

SENATE BILL REPORT

HB 1199

As Reported By Senate Committee On:
Judiciary, April 1, 1999

Title: An act relating to jurisdiction of superior courts in civil antiharassment actions.

Brief Description: Defining the jurisdiction of civil antiharassment actions.

Sponsors: Representatives Lantz, Constantine, Sheahan and Carrell.

Brief History:

Committee Activity: Judiciary: 3/31/99, 4/1/99 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Heavey, Chair; Kline, Vice Chair; Costa, Goings, Hargrove, Haugen, Johnson, Long, McCaslin, Roach, Thibaudeau and Zarelli.

Staff: Lidia Mori (786-7755)

Background: A victim of unlawful harassment can petition a court for a civil antiharassment protection order against the person doing the harassing. If the court finds that unlawful harassment exists by a preponderance of the evidence, it must grant an order to the petitioner prohibiting the respondent from engaging in the harassment.

The district courts have jurisdiction over civil actions and proceedings relating to civil antiharassment protection orders. A superior court also has jurisdiction over such matters when a district court finds that meritorious reasons exist to transfer the case to the superior court.

Summary of Bill: A district court must transfer an action or proceeding relating to a civil antiharassment protection order to the superior court when the respondent is under 18 years of age.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: It is burdensome for district court to have to do findings of fact and conclusions of law in order to transfer an antiharassment protection order case to superior court. District court does not have the tools to handle juvenile issues.

Testimony Against: None.

Testified: Judge Robert McBeth, District and Municipal Court Judges Association.