **Sec. 10.** RCW 70.123.150 and 2005 c 374 s 3 are each amended to
28 read as follows:

29 The domestic violence prevention account is created in the state
30 treasury. All receipts from fees imposed for deposit in the domestic
31 violence prevention account under RCW 36.18.016 must be deposited
32 into the account. Moneys in the account may be spent only after
33 appropriation. Expenditures from the account may be used only for
34 funding (~~nonshelter community-based services for victims of domestic~~
35 ~~violence~~) the following:

36 (1) Culturally specific prevention efforts and culturally
37 appropriate community-based domestic violence services for victims of

1 domestic violence from populations that have been traditionally
2 underserved or unserved;

3 (2) Age appropriate prevention and intervention services for
4 children who have been exposed to domestic violence or youth who have
5 been victims of dating violence; and

6 (3) Outreach and education efforts by community-based domestic
7 violence programs designed to increase public awareness about, and
8 primary and secondary prevention of, domestic and dating violence.

9 **Sec. 11.** RCW 36.18.016 and 2009 c 417 s 2 are each amended to
10 read as follows:

11 (1) Revenue collected under this section is not subject to
12 division under RCW 36.18.025 or 27.24.070.

13 (2)(a) For the filing of a petition for modification of a decree
14 of dissolution or paternity, within the same case as the original
15 action, and any party filing a counterclaim, cross-claim, or third-
16 party claim in any such action, a fee of thirty-six dollars must be
17 paid.

18 (b) The party filing the first or initial petition for
19 dissolution, legal separation, or declaration concerning the validity
20 of marriage shall pay, at the time and in addition to the filing fee
21 required under RCW 36.18.020, a fee of (~~thirty~~) fifty-four dollars.
22 The clerk of the superior court shall transmit monthly (~~twenty-~~
23 ~~four~~) forty-eight dollars of the (~~thirty~~) fifty-four dollar fee
24 collected under this subsection to the state treasury for deposit in
25 the domestic violence prevention account. The remaining six dollars
26 shall be retained by the county for the purpose of supporting
27 community-based domestic violence services within the county (~~for~~
28 ~~victims of domestic violence~~), except for five percent of the six
29 dollars, which may be retained by the court for administrative
30 purposes. On or before December 15th of each year, the county shall
31 report to the department of social and health services revenues
32 associated with this section and community-based domestic violence
33 services expenditures. The department of social and health services
34 shall develop a reporting form to be utilized by counties for uniform
35 reporting purposes.

36 (3)(a) The party making a demand for a jury of six in a civil
37 action shall pay, at the time, a fee of one hundred twenty-five
38 dollars; if the demand is for a jury of twelve, a fee of two hundred
39 fifty dollars. If, after the party demands a jury of six and pays the

1 required fee, any other party to the action requests a jury of
2 twelve, an additional one hundred twenty-five dollar fee will be
3 required of the party demanding the increased number of jurors.

4 (b) Upon conviction in criminal cases a jury demand charge of one
5 hundred twenty-five dollars for a jury of six, or two hundred fifty
6 dollars for a jury of twelve may be imposed as costs under RCW
7 10.46.190.

8 (4) For preparing a certified copy of an instrument on file or of
9 record in the clerk's office, for the first page or portion of the
10 first page, a fee of five dollars, and for each additional page or
11 portion of a page, a fee of one dollar must be charged. For
12 authenticating or exemplifying an instrument, a fee of two dollars
13 for each additional seal affixed must be charged. For preparing a
14 copy of an instrument on file or of record in the clerk's office
15 without a seal, a fee of fifty cents per page must be charged. When
16 copying a document without a seal or file that is in an electronic
17 format, a fee of twenty-five cents per page must be charged. For
18 copies made on a compact disc, an additional fee of twenty dollars
19 for each compact disc must be charged.

20 (5) For executing a certificate, with or without a seal, a fee of
21 two dollars must be charged.

22 (6) For a garnishee defendant named in an affidavit for
23 garnishment and for a writ of attachment, a fee of twenty dollars
24 must be charged.

25 (7) For filing a supplemental proceeding, a fee of twenty dollars
26 must be charged.

27 (8) For approving a bond, including justification on the bond, in
28 other than civil actions and probate proceedings, a fee of two
29 dollars must be charged.

30 (9) For the issuance of a certificate of qualification and a
31 certified copy of letters of administration, letters testamentary, or
32 letters of guardianship, there must be a fee of five dollars.

33 (10) For the preparation of a passport application, the clerk may
34 collect an execution fee as authorized by the federal government.

