King County Superior Court
Juvenile Department
Offender Manual

Version 2.4
September 2012

The purpose of this manual is to describe current procedures in Juvenile Court offender cases. The manual provides a general overview and is not a substitute for policies, procedures, court rules, case law and statutes detailed elsewhere.

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1. Introduction

This Juvenile Court Offender Manual is intended to provide a summary of current policies concerning the adjudication and supervision of juvenile offender cases. It was reviewed by the executive committee on August 7th, 2012. Revisions shall be made as needed, directed by the Chief Juvenile Judge pursuant to KCLCR 0.7(c). The manual will be reviewed semi-annually. The court has also adopted Local Rules, which may be found at: Local Rules. Commonly used juvenile court forms can be found at: Juvenile Offender Forms.

2. Help and Contact Information

IMPORTANT JUVENILE COURT CONTACTS (AREA CODE 206)

Name	Phone	Fax
Juvenile Court Front Desk	296-1395 or x61105	N/A
Juvenile Court - General Info (Recorded)	205-9500	N/A
Case Setting/Trial Coordinator casesetting@kingcounty.gov	296-1181	205-9655
Court Operations Supervisor	205-9724	205-9655
Clerk's Office - Juvenile Court	296-1139	N/A
At-Risk Youth / Children in Need of Services	205-3865	N/A
Alternative to Secure Detention (ASD) Programs	205-9616	205-9609
Detention - Central Control/Visitation	205-9634	N/A
Detention - Screening (Probation Screening Unit)	205-9594	205-9506
Defense Attorney Agencies		
ACA	624-8105	624-9339
NDA	674-4700	674-4702
SCRAP	322-8400	726-3170
TDA	322-2058	447-3990
Diversion (Partnership for Youth Justice)	296-1131	296-1493
Family Treatment Court	205-9340	205-9739
Juvenile Drug Court	205-7374	205-9414
Juvenile Justice Assessment Team (JJAT)	205-9737	205-9771
Probation		
Probation – General Info	205-9500	N/A
Community Programs Unit	205-9490	205-3360
Consolidated Intake Unit	205-9435	205-9462
Probation Manager	205-9427	205-9408
Probation Screening Unit	205-9595	205-9506
Probation Supervision Bellevue Unit	296-1507	296-0576
Probation Supervision City Unit	205-9472	205-9402
Probation Supervision Federal Way Unit	296-0860	296-0872
Probation Supervision Renton Unit	296-1520	296-0575
Prosecuting Attorney (Juvenile)	296-9025	296-8869
Truancy Program	205-9335	N/A
Victims Assistance Unit (Prosecutor's Office)	296-8871	296-8838

JUVENILE OFFENDER LISTSERVE

Juvenile Court Services regularly distributes important procedural information, new forms, caseload data, and monthly trial calendar information to juvenile offender case practitioners using the Juvenile Offender Listserve.

To JOIN the Listserve
Send an email to:
JUVENILEOFFENDERATTORNEY-SUBSCRIBE-REQUEST@LISTS.KINGCOUNTY.GOV.
Subject line may say "JOIN."

To LEAVE the Listserve:
Send an email to:
JUVENILEOFFENDERATTORNEY-SIGNOFF-REQUEST@LISTS.KINGCOUNTY.GOV.
Subject line may say "REMOVE."

ECR AND SCOMIS

For questions regarding access and training: please e-mail ECR@KingCounty.gov
For corrections or problems found in either ECR and/or SCOMIS records: please e-mail ECRCorrections@kingcounty.gov

E-FILING

For E-filing questions and problems, or for training, please phone 206-205-1600.

SUPERIOR COURT LOCAL RULES

Superior Court Local Rules can be accessed from the Superior Court Home Page on SharePoint or the King County Superior Court Local Rules website.

SUPERIOR COURT CLERK

For Department of Judicial Administration information visit the King County Superior Court Clerk's Office website.

3. Organization of the Juvenile Offender Court

JUVENILE COURT OVERVIEW

Under the direction of the Director of Juvenile Court Services, Bruce Knutson, King County Superior Court Juvenile Court Services is comprised of three divisions: Juvenile Services, Probation Services, and Treatment Services.

JUVENILE SERVICES DIVISION	PROBATION SERVICES DIVISION	JUVENILE TREATMENT SERVICES
• Court Operations • Partnership for Youth Justice/Central Diversion Services • At-Risk Youth Programs • Education Advocacy • Medicaid Match	• Records Unit • Screening Unit • Consolidated Intake Unit • Field Supervision Units • Community Programs	• Juvenile Drug Court • Evidence Based Programs • Juvenile Justice Assessment Team (JJAT) • 4C's Mentoring Program

JUDICIAL OFFICERS

The Presiding Judge of the King County Superior Court appoints judges and commissioners to the Juvenile Department in Seattle to serve a designated term in accordance with the court's rotation policy. Offender trials (fact findings), with rare exceptions, are heard at the Youth Services Center (YSC) at 1211 East Alder, in the City of Seattle. Juvenile Drug Court calendars are held at both the YSC and the Maleng Regional Justice Center (MRJC) in Kent. See Section 11 for information about offender calendars.

BAILIFFS/COURT COORDINATORS

KCSC/Juvenile Department uses bailiffs and court coordinators to facilitate case management which includes support for in-court operations. These operations include scheduling court dates, monitoring case readiness, and determining the priority order of cases with respect to local court rules/legal time frames. It is the responsibility of the bailiff/coordinator to monitor courtroom security and assess the need for extra security measures including the need for the KCSO's presence during hearings. The bailiff/coordinator prepares, generates, and maintains the court's calendar, and responds to inquiries from attorneys and pro se litigants regarding how to proceed with specific court process and procedures. More specifically, they facilitate communication between judges, commissioners, court stakeholders, and the public.

DEPARTMENT OF JUDICIAL ADMINISTRATION

The Superior Court Clerk's Office maintains the official legal court record, serves the public and maintains the financial information in relationship to a filed offender case. This is accomplished by keeping a record of all documents, litigants and court hearings throughout the lifecycle of the case in a statewide computer system database called SCOMIS. Whenever there is a court hearing held, a deputy clerk must attend to take minutes, mark and receive any documents and exhibits into the official court file and run the digital electronic recording equipment.

The clerk maintains all the filed documents digitally in the Electronic Court Record (ECR) system, and attorneys are mandated to electronically file all documents with the court. The clerk is responsible for sending notification of court actions as required by law. These include required notices to the Department of Licensing regarding the loss of firearms and driver's license privileges and notice of offender case disposition information to the state patrol. The clerk is also responsible for collecting and disbursing restitution and other costs assessed by the order of the court.

4. Role of Parents in Juvenile Cases

PARENTS/GUARDIANS COURT ATTENDANCE

Unless excused by the court, state law requires a parent or guardian to be present at all hearings involving juveniles. The state legislature provided a mechanism for enforcement of this provision when enacting this law and the judicial officer may deem it necessary to proceed without a parent or guardian. At the court's discretion, the parent or guardian's presence may be waived, or parents may appear by phone or submit written information to the court. The

assigned juvenile probation counselor will often call and let parents know the outcome of a hearing if they are not able to be in attendance.
See RCW 13.40.050 , 13.40.100 and 13.40.130 .

JUVENILE JUSTICE 101 PROGRAM

The Juvenile Justice 101 program offers an orientation on the juvenile justice process in the Juvenile Court lobby several days a week. Along with an oral presentation, the Juvenile Justice 101 Video is shown. In this video the role of the parent in the juvenile justice process is explored, discussed, and defined. It outlines the relationship between the youth, parent, probation counselor, and attorney. Frequently asked questions are also addressed. A list of resources available for parents can be found in the King County Juvenile Justice Resource Booklet.
The Juvenile Justice 101 video and booklet are available on-line at:
King County Juvenile Justice Resource Booklet
Juvenile Justice 101 Video
The booklet is available on-line in English, Spanish, Somali, and Vietnamese languages.

INTERPRETER SERVICES FOR PARENTS

Interpreters are provided by the court for parents/guardians as needed. See Section 10 for more information.

5. Overview and Role of Probation Services

5.1 The Role of Probation

Juvenile Court is mandated by statute to maintain a balance between treatment, accountability and community safety when a juvenile comes under its purview. The Juvenile Probation Counselor (JPC) interviews the youth and family, collects all related information and presents a recommendation to the court at disposition. Probation is responsible for the supervision and brokerage of services appropriate to the individual youth the court places on community supervision.

5.2 Probation Units and Programs

- The **Records Unit** maintains social files on all juveniles referred to Juvenile Court Services and is responsible for maintaining/updating information in the local information system (JJWEB) and the state information system (JCS).
- The **Screening Unit** reviews all cases where law enforcement is requesting that a youth be booked into secure detention. Screening JPCs determine if a juvenile meets the criteria for being held in detention pending court review and administer the Detention Risk Assessment Instrument (DRAI) which generates a placement recommendation for the first court hearing.
- The **Consolidated Intake Unit** initially handles most cases where an information has been filed alleging that a juvenile has committed an offense. Intake JPCs conduct risk assessments and prepare disposition reports for the court. If a juvenile is already on probation and commits a new offense, his/her assigned JPC performs the intake function. The Consolidated Intake Unit also provides intake and coordinates evaluations

of juvenile offenders whose current alleged offense and prior criminal history make them eligible for commitment to a JRA institution.

