

**RCW 10.52.110 Courthouse facility dog program.** (1) Courts are authorized to permit a courthouse facility dog for use by witnesses in any judicial proceeding.

(2) Courts with an available courthouse facility dog must allow a witness under eighteen years of age, or who has a developmental disability as defined in RCW 71A.10.020, to use a courthouse facility dog to accompany them while testifying in court.

(3) Courts may allow any witness who does not meet the criteria in subsection (2) of this section to use a courthouse facility dog, if available, to accompany them while testifying in court.

(4) Before the introduction of a courthouse facility dog into the courtroom and outside the presence of the jury, the party desiring to use the assistance of a courthouse facility dog must file a motion setting out: (a) The credentials of the courthouse facility dog; (b) that the courthouse facility dog is adequately insured; (c) that a relationship has been established between the witness and the courthouse facility dog in anticipation of testimony; and (d) reasons why the courthouse facility dog is necessary to facilitate the witness's testimony.

(5) Upon a finding that the presence of a courthouse facility dog is necessary to facilitate a witness's testimony, the witness must be afforded the opportunity to have a courthouse facility dog accompany the witness while testifying, if a courthouse facility dog and certified handler are available within the jurisdiction of the court in which the proceeding is held.

(6) If the court grants the motion filed under subsection (4) of this section, the certified handler must be present in the courtroom to advocate for the [courthouse] facility dog as necessary. The courthouse facility dog performing this service should be trained to accompany the witness to the stand without being attached to the certified handler by a leash and lie on the floor out of view of the jury while the witness testifies.

(7) In a jury trial, the following provisions apply:

(a) In the course of jury selection, either party may, with the court's approval, voir dire prospective jury members on whether the presence of a courthouse facility dog to assist a witness would create undue sympathy for the witness or cause prejudice to a party in any other way.

(b) To the extent possible, the court shall ensure that the jury will be unable to observe the [courthouse] facility dog prior to, during, and subsequent to the witness's testimony.

(c) On request of either party, the court shall present appropriate jury instructions that are designed to prevent any prejudice that might result from the presence of the courthouse facility dog before the witness testifies and at the conclusion of the trial.

(8) Courts may adopt rules for the use of a courthouse facility dog authorized under this section.

(9) For purposes of this section:

(a) "Certified handler" means a person who (i) was trained to handle the courthouse facility dog by the assistance dog organization that placed the dog and (ii) is a professional working in the legal system who is knowledgeable about its practices.

(b) "Courthouse facility dog" means a dog that: (i) Has graduated from a program of an assistance dog organization that is accredited by a recognized organization whose main purpose is to grant accreditation to assistance dog organizations based on standards of excellence in

all areas of assistance dog acquisition, training of the dogs and their handlers, and placement; and (ii) was specially selected to provide services in the legal system to provide quiet companionship to witnesses during stressful legal proceedings thereby enabling them to better engage with the process. [2019 c 398 § 1.]