

5692

Sponsor(s): Senators Costa, Long, Hargrove, Rasmussen and Kohl-Welles

Brief Description: Creating youth courts.

SB 5692.E - DIGEST

(DIGEST AS ENACTED)

Provides that a court created under chapter 3.30, 3.46, 3.50, or 35.20 RCW may create a youth court. The youth court shall have jurisdiction over traffic infractions alleged to have been committed by juveniles age sixteen or seventeen. The court may refer a juvenile to the youth court upon request of any party or upon its own motion.

Provides that, to be referred to a youth court, a juvenile:

- (1) May not have a prior traffic infraction referred to a youth court;

- (2) May not be under the jurisdiction of any court for a violation of any provision of Title 46 RCW;

- (3) May not have any convictions for a violation of any provision of Title 46 RCW; and

- (4) Must acknowledge that there is a high likelihood that he or she would be found to have committed the traffic infraction.

Declares that a youth court agreement shall be a contract between a juvenile accused of a traffic infraction and a court whereby the juvenile agrees to fulfill certain conditions imposed by a youth court in lieu of a determination that a traffic infraction occurred. Such agreements may be entered into only after the law enforcement authority has determined that probable cause exists to believe that a traffic infraction has been committed and that the juvenile committed it. A youth court agreement shall be reduced to writing and signed by the court and the youth accepting the terms of the agreement. Such agreements shall be entered into as expeditiously as possible.

Declares that youth courts provide a disposition method for cases involving juveniles alleged to have committed traffic infractions, in which participants, under the supervision of the court, may serve in various capacities within the youth court, acting in the role of jurors, lawyers, bailiffs, clerks, and judges. Youth courts have no jurisdiction except as provided for in this chapter. Youth courts are not courts established under Article IV of the state Constitution.

Requires the administrative office of the courts to encourage the courts to work with cities, counties, and schools to implement, expand, or use youth court programs for juveniles who commit traffic infractions.

Provides that the administrative office of the courts shall encourage the juvenile courts to work with cities and counties to implement, expand, or use youth court programs for juveniles who commit diversion-eligible offenses, civil, or traffic infractions. Program operations of youth court programs may be funded by government and private grants. Youth court programs are limited to

those that: (1) Are developed using the guidelines for creating and operating youth court programs developed by nationally recognized experts in youth court projects;

(2) Target offenders age eight through seventeen; and

(3) Emphasize the following principles: (a) Youth must be held accountable for their problem behavior;

(b) Youth must be educated about the impact their actions have on themselves and others including their victims, their families, and their community;

(c) Youth must develop skills to resolve problems with their peers more effectively; and

(d) Youth should be provided a meaningful forum to practice and enhance newly developed skills.