- The four **Field Supervision Units**, located in Seattle, Bellevue, Renton, and Federal Way, provide probation supervision for most adjudicated juvenile offenders. The Seattle, Bellevue, and Federal Way units also supervise juveniles charged with and adjudicated on sex offenses. At any given time there are approximately 800 juveniles assigned to field unit supervision. Most youth assessed as low risk are supervised by the Low Level Supervision/Student Intern Unit.
- **Community Programs** provides youth employment, community service, and education supports and opportunities for juveniles on probation. The program also monitors compliance with restitution and legal financial obligations for youth off probation.

5.3 Probation Reports

All reports are due by noon on the day before the hearing and distributed to all parties including the court, prosecutor, and defense. By local rule, judicial officers are not provided a copy of the JPC report for cases set for fact finding until after a finding of guilt has been entered. KCLJuCR 7.11.

Positive Assessment Case Management Tool (PACT): Every juvenile who comes before the court in Washington State is mandated to receive the PACT. This is a nationally-recognized, validated, and reliable risk assessment tool which identifies the individual criminogenic risks and needs of the youth. The case plan for the youth derives from this assessment. Research has shown that ordering a youth into the wrong service can result in harmful effects to the youth and may increase the likelihood of recidivism. All youth receive this assessment within 30 days after being placed on community supervision.

5.4 Juvenile Probation Counselor Court Appearance and Reports

In most cases, JPCs are not required to attend court hearings with the exception of sex offense cases.

Disposition reports are generally required to be submitted by noon the day before the hearing. When the JPC is requesting a manifest injustice disposition, the report shall be submitted three days in advance of the scheduled hearing. See KCLJuCR 7.12.

For modification hearings the JPC must submit a report to the court, prosecutor, and juvenile's attorney by noon the day before the hearing. If the youth denies the allegations in the report and the JPC is not present at the initial hearing, the court may continue the modification or revocation hearing so that the JPC may testify.

Unless the juvenile gives permission to his/her JPC, the JPC may not testify at a fact finding hearing as to any facts disclosed or discovered in the course of the social investigation. See KCLJuCR 7.11 .

6. Assessments

The Juvenile Justice Assessment Team (JJAT) is an inter-disciplinary clinical team that provides mental health, substance abuse, and psychological evaluations as well as psychiatric consultation for any court involved youth. The team consists of a social worker, clinical psychologist, children's mental health specialist and chemical dependency professionals. The team staffs cases on a regular basis and makes recommendation for additional or higher levels of assessment, taking into account a youth's exposure to violence and trauma. Evidence based trauma screening, assessment and engagement services are in development.

Mental Health Assessments: The Mental Health Assessment provides an in-depth assessment of the youth's current mental health status, a current DSM IV diagnosis, and makes recommendations for treatment. Note: This assessment is not an assessment for competency (RCW 10.77) or civil commitment (RCW 71.34).

Chemical Dependency Assessments: Staff assess a youth's substance use history through the use of the GAIN-I (Global Assessment of Individual Needs), an evidence based comprehensive bio-psycho-social assessment tool, effective in clinical decision making and in developing DSM IV diagnoses and ASAM placement criteria for substance abuse disorders.

Psychological Evaluations: JJAT's Clinical Psychologist conducts psychological evaluations using a variety of psychological testing materials in order to answer specific questions about a youth's ability to function across domains such as personality, behavior and social interaction, and makes specific recommendations for treatment.

7. Detention

The Department of Adult and Juvenile Detention is responsible for the care and custody of youth who are detained in the juvenile detention facility.

7.1 Detention Admission Criteria and Screening

The court has adopted Detention Screening Criteria to limit the number of youth who may be booked into detention following contact with law enforcement. Law enforcement officers contact the Probation Screening Unit by phone to determine if a youth in their custody is eligible for detention. Screening staff gather information and apply the Juvenile Detention Intake Criteria.

In addition to the Juvenile Detention Intake Criteria, the Court has adopted a practice of not permitting the booking of a youth under twelve without the specific authority of the Chief Juvenile Court Judge or his/her designee. During court hours, a hearing will be held on the issue. After hours, Screening Unit staff will call the Chief Juvenile Court Judge for guidance.

7.2 Detention Risk Assessment Instrument (DRAI)

The Probation Screening Unit administers the Detention Risk Assessment Instrument (DRAI) to youth admitted to detention on a King County offender warrant or new offense. The tool generates a placement recommendation (release, eligible for alternative to secure detention program, or secure detention) to the court at the First Appearance Hearing.

7.3 Alternatives to Secure Detention (ASD)

The Juvenile Division of the Department of Adult and Juvenile Detention (DAJD) operates five programs within its Alternatives to Secure Detention unit. Its objectives are to monitor youth in the community and/or provide structured programming, depending on the ASD component in which a youth is enrolled. Each component is designed to provide the least restrictive, cost effective confinement to eligible youth while preserving community safety. A court may authorize screening for placement, but DAJD will determine the youth's eligibility for each option.

- **Electronic Monitoring** provides supervision of youth in their homes by means of radio frequency devices attached to the youth's ankle and a monitoring device placed in the home. Community Surveillance Officers approve, verify and monitor the youth's movement outside the home. *Available: Pre and Post Disposition*
- **Group Care** provides twenty-four hour residential care in a licensed group home for those youth who for various reasons are unable to be placed with family members. Educational services are provided to these youth and movement outside the home is supervised by staff. *Available: Pre and Post Disposition*
- **Day Reporting** is an academic based program wherein youth receive educational services from public school officials in small settings designed to provide individualized instruction as indicated. Selected youth in this program may also be monitored electronically during after school hours and on weekends. *Available: Pre and Post Disposition*
- **Weekend Reporting** is a two-day (Saturday and Sunday) program that serves as a moderate sanction for court-involved youth. The program is based on a curriculum of skill building activities that are age appropriate and are designed to address the violations that have occurred. Youth are ordered to attend two consecutive days of programming in lieu of confinement. *Available: Post Disposition or in Drug Court*
- **Work Crew** is a community-based program wherein youth perform eight hours of volunteer work, under the direct supervision of program staff. The work is performed on weekends during the school year and some weekdays during summer and school breaks. Tasks performed may include city, county and other community projects. *Available: Post Disposition or in Drug Court*

8. Case Assignment

8.1 Geographical Case Assignment

Offender judges are assigned cases at filing according to the juvenile's residential zip code. To the extent feasible, the assigned judge will hear disposition, post-disposition, and some detention review hearings relating to that youth. Youth assigned to a court remain in that court even if they move to a residence with a zip code assigned to another courtroom. Trials are assigned based on judicial availability, not by geographical court, but trial assignment does not change the overall case assignment.

8.2 Sex Offense Case Assignment

Sex Offense cases are assigned to a courtroom on a rotation basis to equally distribute these cases among the courtrooms. If, however, a youth is already on supervision in one of the geographical courts, any new sex offense case will go to that geographical court.

8.3 Affidavits of Prejudice

The following procedure for handling motions for a change of judge was adopted December 17, 2010.

1. Any affidavit (Motion for Change of Judge) will be presented by counsel for the moving party, to the bailiff of the judge to be affidavited (the transferring bailiff). The transferring bailiff will review the Electronic Court Records (ECR) to see if the judge has made any decisions and will let the judge know the results of this research. Because there are a number of decisions, such as release decisions, which are defined by statute as non-discretionary, this is not a staff screening function. The information will simply be presented to the judge who will decide whether or not to grant the affidavit.

2. The order granting a change of judge (which includes an order of reassignment) will immediately be taken by the transferring bailiff to the bailiff for the chief judge of juvenile court. The order should be handed directly to the bailiff and not simply placed in a box. If the chief judge's bailiff is not available, it shall be presented to the court coordinator in Court One. The Court One bailiff or court coordinator shall immediately bring the matter to the attention of the Chief Judge or the backup judge (see §3 below). The transferring bailiff will also email the court operations supervisor and case setting/trial coordinator to inform them that the affidavit is in the process of being delivered.

3. The Chief Judge will designate a backup judge for dealing with affidavits of prejudice, for when the chief is unavailable for a relatively short period of time. If the chief judge, the acting chief judge (if one has been designated) or the backup judge is unavailable, the case setting/trial coordinator will consult with an available judge (other than the affidavited judge).

4. Under the direction of the juvenile court operations supervisor, staff will ensure that the original motion paperwork is filed, will retrieve the court's file (including working papers) from the affidavited court, route the file to the newly assigned judge, along with a copy of the Motion for Change of Judge and Order of Reassignment, a copy of the affidavit and order of reassignment. The form order, when possible, should include the new date and time, to make sure that the matter gets appropriately calendared. Staff will ensure that a new date is entered in KCMS and, when necessary, will follow up to get a new date from the receiving court.

9. Appointment of Counsel

In juvenile offender cases, the Office of the Public Defender (OPD) provides calendar attorney (Attorney of the Day) representation for certain calendars (e.g. first appearance and arraignment

calendars), in addition to assigning cases directly to an agency. OPD assigns an attorney for the juvenile unless the juvenile chooses to retain a private attorney. Parents who are financially able to contribute to defense attorney costs for their child may be billed. Regardless of who is financially responsible for paying for the attorney, the attorney-client relationship is between the juvenile and the attorney.

Prior to assignment of counsel, OPD performs a preliminary screen of the case to identify conflicts of interest in the prior or current representation of parties or witnesses. As soon as discovery is provided, the assigned attorney (or the attorney's designee) performs a more complete screen of the case for conflicts. If a conflict of interest is determined to exist which disqualifies the assigned defense counsel from representing the defendant, OPD assigns new counsel.

10. Interpreters

Interpreters are provided automatically at the First Appearance Hearing if the need is identified by the Probation Screening Unit. Attorneys must inform the court if interpreter services are required for subsequent hearings.

