

SENATE BILL REPORT

HB 2034

As Passed Senate, February 28, 2024

Title: An act relating to requiring counties and cities to provide the administrative office of the courts with notice of court reorganizations.

Brief Description: Requiring counties and cities to provide the administrative office of the courts with notice of court reorganizations.

Sponsors: Representatives Cheney, Taylor, Leavitt, Ramos, Reed and Reeves; by request of Administrative Office of the Courts.

Brief History: Passed House: 2/9/24, 97-0.

Committee Activity: Law & Justice: 2/16/24, 2/20/24 [DP].

Floor Activity: Passed Senate: 2/28/24, 49-0.

Brief Summary of Bill

- Establishes procedures for sufficient notification to the Administrative Office of the Courts when a municipality establishes or terminates a municipal court.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer, McCune, Pedersen, Salomon, Torres, Valdez, Wagoner and Wilson, L..

Staff: Kevin Black (786-7747)

Background: Each county, city, and town is responsible for the prosecution, adjudication, sentencing, and incarceration of misdemeanor and gross misdemeanor offenses committed by adults in their respective jurisdictions. Municipalities must carry out these

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responsibilities through the use of their own courts, staff, and facilities, or by entering into contracts or interlocal agreements to provide these services. Municipal courts have exclusive original jurisdiction over traffic infractions arising under city ordinances, all violations of city ordinances, and other actions brought to enforce or recover license penalties or forfeitures authorized by ordinances or statutes.

To terminate a municipal court, the municipality must reach an agreement with the appropriate county or another municipality to assume the responsibilities of the court. A city or town may terminate a municipal court by adopting an ordinance and complying with the following requirements:

- reaching an agreement with a county or other municipality for costs associated with prosecution, adjudication, and sentencing in criminal cases filed in district or municipal court as a result of the termination;
- providing sufficient written notice of the intent to terminate to the county legislative authority; and
- ensuring that traffic infractions provided for in statute are enforced by the appropriate county or municipality.

For a county to terminate an agreement with a city for the provision of court services, the county must provide written notice of the intent to terminate the agreement to the city legislative authority at least one year prior to the expiration of the agreement.

The Administrative Office of the Courts (AOC), established in law in 1957, provides a wide range of services to support Washington courts. AOC services include:

- developing operational budgets for the court system;
- evaluating judicial system functionality;
- maintaining the Judicial Information System, the computer network that serves the entire court system;
- providing continuing education for judges;
- compiling annual statewide court statistics;
- maintaining a statewide electronic court record database; and
- providing information to the judicial community, other branches of government, and the general public.

Summary of Bill: A municipal court may not have jurisdiction over any matter until six months after notice of intent to create a new municipal court is sent to AOC.

A municipality may not terminate a municipal court unless it sends a notice of intent to terminate AOC six months in advance of termination, and not less than one year prior to February 1st of the year in which all district court judges are subject to election.

A city or county that wishes to terminate an agreement for court services must provide a copy of the written notice to AOC at least one year prior to the expiration of the agreement.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: This is request legislation from AOC. There have been three or four municipal courts around the state which have closed without giving notice to AOC, which means that the judicial information system (JIS) and the other computer systems are not being appropriately adjusted at the right times, which jeopardizes the integrity of the data within the JIS system. This is a simple bill which improves AOC's ability to serve courts efficiently. AOC provides myriad services to courts across Washington, and notice will allow us and our justice partner agencies to be better prepared.

Persons Testifying: PRO: Representative Greg Cheney, Prime Sponsor; Dawn Rubio, Administrative Office of the Courts.

Persons Signed In To Testify But Not Testifying: No one.