

---

HOUSE BILL 2345

---

State of Washington                      53rd Legislature                      1994 Regular Session

By Representatives Appelwick, Johanson and Thibaudeau

Read first time 01/14/94. Referred to Committee on Judiciary.

1            AN ACT Relating to juveniles; and amending RCW 26.12.010,  
2 13.04.021, and 13.04.030.

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

4            **Sec. 1.** RCW 26.12.010 and 1991 c 367 s 11 are each amended to read  
5 as follows:

6            (1) Each superior court shall exercise the jurisdiction conferred  
7 by this chapter and while sitting in the exercise of such jurisdiction  
8 shall be known and referred to as the "family court." A family law  
9 proceeding under this chapter is any proceeding under this title or any  
10 proceeding in which the family court is requested to adjudicate or  
11 enforce the rights of the parties or their children regarding the  
12 determination or modification of parenting plans, child custody,  
13 visitation, or support, or the distribution of property or obligations.

14            (2) Superior court judges of a county may by majority vote, grant  
15 to the family court the power, authority, and jurisdiction, concurrent  
16 with the juvenile court, to hear and decide cases under Title 13 RCW.

17            **Sec. 2.** RCW 13.04.021 and 1988 c 232 s 3 are each amended to read  
18 as follows:

1 (1) The juvenile court shall be a division of the superior court.  
2 In judicial districts having more than one judge of the superior court,  
3 the judges of such court shall annually assign one or more of their  
4 number to the juvenile court division. In any judicial district having  
5 a court commissioner, the court commissioner shall have the power,  
6 authority, and jurisdiction, concurrent with a juvenile court judge, to  
7 hear all cases under this chapter and to enter judgment and make orders  
8 with the same power, force, and effect as any judge of the juvenile  
9 court, subject to motion or demand by any party within ten days from  
10 the entry of the order or judgment by the court commissioner as  
11 provided in RCW 2.24.050. In any judicial district having a family law  
12 commissioner appointed pursuant to chapter 26.12 RCW, the family law  
13 commissioner shall have the power, authority, and jurisdiction,  
14 concurrent with a juvenile court judge, to hear cases under chapter  
15 13.34 RCW or any other case under Title 13 RCW as provided in RCW  
16 26.12.010, and to enter judgment and make orders with the same power,  
17 force, and effect as any judge of the juvenile court, subject to motion  
18 or demand by any party within ten days from the entry of the order or  
19 judgment by the court commissioner as provided in RCW 2.24.050.

20 (2) Cases in the juvenile court shall be tried without a jury.

21 **Sec. 3.** RCW 13.04.030 and 1988 c 14 s 1 are each amended to read  
22 as follows:

23 (1) Except as provided in subsection (2) of this section, the  
24 juvenile courts in the several counties of this state, shall have  
25 exclusive original jurisdiction over all proceedings:

26 ~~((1))~~ (a) Under the interstate compact on placement of children  
27 as provided in chapter 26.34 RCW;

28 ~~((2))~~ (b) Relating to children alleged or found to be dependent  
29 as provided in chapter 26.44 RCW and in RCW 13.34.030 through  
30 13.34.170~~((, as now or hereafter amended))~~;

31 ~~((3))~~ (c) Relating to the termination of a parent and child  
32 relationship as provided in RCW 13.34.180 through 13.34.210~~((, as now~~  
33 ~~or hereafter amended))~~;

34 ~~((4))~~ (d) To approve or disapprove alternative residential  
35 placement as provided in RCW 13.32A.170;

36 ~~((5))~~ (e) Relating to juveniles alleged or found to have  
37 committed offenses, traffic infractions, or violations as provided in

1 RCW 13.40.020 through 13.40.230, (~~as now or hereafter amended,~~)  
2 unless:

3 ~~((a))~~ (i) The juvenile court transfers jurisdiction of a  
4 particular juvenile to adult criminal court pursuant to RCW  
5 13.40.110(~~(, as now or hereafter amended)~~); or

6 ~~((b))~~ (ii) The statute of limitations applicable to adult  
7 prosecution for the offense, traffic infraction, or violation has  
8 expired; or

9 ~~((c))~~ (iii) The alleged offense or infraction is a traffic, fish,  
10 boating, or game offense or traffic infraction committed by a juvenile  
11 sixteen years of age or older and would, if committed by an adult, be  
12 tried or heard in a court of limited jurisdiction, in which instance  
13 the appropriate court of limited jurisdiction shall have jurisdiction  
14 over the alleged offense or infraction: PROVIDED, That if such an  
15 alleged offense or infraction and an alleged offense or infraction  
16 subject to juvenile court jurisdiction arise out of the same event or  
17 incident, the juvenile court may have jurisdiction of both matters:  
18 PROVIDED FURTHER, That the jurisdiction under this subsection does not  
19 constitute "transfer" or a "decline" for purposes of RCW 13.40.110(1)  
20 or (e)(i) of this subsection (~~((5)(a) of this section)~~): PROVIDED  
21 FURTHER, That courts of limited jurisdiction which confine juveniles  
22 for an alleged offense or infraction may place juveniles in juvenile  
23 detention facilities under an agreement with the officials responsible  
24 for the administration of the juvenile detention facility in RCW  
25 13.04.035 and 13.20.060;

26 ~~((6))~~ (f) Under the interstate compact on juveniles as provided  
27 in chapter 13.24 RCW;

28 ~~((7))~~ (g) Relating to termination of a diversion agreement under  
29 RCW 13.40.080 (~~as now or hereafter amended~~), including a proceeding  
30 in which the divertee has attained eighteen years of age; and

31 ~~((8))~~ (h) Relating to court validation of a voluntary consent to  
32 foster care placement under chapter 13.34 RCW, by the parent or Indian  
33 custodian of an Indian child, except if the parent or Indian custodian  
34 and child are residents of or domiciled within the boundaries of a  
35 federally recognized Indian reservation over which the tribe exercises  
36 exclusive jurisdiction.

37 (2) The family court shall have concurrent original jurisdiction  
38 with the juvenile court over all proceedings under this section if the

1 superior court judges of a county authorize concurrent jurisdiction as  
2 provided in RCW 26.12.010.

--- END ---