WASHINGTON COURTS

ADMINISTRATIVE OFFICE OF THE COURTS

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TO: JISC Members

FROM: Brady Horenstein, Associate Director, Legislative Relations

RE: 2017 Legislative Session Update

After this week, the Legislature will be almost half of the way through the 105 day session that's scheduled to adjourn on April 23. Nearly 2,100 bills have been introduced on topics that run the gamut. This week the Legislature has been busy considering bills before the February 24 "fiscal cut-off" deadline. Except for bills that are deemed necessary to implement the budget, bills with a fiscal impact must be voted out of either the House Appropriations or Senate Ways and Means Committees before this deadline to stay alive.

While much of the session news coverage has been devoted to how the Republicans and Democrats plan to provide sufficient education funding to comply with *McCleary*, a number of other proposals with court impact are under consideration this year. SHB 1783 concerning legal financial obligations, SHB 1680 concerning the J&S sentencing elements, and SSB 5294, which establishes a Sentencing Reform Task Force, have all had hearings in either House Judiciary or Senate Law and Justice.

The BJA request legislative items continue to move along this session. HB 1140, which would extend the Judicial Stabilization Trust Account surcharge to July 1, 2021, was voted out of House Appropriations last night. SHB 1186 to require interpreters in civil cases also received approval of House Appropriations. HB 1139, which would expand the service methods the AOC Office of Public Guardianship may conduct, passed the House and is awaiting consideration in the Senate. And HB 1285, which would make interpreter oaths permanent, also passed the House a few weeks ago.

With regard to information technology, the Legislature has considered a number of proposals in that realm as well. Senator Fain introduced SB 5273, which would require all Washington courts to implement electronic case filing by December 31, 2019. While this bill appears dead for the session, it's a great example of how some legislators are very interested in court IT. See the attached report for additional government IT impact bills.

If you have any questions about the bills included in the attached report or others, please don't hesitate to contact me.

2017 Session Bill Report (JISC)

BJA Request

Bill Details		Status	Sponsor
HB 1139 (SB 5447)	**Office of pub. guardianship** Concerning the methods of services provided by the office of public guardianship. Modifies office of public guardianship provisions with regard to services for supported decision-making assistance and estate administration.	S Law & Justice	Kilduff
HB 1140 (SB 5809)	**Court filing fees surcharge** Extending surcharges on court filing fees for deposit in the judicial stabilization trust account to July 1, 2021. Extends, until July 1, 2021, the surcharges on court filing fees for deposit in the judicial stabilization trust account.	H Approps	Jinkins
SHB 1186	**Court interpreter services** Concerning the provision of and reimbursement for certain court interpreter services. Addresses the appointment of and reimbursement for certain court interpreter services.	H Approps	Santos
HB 1285	**Legal interpreters/oaths** Modifying oath requirements for interpreters in legal proceedings. Requires qualified interpreters in judicial or administrative proceedings to take an oath upon receiving his or her initial qualification from the office of the deaf and hard of hearing.	S Law & Justice	Graves
SB 5447 (HB 1139)	**Office of pub. guardianship** Concerning the methods of services provided by the office of public guardianship. Modifies office of public guardianship provisions with regard to services for supported decision-making assistance and estate administration.	S Law & Justice	Conway
SB 5809 (HB 1140)	**Court filing fees surcharge** Extending surcharges on court filing fees for deposit in the judicial stabilization trust account to July 1, 2021. Extends, until July 1, 2021, the surcharges on court filing fees for deposit in the judicial stabilization trust account.	S Law & Justice	Rivers

Court Interest/Impact

Bill Details		Status	Sponsor
SHB 1079 (SSB 5029)	**No-contact order/trafficking** Creating a criminal no-contact order for human trafficking and promoting prostitution-related offenses. Requires a defendant who is charged by citation, complaint, or information with an offense involving trafficking or promoting prostitution in the first or second degree, and not arrested, to appear in court for arraignment in person no later than fourteen days after the next day on which court is in session following the issuance of the citation or the filing of the complaint or information. Requires the court, at that appearance, to determine the necessity of imposing a no-contact order and consider other conditions of pretrial release. Creates a criminal no-contact order for offenses relating to human trafficking and promoting prostitution.	S Law & Justice	Orwall
2SHB 1163	**Domestic violence** Concerning domestic violence.	H Rules R	Goodman
HB 1195	**Surrender/surety's bond** Concerning surrender of person under surety's bond. Addresses bail agent requirements when surrendering a defendant to custody.	S Law & Justice	Kilduff
SHB 1196 (SB 5175)	**Small claims court judgments** Modifying the process for prevailing parties to recover judgments in small claims court. Revises small claims court provisions with regard to the process for prevailing parties to recover judgments in the court.	H Approps	Goodman
SHB 1199 (SSB 5203)	**Transit infract./youth court** Allowing youth courts to have jurisdiction over transit infractions. Gives a youth court jurisdiction over transit infractions alleged to have been committed by sixteen or seventeen year old juveniles.	S HumSer/MenHlth/	Irwin
HB 1221	**Marriages/lim. juris. courts** Concerning the solemnization of marriages by commissioners of courts of limited jurisdiction. Authorizes the commissioners of the courts of limited jurisdiction to solemnize marriages.	S Law & Justice	Rodne
SHB 1371 (SSB 5289)	**Distracted driving** Modifying the infraction of and penalties for distracted driving.	H Rules R	Farrell

