

HOUSE BILL ANALYSIS

HB 1663

Title: An act relating to the creation of a unified family court.

Brief Description: Creating a unified family court.

Sponsors: Representatives Lambert, Constantine, McDonald, Kagi, Carrell, Edwards, Kastama and Santos.

Brief Summary of Bill

- Creates a unified family court pilot program in at least three judicial districts to hear domestic relations and juvenile cases.
- Removes the requirement that a majority of the superior court judges in a county approve before the family court has jurisdiction over cases involving juvenile offenses, dependencies, termination of parental rights, and truancy.

HOUSE COMMITTEE ON JUDICIARY

Staff: Trudes Hutcheson (786-7384).

Background:

The juvenile court and the family court are both divisions of the superior court. The juvenile and family courts are established to hear specific types of related matters.

The juvenile court hears cases involving juvenile offenses and infractions, dependencies, termination of parental rights, and family reconciliation, such as at-risk youth petitions.

The family court hears domestic relations proceedings, including dissolutions, parenting plans, child custody, and establishment and modification of child support. If a majority of the superior court judges of the county authorize it, the family court may have concurrent jurisdiction with the juvenile court over the proceedings that the juvenile court may hear.

In May 1997, King County established a unified family court pilot program. One goal of the King County program is to place the complex cases into the unified family court for better coordination of services. Complex cases include families that are involved in multiple domestic relations and juvenile justice proceedings.

Summary of Bill:

A unified family court pilot program is established to be conducted by the Office of the Administrator for the Courts (OAC). Sites for the pilot program must be selected using a request for proposal process. The sites must be established in at least three superior court judicial districts, and each district must have statutory authority for at least five judges.

OAC must develop criteria for the pilot program. The pilot program must include:

- the following types of cases: (a) juvenile offenses; (b) child dependency and termination; (c) family reconciliation, such as at-risk youth petitions and children in need of services petitions; (d) interstate compact on juveniles; (e) emancipation; (f) dissolution of marriages; (g) establishment and modification of parenting plans; (h) third-party child custody; (i) child support; (j) paternity; (k) adoption; (l) domestic violence prevention; and (m) truancy;
- judges and judicial officers who volunteer for the program and who meet certain training requirements established by local court rule;
- case management that provides a flexible response to diverse needs and helps reduce redundancies;
- a court facilitator to provide assistance; and
- an emphasis on nonadversarial methods of dispute resolution.

OAC must provide the selected districts with the computer resources necessary to implement the program.

Judges of the superior court districts selected for the program must adopt local court rules to direct the program. The court rules must comply with OAC criteria. The court rules must also include a training program requirement and a continuing education requirement, case management based on the practice of one judge or judicial team handling all matters relating to a family, and procedures for reporting information to the Washington State Institute for Public Policy.

The Washington State Institute for Public Policy must study and evaluate the pilot program. The institute must report to the Governor, chief justice of the state supreme court, and the Legislature on a biennial basis. The initial report is due by July 1, 2000, and the final report is due by December 1, 2004.

Family courts within each superior court have concurrent jurisdiction with the juvenile court over all juvenile and truancy proceedings. The requirement that a majority of the superior court judges in the county authorize such jurisdiction is removed.

Fiscal Note: Requested February 2, 1999.

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

Office of Program Research