

The Hotsheet

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2006 Family Law Midyear

The 2006 Family Law Midyear meeting will take place at the Marcus Whitman Hotel and Conference Center in Walla Walla from June 23 to June 25. Be sure to get your hotel reservations early. Hotels in Walla Walla include the Marcus Whitman, 509-525-2200, the Best Western, 509-525-4700, La Quinta Inn, 509-525-2922, and the Holiday Inn Express, 509-525-6200. You can find more by Googling Walla Walla accommodations.

Last year the midyear filled up and we had to turn people away. Get your reservations in early once the official announcements arrive!

**FLEC ANNUAL
SKILLS TRAINING
SEMINAR
Family Law Dispute Reso-
lution - How to prepare
for and assist your client
through dispute resolution
efforts.
APRIL 21-22, 2006
KING COUNTY SUPE-
RIOR COURT,
REGIONAL JUSTICE
CENTER, KENT**

The Family Law Executive Committee is pleased to announce its annual Skills Training Seminar, which will occur Friday, April 21, 2006, through Saturday, April 22, 2006. This

year we will be focusing on how to prepare for and assist your clients through the dispute resolution process. On Friday we will be presenting training and education on the different models of dispute resolution available today. Focusing primarily on the mediation or settlement conference models, we will provide training on how attorneys prepare for mediation or settlement conferences, how to put together mediation materials, and we will discuss various ethical issues that arise with mediations.

In the afternoon, we will have a demonstration of a family law mediation or settlement conference, after which we will break into small groups to begin to work on the role play portion of the skills training. Saturday's session will focus on small group sessions with mediation role playing. Each participant will have a chance to role play both as an attorney and as a client.

Assisting clients in resolving disputes is an important part of all family law disputes. This training will provide attorneys with some of the tools necessary to help your clients resolve their conflicts.

The following bills of interest to the family law bar are currently in the legislature:

SB 6270 - Shared parenting. This bill would create a presumption that children over six years of age would reside a minimum of one third of the time with each parent. For children under six years of age, the current factors would control, except that factor i would read, "the relative strength, nature, and stability of each parent's relationship with the child." The clause in that factor regarding who has taken greater responsibility in caring for the child would be removed. Special needs of the child and nursing would be added as factors. The last section of RCW 26.09.187, which discourages (or as some interpret it, prohibits) equal residential time would be eliminated.

HB 2786 - Providing schools with parenting plans. This bill would require court clerks to send parenting plans and residential orders to the superintendent of public instruction, and from there the orders would find their ways to the involved children's schools. Schools would then be required to give the persons designated as having the care, custody, and control of the children notice of actions including trips, grades, disciplinary actions, etc.

HB 2954 - Expanding parental rights. This bill would provide that the parent of an unemancipated minor has the right to be notified and

(Continued on page 2)

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(Continued from page 1)

present whenever an unemancipated minor is receiving health care, including mental health care. The current law allowing minors 13 years old or older to obtain substance treatment or mental health treatment without parental authorization, or for 14-year-olds to have HIV tests without notifying parents, would be abolished; exceptions to this could be made under certain circumstances by application to a court.

HB 2979 - Addressing cultural upbringing in parenting plans. This bill would add cultural upbringing to religious upbringing, education and health care as items that must be addressed in the decision-making portion of parenting plans. "Any allocation of decision-making authority regarding cultural upbringing shall reflect the inherent value of sustaining the child's connection to his or her cultural heritage, through education or by other means."

HB 2788 - Creating a putative father registry. Under the terms of this bill, a man would be able to register in a "putative father registry" either before or up to 120 days after the birth of a child. If he did so, he would be entitled to notice of actions concerning the child, including termination proceedings and adoptions. If he did not do so, his rights to the child could be terminated without notice up until the child was one year of age.

SB 6200 - Establishing a child support performance award. This bill would create a certificate to be awarded to those child support obligors with exemplary payment records. The certificates would be admissible in court.

HB 2462 - Establishing work groups to periodically review and update the child support schedule. Federal law requires child support schedules to be re-

viewed every four years. It has been several years since Washington's support schedule was fully reviewed. FLEC's own Kathleen Schmidt was a member of a work group that worked on this issue for the past year. Kathleen and another FLEC member, Chuck Szurszewski, did a presentation on child support at last year's Family Law Midyear Seminar in Ocean Shores. This bill would establish a method for constituting similar work groups every four years to make sure our support schedule is up to date. Under the terms of the bill, the family law section must be represented on the work groups.

HB 2711/SB SB 6683 - Concerning visitation rights for grandparents. - This bill would provide non-parental visitation rights under limited circumstances but it is limited to grandparents. The intent of the bill is to be consistent with the limitations laid down in the recent case of *In re the Parentage of C.A.M.A.*

HB 2893 - Restrictions on granting a sex offender visitation under a parenting plan. This bill concerns visitation when one of the parents resides with a person who has been found to be a sex offender. Under the current RCW 26.09.191, there is a rebuttable presumption that a parent who resides with a sex offender places the child at risk of abuse or harm if that parent exercises residential time with a child in the presence of such sex offender, and a court is directed to restrain contact with that parent unless such contact takes place outside the presence of the sex offender, unless the presumption is overcome. The presumption can be overcome, this allowing some contact with the sex offender, under certain stringent conditions. This bill would require both parents permission for such contact to occur

under any circumstances.

6348 – Legal aid for undocumented victims of DV. Current law prohibits legal aid organizations from providing legal services to illegal aliens if the legal aid organization receives state money. This bill would create an exception by allowing such organizations to represent illegal aliens who are victims of domestic violence, sexual assault, or human trafficking.

Family Law Listserv

"A jury consists of twelve persons chosen to decide who has the better lawyer."

-Anon.

One of the benefits provided by your section is the popular listserv. There you can post questions or otherwise find useful information. Check our web site for instructions on joining the listserv.

WSBA Web Site Section Membership Renewal

Your Family Law Section membership can be renewed from the WSBA website page at www.wsba.org/familylaw. Prospective new members can join from the same web site.

Legislative Web Site

To obtain full versions of bills being considered by the legislature, go to

<http://apps.leg.wa.gov/billinfo/>

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