

# HOUSE BILL ANALYSIS

## HB 1403

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**Title:** An act relating to requiring a juvenile offender to remain in the presence of a parent.

**Brief Description:** Asserting parental control over juvenile offenders.

**Sponsors:** Representatives Lambert, McDonald, Sterk, Carrell and Thompson.

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### HOUSE COMMITTEE ON LAW & JUSTICE

**Staff:** Edie Adams (786-7180).

**Background:** *In general, the juvenile court has exclusive original jurisdiction over juveniles under age 18 who are charged with an offense, traffic infraction, or violation.*

*The Juvenile Justice Act specifies disposition standards for juveniles adjudicated of an offense. Possible dispositions include commitment to the Department of Social and Health Services or a local detention facility, community supervision, community service, or a fine. Community supervision may consist of requirements to attend counseling or educational classes, curfews, restrictions on entering or leaving specified geographical areas, or requirements to remain at home, work, school, or court-ordered treatment programs during specified hours.*

**Contempt of court** is any intentional: (1) disorderly conduct towards a judge while holding court which tends to impair the court's authority or interrupt the due course of a judicial proceeding; (2) disobedience of any lawful judgment, decree, order, or process of the court; (3) refusal as a witness to appear, be sworn, or answer a question without lawful authority; or (4) refusal, without lawful authority, to produce a record, document, or other object.

Contempt of court may be punished with remedial or punitive sanctions that may include imprisonment, a fine, or any other measure to ensure compliance with the court's order.

**Summary of Bill:** *In entering a disposition order for a juvenile found to have committed an offense, the court may enter any of the following orders in addition to any other dispositional term or condition imposed on the juvenile:*

- *That the parents take charge of and exercise control over the juvenile;*

- *That the juvenile submit to the parents and obey their lawful orders; and*
- *That the juvenile remain continuously in the presence of the juvenile's parent for a period of time and under circumstances that the court considers reasonable. "In the presence of" is defined as within range of sight or hearing, or other limitations the court considers reasonable.*

*A parent or juvenile who fails to comply with any of these orders is subject to contempt of court. A parent of a juvenile who is under juvenile court jurisdiction is subject to the jurisdiction of the juvenile court for purposes of enforcing an order that the parent take charge of and exercise control over the juvenile, or that the juvenile remain continuously in the presence of the parent.*

**Fiscal Note:** Not requested.

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

Office of Program Research