Once the need for an interpreter in a spoken language or in ASL is determined, requests can be made by families or by staff and officers of the court (attorney, probation officer, detention staff etc.) by calling the Office of Interpreter Services (OIS) at 206-205-9331 at Juvenile Court or 206-296-9358 at the King County Courthouse, and leaving a message at any time, or by emailing interser@kingcounty.gov. Requests for interpreters are filled, as available, at no cost to the parties at Juvenile Court.

The request can be made prior to the first time the family appears at court or any time thereafter. The following information will be needed by Interpreter Services to fill each request:

- The child's name and cause number, if available;
- The name of the person requiring an interpreter and relationship to the child;
- The date, time and location of the hearing;
- The language requested;
- A return phone number;
- The name of the person calling.

The State of Washington, through the AOC, certifies interpreters in approximately 15 languages, and registers interpreters in approximately 43 languages. The OIS strives to provide certified and registered interpreters for each event. When a certified or registered interpreter is unavailable, the court may qualify an interpreter. Certified and registered interpreters file an oath of interpreter with the AOC. Other interpreters must be qualified and sworn by the court at the beginning of each proceeding.

For more information about the court's Office of Interpreter Services, please visit the webpage at: Interpreter Services.

11. Juvenile Offender/Becca Calendars

	Courtroom 1 *Chief Juv. Judge*	Courtroom 2 *Offender Judge*	Courtroom 3 *Offender Judge*	Courtroom 4 *Offender Judge*	Case Setting *Out of Court*	Shared Courtrooms
Mon A.M.	*Arraignments, Add-on Calendar Detention reviews*	*Fact-Findings & Specially Set Hearings*	*Fact-Findings & Specially Set Hearings*	*Fact-Findings & Specially Set Hearings*		
Mon P.M.	*2:30 1st Appearances*	*Fact-Findings & Specially Set Hearings*	*Fact-Findings & Specially Set Hearings*	*Fact-Findings & Specially Set Hearings*		
Tues A.M.	*Arraignments, Add-on Calendar Detention reviews 10: 00 a.m. Omnibus Calendar*	*Fact-Findings & Specially Set Hearings*	*Fact-Findings & Specially Set Hearings*	*Fact-Findings & Specially Set Hearings*	*Available for paperwork processing (Rm 203)*	*ARY/CHINS (Commissioner CR 5)*
Tues P.M.	*2:30 1st Appearances Hearings from Case Setting Calendar*	*Fact-Findings & Specially Set Hearings*	*Fact-Findings & Specially Set Hearings*	*Fact Findings & Specially Set Hearings*	*1:00-3:00 p.m. (Rm 203)*	*ARY/CHINS (Commissioner CR 5)*
Wed A.M.	*Arraignments, Add-on Calendar Detention Reviews*	*General Offender Calendar*	*Drug Court Staffing*	*General Offender Calendar*	*Available for paperwork processing (CR 5)*	
Wed P.M.	*2:30 1st Appearances Hearings from Case Setting Calendar*	*General Offender Calendar*		*General Offender Calendar*	*1:00-3:00 p.m. (CR 5)*	*Drug Court Hearings (CR 7)*
Thu A.M.	*Arraignments, Add-on Calendar Detention reviews*	*General Offender Calendar*	*General Offender Calendar*	*General Offender Calendar*	*Available for paperwork processing (CR 5)*	*ARY/CHINS (Commissioner, MRJC)*
Thu P.M.	*2:30 1st Appearances Hearings from Case Setting Calendar*	*General Offender Calendar*	*General Offender Calendar*	*General Offender Calendar*	*1:00-3:00 p.m. (CR 5)*	*ARY/CHINS (Commissioner, MRJC)*
Fri A.M.	*Arraignments, Add-on Calendar Detention reviews*	*General Offender Calendar*	*General Offender Calendar*	*General Offender Calendar*		*Truancy – as needed (MRJC)*
Fri P.M.	*2:30 1st Appearances*	*Special set hearings-long dispos, cont. testimony, etc*	*Special set hearings-long dispos, cont. testimony, etc*	*Special set hearings-long dispos, cont. testimony, etc*		*Drug Court Staffing & Hearings (MRJC)*

11.1 General Offender Calendar

A variety of offender hearings are scheduled during the General Offender Calendar including agreed capacity, plea/disposition, modification, disposition, deferred disposition, restitution and status hearings. The General Offender Calendar is typically set in Courtrooms 2 and 4 all day on Wednesdays and Thursdays and Friday mornings and in Courtroom 3 all day Thursday and Friday mornings. Fact Finding hearings and substantial evidentiary hearings such as disputed capacity or competency and decline hearings will be heard on the trial calendar. Finally, to maximize judicial consistency, arraignments (and any associated motion for mandatory decline hearing) will be heard on the general offender calendar in the assigned court and will not normally be scheduled in Court One.

The calendar is also available on-line at: Juvenile Offender Calendar

11.2 Probable Cause Determinations

If a juvenile has been taken into custody on a new charge and is being held in detention, a judge must make a determination of probable cause within 48 hours of the juvenile's arrest. *See County of Riverside v. McLaughlin*, 111 S.Ct. 1661 (1991) and KCLJuCR 7.3(a) .Various procedures are used.

Respondent admitted to detention on Fridays after 6:00 a.m. and Saturdays or on holidays or non-court days: The prosecutor comes to the Alder complex and, at a designated time, contacts the "weekend judge" by phone. The judge administers an oath or affirmation to the prosecutor who then orally presents information to support the request for a finding of probable cause. In *State v. K.K.H.,* 75 Wn. App 529 (1994), the Court upheld this procedure. Detention is almost never addressed in this telephonic hearing, but is reserved until the next judicial day.

Respondent admitted into detention Sunday through 6:00 am Friday: On the next judicial court day, the court reviews sworn documents in open court and determines whether there is probable cause to believe that the youth committed the referred reference. A copy of the document is attached to the order finding probable cause. Detention can be reviewed at this hearing or reserved. At this hearing, both the filing deadline (72 hours after respondent is booked into custody) and the second appearance hearing (if charges are filed) are established.

Respondent is not initially detained: At the time of filing, the prosecutor files a proposed order requesting a finding of probable cause supported by sworn evidence. These are reviewed ex parte and the determination is made at the time of filing. This process is very similar to the long-standing adult process.

11.3 First Appearance and Initial Detention Review

On court days, the judge presiding in Court One makes a probable cause determination during first appearance. Detention review takes place directly after the probable cause determination unless the respondent wishes to reserve the motion. At this hearing, the State will be given a filing deadline (2 court days) and the matter will be set for second appearance.

11.4 Second Appearance

If an information is not filed within the filing deadline, there is no second appearance hearing. The juvenile is informed by his/her attorney that any conditions of release pursuant to first appearance are no longer in effect. Ideally, the juvenile's attorney will contact him/her prior to the event and advise that the juvenile doesn't need to come to court. If an information is filed, the juvenile is arraigned on the second appearance date.

11.5 Arraignment

A case shall be arraigned on the court day after it is filed if the youth had been detained on that case (even if released on first appearance) and the matter is "rushed filed". In all other cases, the respondent is to be arraigned within two weeks of filing. Parties shall be available for arraignment by 8:30 a.m. each court day. An in-court arraignment is required for cases where the most serious offense is a felony and for any gross misdemeanor or misdemeanor charge that

is alleged to have been committed with sexual motivation or where it is alleged to involve domestic violence. In addition, all sex offenses, animal cruelty offenses and prostitution-related offenses will be arraigned in court. Details are set forth in KCLJuCR 7.6.

11.6 Decline Hearings and Waiver of Mandatory Decline Hearings

In the vast majority of cases that are subject to RCW 13.40.110 —Mandatory Decline Hearing—the State and the defense agree to waive the hearing and proceed to arraignment in juvenile court. These cases are heard on the regular arraignment (or second appearance) calendar in Court One at 8:30am, Monday-Friday. If the decline issues are disputed, the matter will be set in the appropriate geographic court. Because arraignments on SAU cases are generally in their assigned courts, any associated decline hearing will also be heard in that court in conjunction with the decline hearing.

11.7 Differentiated Case Management

Timely resolution of cases (Case Processing Reform) is one of eight core strategies of -the Juvenile Detention Alternatives Initiative (JDAI). For detained youth, there clearly is a direct relationship between time spent in detention and time to resolution. Even for youth who are not detained, it is clear that timely and appropriate resolution is important, both so that there is a temporal connection between the commission of the criminal offense and the time that sanctions are imposed and because, as documented in the JMI study, the earlier services are provided, the greater their impact on reducing recidivism.

Under this proposal, regardless of the number of continuances, cases will not need to come into formal court for case setting (unless requested by a party or one party objects to the continuance) until the "time standard" date is reached. This date will be established at arraignment.

If a youth is returning from a bench warrant, the time standard date will be computed as follows. If the warrant is subject to administrative quashing, the time period standard will simply begin anew on the quash date. If the warrant is being addressed in formal court, the judge, after consultation with the parties, will determine the new time standard date.

Time while a competency evaluation is being prepared is not counted against the time standard date.

The standards below are intended to address routine cases. If a case is complicated, parties may come to court and request more time. This is more likely to be necessary for offenses involving youth with significant mental health issues or offenses involving youth in particularly challenging family situations.

11.7.1 Time Standards

Misdemeanors and Gross Misdemeanors (not sexually-motivated)**:** Set for disposition or for trial no later than 30 days after arraignment. Signed re-diversion agreement or Stipulated Order of Continuance (SOC) are considered resolutions.

Felonies: Set for disposition or for trial no later than 45 days after arraignment.

