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**SUBSTITUTE SENATE BILL 5500**

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**State of Washington**

**59th Legislature**

**2005 Regular Session**

**By** Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Stevens, Delvin and Regala)

READ FIRST TIME 02/23/05.

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 a case, the case and copies  
13 of all legal and social documents pertaining thereto may in the  
14 discretion of the court be transferred to the county in which the  
15 juvenile resides, without regard to whether or not his or her custodial  
16 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. Authority shall be retained by the

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

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

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