
HOUSE BILL 1661

State of Washington 59th Legislature 2005 Regular Session

By Representatives Moeller, Hasegawa, Appleton, Hunt, Ericks, Chase, Curtis, Lovick, McCune and Cody

Read first time 02/01/2005. Referred to Committee on Juvenile Justice & Family Law.

1 AN ACT Relating to transfer of juvenile proceedings; and amending
2 RCW 13.40.060.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 13.40.060 and 1997 c 338 s 16 are each amended to read
5 as follows:

6 (1) All actions under this chapter shall be commenced and tried in
7 the county where any element of the offense was committed except as
8 otherwise specially provided by statute. In cases in which diversion
9 is provided by statute, venue is in the county in which the juvenile
10 resides or in the county in which any element of the offense was
11 committed.

12 (2) If the court orders a transfer of venue, the case and copies of
13 all legal and social documents pertaining thereto ((may in the
14 discretion of the court)) shall be transferred to the county in which
15 the juvenile resides, without regard to whether or not his or her
16 custodial parent resides there, for supervision and enforcement of the
17 disposition order. If any restitution is yet to be determined, the
18 originating court shall transfer the case to the new county with the
19 exception of the restitution. Venue over restitution shall be retained

1 by the originating court for purposes of establishing a restitution
2 order. Once restitution is determined, the originating county shall
3 then transfer venue over modification and enforcement of the
4 restitution to the new county. The court of the receiving county ((has
5 jurisdiction to)) may modify and enforce the disposition order,
6 including restitution. The clerk of the originating county shall
7 maintain the account receivable in the judicial information system and
8 all payments shall be made to the clerk of the originating county. Any
9 collection of the offender legal financial obligation shall be managed
10 by the juvenile probation department of the new county while the
11 offender is under juvenile probation supervision, or by the clerk of
12 the original county at the conclusion of supervision by juvenile
13 probation. The probation department of the new county shall notify the
14 clerk of the originating county when they end supervision of the
15 offender. In cases where a civil judgment has already been
16 established, venue may not be transferred to another county.

17 (3) The court upon motion of any party or upon its own motion may,
18 at any time, transfer a proceeding to another juvenile court when there
19 is reason to believe that an impartial proceeding cannot be held in the
20 county in which the proceeding was begun.

--- END ---