
SENATE BILL 5637

State of Washington 60th Legislature 2007 Regular Session

By Senators Regala, Franklin, Kastama and Rasmussen

Read first time 01/26/2007. Referred to Committee on Judiciary.

1 AN ACT Relating to sexual assault protection orders; amending RCW
2 7.90.020; and adding a new section to chapter 7.90 RCW.

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

4 **Sec. 1.** RCW 7.90.020 and 2006 c 138 s 5 are each amended to read
5 as follows:

6 There shall exist an action known as a petition for a sexual
7 assault protection order.

8 (1) A petition for relief shall allege the existence of
9 nonconsensual sexual conduct or nonconsensual sexual penetration, and
10 shall be accompanied by an affidavit made under oath stating the
11 specific statements or actions made at the same time of the sexual
12 assault or subsequently thereafter, which give rise to a reasonable
13 fear of future dangerous acts, for which relief is sought. Petitioner
14 and respondent shall disclose the existence of any other litigation or
15 of any other restraining, protection, or no-contact orders between the
16 parties.

17 (2) A petition for relief may be made regardless of whether or not
18 there is a pending lawsuit, complaint, petition, or other action
19 between the parties.

1 (3) Within ninety days of receipt of the master copy from the
2 administrative office of the courts, all court clerk's offices shall
3 make available the standardized forms, instructions, and informational
4 brochures required by RCW 7.90.180 and shall fill in and keep current
5 specific program names and telephone numbers for community resources.
6 Any assistance or information provided by clerks under this section
7 does not constitute the practice of law and clerks are not responsible
8 for incorrect information contained in a petition.

9 (~~(4) ((No filing fee may be charged for proceedings under this
10 chapter.))~~) Forms and instructional brochures and the necessary number
11 of certified copies shall be provided free of charge.

12 (5) A person is not required to post a bond to obtain relief in any
13 proceeding under this section.

14 (6) If the petition states that disclosure of the petitioner's
15 address would risk abuse of the petitioner or any member of the
16 petitioner's family or household, that address may be omitted from all
17 documents filed with the court. If the petitioner has not disclosed an
18 address under this subsection, the petitioner shall designate an
19 alternative address at which the respondent may serve notice of any
20 motions.

21 NEW SECTION. **Sec. 2.** A new section is added to chapter 7.90 RCW
22 to read as follows:

23 No fees for filing or service of process may be charged by a public
24 agency to petitioners seeking relief under this chapter. Petitioners
25 shall be provided the necessary number of certified copies at no cost.

--- END ---