Sex-Offenses (including any case with an allegation of sexual motivation): Process to begin evaluation, if desired, no later than 30 days after arraignment. Once evaluation has begun, allow continuances at intervals of 30 days, until evaluation completed, if agreed to by parties. Allow two weeks following completion of evaluation to complete negotiation.

In computing these standards, the time standard date that will be used will be the Thursday of the week in which the bench mark is reached. That is, if on a misdemeanor, 30 days from arraignment is a Tuesday, the actual time standard date will be 32 days out.

11.8 Case Setting Hearings

Case setting is a case management process for promoting the resolution of cases between arraignment and disposition. Out-of-custody cases are scheduled for the initial case setting within two weeks of arraignment and in-custody cases are scheduled for case setting within one week of arraignment. The case setting/trial coordinator schedules fact-finding and plea and disposition hearings for the individual courtrooms.

During the out-of-court case setting meetings held three days per week, attorneys confer about case resolution and the respondent and his or her attorney decide whether to enter a plea and proceed to disposition or proceed to a fact-finding hearing to resolve the matter. The deputy assigned to the case setting calendar will not be negotiating matters at case setting. Negotiations are to occur before the calendar. If the matter proceeds to the fact-finding hearing, counsel may discuss discovery, witnesses, scheduling and other logistics. In addition, the parties may agree to enter into a plea at the date of case setting, after confirming with the case setting/trial coordinator. These pleas are generally heard in Court One.

So long as both parties agree, case setting hearings may be continued administratively within the time standard periods adopted by the court, without specific court authority. If there is a need for a further continuance beyond the time standard periods, the hearings shall occur in open court so that the court may issue an appropriate ruling.

If it is clear to the parties (or to one party) that the time standard date is unrealistic in a given case, the matter may be raised at arraignment or at an in-court case setting hearing.

Pursuant to General Order 12-2-12050-1, the only authority granted to staff to use the Chief Judge's Signature Stamp is to set cases for trial, plea or deferred disposition or to continue case setting within the agreed standards. All other orders must be signed by the court.

11.9 Trial Setting Protocols

At case setting, cases will be assigned a trial date (either a Monday or Tuesday at 9:00 a.m.) but not assigned to a specific trial court. Trials expected to last one entire day (or longer) will be set on Mondays. Omnibus will be held on a Tuesday, at least six working days before trial.

Omnibus calendars are held every Tuesday at 10:00 before the Chief Juvenile Judge. With the exception of agreed orders to continue omnibus, all hearings will be on the record. Normally, if an omnibus hearing is being continued, it will be continued to the following Tuesday. If the parties wish to have an earlier date, they should notify court staff.

For any case in which the most serious charge is a felony and any misdemeanor with a sexual motivation allegation, trial dates may be set with a commencement date up to 21 days after the current commencement date (normally the date of the last case setting hearing) for out-of-custody respondents and up to 35 days for in-custody respondents, so that a realistic trial date can be set. Of course, shorter waivers are permissible, and respondents are neither mandated nor encouraged to waive speedy trial if trial preparation can be completed within the current speedy trial period. If the parties contemplate that a realistic trial date cannot be set within these parameters or if the State objects to the trial date proposed by the defense, the parties are to report to the Chief Juvenile Judge for discussion of an appropriate trial date. Cases will be set for trial no later than 7 calendar days prior to the speedy trial expiration date. There should be no expectation that a fact finding will be continued simply because this is the "first omnibus or trial setting."

The Tuesday or Wednesday before trial, the case setting/trial coordinator, will send out e-mails to the attorneys for trials set the following week requesting a final update.

If a case is to be dismissed, the lawyers are encouraged to present the order to the Chief Juvenile Judge before the scheduled trial date. If that judge is unavailable, the proposed order may be presented to any judicial officer. A copy of the signed order shall be presented by the deputy prosecuting attorney to the case setting/trial coordinator immediately after it is signed, unless the bailiff or coordinator has affirmatively indicated that he or she will scan and e-mail the order to the case setting/trial coordinator.

When all information is received, the case setting/trial coordinator will assign trials to courtrooms based on judicial availability. Notification will generally be done by e-mail.

No later than 2:00 p.m. the Friday before trial, the case setting/trial coordinator will send out an e-mail regarding specific courtroom assignment and start time. Interpreter cases will be given priority. The e-mail will be sent to all supervisors and to those trial attorneys who have a case on the calendar the following week, plus appropriate court, detention and DJA staff.

11.9.1 Scheduling Dispositions after a Fact Finding is Set

When scheduling dispositions, including motions for deferred dispositions, the parties are to notify the case setting/trial coordinator as soon as they have reached a resolution and should not wait for the e-mail inquiry. The case setting/trial coordinator will assign the disposition date, generally to the appropriate geographical court. Unless both the State and the defense agree, the trial date will not be stricken until the plea is accepted, although disposition may be set out.

11.10 Fact Finding Hearings and Other Substantive Evidentiary Hearings

Fact Findings are set on Mondays and Tuesdays. A case estimated by the parties to last one day or more will be set on Mondays. If the parties estimate that the Fact Finding will last more than two days, the court will make every effort to schedule in a manner that will accommodate a continuous trial without large breaks in testimony.

Fact Findings are normally set at the YSC, however, occasionally the case will be heard in the King County Courthouse or the Maleng Regional Justice Center. This is particularly true if the youth is held in adult detention.

Motions to Suppress Evidence pursuant to CrR 3.6 will heard on the date of the Fact Finding, absent express prior authorization of the Chief Juvenile Court Judge. KCLJuCR 7.14 provides for a standard briefing schedule for these motions.

If a respondent is convicted after a fact finding, the disposition hearing will be heard before the judge who did the fact finding hearing and will be scheduled by the bailiff/coordinator in that court.

11.11 Filing a Motion at Juvenile Court

Unless the hearing is set in a courtroom, the moving party must contact the appropriate court for a court date before noting a motion. Simply filing or e-filing a notice of motion, without first obtaining a date from the bailiff or coordinator, is insufficient.

11.11.1 Motions for Detention Review

1. *Initial motions:* The initial motion shall be heard at first or second appearance in Court One, except that as a general rule, a second appearance that will also be an arraignment on a sex case will be heard in the assigned court.
2. *Subsequent motions:* Any subsequent motion shall be heard by the assigned court, based on a change of circumstances, with at least two days (48 hours) notice, unless, for emergency reasons, the court authorizes a shorter time period. If the assigned court is unavailable, the matter may be heard in Court One. If a case is on drug court observation, the detention review hearing shall be heard in drug court. The moving party shall obtain an available date from the bailiff (or coordinator) in the appropriate courtroom.
3. *Cases on the case setting calendar:* If the parties agree that a youth scheduled for case setting should be released and Court One is willing to hear the detention review on that day the matter may be heard without a formal note, so long as the assigned JPC has no objection.
4. *Notice:* Opposing counsel and the assigned JPC shall be notified of motions for detention review by the moving party as soon as possible. The moving party shall complete and distribute the Note for Motion for Detention Review on Changed Circumstances form, adopted by the court.
    a. The King County Prosecutor's Office may be notified by sending a copy of the notice to: paojuvenilerecords@kingcounty.gov. In the alternative, a copy of the notice may be brought to the 5th Floor of YSC and left with the receptionist. This e-mail address is not to be used for general correspondence with the prosecuting attorney's office.
    b. The Probation Officer shall be notified by e-mailing: juvenile.screening@kingcounty.gov. If a lawyer does not have access to e-mail or a scanner while at the YSC, court operations staff will assist.
    c. To make sure these are handled promptly, the e-mail subject matter line must read: TIME SENSITIVE: DETENTION REVIEW NOTICE

d. If further correspondence occurs concerning the detention review hearing, please delete the general e-mail addresses and address your e-mail to the specific person you wish to correspond with.
e. Notice to the defense shall be provided to the defense attorney of record, unless the moving party has actual notice that another defense attorney is now serving as attorney for respondent.

5. *Continuances:* Nothing in this policy prohibits the non-moving party or the JPC from moving for a continuance of the detention review hearing.
6. *Passes from secure or partial detention:* If agreed by all parties and the JPC, an agreed order may be presented without notice. If there is a dispute, the matter shall be noted in the same manner as a detention review.
7. *Controlling law:* The court shall consider RCW 13.40.040, JuCR 7.3, JuCR 7.4 and RCW Chapter 7.69 in ruling on motions for detention review and on requests to continue such motions.

11.11.2 Motions for Cases Not Yet Set for Trial

- *Motions to Extend Juvenile Court Jurisdiction for Youth Nearing Age 18:* These motions may be made at any time of proceeding, but frequently are made at arraignment. If heard in conjunction with some other court event, such as a case setting hearing (which then must be heard in open court) or arraignment, no note for motion is required.
- *Decker Motions (Motions for Use and Derivative Use Immunity-sex cases):* In the court assigned the case.
- *Motions to Decline Juvenile Court Jurisdiction or to Waive Decline Hearing:* Except for sexual assault cases or other unusual cases in which the arraignment is not being heard in Court One, these motions will initially be heard in Court One. If the matter is agreed, the case will proceed directly to arraignment. If the State and defense are not agreeing that the matter should be retained in juvenile court, the matter will be set to the appropriate geographic court. The respondent may waive his right to a timely decline hearing if the matter will be disputed. See JuCR 8.1
- *Motion to Establish Capacity:* In the geographical court.
- *Motion for Competency Evaluation* (and subsequent proceedings regarding competency): A request for an order for a competency evaluation should generally be made in Court One (or if arraignment on a sex case in the geographic court in which the arraignment is being heard, if other than Court One). The competency evaluation will be returned to Court One. These hearings are set at 10:00 a.m. Monday, Wednesday, Thursday and Friday. If the issue of competency is agreed, the order will be entered in Court One. If a contested hearing is to be held, the matter will be referred to the appropriate geographic court. If the parties have decided that plea and disposition shall immediately follow entry of the Order Finding Respondent Competent, the parties are to contact the case setting coordinator who will strike the hearing in Court One and set the matter in the appropriate geographic court.
- *State's Motion to Dismiss:* So long as the defense agrees to the form of the State's proposed order to dismiss, an agreed motion to dismiss may simply be presented to the

Chief Juvenile Judge (or if that judge is not available to any other judicial officer) without noting the matter on a calendar. The motion will be handled off the record. If there is some disagreement between the parties as to the form of the order or if the court declines to sign the agreed proposed order, the matter shall be noted on an appropriate calendar by the State, A copy of the signed order shall be provided to the case setting/trial coordinator.

