

RCW 26.26A.310 Authority to order or deny genetic testing. (1)

Except as otherwise provided in RCW 26.26A.300 through 26.26A.355 or 26.26A.400 through 26.26A.515, in a proceeding under this chapter to determine parentage, the court shall order the child and any other individual to submit to genetic testing if a request for testing is supported by the sworn statement of a party:

(a) Alleging a reasonable possibility that the individual is the child's genetic parent; or

(b) Denying genetic parentage of the child and stating facts establishing a reasonable possibility that the individual is not a genetic parent.

(2) A child support agency may order genetic testing only if there is no presumed, acknowledged, or adjudicated parent of a child other than the woman who gave birth to the child.

(3) The court or child support agency may not order in utero genetic testing.

(4) If two or more individuals are subject to court-ordered genetic testing, the court may order that testing be completed concurrently or sequentially.

(5) Genetic testing of a woman who gave birth to a child is not a condition precedent to testing of the child and an individual whose genetic parentage of the child is being determined. If the woman is unavailable or declines to submit to genetic testing, the court may order genetic testing of the child and each individual whose genetic parentage of the child is being adjudicated.

(6) In a proceeding to adjudicate the parentage of a child having a presumed parent or an individual who claims to be a parent under RCW 26.26A.440, or to challenge an acknowledgment of parentage, the court may deny a motion for genetic testing of the child and any other individual after considering the factors in RCW 26.26A.460 (1) and (2).

(7) If an individual requesting genetic testing is barred under RCW 26.26A.400 through 26.26A.515 from establishing the individual's parentage, the court shall deny the request for genetic testing.

(8) An order under this section for genetic testing is enforceable by contempt. [2018 c 6 s 403.]