
Judiciary Committee

SSB 5500

Title: An act relating to interlocal agreements for court services among municipalities.

Brief Description: Facilitating interlocal agreements for court services among municipalities.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Johnson, Haugen, Esser, Thibaudeau, McCaslin and Horn).

Brief Summary of Substitute Bill

- Explicitly allows two or more cities in the same county to contract with each other for municipal court services.
- Recognizes jurisdiction of such a court over cases arising out of ordinances adopted in a contracting city other than the one in which the court is physically located.

Hearing Date: 4/3/03

Staff: Bill Perry (786-7123).

Background:

There are three methods explicitly authorized in statute for a city to use in providing court services.

- A city is authorized to create and operate its own court of limited jurisdiction. The city bears the cost of running an independent municipal court.
- If a city terminates its own municipal court, it is authorized to come to agreement with the county for the delivery of court services by the county district court. Under this arrangement, the city pays the county for all aspects of the delivery of court services.
- A city is also authorized to petition the county for the creation of a "municipal department" within the district court. These municipal courts are part of the county district court. Under this arrangement, the city provides the facilities and the staffing

for the court and pays the county for the services of a district court judge.

Interlocal agreements generally may be used by two or more units of local government to do jointly whatever those governments are authorized to do separately.

There is nothing in either the law on courts of limited jurisdiction or the law on interlocal agreements, however, that expressly authorizes a city that is not operating its own municipal court to enter into an agreement with another city for court operations. There is a question as to whether such a joint court can have jurisdiction over matters arising out of ordinances adopted in a city in which the court is not located.

A number of municipalities, particularly in King County, have entered into interlocal agreements with each other for the operation of municipal courts. King County has indicated that it intends to terminate its contracts with these cities for the operation of municipal courts. Concern has been expressed that an increasing number of cities will be pursuing interlocal agreements with each other to provide court services.

Summary of Bill:

The Legislature expresses its intent to make it explicitly clear that current law allows cities to contract with each other for court services and for those services to be delivered outside a contracting cities boundaries.

The municipal court jurisdiction statute is amended to expressly state that cities within a county may contract with each other for court services. The statute is further modified to remove a statement that jurisdiction is over ordinances of the city "in which the municipal court is located."

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.