11.11.3 Motions for Cases on Trial Calendar

- *Agreed Motions to Continue Omnibus but Not Trial Date:* May be done by stipulation and presented to the Chief Juvenile Judge. These motions do not need to be noted. If the request is to continue to a day on which omnibus is not normally scheduled, confirm court availability with bailiff.
- *Motions to Continue Trial:* Chief Juvenile Judge. There is no requirement of five days advance notice. These motions are often heard on the omnibus calendar; however, if issues are heard post-omnibus, the matter will be heard as soon as the parties are able to bring the matter into Court One.
- *Discovery Motions* (including requests to provide DNA or fingerprints, for depositions, etc.): Chief Juvenile Judge.
- *Evidentiary Motions:* Reserved for trial/fact finding.
- *Knapstead and 8.3(b) Motions:* Reserved for fact finding, unless special permission granted.
- *State's Motion to Dismiss:* If agreed by defense, to Chief Juvenile Judge. If argument required, contact bailiff of Chief Juvenile Judge for argument date. A copy of the order shall be provided to the case setting/trial coordinator.
- *Motion to Amend Information:* Shall generally be made at or before the Omnibus Hearing.

11.12 Dispositions, including Motions for Deferred Disposition

- Unless done in the courtroom, the case setting/trial coordinator will schedule all dispositions, including motions for deferred dispositions. Whenever possible, the disposition will be done on the day of the scheduled case-setting, to avoid the need for youth and families to make an additional trip to court. Standard forms have been developed for deferred disposition and should be used in all cases.
- If the respondent is moving for a deferred disposition, a working copy of the motion, including the statement of probable cause or other factual materials, shall be provided to the court and the prosecuting attorney, no later than noon the day before the scheduled hearing. Once a case has been assigned to a courtroom, all continuances will be handled by that court. If a continuance is for a substantial period of time, a speedy trial waiver must be executed.
- If a disposition or motion for deferred disposition is being continued by the assigned court, as a general matter, the respondent will be required to agree to a new commencement date that corresponds to the new disposition date. The court has developed a form that includes this language for the ease of the parties.

- If a party or a juvenile probation counselor is seeking a "manifest injustice" disposition, notice shall be given 3 days in advance of the scheduled hearing. See KCLJuCR 7.12
- Restitution Hearings should be noted in the court that took the disposition, by contacting the bailiff for that court.
- Financial obligations: Respondents are often required to pay various financial obligations. There is a mandatory victim penalty assessment of $100 for all cases in which at least one charge is a felony or gross misdemeanor. Where the greatest charge is a simple misdemeanor, the victim penalty assessment is $75.00. RCW 7.68.035(1)(b). Most automobile-theft related offenses have mandatory fines. For a more thorough discussion of DJA Collection Policies, see Appendix B.

11.12.1 Sealing Records and Motions for Relief

- *Motions to Seal:* Contact the case setting/trial coordinator. Detailed instructions and forms can be found at this website: Sealing Juvenile Court Records. Pursuant to SB6240, cases subject to automatic sealing once a youth has successfully completed the deferred disposition, has paid all restitution, and has turned 18 will be processed on an administrative sealing calendar. Neither counsel nor the youth is required to attend.
- *Motions for Relief from Sex Offender Registration:* Contact the case setting/trial coordinator.
- *Motion for Restoration of Right to Possess a Firearm.* Contact the case setting/trial coordinator.

11.12.2 Policy for Applying State v. McEnroe to Motions to Seal Expert Orders

The Supreme Court has held that, when the court denies a motion to seal, the moving party may withdraw the documents. Therefore, the moving party must receive notice, before the documents are filed in the court file, that the motion to seal has been denied. Currently, the great majority of these documents are first sent to OPD. OPD decides whether or not to appoint or fund the service. If a motion to seal accompanies the pleadings, OPD sends the proposed order to seal and proposed protective order, if any, and the motion and declaration for the services and OPD's decision to DJA. DJA reviews the documents to assure that the proposed seal order correctly identifies the documents sought to be sealed. DJA then sends the documents to Chief Criminal or Chief Juvenile for a decision on the motion to seal. If the court grants the motion to seal, the motion and orders are filed. If the court grants a protective order, the bailiff scans the order and e-mails it to defense counsel who is responsible for arranging for service on the county.

Following *McEnroe,* the process will be:

1. If no motion to seal is sought, defense presents to OPD a motion and proposed order for expert or other services other than counsel, CrR 3.1(f), LCrR 3.1(f), JuCR 9.3. If the proposed order is accompanied by a motion to seal, defense sends the documents first to the Chief Criminal Judge or Chief Juvenile Judge. Proposed orders with motions to seal must be submitted by e-mail to the Chief Criminal Judge (salina.hill@kingcounty.gov) or Chief Juvenile Judge (linda.tran@kingcounty.gov) unless the attorney receives specific permission from the judge to submit as a hard copy; the proposed order to seal should be the first document in the e-mailed packet . Counsel must assure that the name of the document contained in the proposed order to seal and a proposed protective order,

if any, must exactly match the name of the document in the caption and the date submitted; failure to do so may result in the clerk not sealing the documents in spite of an order to seal.

2. If the Chief Criminal Judge or Chief Juvenile Judge grants the proposed order to seal, the judge will print and sign the order, file the order to seal and send, via encrypted e-mail, a copy of the order to seal and the motion and proposed order for expert services to OPD (OPDexpertservices@kingcounty.gov); defense counsel will be copied by encrypted e-mail. OPD will, upon ruling on the motion for services, send all of the documents, including the copy of the order to seal, to DJA for procedural review and filing. If DJA detects an error, DJA may return the document to the Chief Judge.

3. If the Chief Criminal Judge or Chief Juvenile Judge denies the proposed order to seal, the court will file the order denying sealing and return the motion and a copy of the order denying sealing to defense counsel. Defense may then submit the pleadings to OPD without a proposed order to seal or submit an amended motion and proposed order with a motion to seal to the Chief Judge.

11.12.3 Motions for Reconsideration

Motions for Reconsideration will be noted in accordance with KCLR 59(a)(b) before the court that made the initial decision.

11.12.4 Motion for Modification /Revocation

The JPC or the Prosecuting Attorney may file motions to modify disposition orders regarding probation supervision conditions and/or violation of the terms of disposition orders by youth. The moving party must initially secure a court date from the bailiff or coordinator in the assigned court, which shall provide at least five days advance notice to the parties in the case. The JPC will submit a report substantiating any violations and recommendations to the court, the PAO, and the youth's attorney by noon the day prior to the hearing.

11.13 Expedited Modifications (Juvenile Expedited Prosecution Program)

The primary purpose of the Juvenile Expedited Prosecution Program is to resolve misdemeanor cases for youth who are currently being supervised by probation.

Eligibility:

Entry into this program is controlled solely by the King County Prosecuting Attorney's Office.

- The respondent is on probation.
- New referral is an approved misdemeanor/gross misdemeanor (see exclusions below).
- The respondent has no other pending filed cases.
- The respondent is not on active warrant status.
- There is no restitution involved for the new referral.
- Limit of two "expedited" cases per probation case.

Approved Crimes:

A referral on a new criminal charge may be handled as a modification on an active probation case if the new alleged crime is a misdemeanor or gross misdemeanor, except:

- Special Assault Unit Offenses - CMIP (communicating with a minor for immoral purposes) Assault 4th degree with sexual motivation, and Indecent Exposure
- Prostitution
- Car Theft Initiative Offenses - Attempted TMV2 (taking a motor vehicle 2nd degree) and Vehicle Prowl

Court Process:

- If the Prosecutor determines the case shall proceed as a modification hearing, the Prosecutor's office will note a hearing on the active probation case.
- Prosecutor will contact Defense and JPC with notice of hearing (~2 weeks out) and provide the allegations and copy of discovery. A copy of the notification will also be provided to OPD. PAO will send notice to the respondent.
- At modification hearing, respondent must admit all allegations. If respondent does not admit to the allegations, the hearing will be stricken and the new criminal case will be filed (ARR in ~2 weeks).
- If the respondent fails to appear for the modification, no warrant will issue. Also, there will be no continuance of the modification hearing (unless extraordinary circumstances exist). If the modification hearing does not proceed on the initially scheduled date, the hearing will be stricken and the new criminal case will be filed.
- Once modification is stricken and a new case is filed, the expedited option is no longer available (unless extraordinary circumstances exist).

