
SENATE BILL 5797

State of Washington

63rd Legislature

2013 Regular Session

By Senators Hobbs and Padden

Read first time 02/15/13. Referred to Committee on Law & Justice.

1 AN ACT Relating to specialty courts; adding a new section to
2 chapter 2.28 RCW; creating a new section; and providing an effective
3 date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that in the state of
6 Washington, there exists a type of court administered by the judiciary
7 commonly called a specialty court. Judges in the trial courts
8 throughout the state effectively utilize specialty courts to remove
9 defendants with their consent from the normal criminal court system and
10 allow those defendants the opportunity to obtain treatment services to
11 address particular issues that may have contributed to the conduct that
12 led to their arrest in exchange for dismissal of the charges. Trial
13 courts have proved adept at creative approaches in fashioning a wide
14 variety of specialty courts addressing the spectrum of social issues
15 that can contribute to criminal activity.

16 The legislature also finds that there are presently more than
17 seventy-four specialty courts operating in the state of Washington that
18 save costs to both the trial courts and law enforcement by strategic
19 focus of resources within the criminal justice system. There are

1 presently more than fifteen types of specialty courts in the state
2 including: Veteran's treatment court, adult drug court, juvenile drug
3 court, family dependency treatment court, mental health court, DUI
4 court, community court, reentry drug court, tribal healing to wellness
5 court, truancy court, homeless court, domestic violence court, gambling
6 court, and Back on TRAC: Treatment, responsibility, accountability on
7 campus.

8 The legislature recognizes the inherent authority of the judiciary
9 under Article IV, section 1 of the state Constitution to establish
10 specialty courts. The legislature recognizes the outstanding
11 contribution to the state and a local community made by the
12 establishment of specialty courts and desires to provide a general
13 provision in statute acknowledging and encouraging the judiciary to
14 provide for such courts to address the particular needs within a given
15 judicial jurisdiction.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 2.28 RCW
17 to read as follows:

18 (1) The legislature respectfully encourages the supreme court to
19 adopt any administrative orders and court rules of practice and
20 procedure it deems necessary to support the establishment of effective
21 specialty courts.

22 (2) Any jurisdiction that establishes a specialty court under this
23 section may seek state or federal funding as it becomes available for
24 the establishment, maintenance, and expansion of specialty courts and
25 for the provision by participating agencies of treatment to
26 participating defendants. The administrative office of the courts may
27 enter into contracts and cooperative agreements with state or federal
28 departments and agencies to provide treatment and other social services
29 to participants. The departments and agencies shall collaborate and,
30 to the extent possible, provide financial and other assistance to the
31 judicial branch in order to establish and maintain specialty courts.
32 Nothing in this section shall prohibit courts from providing direct in-
33 house treatment services.

34 (3) Any jurisdiction establishing a specialty court shall endeavor
35 to incorporate the treatment court principles of best practices as
36 recognized by state and national treatment court agencies and
37 organizations in structuring a particular program, which may include:

- 1 (a) Determine the population;
2 (b) Perform a clinical assessment;
3 (c) Develop the treatment plan;
4 (d) Supervise the offender;
5 (e) Forge agency, organization, and community partnerships;
6 (f) Take a judicial leadership role;
7 (g) Develop case management strategies;
8 (h) Address transportation issues;
9 (i) Evaluate the program;
10 (j) Ensure a sustainable program.
11 (4) For the purposes of this section, "specialty court" means a
12 specialized pretrial or sentencing docket in select criminal cases
13 where agencies coordinate together to provide treatment for a defendant
14 who has particular needs. The specialty court does not provide
15 treatment but contracts or collaborates with experienced and expert
16 treatment providers.

17 NEW SECTION. **Sec. 3.** This act takes effect August 1, 2013.

--- END ---