

HOUSE BILL REPORT

HB 2411

As Reported By House Committee On:
Law & Justice

Title: An act relating to court jurisdiction.

Brief Description: Providing concurrent jurisdiction for certain courts dealing with compulsory school attendance.

Sponsors: Representatives Hickel and Mitchell.

Brief History:

Committee Activity:

Law & Justice: 1/30/96, 2/1/96 [DPS].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Sheahan, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Dellwo, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Campbell; Carrell; Chappell; Cody; Lambert; McMahan; Murray; Robertson; Smith; Sterk and Veloria.

Minority Report: Do not pass. Signed by 1 member: Representative Morris.

Staff: Pat Shelledy (786-7149).

Background: Prior to 1995, truancy petitions could be filed in juvenile court, which is part of superior court, or in district or municipal courts. In 1995, the Legislature repealed the authority of district and municipal courts to hear truancy petitions and required the petitions to be filed in juvenile court. The Legislature also expanded the circumstances under which a truancy petition must be filed. Consequently, the juvenile court's workload has increased. Furthermore, school district personnel who are required to file the petitions and attend truancy hearings have to travel much further than they would if they could file a petition in their local district courts.

Summary of Substitute Bill: Courts of limited jurisdiction (district and municipal) are granted original concurrent jurisdiction with the juvenile courts over all proceedings involving truancy petitions. Courts of limited jurisdiction may agree to exercise that jurisdiction but are not required to exercise it.

Substitute Bill Compared to Original Bill: A provision is added allowing local courts to decide not to accept truancy cases.

Appropriation: None.

Fiscal Note: Requested on January 25, 1996.

Effective Date of Substitute Bill: The bill contains an emergency clause and takes effect immediately.

Testimony For: Prior to last year, courts of limited jurisdiction had concurrent jurisdiction over truancy petitions. There is a big backlog in the juvenile courts due to the increased volume of petitions. Local school district personnel have to travel several miles into major metropolitan areas to file the petitions and attend hearings.

Testimony Against: The juvenile court should retain exclusive jurisdiction over truancy cases so the law is applied uniformly by juvenile court judges that have expertise in dealing with truancy issues and how truancy relates to other juvenile problems, such as crime and dependencies. Local courts may not have computer connections to the juvenile court data bases. Some local courts are also overloaded and may not be able to absorb the additional workload.

Testified: Representative Hickel, prime sponsor; Martha Harden, Superior Court Judges Association (con); and Melanie Stewart, District and Municipal Court Judges Association (con).