

SENATE BILL REPORT

HB 1922

As Reported By Senate Committee On:
Law & Justice, April 1, 1997

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: Representatives Honeyford, Lisk, Mastin and Cooke.

Brief History:

Committee Activity: Law & Justice: 4/1/97 [DP].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Goings, Hargrove, Kline, McCaslin and Zarelli.

Staff: Lidia Mori (786-7755)

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.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This bill will allow us to deal with first time juvenile offenders more expediently and will give the local community more control over the outcomes. It will encourage and facilitate parents to become more involved with the children who get involved in the system. It will give parent easier access to court due to not having to drive to Yakima. The current procedure does not provide the immediacy that this pilot project will allow.

Testimony Against: The court clerks feel that due to the confidentiality involved with truancy issues, they should be handled by juvenile court.

Testified: PRO: Representative Honeyford; Judith Boekholder; Frederick Morris; Kelly Rosenow; James Southworth; CON: Debbie Wilke.