EHB 1378 (SSB 5277)	**Disqualification of judges** Concerning disqualification of judges. HB 1378 - DIGEST Prohibits a superior court judge from sitting to hear or try an action or proceeding if he or she has been disqualified. Authorizes a party to, or an attorney appearing in, an action or proceeding in a superior court to disqualify a judge from hearing the matter, subject to certain limitations.	S Law & Justice	Graves
SHB 1384 (SSB 5256)	**Sexual assault protect order** Concerning sexual assault protection orders. Addresses the duration and renewal of an ex parte order regarding sexual assault protection.	S Law & Justice	Goodman
HB 1396 (SSB 5327)	**Court clerk duties** Clarifying the duties of court clerks. Changes the duty of a court clerk from "conform to the direction of the court" to "support the court in the performance of the courts' statutory duties." Removes the duty of the clerk of the court to forward certain forms to the division of child support.	H Judiciary	Graves
HB 1478 (SSB 5342)	**Discover pass penalty dist.** Concerning the distribution of monetary penalties to local courts and state agencies paid for failure to comply with discover pass requirements. Requires a county treasurer to remit, to the state treasurer, seventy-five percent of the money received from penalties with regard to the display of a discover pass, vehicle access pass, or day-use permit. Requires the balance of noninterest money received by a county treasurer to be deposited in the county current expense fund.	H Approps	Blake
SHB 1614	**Impaired driving** Concerning impaired driving. Modifies impaired driving provisions.	H Trans	Goodman
HB 1631	**Distracted driving penalties** Imposing an additional penalty for distracted driving. Requires a driver who commits a moving violation to be assessed an additional monetary penalty equal to one-half of the penalty or fine for the moving violation if the driver was dangerously distracted at the time of the violation.	H Trans	Hayes
SHB 1680	**Sentencing elements wrksheet** Concerning the sentencing elements worksheet.	H Rules R	Goodman
SHB 1783	**Legal financial obligations** Concerning legal financial obligations.	H Approps	Holy

SB 5175 (SHB 1196)	**Small claims court judgments** Modifying the process for prevailing parties to recover judgments in small claims court. Revises small claims court provisions with regard to the process for prevailing parties to recover judgments in the court.	S Law & Justice	Padden
SSB 5203 (SHB 1199)	**Transit infract./youth court** Allowing youth courts to have jurisdiction over transit infractions. Gives a youth court jurisdiction over transit infractions alleged to have been committed by sixteen or seventeen year old juveniles.	S Rules 2	Wilson
SB 5273	**Court docs/electronic filing** Implementing the electronic filing of court documents in certain courts. Requires the following to fully implement the electronic filing of documents in compliance with court rules, electronic filing technical standards, and recommendations of the state auditor's office: (1) By December 31, 2018, the superior courts of each county with a population of at least four hundred fifty thousand; and (2) By December 31, 2019, the superior courts of every county and the appellate courts. Makes an appropriation from the general fund to the state auditor's office for the purposes of this act.	S Law & Justice	Fain
SSB 5277 (EHB 1378)	**Disqualification of judges** Concerning disqualification of judges. Prohibits a superior court judge from sitting to hear or try an action or proceeding if he or she has been disqualified. Authorizes a party to, or an attorney appearing in, an action or proceeding in a superior court to disqualify a judge from hearing the matter, subject to certain limitations.	S 2nd Reading	Padden
SSB 5289 (SHB 1371)	**Distracted driving** Modifying the infraction of and penalties for distracted driving.	S Rules 2	Rivers
SSB 5294	**Department of corrections** Concerning the department of corrections.	S Ways & Means	Padden
SSB 5327 (HB 1396)	**Court clerk duties** Clarifying the duties of court clerks. Removes the duty of the clerk of the court to forward certain forms to the division of child support. Removes the duty of the Washington association of county officials to report on the amounts of legal financial obligations collected by county clerks.	S Rules 2	Angel
SSB 5342 (HB 1478)	**Discover pass penalty dist.** Concerning the distribution of monetary penalties to local courts and state agencies paid for failure to	S Ways & Means	King

comply with discover pass requirements.

Requires a county treasurer to remit, to the state treasurer, seventy-five percent of the money received from penalties with regard to the display of a discover pass, vehicle access pass, or day-use permit. Requires the balance of noninterest money received by a county treasurer to be: (1) Deposited in the county current expense fund; and (2) Used to support court-related functions.

Information Technology

Bill Details		Status	Sponsor
HB 1479	**State IT systems encryption** Concerning encryption of data on state information technology systems. Establishes a classification schedule for data stored on or passing to, through, or from state data networks in the information technology standards maintained by the office of the state chief information officer.	H Approps	Hudgins
HB 1787 (SSB 5572)	**IT procurement oversight** Providing oversight of the state procurement and contracting for information technology goods and services. Requires the department of enterprise services to consult with the office of the state chief information officer when it makes information technology goods and services available to ensure consistency with standards and policies to govern information technology as established by the office. Requires the following to be coordinated with and/or approved by the office: (1) Cooperative purchasing for information technology goods and services; and (2) The delegation of authority to an agency for the purchase of information technology goods and services. Authorizes the office to change or withdraw the delegated authority for the purchase of information technology goods and services.	H Approps	Hudgins
SHB 1929	**IT system security testing** Concerning independent security testing of state agencies' information technology systems and infrastructure by the military department.	H Approps	Hudgins
HB 2086	**Cybersecurity coordination** Establishing a task force to address state interagency coordination in cybersecurity. Requires the office of the state chief information officer and the military department to convene a task force to address the coordination of cybersecurity and emergency management activities by state agencies.	H State Govt, El	Hudgins
SSB 5455	**Cybersecurity performance** Concerning statewide cybersecurity performance.	S Ways & Means	Miloscia