

HOUSE BILL REPORT

HB 1199

As Reported By House Committee On:
Judiciary

Title: An act relating to jurisdiction of superior courts in civil antiharassment actions.

Brief Description: Defining the jurisdiction of civil antiharassment actions.

Sponsors: Representatives Lantz, Constantine, Sheahan and Carrell.

Brief History:

Committee Activity:

Judiciary: 2/11/99, 2/22/99 [DP].

Brief Summary of Bill

- Orders the district court to transfer an action regarding a civil antiharassment protection order to the superior court when the respondent is under 18 years of age.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 12 members: Representatives Carrell, Republican Co-Chair; Constantine, Democratic Co-Chair; Hurst, Democratic Vice Chair; Lambert, Republican Vice Chair; Cox; Dickerson; Esser; Kastama; Lantz; Lovick; McDonald and Schindler.

Staff: Jim Morishima (786-7191).

Background:

A victim of unlawful harassment (the petitioner) can petition a court for a civil antiharassment protection order against the person doing the harassing (the respondent). If the court finds that unlawful harassment exists by a preponderance of the evidence, it must grant an order to the petitioner prohibiting the respondent from engaging in the such harassment.

The district courts have jurisdiction over civil actions and proceedings relating to civil antiharassment protection orders. A superior court also has jurisdiction over such matters when a district court finds that meritorious reasons exist to transfer the case to the superior court.

Summary of Bill:

A district court must transfer an action or proceeding relating to a civil antiharassment protection order to the superior court when the respondent is under 18 years of age.

Appropriation: None.

Fiscal Note: Requested on February 5, 1999.

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

Testimony For: Many petitions for civil antiharassment protection orders have young people as respondents. These petitions often involve disputes between family members. Giving the superior court jurisdiction in these cases would promote consistency because the superior court already handles most family related matters.

Testimony Against: None.

Testified: Judge James Riehl, Washington District and Municipal Court Judges Association.