11.14 Juvenile Drug Court Calendar

Juvenile Drug Court is a "Therapeutic Court" that provides services to a target population of individuals charged with juvenile offenses and identified as struggling with significant chemical dependency issues. Juvenile Drug Court is a pre-adjudication court; youth who successfully complete the program will have their case dismissed. This court is an alternative to regular juvenile criminal court process and is designed to improve the safety and well being of youth and families involved in the juvenile justice system by providing the juvenile offender access to drug and alcohol treatment, judicial monitoring of their sobriety and individualized services to support the entire family. Current capacity is 72 youth and includes 18 South King County participants. Referrals may be made by the youth's attorney or by probation.

Juvenile justice-involved youth voluntarily enter the program and agree to increased court participation, chemical dependency treatment and intensive case management in order to have their charges dismissed. In order to be considered for the Juvenile Drug Court Program, participants must meet eligibility requirements including age, legal, clinical, and geographical criteria. Details and a list of eligible offenses can be found in the Juvenile Drug Court Policy and Procedures Manual. Case review hearings initially occur every week and then become less frequent as the youth progresses through the three phases of the program. Incentives are awarded to recognize the youths' achievements and graduated sanctions are used when a youth violate program rules. Youth typically spend between 12 and 18 months in the program. For more information visit the Juvenile Drug Court website.

11.15 Court Calendar for Emergency Closures and Delays

Hearing Type	Closure	Delay
General offender hearings in courts 2, 3, and 4 (W-F)	• Continued to future dates by bailiffs • JPC's notify clients regarding modification hearings; defense counsel to notify clients regarding plea/disposition hearings and other hearing types	• Reset to new opening time or continued by bailiffs • If continued, JPC's notify clients regarding modification hearings; defense counsel to notify clients regarding plea/disposition hearings and other hearing types
Trials (M and T)	• Continued by courts per parties' schedules (incl. addressing speedy trial timeframe) • Defense counsel to notify clients of new date	• Reset to new opening time • Defense counsel to notify clients of new time
Case setting (T, W, Th)	• In custody cases to be continued to next case setting court date • Out of custody cases continued to future dates one to two weeks later • Attorneys notify clients of new date	• Case setting will continued to be held at 1:00 p.m. T, W, Th
First appearances (M-F @ 2:00)	• Continued to next court date; probable cause findings conducted by phone • Respondents' families notified by probation screening unit	• Hold at scheduled time of 2:00 p.m.
Arraignments	• In-custody cases continued to next court date by Court One bailiff • Out-of-custody cases continued two weeks • In-custody respondents' families notified by probation screening unit • Out-of-custody respondents' families notified by clerk's office	• In-custody cases heard when court reopens • Out of custody cases heard when court reopens if possible and continued two weeks if not possible with notice provided by clerk's office of new date
Omnibus hearings (Tuesdays @10:00 a.m.)	• Continued to Friday at 1:30 p.m. • Attorneys may waive respondent's presence at rescheduled hearing upon agreement of the court	• Hold hearing on Tuesdays at 1:30 p.m.

Hearing Type	Closure	Delay
Juvenile Drug Court hearings	• Continued to following week or rescheduled for subsequent weeks • Attorneys notify respondents of new date with assistance of drug court JPCs	• Case staffing will be set to occur at new court opening time and court hearings will be held at normal 1:30 p.m. time
Family Treatment Court hearings	• Continued to following week or subsequent weeks depending upon hearing frequency for each client • Attorneys notify clients of court closure and hearing continuance • FTC social workers will also attempt to contact clients about closure and hearing continuance	• Case staffing will be set to occur at new court opening time and court hearings will be held at normal 1:30 p.m. time
ARY/CHINS hearings (Tuesday – Seattle and Thursday - Kent)	• Continued at least one week per parties' schedules • Attorneys notify respondents of new date	• Reset to new opening time or continued at least one week per parties' schedules • Attorneys notify respondents of new date
Truancy hearings (Mondays – Seattle and Fridays - Kent)	• Continued at least one week per parties' schedules • Court coordinator to notify respondents of new hearing date	• Reset to new opening time or continued per parties' schedules • If continued, court coordinator to notify respondent of new date
Warrant return hearings	• Continued to next court date by Court One bailiff • Respondents' families notified by probation screening unit	• Hearings reset for new court opening time

12. Offender Warrants

12.1 Warrants for Failure to Appear

When a youth fails to appear for a hearing, and an order for a warrant is issued at the prosecuting attorney's request, the PAO prepares the warrant on the same day and provides it to the Washington Crime Information Center (WACIC) coordinator who enters it into the state database. Once entered in the WACIC database, the warrant is available to law enforcement agencies throughout the state. All warrants have an expiration date calculated at the time they are issued.

12.2 Offenders Arrested by Law Enforcement: Two-Tier warrant Process

Under the Two-Tier Warrant process, the warrant order issued by the judge will designate the warrant as Tier 1 or Tier 2. A "Tier-1" warrant requires that a youth presented to detention be held for judicial review. A "Tier-2" warrant allows the youth to be given a new court date and

"screened out" or released on personal recognizance. Prior to release the youth provides current contact information, signs paperwork for release on personal recognizance (PR), and is given a new court date. Law enforcement can avoid transporting the youth to detention if the necessary materials can be transferred electronically. The two-tier warrant process was adopted as a pilot project by General Order 07-2-12050-5 and as a permanent policy by General Order 11-2-12050-3.

Criteria for the Tier-2 Warrants:

- Only failure to appear (FTA) warrants for Arraignment, Case Setting, & Deferred Disposition Review hearings.
- No prior warrant on the cause number.
- The most serious offense on the warrant matter is a misdemeanor (except any charge of prostitution or animal cruelty) OR a C/C+ felony that is a property or drug/alcohol offense only. Any offense involving a firearm or that includes a special allegation that the offense was undertaken with Sexual Motivation or is a Domestic Violence offense is automatically a Tier 1 warrant.
- Subjects of a 2-Tier Warrant shall not be held for judicial review except under the following circumstances:
  - Youth is presented to detention on a warrant(s) for an offense involving theft of a motor vehicle when another offense involving theft of a motor vehicle is pending.
  - Youth presented to detention on a Tier-2 warrant with a recent history of FTA – more than two (2) warrants in the past six (6) months.
  - Youth is presented to detention and no "responsible adult" is available to release the youth to (for example, parents refuse to have youth return to the home).
  - Youth is presented to detention and parent/guardian indicates that the youth has been absent from the home for at least 72 hours without parental consent and/or the youth is beyond the control of his/her parent such that the youth's behavior endangers his/her health, safety, or welfare or that of another person.

Process for 2-Tier Warrants:

- Deputy Prosecuting Attorney will determine technical eligibility for a Tier-2 warrant based on the criteria and mark the appropriate box on the warrant order form.
- Judges will review requests and if they agree, sign the warrant. If the court concludes that the prosecuting attorney selected the wrong tier designation, the court will correct the designation before signing.
- If the warrant is Tier-2 and there is no other matter that meets detention intake criteria, law enforcement has the option of presenting the youth to detention or assisting with the PR and screen out process in the field. At the officer's request, screening will fax out the PR paperwork with a new court date set out one week. The youth will sign the paperwork acknowledging the new court date and provide current contact information. The completed form will be faxed back to Screening. At that time, the youth may be released per the LE agency's policies. The youth cannot be admitted to detention on the warrant once the PR paperwork is completed.
- Screening will make a courtesy call to the parents/guardian informing them of the new court date and complete a Screening report.

- New Court Date: The screener will send a note for calendar to the Clerk's Office with the next court date. Copies for JPC's and DPA will be delivered with daily paperwork; defense attorney's copies will be faxed.

12.3 Violation of Court Order (VCO) Warrants (Issued at JPC Request)

A JPC supervising a youth on probation or on conditions of pre-trial release may move for a Violation of Court Order (VCO) warrant on the basis that the youth is not in compliance with a court order. If the youth is on supervision and his or her whereabouts are unknown, a modification hearing is set subject to call and a VCO warrant is requested; these warrants are also often referred to as "subject to call" warrants.

12.4 Warrant Quash Procedure: The Warrant Quash List

- Youth, attorneys, and JPCs can request to have a youth put on the warrant quash list. Call **(206) 296-1395** and provide the youth's full name, date of birth, and a working phone number. All youth will receive a confirmation phone call if a message is left. Warrant quash days are Monday, Wednesday, Thursday and Friday.
- The youth must be added to the list prior to 3:00 pm to be scheduled for a quash hearing on the next court day at 9:00 am. Calls after 3:00 pm will be scheduled for a warrant quash hearing two days out.
- The warrant quash list is then forwarded on to the Prosecuting Attorney's Office so that the files are available in the appropriate courtroom on the date scheduled for the quash hearing.
- The court has authorized some quashes to be handled administratively without a formal court hearing. Administrative quashes can be handled the same day. See Section 12.5 below for criteria.

What if a youth shows up for a warrant quash without prior notice?

- If a youth walks into the lobby to quash and is not eligible for an administrative quash, the front desk coordinator will look up the warrant information and follow the same procedure that is used for calls to schedule a quash hearing. If the youth is there prior to 3:00 pm, his/her name will be placed on the warrant quash list and scheduled for the next court day. If the youth appears after 3:00 pm, the case will be scheduled for a quash hearing two days out.
- Staff may contact the chief judge to arrange exceptions in unusual circumstances.

12.5 Administrative vs. Court Quashes

- A respondent who seeks to quash a bench warrant issued for case setting, where no prior case setting warrants have been issued on the case, is eligible for an administrative quash. Exceptions include:
    - If the warrant has been outstanding for more than four weeks, the respondent must come into court to address the case.
    - If the respondent has bench warrants outstanding for more than two cases and not all of them qualify for an administrative quash, the respondent must come into court to address the cases.

