



Proud past. Promising future

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CLERK'S ALERT

DATE: September 29, 2008

TO: Clark County Bar Association

FROM: Sherry W. Parker, Clark County Clerk
Teri A. Nielsen, Chief Deputy Clerk

RE: Changes in Processing Adoption Birth Certificate Requests &
Copies of Decrees of Adoption

Clerk's Changes to Local Court Rules for 2008

Changes in Adoption Processing Procedures

RCW 26.33.280 "After a decree of adoption is entered, **as soon as the time for appeal has expired**, or if an appeal is taken, and the adoption is affirmed on appeal, the clerk of the court shall transmit to the state registrar of vital statistics a certified copy of the decree, along with any additional information and fees required by the registrar. "

In order to comply with this statute, our office will wait 30 days after the Decree of Adoption is filed to send in the fees and adoption data card information to the state registrar for the new birth certificate on the adopted child(ren).

You may want to advise your clients that this procedure will begin August 8th as the new adoptive parents will have a longer wait before they will receive their birth certificates.

Also, we cannot provide free copies of the decrees of adoption to parties or their attorney as there is not a specific statute that exempts payment of the certified copy fees as per RCW 36.18.016(4). However, we will continue to provide a free certified copy to DSHS if they are involved in the case as their fees are waived and a certified copy will be sent to the State Registrar when applying for a new birth certificate at no charge.

Clerk's Changes to Local Court Rules for 2008

The changes to the Local Court Rules which were proposed by the Clerk's Office were for **Rule 79. Books and Records Kept by the Clerk**. We updated and re-organized this entire section. The major changes are as follows:

- trial exhibits are held until 90 days after the case is finalized. At that time parties are notified by the clerk's office that unless the exhibits are retrieved, they will be destroyed after 30 days (this time period was changed from 15 days)
- the file check out procedure was formalized
- we will return administrative record materials to the officer or agency that certified them or destroy the materials if directed. This is after the matter has been completed.
- documents to be added to a sealed file should be properly identified for our staff

Additionally, we added a new section, which is **Rule 98.20 Guardianships and Trusts**. This section requires that Guardianship and Trust cases should include an Information Summary on the first page, similar to a Judgment Summary, please read this new section thoroughly.

The Local Court Rules are available at www.clark.wa.gov/courts/superior. If there are questions about our changes, please contact our office.