

FINAL BILL REPORT

SSB 5640

C 191 L 20
Synopsis as Enacted

Brief Description: Concerning youth courts.

Sponsors: Senate Committee on Human Services, Reentry & Rehabilitation (originally sponsored by Senators Holy, Pedersen, Wellman, Billig, Padden, Becker, Warnick, Short, Hasegawa, Walsh, Bailey, Wilson, C. and Kuderer).

Senate Committee on Human Services, Reentry & Rehabilitation
House Committee on Civil Rights & Judiciary

Background: A youth court is an alternative method of hearing and disposing of traffic infractions and transit infractions for juveniles aged sixteen to seventeen. To qualify for youth court, the juvenile must:

- not have a prior infraction referred to youth court;
- not be under the jurisdiction of another court or have prior convictions related to a traffic infraction or transit infraction; and
- acknowledge a high likelihood of being found to have committed the traffic infraction or transit infraction.

In a youth court, juveniles may participate in various roles under the supervision of a youth court coordinator, including the roles of jurors, lawyers, bailiffs, clerks, and judges. A youth court may serve as a diversion for a case referred from juvenile court. Youth courts must emphasize holding youth accountable for problem behavior; educating youth about the impact of their actions on themselves, victims, their families, and community; and developing skills to resolve problems with peers effectively, and providing a meaningful forum to practice and enhance newly developed skills.

To participate in youth court, a juvenile must sign a youth court agreement, which is a contract whereby the juvenile agrees to fulfill certain conditions imposed by the youth court in lieu of a determination that the traffic infraction or transit infraction occurred. Conditions may include:

- community service not to exceed 150 hours;
- attendance at defensive driving school, driver improvement classes, or a like means of fulfilling this condition;
- a monetary penalty not to exceed \$100;
- curfew requirements;
- mentoring programs;

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- writing apology letters or essays; or
- other specified means, including serving as a participant in future youth court proceedings.

A civil infraction is a minor offense punishable by a civil fine. Failure to respond to a civil infraction is a misdemeanor punishable by a fine or imprisonment. Civil infractions are divided into four classes, with maximum fines ranging from \$250 to \$25, with certain exceptions.

Summary: The jurisdiction of youth courts is expanded to include civil infractions. A youth court may accept a referral from a juvenile court diversion unit of a traffic, transit, or civil infraction committed by a youth aged twelve through fifteen if the youth court agrees that:

- completion of the youth court program must be the only condition of the diversion agreement;
- the juvenile must not serve more than 30 hours of participation in youth court;
- no record of the juvenile’s participation in youth court shall be made or reported to the Department of Licensing other than a petition for termination of the diversion agreement filed in juvenile court; and
- the youth court may refer the juvenile back to the juvenile diversion unit for termination of the diversion agreement due to noncompliance.

Language is removed prohibiting a person from participating in youth court if they had a prior infraction referred to youth court.

Votes on Final Passage:

2019 Regular Session

Senate 48 0
House 97 0 (House amended)
(Senate refused to concur/asked House to recede)
House 97 0 (House receded/amended)
(Senate refused to concur/asked House to recede)

2020 Regular Session

Senate 48 0
House 96 0 (House amended)
Senate 48 0 (Senate concurred)

Effective: June 11, 2020