    - If staff have a particular concern about the safety of the community or of the youth, staff may refer an otherwise eligible case into court.

- Subject to call warrants (VCO, where the JPC agrees that the warrant may be quashed), may be administratively quashed.
- Only case setting and VCO Warrants are subject to an administrative quash. All other warrants, including, but not limited to, failure to appear for arraignment, for omnibus, for fact finding or for modification must be addressed in open court and are not subject to the administrative quash procedure.
- Once a youth eligible for an administrative quash has appeared, staff will bring an order quashing the bench warrant into court to be signed by the Chief Juvenile Judge.

12.6 Warrant Notification

When staff scan and distribute an order for issuing or quashing a warrant, the email notification shall include in the subject line, "ORDER ISSUING A BENCH WARRANT" or "ORDER FOR WARRANT QUASH". This is important so that timely action can be taken by the Prosecuting Attorney and other staff regarding these extremely time-sensitive orders.

12.7 Expiring Warrants

Warrants "expire" under three circumstances: (i) The expiration date of the warrant assigned at date of issuance has been reached (ii) The case is pre-resolution and the youth is now over 18 or, if jurisdiction was extended, the extension period has passed and (iii) The case is post-resolution, including orders granting a deferred disposition, and the youth is now over 21, with no restitution owing. The age of warrants is monitored by the prosecuting attorney, who will present an appropriate order to the court.

13. Diversion and Stipulated Order of Continuance

DIVERSION (PRE-FILING)

Certain youth referred to juvenile court may be eligible for an alternative to formal court processing known as diversion. In most cases, diversion is provided by the court's Partnership for Youth Justice program. After the prosecutor reviews the case and determines that the youth is eligible for diversion, the case is referred to the program. If both the youth and the program agree to diversion, the youth meets with a Community Accountability Board (CAB) made up of volunteers from the community or other community agency. The CAB and the youth enter into a written agreement about what consequences will be imposed for the youth's behavior. The agreement may include restitution to the victim, community service, a fine, counseling, informational or educational classes, and other options. If the youth does not want to participate in diversion or fails to comply with the agreement, the case is referred back to the prosecutor for filing of charges.

Domestic violence offenses that are subject to diversion are not referred to the CAB. Instead, Juvenile Probation serves as the diversion unit for these cases.

Diverted offenses are included in the offender's criminal history for subsequent disposition purposes but do not result in a criminal record. Diverted offenses are not scored when determining a standard range disposition.

See RCW 13.40.080, RCW 13.40.085, RCW 13.40.070, JuCR Title VI,

For more information visit the Partnership for Youth Justice website.

KCPAO 180 Program: The King County Prosecuting Attorney is currently piloting another pre-filing diversion program, primarily for youth who were not successful with Community Diversion. If the youth successfully completes this program, the case is not filed.

STIPULATED ORDER OF CONTINUANCE (SOC)

In the past, some cases rejected from diversion were "re-diverted" if the respondent, the prosecutor, and the JPC agreed. In August 2012, the prosecuting attorney implemented a new program to both replace and supplement the old "rediversion" process. A stipulated order of continuance is the State's agreement to dismiss a case if certain conditions are met. If, however, the respondent fails to comply with the court-ordered conditions, the matter will be adjudicated by way of a stipulated facts trial, with the respondent having waived his rights to a "normal" trial. SOC's will be used primarily for misdemeanor cases. There are two types of SOC's:

- **Drug Court Track III cases:** A specialized SOC for youth who have been identified as in need of further substance abuse assessment and treatment following the Short GAIN Screen (which will be done before casesetting). These youth will be connected to services and all dismissal (and any revocation) hearings will be in set in Court 2 on Friday mornings.
- **"Regular" SOC:** These cases do not involve youth with a substance abuse problem and will be returned to the case setting calendar for dismissal (similar to rediversions). No interim reviews will be set. If the State or JPC is seeking to terminate early for non-compliance, the hearing will be noted in the appropriate geographical court.

All requests for SOCs will come directly into Court One from case setting. The judge is not finding the youth guilty at the time of the entry into the agreement. Rather, the court is simply continuing the case for dismissal if conditions are met. If revoked, the judge reads the police report and does a stipulated facts trial and proceeds with disposition.

14. Juvenile Offender Court Forms

Electronic Forms: Electronic versions of many Juvenile Court Forms are available online at: Juvenile Offender Court Forms.

NCR/Hard Copy Forms: Hard copies of Juvenile Offender Court forms are available in the form banks located in each offender courtroom and in the attorney room on the main floor of Juvenile Court.

15. Appendix A: Glossary of Terms

This is a list of acronyms, phrases, workgroups, initiatives, programs and "buzz words" frequently used at juvenile court.

4C Coalition Mentor Program: The 4C program is a collaboration between a collective of churches in the Rainier Valley and the King County Superior Court. This program matches justice involved youth with positive role models from their community. The mentor helps the youth realize alternatives to destructive behavior while participating in positive one-on-one activities. The mentor works with the court and an advocacy team assigned to the youth to help overcome his or her personal challenges.

ART - Aggression Replacement Therapy: ART is an intensive group treatment program for juvenile offenders. ART is one of three treatment programs for juvenile offenders funded by the state under the Community Juvenile Accountability Act (CJAA). Eligibility for ART is determined by use of a statewide standardized risk assessment.

ASD - Alternatives to Secure Detention: The Department of Adult and Juvenile Detention (DAJD) operates detention programs that are less-restrictive than secure detention. Current programs are: Electric Home Monitoring (EHM), Day Reporting Center (DRC), Weekend Reporting, Work Crew and Group Care. Availability and eligibility criteria vary by program. ASD staff determine whether youth are eligible for the programs.

Assigned (Geographical) Court: Court assigned, generally by zip code, for dispositions and motions for detention review and many motions not yet set for trial (see below). Cases involving allegations of sex offenses are not assigned geographically but are assigned to the trial courts on a rotating basis.

CABs - Community Accountability Boards: Volunteer-based diversion boards comprised of members of local communities in which the juvenile offender resides (RCW 13.40.020(10). There are 23 CABs that hear diversion cases in communities throughout King County.

Central Diversion Unit/Partnership for Youth Justice: The Central Diversion Unit of the court processes all diversion cases and oversees the CABS.

CDDA - Chemical Dependency Disposition Alternative: CDDA is a disposition alternative for chemically dependent or substance abusing youth that meet certain criteria. See RCW 13.40.165. In King County, if the juvenile offender is subject to a standard range of local sanctions and the court determines that the CDDA is appropriate, the offender will be subject to the CDDA community supervision case management standards, requiring a higher level of accountability and increased involvement with treatment service provision. The intention of these additional case management standards is to increase engagement into and successful completion of required treatment. Any offender placed on a CDDA disposition will be required to have an in-court progress review at a minimum of halfway through his/her supervision period. It is recommended that the date and time of this hearing be set during the disposition hearing and put in the disposition court order.

CJAA - Community Juvenile Accountability Act: The CJAA is a state funded grant program designed to create financial incentives for local jurisdictions to implement research-based treatment and intervention programs, primarily for juvenile offenders. The Washington State Institute for Public Policy (WSIPP) identified research-based programs that have reduced recidivism and are cost-effective. Three of those programs are being implemented in King County: MST (Multi-systemic Therapy), ART (Aggression Replacement Treatment) and FFT (Family Functional Therapy). The Juvenile Court Administrators (JCAs) have implemented a statewide risk assessment tool used to identify a youth's risk to re-offend, protective factors, and whether the youth is eligible for one of the selected programs. The three programs are often referred to as the "three T's" and "proven programs." See RCW 13.40.510 through 13.40.550 for statutes governing CJAA.

CLIP (Children's Long Term Inpatient Program) Bed: CLIP is an intensive inpatient psychiatric treatment available to WA State residents, ages 5-18 years of age. CLIP is a medically based treatment approach providing 24 hour psychiatric care staffed by Psychiatrists, Master level Social Workers, RN's and other clinical experts provided in a secure and highly structured setting designed to assess, treat and stabilize youth diagnosed with psychiatric and behavioral disorders.

Commitment to JRA: The state has jurisdiction over youth whose terms of confinement are longer than thirty days. Those youth are committed to the Department of Social and Health Services and confined in institutions operated by DSHS's Juvenile Rehabilitation Administration (JRA). See RCW 13.40.0357, 13.40.160 and related statutes governing dispositions and JRA.

Community Programs Unit: A Court Services unit that develops employment opportunities for youth on probation and collects restitution.

COS – Coordination of Services: An evidence-based program targeting low risk youth and their families. Coordination of Services is a 12 hour seminar offered over two consecutive Saturdays. The program has two objectives: 1) to intervene with youth and their families at an early point in their involvement with the courts to prevent further penetration into the juvenile justice system; and 2) to provide information, skill building, and linkage to community resources. The overriding goal of the program is to reduce felony recidivism in this population.

Court Services: The term "Court Services" refers to the various probation units, records, and special programs, such as Drug Court and Community Programs. Probation units include the consolidated intake unit, screening, the low-level supervision/student intern unit, and the four field supervision units.

CSTC - Child Study and Treatment Center: Is the only state-run, state-operated psychiatric hospital for children in Washington State. It is designed and staffed for the evaluation and treatment of children from ages 6 through 17. CSTC offers inpatient treatment and forensic mental health evaluations for the Washington State Juvenile Court System.

DAJD – Department of Adult and Juvenile Detention: The DAJD operates the detention facility and Alternatives to Secure Detention Programs (ASD).