35 (11) For clerk's services such as performing historical searches,
36 compiling statistical reports, and conducting exceptional record
37 searches, the clerk may collect a fee not to exceed thirty dollars
38 per hour.

39 (12) For processing ex parte orders, the clerk may collect a fee
40 of thirty dollars.

1 (13) For duplicated recordings of court's proceedings there must
2 be a fee of ten dollars for each audio tape and twenty-five dollars
3 for each video tape or other electronic storage medium.

4 (14) For registration of land titles, Torrens Act, under RCW
5 65.12.780, a fee of twenty dollars must be charged.

6 (15) For the issuance of extension of judgment under RCW 6.17.020
7 and chapter 9.94A RCW, a fee of two hundred dollars must be charged.
8 When the extension of judgment is at the request of the clerk, the
9 two hundred dollar charge may be imposed as court costs under RCW
10 10.46.190.

11 (16) A facilitator surcharge of up to twenty dollars must be
12 charged as authorized under RCW 26.12.240.

13 (17) For filing (~~a water rights statement~~) an adjudication
14 claim under RCW 90.03.180, a fee of twenty-five dollars must be
15 charged.

16 (18) For filing a claim of frivolous lien under RCW 60.04.081, a
17 fee of thirty-five dollars must be charged.

18 (19) For preparation of a change of venue, a fee of twenty
19 dollars must be charged by the originating court in addition to the
20 per page charges in subsection (4) of this section.

21 (20) A service fee of five dollars for the first page and one
22 dollar for each additional page must be charged for receiving faxed
23 documents, pursuant to Washington state rules of court, general rule
24 17.

25 (21) For preparation of clerk's papers under RAP 9.7, a fee of
26 fifty cents per page must be charged.

27 (22) For copies and reports produced at the local level as
28 permitted by RCW 2.68.020 and supreme court policy, a variable fee
29 must be charged.

30 (23) Investment service charge and earnings under RCW 36.48.090
31 must be charged.

32 (24) Costs for nonstatutory services rendered by clerk by
33 authority of local ordinance or policy must be charged.

34 (25) For filing a request for mandatory arbitration, a filing fee
35 may be assessed against the party filing a statement of arbitrability
36 not to exceed two hundred twenty dollars as established by authority
37 of local ordinance. This charge shall be used solely to offset the
38 cost of the mandatory arbitration program.

1 (26) For filing a request for trial de novo of an arbitration
2 award, a fee not to exceed two hundred fifty dollars as established
3 by authority of local ordinance must be charged.

4 (27) A public agency may not charge a fee to a law enforcement
5 agency, for preparation, copying, or mailing of certified copies of
6 the judgment and sentence, information, affidavit of probable cause,
7 and/or the notice of requirement to register, of a sex offender
8 convicted in a Washington court, when such records are necessary for
9 risk assessment, preparation of a case for failure to register, or
10 maintenance of a sex offender's registration file.

11 (28) For the filing of a will or codicil under the provisions of
12 chapter 11.12 RCW, a fee of twenty dollars must be charged.

13 (29) For the collection of unpaid legal financial obligations,
14 the clerk may impose an annual fee of up to one hundred dollars,
15 pursuant to RCW 9.94A.780.

16 (30) A surcharge of up to twenty dollars may be charged in
17 dissolution and legal separation actions as authorized by RCW
18 26.12.260.

19 The revenue to counties from the fees established in this section
20 shall be deemed to be complete reimbursement from the state for the
21 state's share of benefits paid to the superior court judges of the
22 state prior to July 24, 2005, and no claim shall lie against the
23 state for such benefits.

24 **Sec. 12.** RCW 43.235.020 and 2011 c 105 s 1 are each amended to
25 read as follows:

26 (1) The department is authorized, subject to the availability of
27 state funds, ((the department shall contract with)) to make available
28 grants awarded on a contract basis to an entity with expertise in
29 domestic violence policy and education and with a statewide
30 perspective to gather and maintain data relating to and coordinate
31 review of domestic violence fatalities.

32 (2) The coordinating entity shall be authorized to:

33 (a) Convene regional review panels;

34 (b) Convene statewide issue-specific review panels;

35 (c) Gather information for use of regional or statewide issue-
36 specific review panels;

37 (d) Provide training and technical assistance to regional or
38 statewide issue-specific review panels;

1 (e) Compile information and issue reports with recommendations;
2 and

3 (f) Establish a protocol that may be used as a guideline for
4 identifying domestic violence related fatalities, forming review
5 panels, convening reviews, and selecting which cases to review. The
6 coordinating entity may also establish protocols for data collection
7 and preservation of confidentiality.

