
**Human Services, Youth, & Early
Learning Committee**

ESSB 5974

Brief Description: Concerning the disposition of unenforceable legal financial obligations other than restitution imposed by a court or an agent of the court against a juvenile prior to July 1, 2023.

Sponsors: Senate Committee on Human Services (originally sponsored by Senators Frame, Saldaña, Dhingra, Hasegawa, Kuderer, Nguyen, Nobles, Trudeau and Wilson, C.).

Brief Summary of Engrossed Substitute Bill

- Renders any judgments against a juvenile for legal financial obligations other than restitution that were imposed before July 1, 2023 (which are unenforceable), null and void, and considered satisfied and paid in full by July 1, 2027, according to a detailed schedule.
- Allows the presiding judge of a superior court to establish an administrative process to waive outstanding debt for uncollectable juvenile legal financial obligations other than restitution.
- Allows a superior court clerk to seek a judicial order to waive outstanding uncollectable juvenile legal financial obligations other than restitution.

Hearing Date: 2/14/24

Staff: Luke Wickham

Background:

Juvenile Legal Financial Obligations.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Legal financial obligations (LFOs) are fees costs or other amounts that a person is obligated to pay when that person is convicted of a criminal offense or adjudicated of a juvenile offense. LFOs can include victim restitution, court costs, costs associated with the person's prosecution and sentence, criminal offense fines, and other fees, penalties, and assessments.

Beginning last year, courts or agent of the court are prohibited from imposing or collecting fines, administrative fees, costs, or surcharges against any juvenile, a juvenile's parent or guardian, or other person having custody of the juvenile, in connection with any juvenile offender proceeding.

Judgments against a juvenile for LFOs other than restitution are not enforceable, and the superior court clerk must not accept any non-restitution LFO payments from a juvenile.

Summary of Bill:

Any judgments against a juvenile for legal financial obligations other than restitution that were imposed before July 1, 2023 (which are unenforceable), are rendered null and void, and considered satisfied and paid in full by July 1, 2027, according to the following schedule:

- by June 30, 2025, debts resulting from cases filed from July 1, 2018, through June 30, 2023;
- by June 30, 2026, debts resulting from cases filed from July 1, 2013, through June 30, 2018; and
- by June 30, 2027, debts resulting from cases filed prior to July 1, 2013.

The presiding judge of a superior court is authorized to establish an administrative process to waive outstanding debt for uncollectable juvenile legal financial obligations other than restitution that ensures that these debts:

- are waived within the deadlines described above;
- do not impact a person's credit; and
- do not appear in a background check.

A superior court clerk may seek a judicial order to waive outstanding uncollectable juvenile legal financial obligations other than restitution. A motion filed by a superior court clerk seeking to waive these debts does not constitute the practice of law.

Appropriation: None.

Fiscal Note: Requested on February 12, 2024.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.