

CERTIFICATION OF ENROLLMENT

SENATE BILL 5809

Chapter 73, Laws of 2005

59th Legislature
2005 Regular Session

YOUTH COURTS

EFFECTIVE DATE: 7/24/05

Passed by the Senate March 15, 2005
YEAS 47 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 5, 2005
YEAS 94 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved April 18, 2005.

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5809** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

April 18, 2005 - 1:50 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 5809

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By Senators Fairley and Kohl-Welles

Read first time 02/08/2005. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to jurisdiction of youth courts; and amending RCW
2 3.72.010 and 3.72.030.

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

4 **Sec. 1.** RCW 3.72.010 and 2002 c 237 s 2 are each amended to read
5 as follows:

6 (1) A court created under chapter 3.30, 3.46, 3.50, or 35.20 RCW
7 may create a youth court. The youth court shall have jurisdiction over
8 traffic infractions alleged to have been committed by juveniles age
9 sixteen or seventeen. The court may refer a juvenile to the youth
10 court upon request of any party or upon its own motion. However, a
11 juvenile shall not be required under this section to have his or her
12 traffic infraction referred to or disposed of by a youth court.

13 (2) To be referred to a youth court pursuant to this chapter, a
14 juvenile:

15 (a) May not have had a prior traffic infraction referred to a youth
16 court;

17 (b) May not be under the jurisdiction of any court for a violation
18 of any provision of Title 46 RCW;

1 (c) May not have any convictions for a violation of any provision
2 of Title 46 RCW; and

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

5 (3)(a) Nothing in this chapter shall interfere with the ability of
6 juvenile courts to refer matters to youth courts that have been
7 established to provide a diversion for matters involving juvenile
8 offenders who are eligible for diversion pursuant to RCW 13.40.070 (6)
9 and (7) and who agree, along with a parent, guardian, or legal
10 custodian, to comply with the provisions of RCW 13.40.600.

11 (b) Nothing in this chapter shall interfere with the ability of
12 student courts to work with students who violate school rules and
13 policies pursuant to RCW 28A.300.420.

14 **Sec. 2.** RCW 3.72.030 and 2002 c 237 s 4 are each amended to read
15 as follows:

16 Youth courts provide a disposition method for cases involving
17 juveniles alleged to have committed traffic infractions(~~(, in which)~~).
18 Youth courts may also provide diversion in cases involving juvenile
19 offenders who are eligible for diversion pursuant to RCW 13.40.070 (6)
20 and (7) and who agree, along with a parent, guardian, or legal
21 custodian, to comply with the provisions of RCW 13.40.600. Student
22 court programs may also be available in schools to work with students
23 who violate school rules and policies pursuant to RCW 28A.300.420.
24 Youth court participants, under the supervision of the court or an
25 adult coordinator, may serve in various capacities within the youth
26 court, acting in the role of jurors, lawyers, bailiffs, clerks, and
27 judges. Youth courts and student courts have no jurisdiction except as
28 provided for in this chapter, chapter 13.40 RCW, and RCW 28A.300.420.
29 Youth courts and student courts are not courts established under
30 Article IV of the state Constitution.

Passed by the Senate March 15, 2005.

Passed by the House April 5, 2005.

Approved by the Governor April 18, 2005.

Filed in Office of Secretary of State April 18, 2005.