

FINAL BILL REPORT

SHB 1199

C 9 L 17
Synopsis as Enacted

Brief Description: Allowing youth courts to have jurisdiction over transit infractions.

Sponsors: House Committee on Judiciary (originally sponsored by Representatives Irwin, Jinkins, Goodman, Rodne, Hayes, Muri, Frame, Stokesbary and Stambaugh).

House Committee on Judiciary
Senate Committee on Human Services, Mental Health & Housing

Background:

Youth Courts, Generally.

Youth court programs are designed to provide an alternative within the justice system for first-time offenders. Youth courts operate in three areas: (1) traffic matters heard in district or municipal courts; (2) juvenile offender matters heard in juvenile court; and (3) student conduct violations within schools. Under the supervision of the court or an adult coordinator, youth may serve in various capacities within a youth court, acting in the role of jurors, lawyers, bailiffs, clerks, and judges.

Youth Courts for Traffic Infractions.

District and municipal courts may create youth courts to hear and dispose of traffic infractions for juveniles age 16 or 17. The court may refer a juvenile upon the request of any party or upon its own motion; however, a juvenile may not be required to have the traffic infraction referred to, or disposed of, by a youth court.

To be referred to a youth court for traffic infractions, a juvenile:

- may not have had a prior traffic infraction referred to a youth court;
- may not be under the jurisdiction of any court for a violation of any provision of the state motor vehicle code;
- may not have any convictions for a violation of any provision of the state motor vehicle code; and
- must acknowledge that there is a high likelihood that he or she would be found to have committed the traffic infraction.

Traffic infractions for which a referral may be made include parking, standing, stopping, and pedestrian offenses as found in the state motor vehicle code, as well as equivalent

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administrative regulations or local laws, ordinances, regulations, or resolutions relating to traffic.

As part of the process, the juvenile agrees to fulfill certain conditions in lieu of a determination that a traffic infraction occurred. Conditions imposed pursuant to a youth court agreement are limited to one or more of the following:

- community service, not exceeding 150 hours and not during school hours;
- attendance at driving school;
- a monetary penalty not exceeding \$100, however, if it cannot reasonably be paid due to a lack of financial resources, the court may convert the penalty into community service;
- requirements to remain during specified hours at home, school, or work, and restrictions on leaving or entering specified geographical areas;
- participating in law-related education classes;
- participating in mentoring programs;
- service as a participant in future youth court proceedings;
- writing apology letters; or
- writing essays.

Program operations may be funded by government and private grants. They must emphasize the following principles:

- Youth must be held accountable.
- Youth must be educated about the impact their actions have on themselves, others, and their community.
- Youth must develop skills to resolve problems with peers more effectively.
- Youth should be provided a meaningful forum to practice and enhance newly developed skills.

Summary:

Youth Courts for Transit Infractions.

Youth courts with jurisdiction over traffic infractions also have jurisdiction over transit infractions.

A "transit infraction" means an infraction issued by a "transit authority," including infractions for failure to:

- pay the required fare;
- produce proof of payment; and
- depart the bus, facility, or other mode of public transportation when requested to do so by a person designated to monitor fare payment.

A "transit authority" means a city transit system, a county transportation authority, a metropolitan municipal corporation transit system, a public transportation benefit area, an unincorporated transportation benefit area, a regional transportation authority, or any special purpose district formed to operate a public transportation system.

A youth may not be referred to a youth court if he or she has had a prior transit infraction, is under the jurisdiction of any court for unlawful transit conduct, or has convictions for unlawful transit conduct.

Votes on Final Passage:

House	98	0
Senate	46	0

Effective: July 23, 2017