8 ((+2)) (3)(a) The coordinating entity may convene a regional or
9 statewide issue-specific domestic violence fatality review panel to
10 review any domestic violence fatality.

11 (b) Private citizens may request a review of a particular death
12 by submitting a written request to the coordinating entity within two
13 years of the death. Of these, the appropriate regional review panel
14 may review those cases which fit the criteria set forth in the
15 protocol for the project.

16 **Sec. 13.** RCW 43.235.040 and 2012 c 223 s 6 are each amended to
17 read as follows:

18 (1) An oral or written communication or a document shared with
19 the coordinating entity or within or produced by a domestic violence
20 fatality review panel related to a domestic violence fatality review
21 is confidential and not subject to disclosure or discoverable by a
22 third party. An oral or written communication or a document provided
23 by a third party to the coordinating entity or a domestic violence
24 fatality review panel, or between a third party and a domestic
25 violence fatality review panel, related to a domestic violence
26 fatality review is confidential and not subject to disclosure or
27 discovery by a third party. Notwithstanding the foregoing,
28 recommendations from the domestic violence fatality review panel and
29 the coordinating entity generally may be disclosed minus personal
30 identifiers.

31 (2) The coordinating entity and review panels, only to the extent
32 otherwise permitted by law or court rule, shall have access to
33 information and records regarding the domestic violence victims and
34 perpetrators under review held by domestic violence perpetrators'
35 treatment providers; dental care providers; hospitals, medical
36 providers, and pathologists; coroners and medical examiners; mental
37 health providers; lawyers; the state and local governments; the
38 courts; and employers. The coordinating entity and the review panels

1 shall maintain the confidentiality of such information to the extent
2 required by any applicable law.

3 (3) The coordinating entity or review panels shall review, only
4 to the extent otherwise permitted by law or court rule when
5 determined to be relevant and necessary to an investigation, guardian
6 ad litem reports, parenting evaluations, and victim impact
7 statements; probation information; mental health evaluations done for
8 court; presentence interviews and reports, and any recommendations
9 made regarding bail and release on own recognizance; child protection
10 services, welfare, and other information held by the department; any
11 law enforcement incident documentation, such as incident reports,
12 dispatch records, victim, witness, and suspect statements, and any
13 supplemental reports, probable cause statements, and 911 call taker's
14 reports; corrections and postsentence supervision reports; and any
15 other information determined to be relevant to the review. The
16 coordinating entity and the review panels shall maintain the
17 confidentiality of such information to the extent required by any
18 applicable law.

19 **Sec. 14.** RCW 10.99.080 and 2004 c 15 s 2 are each amended to
20 read as follows:

21 (1) All superior courts, and courts organized under Title 3 or 35
22 RCW, may impose a penalty of one hundred dollars, plus an additional
23 fifteen dollars on any person convicted of a crime involving domestic
24 violence; in no case shall a penalty assessment (~~((not to))~~) exceed one
25 hundred fifteen dollars on any person convicted of a crime involving
26 domestic violence. The assessment shall be in addition to, and shall
27 not supersede, any other penalty, restitution, fines, or costs
28 provided by law.

29 (2) Revenue from the:

30 (a) One hundred dollar assessment shall be used solely for the
31 purposes of establishing and funding domestic violence advocacy and
32 domestic violence prevention and prosecution programs in the city or
33 county of the court imposing the assessment. Such revenue from the
34 assessment shall not be used for indigent criminal defense. If the
35 city or county does not have domestic violence advocacy or domestic
36 violence prevention and prosecution programs, cities and counties may
37 use the revenue collected from the assessment to contract with
38 recognized community-based domestic violence program providers.

1 (b) Fifteen dollar assessment must be remitted monthly to the
2 state treasury for deposit in the domestic violence prevention
3 account.

4 (3) The one hundred dollar assessment imposed under this section
5 shall not be subject to any state or local remittance requirements
6 under chapter 3.46, 3.50, 3.62, 7.68, 10.82, or 35.20 RCW.

7 (4) For the purposes of this section, "convicted" includes a plea
8 of guilty, a finding of guilt regardless of whether the imposition of
9 the sentence is deferred or any part of the penalty is suspended, or
10 the levying of a fine. For the purposes of this section, "domestic
11 violence" has the same meaning as that term is defined under RCW
12 10.99.020 and includes violations of equivalent local ordinances.

13 (5) When determining whether to impose a penalty assessment under
14 this section, judges are encouraged to solicit input from the victim
15 or representatives for the victim in assessing the ability of the
16 convicted offender to pay the penalty, including information
17 regarding current financial obligations, family circumstances, and
18 ongoing restitution.

