
HOUSE BILL 1752

State of Washington

69th Legislature

2025 Regular Session

By Representatives Duerr, Parshley, and Reed

Read first time 01/31/25. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to concurrent jurisdiction for courts of limited
2 jurisdiction over juvenile misdemeanor offenses; reenacting and
3 amending RCW 13.04.030; adding a new section to chapter 13.04 RCW;
4 and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that a quick
7 response to alleged juvenile offenses may prevent further juvenile
8 offenses and better serve the community. Given the large volume of
9 cases heard in juvenile court, the legislature intends to provide
10 greater flexibility in allowing courts of limited jurisdiction to
11 have concurrent jurisdiction over less serious juvenile offenses.
12 When courts of limited jurisdiction are capable of hearing these
13 cases and respond more quickly, it will better serve the community to
14 have this option.

15 **Sec. 2.** RCW 13.04.030 and 2024 c 232 s 2 and 2024 c 117 s 3 are
16 each reenacted and amended to read as follows:

17 (1) Except as provided in this section, the juvenile courts in
18 this state shall have exclusive original jurisdiction over all
19 proceedings:

1 (a) Under the interstate compact on placement of children as
2 provided in chapter 26.34 RCW;

3 (b) Relating to children alleged or found to be dependent as
4 provided in chapter 26.44 RCW and in RCW 13.34.030 through 13.34.161;

5 (c) Relating to the termination of a parent and child
6 relationship as provided in RCW 13.34.180 through 13.34.210;

7 (d) To approve or disapprove out-of-home placement as provided in
8 RCW 13.32A.170;

9 (e) Relating to juveniles alleged or found to have committed
10 offenses, traffic or civil infractions, or violations as provided in
11 RCW 13.40.020 through 13.40.230, unless:

12 (i) The juvenile court transfers jurisdiction of a particular
13 juvenile to adult criminal court pursuant to RCW 13.40.110;

14 (ii) The statute of limitations applicable to adult prosecution
15 for the offense, traffic or civil infraction, or violation has
16 expired;

17 (iii) The alleged offense or infraction is a traffic, fish,
18 boating, or game offense, or traffic or civil infraction committed by
19 a juvenile 16 years of age or older and would, if committed by an
20 adult, be tried or heard in a court of limited jurisdiction, in which
21 instance the appropriate court of limited jurisdiction shall have
22 jurisdiction over the alleged offense or infraction, and no guardian
23 ad litem is required in any such proceeding due to the juvenile's
24 age. If such an alleged offense or infraction and an alleged offense
25 or infraction subject to juvenile court jurisdiction arise out of the
26 same event or incident, the juvenile court may have jurisdiction of
27 both matters. The jurisdiction under this subsection does not
28 constitute "transfer" or a "decline" for purposes of RCW 13.40.110

29 (1) or (2) or (e)(i) of this subsection. Courts of limited
30 jurisdiction which confine juveniles for an alleged offense or
31 infraction may place juveniles in juvenile detention facilities under
32 an agreement with the officials responsible for the administration of
33 the juvenile detention facility in RCW 13.04.035 and 13.20.060;

34 (iv) The alleged offense is a (~~traffic or civil infraction, a~~
35 ~~violation of compulsory school attendance provisions under chapter~~
36 ~~28A.225 RCW, or a~~) misdemeanor, and a court of limited jurisdiction
37 has assumed concurrent jurisdiction over those offenses as provided
38 in (~~RCW 13.04.030~~) section 3 of this act; or

39 (v) The juvenile is 16 or 17 years old on the date the alleged
40 offense is committed and the alleged offense is:

1 (A) A serious violent offense as defined in RCW 9.94A.030;

2 (B) A violent offense as defined in RCW 9.94A.030 and the
3 juvenile has a criminal history consisting of: One or more prior
4 serious violent offenses; two or more prior violent offenses; or
5 three or more of any combination of the following offenses: Any class
6 A felony, any class B felony, vehicular assault, or manslaughter in
7 the second degree, all of which must have been committed after the
8 juvenile's 13th birthday and prosecuted separately; or

9 (C) Rape of a child in the first degree.

10 (I) In such a case the adult criminal court shall have exclusive
11 original jurisdiction, except as provided in (e)(v)(C)(II) and (III)
12 of this subsection.

