

HOUSE BILL REPORT

HB 2371

As Passed Legislature

Title: An act relating to the court's consultation of the judicial information system before granting orders.

Brief Description: Requiring a court that consults the judicial information system in order to render a decision to file a copy of the information used in the court file upon request of a party.

Sponsors: Representatives Kuderer, Magendanz, Hudgins, McBride, Goodman, Senn, Jinkins, Appleton and Kilduff.

Brief History:

Committee Activity:

Judiciary: 1/20/16, 1/26/16 [DP].

Floor Activity:

Passed House: 2/17/16, 98-0.

Passed Senate: 3/2/16, 47-0.

Passed Legislature.

Brief Summary of Bill

- Provides that the requirement for a court to file a copy of any relied-upon document in the case file after consulting the Judicial Information System or a related database applies only if a party requests that the document is so filed.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 13 members: Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman, Haler, Hansen, Kirby, Klippert, Kuderer, Muri, Orwall and Stokesbary.

Staff: Omeara Harrington (786-7136).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Judicial Information System (JIS) is a statewide information system for courts in Washington. The JIS contains information regarding family law actions and other civil cases, criminal history, pending criminal charges, and outstanding warrants. The JIS also includes information relating to protection, no-contact, and restraining orders, including those issued in proceedings involving domestic violence, sexual assault, harassment, family law, and vulnerable adults. Information related to these orders includes the names of the parties, the cause number, the criminal histories of the parties, and any other relevant information necessary to assist courts.

Prior to entering certain types of orders, the court may consult the JIS or related databases, if available, to review criminal history or to determine whether other proceedings involving the parties are pending. In the event that the court does consult the JIS or a related database, the court must disclose to the parties the fact that the database was consulted. In addition, the court must disclose any matters that the court relied upon in rendering a decision and file a copy of the document relied upon within the court file. The document must be filed as a confidential document with any confidential contact or location information redacted.

Summary of Bill:

Rather than requiring the court to file a copy of any relied-upon document within the court file in every case in which JIS or a related database is consulted, the court must only file a copy of a relied-upon document upon request of a party.

Appropriation: None.

Fiscal Note: Requested on March 3, 2016.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) In essence, this is a government efficiency bill. The underlying law has inadvertently expanded the workload of the courts. This is a simple change so that filing the document is required only on request of the party rather than in every case. Many of these documents are not even looked at.

(Opposed) None.

Persons Testifying: Representative Kuderer, prime sponsor; and Melanie Stewart, Washington District and Municipal Court Judges Association.

Persons Signed In To Testify But Not Testifying: None.