

SENATE BILL REPORT

HB 2184

AS REPORTED BY COMMITTEE ON HEALTH & HUMAN SERVICES,
FEBRUARY 25, 1994

Brief Description: Changing notice requirements for termination of parental rights.

SPONSORS: Representatives Karahalios, Kessler, Eide, Lemmon and Chappell

HOUSE COMMITTEE ON JUDICIARY

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

Majority Report: Do pass.

Signed by Senators Talmadge, Chairman; Wojahn, Vice Chairman; Deccio, Franklin, Fraser, Hargrove, McAuliffe, McDonald, Moyer, Niemi, Prentice, Quigley and Winsley.

Staff: Richard Rodger (786-7461)

Hearing Dates: February 18, 1994; February 25, 1994

BACKGROUND:

When a petition for termination of the parent-child relationship is filed in an adoption case in which a parent or alleged father has not executed a written consent to adoption, the court must set a hearing. Notice of the hearing must be served on the various parties. The notice must inform the nonconsenting parent or the alleged father that failure to respond to the termination action within 20 days of service will result in termination of the parent's parent-child relationship.

Petitions must be served in the same manner as a complaint in a civil action under the Superior Court Civil Rules. Civil Rule 4 provides that, unless a statute or rule provides for a different time requirement, the summons shall require the defendant to serve a copy of the defense within 20 days after service of the summons.

If personal service on the parent or alleged father is not obtained, the notice must be given by registered mail and by publication. Publication must be in a legal newspaper in the city or town of the last known address of the parent or alleged father. If no address is known, or the last known address is not within the United States and its territories, publication must be in a newspaper in the city or town where the proceeding has been commenced.

SUMMARY:

The notice of the filing of a petition for termination of the parent-child relationship must notify the parent that the 20-day response time applies whether the parent lives within or outside the state of Washington.

If personal service is obtained on any parent or alleged father who has not consented to the termination of parental rights, the summons and notice of the hearing on the petition must be served at least 20 days before the hearing date, whether the parent lives within or outside the state.

If personal service is not obtained, notice must be given by first class as well as registered mail. If personal service is not obtained and no address is known, publication must be in the city or town of the parent's last known whereabouts within the United States and its territories.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

This bill will expedite the termination process while increasing protection to all parties by clarifying the requirements concerning notification.

TESTIMONY AGAINST: None

TESTIFIED: Representative Sue Karahalios, prime sponsor; Bob Swanson, Medina Children's Services (pro); Mark Demaray, attorney (pro)