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**SUBSTITUTE SENATE BILL 5135**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2013 Regular Session

**State of Washington                      63rd Legislature                      2013 Regular Session**

**By** Senate Law & Justice (originally sponsored by Senators Pearson, Kline, and Padden)

READ FIRST TIME 02/19/13.

1            AN ACT Relating to judicial proceedings and forms; and amending RCW  
2 2.36.095, 11.96A.090, and 26.26.610.

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

4            **Sec. 1.** RCW 2.36.095 and 1993 c 408 s 8 are each amended to read  
5 as follows:

6            (1) Persons selected to serve on a petit jury, grand jury, or jury  
7 of inquest shall be summoned by mail or personal service. The county  
8 clerk shall issue summons and thereby notify persons selected for jury  
9 duty. The clerk may issue summons for any jury term, in any  
10 consecutive twelve-month period, at any time thirty days or more before  
11 the beginning of the jury term for which the summons are issued.  
12 However, when applicable, the provisions of RCW 2.36.130 apply.

13            (2) In courts of limited jurisdiction summons shall be issued by  
14 the court. Upon the agreement of the courts, the county clerk may  
15 summon jurors for any and all courts in the county or judicial  
16 district.

17            (~~(3) The county clerk shall notify the county auditor of each~~  
18 ~~summons for jury duty that is returned by the postal service as~~  
19 ~~undeliverable.))~~

1           **Sec. 2.** RCW 11.96A.090 and 1999 c 42 s 302 are each amended to  
2 read as follows:

3           (1) A judicial proceeding under this title is a special proceeding  
4 under the civil rules of court. The provisions of this title governing  
5 such actions control over any inconsistent provision of the civil  
6 rules.

7           (2) A judicial proceeding under this title (~~(may)~~) must be  
8 commenced as a new action (~~(or as an action incidental to an existing~~  
9 ~~judicial proceeding relating to the same trust or estate or nonprobate~~  
10 ~~asset)~~).

11           (3) Once commenced, the action may be consolidated with an existing  
12 proceeding (~~(or converted to a separate action)~~) upon the motion of a  
13 party for good cause shown, or by the court on its own motion.

14           (4) The procedural rules of court apply to judicial proceedings  
15 under this title only to the extent that they are consistent with this  
16 title, unless otherwise provided by statute or ordered by the court  
17 under RCW 11.96A.020 or 11.96A.050, or other applicable rules of court.

18           **Sec. 3.** RCW 26.26.610 and 2002 c 302 s 533 are each amended to  
19 read as follows:

20           (1) On request of a party and for good cause shown, the court may  
21 close a proceeding under this section and RCW 26.26.500 through  
22 26.26.605 and 26.26.615 through 26.26.630.

23           (2) A final order determining parentage in a proceeding under this  
24 section and RCW 26.26.500 through 26.26.605 and 26.26.615 through  
25 26.26.630 is (~~(available for public inspection. Other papers and~~  
26 ~~records are available only with the consent of the parties or on order~~  
27 ~~of the court for good cause)) publicly accessible. Records entered  
28 prior to the entry of a final order determining parentage in a  
29 proceeding under this section and RCW 26.26.500 through 26.26.605 and  
30 26.26.615 through 26.26.630 are accessible only to the parties or on  
31 order of the court for good cause.~~

32           (3) Except as provided by applicable court rules, records entered  
33 after the entry of a final order determining parentage in a proceeding  
34 under this section and RCW 26.26.500 through 26.26.605 and 26.26.615  
35 through 26.26.630 are publicly accessible.

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