

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5809**

59th Legislature  
2005 Regular Session

Passed by the Senate March 15, 2005  
YEAS 47 NAYS 0

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**President of the Senate**

Passed by the House April 5, 2005  
YEAS 94 NAYS 0

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5809** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SENATE BILL 5809**

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Passed Legislature - 2005 Regular Session

**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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