

Juvenile Justice Committee

SB 5393

Brief Description: *Revising provisions relating to truancy records.*

Sponsors: *By Senators Long, Kline and Kohl-Welles; by request of Administrator for the Courts.*

Brief Summary of Bill

- *Authorizes certain juvenile records, including truancy records, to be entered in the statewide judicial information system.*
- *Requires the removal of a juvenile's truancy records and his or her parents' related records from the statewide judicial information system if specified requirements are met.*
- *Provides that a county clerk is not liable for the unauthorized release of this data by persons or agencies not subject to his or her control, or for inaccurate or incomplete information collected from litigants or other persons.*

Hearing Date: *3/21/01*

Staff: *Jean Ann Quinn (786-7310).*

Background:

With some exceptions, under Washington's compulsory attendance law, parents are required to send their children to school from age eight to 18. When a juvenile has seven unexcused absences in a month or 10 in a school year, the school district is required to file a truancy petition with the juvenile court alleging a violation of this law by the parent, by the child, or by both the parent and the child. If the school district does not file a truancy position, the parent may file a petition with the juvenile court. The truancy petition must include the name, age, school, and residence of the child, as well as the names and residences of the child's parents.

After a truancy petition is filed, the juvenile court must either schedule a hearing to consider the petition or refer the case to a community truancy board. The court may order the juvenile to perform a number of requirements, including attending school. When a juvenile fails to attend school, the court may order the juvenile to be placed in detention for contempt or may impose alternatives such as community service. When a parent fails to exercise reasonable diligence to cause a child to attend school, that parent may be fined up to \$25 per day for each unexcused absence, or the parent may be ordered to provide community service.

Records not involving the commission of juvenile offenses, including truancy records, that are maintained by the juvenile courts and which relate to the official actions of a juvenile justice agency may be entered in the statewide juvenile court information system.

Summary of Bill:

A truancy petition must include the name, date of birth, school, address, sex, race, and ethnicity of the child, and the names and addresses of the child's parents.

Records maintained by the juvenile courts, including truancy records, which relate to the official actions of a juvenile justice agency may be entered in the statewide judicial information system.

A juvenile's truancy records, and the records of his or her parents, must be removed from the statewide judicial information system when: (1) the juvenile or parent has no other case history; and (2) the juvenile is no longer subject to the compulsory attendance laws.

A county clerk is not liable for the unauthorized release of this data by persons or agencies not in his or her employ, or otherwise subject to his or her control. Additionally, a county clerk is not liable for inaccurate or incomplete information collected from litigants or other persons required to provide identifying data under this law.

Appropriation: None.

Fiscal Note: Not Requested.

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