

## *Judiciary*

### **HB 1264**

**Title:** *An act relating to courts of limited jurisdiction.*

**Brief Description:** *Changing provisions relating to termination of municipal courts and service contracts.*

**Sponsors:** *Representatives Lantz (co-prime sponsor), Esser (co-prime sponsor), Carrell, Van Luven and Lambert.*

#### ***Brief Summary of Bill***

- *Requires a city to provide written notice to a county if the city intends to terminate an agreement for the provision of court services or if a city intends to terminate its municipal department.*
- *Provides that a city may terminate an agreement for court services only at the end of a four-year district court judicial term.*
- *Removes the limitation that a city that has terminated its municipal court may not establish another municipal court for at least 10 years.*

**Hearing Date:** *2/1/01*

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

#### ***Background:***

*Cities and towns are responsible for the prosecution, adjudication, sentencing, and incarceration of misdemeanor and gross misdemeanor offenses committed by adults in their jurisdictions and referred to them by their local law enforcement agencies.*

*A city may establish a municipal court or a municipal department within a district court to process criminal violations and other violations of city ordinances. In addition, the city may enter into an interlocal agreement with a county for the provision of court services for the city.*

*If a city decides to terminate its municipal court or its municipal department, it must first enter into an agreement with the county for the county to provide court services. The chapter governing municipal departments requires the city to give the county legislative authority written notice of the intent to terminate its municipal department at least 30 days before February 1 of any year.*

*A city that terminates its municipal court or municipal department may not reestablish a municipal court or municipal department for at least 10 years from the date of termination.*

*The Project 2001 Committee was formed by the Board for Judicial Administration to study and make recommendations on ways to improve the operation of the courts. As part of the final recommendations, the Project 2001 Committee recommends that notice and time-frame requirements be added to provisions concerning agreements for court services between cities and counties, and that the 10-year limitation on reestablishing a municipal court be removed.*

**Summary of Bill:**

*Municipal court provisions relating to city and county agreements for the provision of court services are amended to require notice of terminations, impose limitations on time periods when terminations may occur, and to remove the 10-year wait before a municipal court may be reestablished.*

*A city that has entered into an agreement with a county for the provision of court services must provide written notice of an intent to terminate the agreement to the county legislative authority. The notice must be provided at least one year before February 1 of the year in which all district court judges are subject to election.*

*The chapter governing municipal departments of district courts is amended to require a city that intends to terminate its municipal department to provide written notice to the county legislative authority. The notice must be provided at least 30 days before February 1 of the year in which all district court judges are subject to election.*

*A city may terminate an agreement with a county for the provision of court services only at the end of a four-year district court judicial term.*

*The provisions that prohibit a city that has terminated its municipal court or municipal department from establishing another municipal court or municipal department for at least 10 years are removed.*

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

**Appropriation:** *None.*

**Fiscal Note:** *Not Requested.*