

SENATE BILL REPORT

HB 1339

As Reported By Senate Committee On:
Human Services & Corrections, February 23, 1996

Title: An act relating to juvenile services.

Brief Description: Revising provisions relating to juvenile probation and detention services.

Sponsors: Representatives Ballasiotes, Morris, Costa, Carlson and Conway.

Brief History:

Committee Activity: Human Services & Corrections: 2/20/96, 2/23/96 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Franklin, Vice Chair; Kohl, Prentice, Schow, Smith, Strannigan, Thibaudeau and Zarelli.

Staff: Jodi Walker (786-7464)

Background: Under current law, each county superior court has initial responsibility for administering the county's juvenile court, probation services, and detention services.

The law provides a procedure for transferring administration of these services to the county's legislative authority (usually called the board of county commissioners). This transfer can occur only if the superior court adopts a court rule and enters an agreement with the county's legislative authority.

In most counties it is the superior court that administers that county's juvenile court, probation, and detention services. Three exceptions are the counties of King, Clallam, and Whatcom.

Separate provisions exist for administration of probation and detention services in counties with a population of over one million. These provisions currently apply only to King County.

Summary of Amended Bill: Although initial responsibility for administering county juvenile court, probation, and detention services is kept with the county superior courts, the procedures for transferring these services to county legislative authorities are changed.

As to probation and detention services, a county legislative authority may transfer administrative responsibilities by agreement with the superior court or by ordinance. However, only consortiums composed of three or more eastern Washington counties with a combined population over 530,000 may acquire administration of juvenile detention services without agreement from superior court.

As to administration of the juvenile courts themselves, the current law is maintained. Accordingly, a county may take over administration of the juvenile court only with the agreement of the superior court.

The separate provisions for counties with a population of over one million are not changed.

Amended Bill Compared to Original Bill: The striking amendment allows for county administration of juvenile probation counselor and detention services by local court order and agreement with county legislative authorities. The amendment also allows consortiums composed of three or more eastern Washington counties with a combined population greater than 530,000 to acquire administration of juvenile probation counselor and detention services without agreement from superior court.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Administrative functions should be with the administrative arm of the law. Youth crime has become so epidemic that local youth jails and staff need to be separated from the judicial function, as are the same services for adults. This is the only administrative service still controlled by the courts, and judges frequently complain about the inappropriate administrative duties they are required to provide. The counties wholly fund the juvenile detention and probation services, so the counties should be allowed to administer these services.

Testimony Against: Juvenile detention facilities are currently getting a short shrift from counties. There is a failure of the counties to build facilities and move forward. Juvenile administration should remain under the superior court because there would be more consistent policy, clear objectives and goals, commonality of knowledge by the judges, and the court is the best judge of quality control.

Testified: Kurt Sharar, Washington State Association of Counties (pro); Ken Rosenberg, NE Tri-Counties (pro); Gordon Godfrey, Superior Court Judges Association (con); Harold Delia, Juvenile Court Administration (con).