13 (II) The juvenile court shall have exclusive jurisdiction over
14 the disposition of any remaining charges in any case in which the
15 juvenile is found not guilty in the adult criminal court of the
16 charge or charges for which he or she was transferred, or is
17 convicted in the adult criminal court of an offense that is not also
18 an offense listed in (e)(v) of this subsection. The juvenile court
19 shall maintain residual juvenile court jurisdiction up to age 25 if
20 the juvenile has turned 18 years of age during the adult criminal
21 court proceedings but only for the purpose of returning a case to
22 juvenile court for disposition pursuant to RCW 13.40.300(2)(a)(ii).

23 (III) The prosecutor and respondent may agree to juvenile court
24 jurisdiction and waive application of exclusive adult criminal
25 jurisdiction in (e)(v)(A) through (C) of this subsection and remove
26 the proceeding back to juvenile court with the court's approval.

27 If the juvenile challenges the state's determination of the
28 juvenile's criminal history under (e)(v) of this subsection, the
29 state may establish the offender's criminal history by a
30 preponderance of the evidence. If the criminal history consists of
31 adjudications entered upon a plea of guilty, the state shall not bear
32 a burden of establishing the knowing and voluntariness of the plea;

33 (f) Under the interstate compact on juveniles as provided in
34 chapter 13.24 RCW;

35 (g) Relating to termination of a diversion agreement under RCW
36 13.40.080, including a proceeding in which the divertee has attained
37 18 years of age;

38 (h) Relating to court validation of a voluntary consent to an
39 out-of-home placement under chapter 13.34 RCW, by the parent or
40 Indian custodian of an Indian child, except if the parent or Indian

1 custodian and child are residents of or domiciled within the
2 boundaries of a federally recognized Indian reservation over which
3 the tribe exercises exclusive jurisdiction; and

4 (i) Relating to petitions to compel disclosure of information
5 filed by the department of social and health services pursuant to RCW
6 74.13.042.

7 (2) The family court shall have concurrent original jurisdiction
8 with the juvenile court over all proceedings under this section if
9 the superior court judges of a county authorize concurrent
10 jurisdiction as provided in RCW 26.12.010.

11 (3) The juvenile court shall have concurrent original
12 jurisdiction with the family or probate court over minor guardianship
13 proceedings under chapter 11.130 RCW and parenting plans or
14 residential schedules under chapter 26.09, 26.26A, or 26.26B RCW as
15 provided for in RCW 13.34.155.

16 (4) A juvenile subject to adult superior court jurisdiction under
17 subsection (1)(e)(i) through (v) of this section, who is detained
18 pending trial, may be detained in a detention facility as defined in
19 RCW 13.40.020 pending sentencing or a dismissal.

20 (5) Nothing in subsection (1) of this section deprives the
21 superior courts in this state of original jurisdiction granted by the
22 Constitution or by other laws.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 13.04
24 RCW to read as follows:

25 (1) Any county may authorize courts of limited jurisdiction
26 within the county to exercise concurrent jurisdiction with the
27 juvenile court according to the requirements of this section. Courts
28 of limited jurisdiction may exercise concurrent jurisdiction with the
29 juvenile court over misdemeanor offenses when:

30 (a) Those offenses are allegedly committed by a juvenile;

31 (b) The alleged juvenile offender's standard range disposition
32 does not include a term of confinement as defined in RCW 13.40.020;

33 (c) The county legislative authority has authorized concurrent
34 jurisdiction between the court of limited jurisdiction and the
35 juvenile court;

36 (d) The court of limited jurisdiction has an agreement with the
37 county juvenile detention facility that allows the court of limited
38 jurisdiction to order juveniles into the detention facility; and

1 (e) The court of limited jurisdiction has an agreement with the
2 county juvenile court to access the same community supervision and
3 restorative justice programming as juveniles who are adjudicated in
4 juvenile court.

5 (2) The juvenile court retains jurisdiction over an offense that
6 meets the description under subsection (1) of this section if the
7 juvenile is charged with another offense arising out of the same
8 incident and the juvenile court would otherwise have jurisdiction
9 over that subsequent offense.

10 (3) Jurisdiction under this section does not constitute a decline
11 or transfer of juvenile court jurisdiction under RCW 13.40.110.

12 (4) The procedural and dispositional standards of chapter 13.40
13 RCW apply to juvenile offenses described under this section.

14 (5) Adjudications entered by a court of limited jurisdiction
15 under this section must be included in a juvenile's criminal history
16 as provided in chapter 13.40 RCW.

--- END ---