

FINAL BILL REPORT

SB 5392

C 161 L 01
Synopsis as Enacted

Brief Description: Changing provisions relating to emancipation of minors.

Sponsors: Senators Long, Constantine and Kline; by request of Administrator for the Courts.

Senate Committee on Judiciary
House Committee on Juvenile Justice

Background: A minor who is 16 years of age or older and a resident of the state may petition the superior court for a declaration of emancipation. In general, to obtain such a declaration a minor must prove that he or she has the ability to manage his or her financial, personal, social, educational and nonfinancial affairs.

Currently the statute states specifically that petitions for emancipation shall be before a "judge." Some counties are interpreting this statute to mean that a court commissioner cannot hear such petitions.

The Board for Judicial Administration is recommending that the term "judge" be replaced with the term "judicial officer."

Summary: The statute governing the procedures for a minor to obtain a declaration of emancipation is amended to clarify that court commissioners are authorized to hear emancipation petitions, but if a county operates a unified family court, only commissioners from that court can hear the petitions. Judges pro tempore are prohibited from hearing these petitions.

Votes on Final Passage:

Senate	48	0	
House	91	2	(House amended)
Senate	47	0	(Senate concurred)

Effective: July 22, 2001