

HOUSE BILL REPORT

HB 1922

As Amended by the Senate

Title: An act relating to granting courts of limited jurisdiction concurrent jurisdiction over certain juvenile offenses.

Brief Description: Granting courts of limited jurisdiction concurrent jurisdiction over certain juvenile offenses.

Sponsors: By House Committee on Law & Justice (originally sponsored by Representatives Honeyford, Lisk, Mastin and Cooke).

Brief History:

Committee Activity:

Law & Justice: 3/4/97, 3/5/97 [DP].

Floor Activity:

Passed House: 3/13/97, 94-0.

Senate Amended.

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 13 members: Representatives Sheahan, Chairman; McDonald, Vice Chairman; Sterk, Vice Chairman; Costa, Ranking Minority Member; Constantine, Assistant Ranking Minority Member; Carrell; Cody; Kenney; Lambert; Lantz; Radcliff; Sherstad and Skinner.

Staff: Edie Adams (786-7180).

Background: The juvenile court is a division of the superior court. Generally, the juvenile court has exclusive original jurisdiction over all matters relating to juveniles, including, truancy petitions, dependency hearings, termination of parental rights, and juvenile offenders.

There are a few exceptions to the juvenile court's exclusive jurisdiction over juvenile offenders. The juvenile court may transfer jurisdiction over a juvenile to adult court after holding a "decline hearing," and in some cases a juvenile who is 16 or 17 may be automatically transferred to adult court if the juvenile is alleged to have committed certain serious offenses and has a specified criminal history.

A court of limited jurisdiction may have jurisdiction over 16- and 17-year-old juveniles who are alleged to have committed a traffic, fish, boating, or game offense, or traffic infraction.

Summary of Bill: A county with a population between 200,000 and 350,000 and located east of the Cascades may authorize a pilot project to allow courts of limited jurisdiction to exercise concurrent jurisdiction with the juvenile court over certain juvenile offenders.

District and municipal courts may exercise concurrent jurisdiction over traffic or civil infractions, truancy petitions, and misdemeanor offenses. Jurisdiction over these juvenile offenses may only be exercised if: (1) the offense, if committed by an adult, would not be punishable by incarceration, or the standard range disposition for the juvenile offender does not include a term of confinement; (2) the court of limited jurisdiction has a computer system that is linked to the statewide criminal history information data system used by juvenile courts; (3) the county legislative authority has authorized creation of concurrent jurisdiction; and (4) the court of limited jurisdiction has an agreement with county juvenile detention facilities that the court of limited jurisdiction may order juveniles into the detention facility if a disposition without confinement would be a manifest injustice.

EFFECT OF SENATE AMENDMENT(S): All information relating to cases over which a municipal or district court has exercised jurisdiction must be transmitted to juvenile court so the information may be entered into the court information system.

An expiration date of June 30, 2002 is provided for the pilot project.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The juvenile court is overcrowded and unable to promptly respond to a juvenile offender's actions. The bill will allow the community to provide a much quicker response to minor juvenile offenders, which will increase accountability. The parents and the community can be more involved because of the flexibility and convenience offered by local courts.

Testimony Against: None.

Testified: Representative Honeyford, prime sponsor; Jim Southworth, city of Toppenish (pro); Judith Boekholder, Toppenish City Council (pro); and Kelly Rosenow and Lieutenant Fred Morris, Toppenish Police Department (pro).