
SENATE BILL 5809

State of Washington

59th Legislature

2005 Regular Session

By Senators Fairley and Kohl-Welles

Read first time 02/08/2005. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to jurisdiction of youth courts; and amending RCW
2 3.72.010 and 3.72.030.

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

4 **Sec. 1.** RCW 3.72.010 and 2002 c 237 s 2 are each amended to read
5 as follows:

6 (1) A court created under chapter 3.30, 3.46, 3.50, or 35.20 RCW
7 may create a youth court. The youth court shall have jurisdiction over
8 traffic infractions alleged to have been committed by juveniles age
9 sixteen or seventeen. The court may refer a juvenile to the youth
10 court upon request of any party or upon its own motion. However, a
11 juvenile shall not be required under this section to have his or her
12 traffic infraction referred to or disposed of by a youth court.

13 (2) To be referred to a youth court pursuant to this chapter, a
14 juvenile:

15 (a) May not have had a prior traffic infraction referred to a youth
16 court;

17 (b) May not be under the jurisdiction of any court for a violation
18 of any provision of Title 46 RCW;

1 (c) May not have any convictions for a violation of any provision
2 of Title 46 RCW; and

3 (d) Must acknowledge that there is a high likelihood that he or she
4 would be found to have committed the traffic infraction.

5 (3)(a) Nothing in this chapter shall interfere with the ability of
6 juvenile courts to refer matters to youth courts that have been
7 established to provide a diversion for matters involving juvenile
8 offenders who are eligible for diversion pursuant to RCW 13.40.070 (6)
9 and (7) and who agree, along with a parent, guardian, or legal
10 custodian, to comply with the provisions of RCW 13.40.600.

11 (b) Nothing in this chapter shall interfere with the ability of
12 student courts to work with students who violate school rules and
13 policies pursuant to RCW 28A.300.420.

14 **Sec. 2.** RCW 3.72.030 and 2002 c 237 s 4 are each amended to read
15 as follows:

16 Youth courts provide a disposition method for cases involving
17 juveniles alleged to have committed traffic infractions(~~(, in which)~~).
18 Youth courts may also provide diversion in cases involving juvenile
19 offenders who are eligible for diversion pursuant to RCW 13.40.070 (6)
20 and (7) and who agree, along with a parent, guardian, or legal
21 custodian, to comply with the provisions of RCW 13.40.600. Student
22 court programs may also be available in schools to work with students
23 who violate school rules and policies pursuant to RCW 28A.300.420.
24 Youth court participants, under the supervision of the court or an
25 adult coordinator, may serve in various capacities within the youth
26 court, acting in the role of jurors, lawyers, bailiffs, clerks, and
27 judges. Youth courts and student courts have no jurisdiction except as
28 provided for in this chapter, chapter 13.40 RCW, and RCW 28A.300.420.
29 Youth courts and student courts are not courts established under
30 Article IV of the state Constitution.

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