

FINAL BILL REPORT

SHB 2790

C 86 L 98

Synopsis as Enacted

Brief Description: Requiring restitution hearings for juvenile offenders to occur within one hundred eighty days of the disposition hearing.

Sponsors: By House Committee on Law & Justice (originally sponsored by Representatives Mastin, Sheahan, Costa and Lambert).

House Committee on Law & Justice
Senate Committee on Law & Justice

Background: When a juvenile offender is found to have committed a criminal offense, the juvenile court determines the juvenile's sentence at a disposition hearing. In the disposition hearing, the court must determine the amount of restitution owed to the victim. The Washington Supreme Court has interpreted this provision to require that a juvenile offender's restitution obligation must be determined at the disposition hearing unless the juvenile waives the right to have restitution set at that time.

During the 1997 legislative session, the Legislature passed juvenile justice legislation (E3SHB 3900) which provides that at a juvenile's disposition hearing, the court may set a later hearing date to determine the amount of restitution. This provision takes effect July 1, 1998.

In a sentencing hearing for an adult, if restitution is ordered, the court may determine the amount of restitution due within 180 days of the sentencing hearing.

Summary: In juvenile court, if a hearing for restitution is set for a later date, that date must be within 180 days from the date of the disposition hearing, unless the court continues the hearing beyond 180 days for good cause.

Votes on Final Passage:

House 96 0

Senate 48 0

Effective: July 1, 1998