
Juvenile Justice & Family Law Committee

HB 1991

Brief Description: Changing provisions relating to information sharing between schools and juvenile justice and care agencies.

Sponsors: Representatives Lantz and Woods.

Brief Summary of Bill

- Requires the court to notify a juvenile's school when the juvenile is subject to the court's jurisdiction for certain offenses.
- Requires the court to send notice of a domestic violence or anti-harassment protection order hearing if the petitioner and the respondent attend the same school.

Hearing Date: 1/17/02

Staff: Trudes Hutcheson (786-7384).

Background:

Detention and Disposition Proceedings

When a juvenile is taken into custody and held in detention, the court must hold a hearing within a certain time to determine whether continued detention is necessary. Notice of the detention hearing must be sent to the parent, guardian, or custodian.

If the parent, guardian, or custodian is available, the court must consult with them prior to deciding whether to continue the detention, release the juvenile, or treat the case as a diversion. A diversion agreement is a contract between the juvenile and a diversionary unit whereby the juvenile agrees to fulfill certain conditions in lieu of prosecution. Conditions under the diversion agreement may include requirements that the juvenile remain at home, in school, or at work during specified hours.

When determining a juvenile's sentence in a disposition hearing, the court must consider

certain factors, such as information and arguments offered by the parties. In addition, the court must consult with the juvenile's parent, guardian, or custodian on the appropriateness of dispositional options. Certain dispositional options, such as community supervision, include the requirement that the juvenile attend school.

Anti-harassment orders

A person being unlawfully harassed by another may petition the court for a civil anti-harassment protection order. The parent or guardian of a child under 18 may petition the court for an anti-harassment order restraining another person from contacting the child.

Domestic violence protection orders

Any person, including a person at least 16 years old, may petition the court for a protection order if the person is a victim of domestic violence. The protection order under the Domestic Violence Prevention Act is available to "family or household members," which can include persons 16 years of age or older who have had a dating relationship.

Summary of Bill:

Courts are required to notify the school of the juvenile's detention hearing if the offense or violation involves an employee or student at the school, involves school property, or pertains to the juvenile's school attendance.

When imposing monitoring and reporting requirements, sanctions, or other dispositional conditions, the court must consider recommendations and concerns from the juvenile's school relating to the juvenile's school attendance.

Provisions are added to the procedures for civil anti-harassment orders and domestic violence protection orders to allow notification to schools. If a court determines, based on the petition for a protection order or anti-harassment order, that the petitioner and respondent attend the same school, the court must send a copy of the petition and notice of the hearing to the school. When providing relief, the court must consider the recommendations and concerns raised by the school if the petitioner and respondent attend the same school. When a court enters a protection order or anti-harassment order, other than an ex parte temporary order, the court must send a copy of the order to the school.

Appropriation: None.

Fiscal Note: Not Requested.

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