

SENATE BILL REPORT

SB 5809

As Passed Senate, March 15, 2005

Title: An act relating to jurisdiction of youth courts.

Brief Description: Revising jurisdiction of youth courts.

Sponsors: Senators Fairley and Kohl-Welles.

Brief History:

Committee Activity: Human Services & Corrections: 2/15/05, 2/21/05 [DP].
Passed Senate: 3/15/05, 47-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, McAuliffe and Thibaudeau.

Staff: Kiki Keizer (786-7430)

Background: In 2002, the legislature passed a law that allows youth courts to hear and resolve cases involving juveniles alleged to have committed traffic infractions. The law also created a mechanism for youth courts, under the supervision of the juvenile court, to be used as diversion units. Finally, the 2002 law provided for "student courts" in schools to hear matters arising out of violations of school rules and policies.

The 2002 law amended three different titles of the Revised Code of Washington to establish youth courts, or student courts, in the state. First, because district courts generally have jurisdiction over traffic matters, the title on district courts was amended to create the possibility of setting up youth courts, under the auspices of the district courts, to hear certain traffic violations. Second, because juvenile matters are handled in juvenile court, the title on juvenile courts was amended to allow juvenile courts to refer to youth courts matters that are either required or allowed to be diverted. Finally, the title on schools was amended to allow for student courts to hear matters arising from violations of school rules.

The 2002 law contained a provision that could be interpreted as limiting the jurisdiction of youth courts in the state to hearing matters involving traffic infractions.

Summary of Bill: The section of the law that permits youth courts to hear matters involving certain traffic infractions under the supervision of the district courts is amended to include cross-references to the other sections of Washington law that allow youth courts to serve as diversion units in certain juvenile cases and to hear matters arising out of violations of school rules. The provision that states "Youth courts have no jurisdiction except as provided for in this chapter" is amended to refer to other sections of the Revised Code of Washington that

establish a mechanism for youth courts and student courts to hear and resolve certain matters under the supervision of the juvenile courts and the schools.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: Youth courts have achieved successful outcomes in cases involving teenage traffic violators. Youthful offenders are held accountable for violations through community service assignments, driving school, writing apology letters, and making presentations in drivers' education classes. If they do not comply with the directives of the youth court, they may have their traffic ticket and fines reinstated. The successful engagement of youth court participants in the context of resolving traffic matters should be extended to working with youth who have committed other offenses.

Youth court helps students to understand their rights and responsibilities, work with authority, and explore career opportunities. It would be helpful to clarify the language in the statute that implies that youth courts may only hear certain traffic violations.

Testimony Against: None.

Who Testified: PRO: Madeline Gigli, Shoreline/Lake Forest Park Youth Court; Brian Earp, Shoreline/Lake Forest Park Youth Court; Erik Bendiksen, Shoreline/Lake Forest Park Youth Court; Katrina Barlow, Shoreline/Lake Forest Park Youth Court; Margaret E. Fisher, Washington State Bar Association.