
Civil Rights & Judiciary Committee

HB 1766

Brief Description: Creation of a hope card program.

Sponsors: Representatives Griffey, Davis, Senn, Dent, Callan and Cheney.

Brief Summary of Bill

- Directs the Administrative Office of the Courts to develop a program for the issuance of protection order Hope Cards by superior and district courts.
- Requires a Hope Card to contain specified information about a full protection order.
- Permits a person who has been issued a valid full protection order to request a Hope Card from the issuing court.

Hearing Date: 2/14/23

Staff: Yelena Baker (786-7301) and Matthew Williamson (786-7291).

Background:

Washington Protection Orders.

Washington law allows residents to petition a court to seek protection from harmful or threatening behavior via several types of civil protection orders. These protection orders are divided into six categories: domestic violence protection orders; sexual assault protection orders; stalking protection orders; vulnerable adult protection orders; extreme risk protection orders; and antiharassment protection orders.

A court may issue a temporary protection order or a full protection order. Temporary protection orders are orders that are issued before the court has decided whether to issue a full protection

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

order, and may be issued without prior notice to the respondent. Full protection orders are orders issued after notice has been provided to the respondent, and the parties have had the opportunity for a full hearing before the court, or the parties have agreed to resolve the petition without a hearing. When entering a full protection order, a court may grant relief to the petitioner for a fixed period of time or on a permanent basis, though there are statutory limits on the duration of orders that would prohibit the respondent from contacting their minor children.

When entering a protection order, a court may grant broad relief to protect the petitioner, including: restraining a respondent from having contact with or threatening another person, including minor children; excluding the respondent from certain locations or from coming within a specified distance of certain locations; and prohibiting the respondent from harassing, following, or monitoring the petitioner.

Existing Hope Card Programs.

Several states have implemented programs, whether by statute or agency action, that provide wallet-sized cards displaying certain information about a protection order to the recipient of the order. These states include Oregon, Idaho, Montana, Illinois, Indiana, Virginia, and Hawaii.

Elements of these programs vary between the different states, including which agency is responsible for administering the program, the physical construction of the card, and the contents required to be displayed. However, most programs specifically require that the cards be wallet-sized, and contain certain vital information about the order, including issuance and expiration dates and identifying information about the protected individual and the respondent. Many programs also include provisions allowing protection order recipients to request multiple copies of the card without a fee.

Summary of Bill:

The Administrative Office of the Courts is directed to develop a Hope Card program in collaboration with the Washington State Superior Court Judges' Association, the Washington State District and Municipal Court Judges Association, the Washington State Association of County Clerks, and district court administrators.

A Hope Card must be a durable laminated or plastic card that contains the following information:

- the restrained person's name, date of birth, sex, race, eye color, hair color, height, weight, and other distinguishing features;
- the protected person's name and date of birth and the names and dates of birth of any minor children protected under the order; and
- information about the protection order including, but not limited to, the issuing court, the case number, the date of issuance and date of expiration of the order, and the relevant details of the order, including any locations from which the person is restrained.

Beginning on July 1, 2024, any person who has been issued a valid domestic violence protection order, sexual assault protection order, stalking protection order, vulnerable adult protection

order, or antiharassment order may request a Hope Card from the issuing court at the time the order is issued or any time prior to the expiration of the order.

A person requesting a Hope Card may not be charged a fee for the issuance of an original and one duplicate card.

Appropriation: None.

Fiscal Note: Requested on February 8, 2023.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.