19 **Sec. 15.** RCW 26.50.110 and 2013 c 84 s 31 are each amended to
20 read as follows:

21 (1)(a) Whenever an order is granted under this chapter, chapter
22 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW,
23 or there is a valid foreign protection order as defined in RCW
24 26.52.020, and the respondent or person to be restrained knows of the
25 order, a violation of any of the following provisions of the order is
26 a gross misdemeanor, except as provided in subsections (4) and (5) of
27 this section:

28 (i) The restraint provisions prohibiting acts or threats of
29 violence against, or stalking of, a protected party, or restraint
30 provisions prohibiting contact with a protected party;

31 (ii) A provision excluding the person from a residence,
32 workplace, school, or day care;

33 (iii) A provision prohibiting a person from knowingly coming
34 within, or knowingly remaining within, a specified distance of a
35 location;

36 (iv) A provision prohibiting interfering with the protected
37 party's efforts to remove a pet owned, possessed, leased, kept, or
38 held by the petitioner, respondent, or a minor child residing with
39 either the petitioner or the respondent; or

1 (v) A provision of a foreign protection order specifically
2 indicating that a violation will be a crime.

3 (b) Upon conviction, and in addition to any other penalties
4 provided by law, the court:

5 (i) May require that the respondent submit to electronic
6 monitoring. The court shall specify who shall provide the electronic
7 monitoring services, and the terms under which the monitoring shall
8 be performed. The order also may include a requirement that the
9 respondent pay the costs of the monitoring. The court shall consider
10 the ability of the convicted person to pay for electronic monitoring.

11 (ii) Shall impose a fine of fifteen dollars, in addition to any
12 penalty or fine imposed, for a violation of a domestic violence
13 protection order issued under this chapter. Revenue from the fifteen
14 dollar fine must be remitted monthly to the state treasury for
15 deposit in the domestic violence prevention account.

16 (2) A peace officer shall arrest without a warrant and take into
17 custody a person whom the peace officer has probable cause to believe
18 has violated an order issued under this chapter, chapter 7.92, 7.90,
19 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid
20 foreign protection order as defined in RCW 26.52.020, that restrains
21 the person or excludes the person from a residence, workplace,
22 school, or day care, or prohibits the person from knowingly coming
23 within, or knowingly remaining within, a specified distance of a
24 location, if the person restrained knows of the order. Presence of
25 the order in the law enforcement computer-based criminal intelligence
26 information system is not the only means of establishing knowledge of
27 the order.

28 (3) A violation of an order issued under this chapter, chapter
29 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW,
30 or of a valid foreign protection order as defined in RCW 26.52.020,
31 shall also constitute contempt of court, and is subject to the
32 penalties prescribed by law.

33 (4) Any assault that is a violation of an order issued under this
34 chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10,
35 26.26, or 74.34 RCW, or of a valid foreign protection order as
36 defined in RCW 26.52.020, and that does not amount to assault in the
37 first or second degree under RCW 9A.36.011 or 9A.36.021 is a class C
38 felony, and any conduct in violation of such an order that is
39 reckless and creates a substantial risk of death or serious physical
40 injury to another person is a class C felony.

1 (5) A violation of a court order issued under this chapter,
2 chapter 7.92, 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or
3 74.34 RCW, or of a valid foreign protection order as defined in RCW
4 26.52.020, is a class C felony if the offender has at least two
5 previous convictions for violating the provisions of an order issued
6 under this chapter, chapter 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10,
7 26.26, or 74.34 RCW, or a valid foreign protection order as defined
8 in RCW 26.52.020. The previous convictions may involve the same
9 victim or other victims specifically protected by the orders the
10 offender violated.

11 (6) Upon the filing of an affidavit by the petitioner or any
12 peace officer alleging that the respondent has violated an order
13 granted under this chapter, chapter 7.92, 7.90, 9A.46, 9.94A, 10.99,
14 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection
15 order as defined in RCW 26.52.020, the court may issue an order to
16 the respondent, requiring the respondent to appear and show cause
17 within fourteen days why the respondent should not be found in
18 contempt of court and punished accordingly. The hearing may be held
19 in the court of any county or municipality in which the petitioner or
20 respondent temporarily or permanently resides at the time of the
21 alleged violation.

22 NEW SECTION. **Sec. 16.** The following acts or parts of acts are
23 each repealed:

24 (1) RCW 70.123.050 (Contracts with nonprofit organizations—
25 Purposes) and 1979 ex.s. c 245 s 5; and

26 (2) RCW 70.123.130 (Technical assistance grant program—Local
27 communities) and 1991 c 301 s 11.

--- END ---