

SENATE BILL REPORT

HB 2371

As of February 26, 2016

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, Jenkins, Appleton and Kilduff.

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

Committee Activity: Law & Justice: 2/26/16.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Aldo Melchiori (786-7439)

Background: 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.

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.

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: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is a non-controversial government efficiency bill. It will help save time, resources, and money. It will also help decrease the workload on clerks. Judges can still do it the old way if they want to.

Persons Testifying: PRO: Representative Kuderer, Prime Sponsor; Judge Sam Meyer, District and Municipal Court Judges Association.

Persons Signed In To Testify But Not Testifying: No one.