



When the Court is the Criminal

Washington State's Family Court

The Judges

The legislative push for HB 2237 reveals a disturbing narrative about the intersection of family court dynamics and domestic violence in Washington State. Of consequence, is granting increased judicial discretion to judges with no knowledge of or experience in domestic violence cases before taking the bench.

The lack of training in domestic violence for family court judges is an oversight that leads to catastrophic outcomes, such as contributing to lethal situations. Data from the Bureau of Justice Statistics (2008) supports this concern, indicating that family members were responsible for 43% of all murders of females in 2002, with children under age 13 constituting 23% of murder victims killed by a family member.

This issue is compounded by the state's alarming 2024 rank of 46 out of 50 states for the worst domestic violence, raising questions about current legislative approach. The legislative push for bills like HB 2237, which gives more power to inadequately trained judges, is confusing at best, given the state's dismal ranking in handling domestic violence.

The similarities between domestic violence and human trafficking, as highlighted by the Polaris Project (2018), further emphasize the critical need for judges to understand the complex dynamics of power and control inherent in these cases. The Fuller Project's examination of family courts (Klein, 2021) revealed that mothers alleging child sexual abuse by fathers retained custody in only 15% of cases, confirming the courts' failure to protect survivors.

The analysis of 90 family court judges across the nine most populous counties in Washington State revealed that a significant majority lack training in domestic violence and family law.

Only 16 judges out of 90, in other words well over half of the state's total amount of superior court judges, self-identified as NOT having experience or training in domestic violence.

The proposed Kayden's Law addresses this by making training for judges a requirement. Despite the clear benefits, the bill faces resistance from certain Washington lawmakers, including Jamila Taylor (D) and Manka Dhingra (D), even as it garners support from others like Rep Rule (D) and Senator Fortunato (R). Senator Dhingra, a candidate for WA Attorney General and a known advocate against domestic violence through her nonprofit, API Chaya, has withheld support for the bill, causing debate in the community of Survivors about legislative intent.

Further complicating the issue, the Washington Superior Court Judge's Association (SCJA) and the Sexual Violence Law Center (SVLC), who collaborated on drafting HB 2237, have reportedly made financial contributions to Senator Dhingra's campaign. This raises questions about conflicts of interest and the motivations behind opposing Kayden's Law– which would seek to elevate the standards of judicial training. Are the judges that are meant to protect abused mothers and children – inadvertently contributing to this Family Court Crises?

So who then, exactly, is requesting more power for Judges? The Judges? And who helped write the bill? The Judges? And who is trying to pass the bill? The Judges? And when people said what are you doing over there in the corner, Judges? What did they do?

They silenced survivors.

Weird.

This situation raises critical questions about the legislative intent and the potential consequences of increasing judicial discretion without concurrent efforts to enhance judges' training in domestic violence and family law. It begs the reconsideration of proposed legislative measures, such as HB 2237, and calls for a comprehensive reevaluation of the family court system's approach and accountability to domestic violence cases in Washington State.

For more information on these issues, please refer to the following resources:

- Bureau of Justice Statistics. (2008). Family Violence Statistics. [Link](#)
- Polaris Project. (2018). The Role Domestic Violence Shelters Play in Supporting Human Trafficking Survivors. [Link](#)

Klein, J. (2021). 'Women are routinely discredited': How courts fail mothers and children who have survived abuse. The Guardian. [Link](#)

Signed,

Concerned Citizens of The Family Court Crisis

This Family Court Series was formed by a community-led alliance of organizations, survivors, and professionals. This series aims to address the Family Court Crisis in Washington. The current system not only fails to protect mothers and children but perpetuates abuse and neglect.

Domestic Violence in WA Family Court Series Archive

[Series I. The Issue.](#)

[Series II. Who Gains Financially?](#)

[Series III. Mothers Homeless by Family Courts](#)

[Series V. 5 Ways WA FC Hates Mothers](#)

[Series VI. Purchasing Power](#)

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