Decline Hearings and automatic decline of youth: A statute allows the court to decline jurisdiction over a youth and transfer the youth to adult court for prosecution as an adult if certain factors, known as the "Kent factors" are met. The law also provides that certain youth under age 18 are automatically considered adults for purposes of prosecution and no decline hearing is held. See RCW 13.40.110 and 13.04.030.

Deferred Dispositions: Eligible youth stipulate to the facts in support of the charge and are adjudicated but the court defers imposition of the disposition. The charge is ultimately dismissed if the youth complies with terms of community supervision. See RCW 13.40.127.

Detention Intake Criteria: Juvenile Court has approved detention intake criteria that are used by Juvenile Probation Counselors (JPCs) in the Screening Unit to determine whether a youth in the custody of law enforcement will be admitted into detention. If the youth does not meet any detention or override criteria, the youth may not be presented to detention.

Detention Risk Assessment Instrument (DRAI): The Detention Risk Assessment Instrument (DRAI) is a point-based tool administered by the Screening Unit to youth admitted to detention on a new offense or warrant that generates a recommendation for "release", "ASD Eligible", or "Secure Detention" for the first court hearing. The DRAI is updated for in-custody arraignment/detention review hearings. The DRAI is part of a web-based application that is used to capture information from the detention intake screening process and generates the Screening Report and Detention Review Notes forms.

Disposition: Terminology used in juvenile code to refer to sentence imposed on a juvenile offender.

Disposition Guidelines: Guidelines for JPCs to use when making disposition recommendations to the court. At the time of this writing, the disposition guidelines have not yet been implemented but the juvenile court judges have approved them.

Diversion: Statutory authorized process for youth who commit minor offenses as an alternative to the formal juvenile court process (see RCW 13.40.080). If diverted youth successfully comply with diversion requirements, the underlying offense does not appear on the children's record.

DPA: Deputy Prosecuting Attorney representing the State.

DRAI: See **Detention Risk Assessment Instrument.** The DRAI is administered by probation officers who screen juveniles brought to detention. Based on several risk factors, the DRAI provides a recommendation for the court with regard to the most appropriate placement for the juvenile pending adjudication.

DRC – Day Reporting Center: Is an Alternative to Secure Detention (ASD) Program operated by the Department of Adult and Juvenile Detention (DAJD) and the Seattle School District at the Alder Complex in Seattle. The program is an alternative school operated by the Seattle Public School's Interagency Academy.

Drug Court: A court-based drug court program for juveniles with drug problems. Drug Court is operated by a specialized team including a judge, JPCs, ASD specialists, prosecutors, defense attorneys, law enforcement and treatment providers. Drug Court has a separate calendar, currently on Wednesday afternoons. A youth who successfully completes drug court will have charges dismissed.

EBP – Evidence-Based Program/Practice: Interventions that through research are found to be beneficial, effective, and replicable for at-risk youth.

EHM or EM - Electronic Home Monitoring: Is an Alternative to Secure Detention Program (ASD) operated by the Department of Adult and Juvenile Detention (DAJD). EHM is a countywide program.

Fact Finding: A fact finding is the equivalent to a trial in the adult system.

FFT – Functional Family Therapy: Intensive 24/7, home-based intervention and support for 4-6 months. FFT is an evidence-based program available countywide.

Field Supervision Units: Court Services has four JPC units geographically distributed. JPCs in the units supervise moderate to high-risk youth on probation except sex offenders and youth in the CDDA and Drug Court programs. The Units are Northeast (Bellevue), City, Kent, and Southeast (Renton).

FIT – Family Integrated Transition: Intensive 24/7, home based intervention and support for 5-6 months with Dialectical Behavioral Therapy. FIT is an evidence-based program available countywide.

Group Care: An Alternative to Secure Detention Program (ASD). A group home is under contract with the Department of Adult and Juvenile Detention (DAJD) to provide beds for juvenile offenders or non-offenders committed to detention.

Intake Unit: The Consolidated Intake Unit handles most cases where an information has been filed alleging a juvenile committed an offense. Intake JPCs conduct risk assessments and prepare disposition reports for the court. If a juvenile is already on probation and commits a new offense, his/her assigned JPC performs the intake function. The Consolidated Intake Unit also provides intake and coordinates evaluations of juvenile offenders whose current alleged offense and prior criminal history make them eligible for commitment to a JRA institution. The JRA Diagnostic functions are funded primarily by the state.

JDAI – Juvenile Detention Alternative Initiative: The JDAI is a juvenile justice reform effort sponsored by the Anne E. Casey Foundation. In 2004, King County formally became a

JDAI replication site. The objectives of the initiative are to reduce the number of children unnecessarily or inappropriately detained; to minimize the number of youth who fail to appear in court or reoffend pending adjudication; to redirect public funds toward successful reform strategies; and to improve conditions of confinement.

JIMS – Juvenile Information Management System: JIMS is scheduled to replace JJWEB, the King County juvenile justice data system shared by the Juvenile Prosecutor, Juvenile Detention and Juvenile Court, in May 2012. Effective March 2012 the juvenile court calendaring was moved to KCMS.

JJAT - Juvenile Justice Assessment Team: The JJAT provides mental health, substance abuse, and psychological evaluations as well as psychiatric consultation for any court involved youth. The team consists of a social worker, clinical psychologist, children's mental health specialist and chemical dependency professionals.

JJWEB – Juvenile Justice Web-Based data system: JJWEB is the King County juvenile justice data system shared by the Juvenile Prosecutor, Juvenile Detention and Juvenile Court. The system is scheduled to be replaced in May 2012 with the JIMS data system. Effective March 2012 the juvenile court calendaring was moved to KCMS.

JPC - Juvenile Probation Counselors: Refers to Juvenile Probation Counselors.

JRA - Juvenile Rehabilitation Administration: The Juvenile Rehabilitation Administration is within the Department of Social and Health Services (DSHS). The JRA operates state institutions for offenders committed to the DSHS. The JRA also is usually the fiscal agent overseeing state funds given to local jurisdictions. Currently, the counties receive funding from the legislature through the Consolidated Juvenile Services Contracts with JRA. Counties have contracts with JRA to provide funds for SSODA, CDDA, CJAA programs and risk assessments, Diagnostic services and general undesignated funds under the consolidated contracts. Most of the funds in the CJS contract are used to fund probation staff.

KCMS – King County Management System: Is the data system used by King County Superior Court for managing and calendaring cases.

LFO - Legal Financial Obligations: Refers to legal financial obligations the court may impose in a juvenile offender disposition such as court costs, fines and the victim penalty assessment.

Local Sanctions: Disposition options for offenders retained under county jurisdiction. Local sanctions include up to 30 days confinement; up to 12 months community supervision; up to 150 hours of community service, and up to a $500 fine. See RCW 13.40.020(16) and related disposition statutes.

MHDA - Mental Health Disposition Alternative: MHDA allows courts to place eligible youth with mental health problems on a suspended disposition and retain them in the community rather than send them to JRA.

MI - Manifest Injustice Disposition: The court imposes a term of confinement that is either above or below the standard range when the court finds that the standard range would either impose an excessive penalty on the juvenile or would impose a serious, and clear danger to society. See RCW 13.40.020(17) and 13.40.160.

MOD - Modification of Dispositions: If an offender violates the terms of probation, the JPC may make a motion to the court to "modify" the disposition and impose sanctions and interventions. See RCW 13.40.200.

MST - Multi-systemic Therapy: MST is one of the CJAA programs funded by the state. MST in an intensive family based treatment program that emphasizes the importance of social networks, skills development for parents and coping strategies for adolescents. It is one of the "three Ts."

OPD – Office of Public Defense: Refers to the Office of Public Defense.

Partnership for Youth Justice Program/Central Diversion Services: King County Superior Court's volunteer based diversion program that provides diversion services in 23 communities throughout the County.

Plea/Dispo: A short hand reference to entering a plea and proceeding to disposition in the same hearing.

Probation Supervision Standards: Court Services has adopted probation supervision standards.

PACT – Positive Assessment Case Management Tool: The PACT is a nationally-recognized, validated, and reliable risk assessment tool which identifies the individual criminogenic risks and needs of the youth. The JPCs in the Consolidated Intake Unit give the youth a short version of the PACT after the youth is arraigned. The short form will indicate whether the youth poses a low, moderate, or high risk to re-offend. The full PACT is administered to all moderate and high risk youth placed on probation supervision. The case plan for the youth derives from this assessment and it is used to determine eligibility for evidence-based programs.

ROYAL (Raising Our Youth as Leaders) Program: ROYAL provides case management, mentorship, and life skills training for moderate to high-risk youth of color in the juvenile justice system.

Screening Unit: Screening Unit JPCs "screen" youth presented to detention to determine if the youth should be admitted into detention under the detention intake criteria or under a warrant, or parole hold. Screening Unit JPCs are located in detention near central detention intake. Screening JPCs administer the Detention Risk Assessment Instrument (DRAI) which generates a placement recommendation for the first court hearing and prepare detention review reports for the court's consideration at detention review hearings.

SDA - Suspended Disposition Alternative: SDA is a suspended disposition option that allows eligible youth that would otherwise be committed to JRA to remain in the community under certain conditions.

SSODA - Special Sexual Offender Disposition Alternative: SSODA is a suspended disposition option that allows eligible youth that would otherwise be committed to JRA to remain in the community under certain conditions. See RCW 13.40.160.

Standard Range Disposition: The Juvenile Justice Act of 1977 establishes presumptive "standard ranges" of terms of commitment to JRA based on the seriousness of the offense and the youth's criminal history. A standard range sets a minimum term of confinement and a maximum term of confinement. The JRA then sets the release date between the ranges. If the court imposes a manifest injustice, the court sets the minimum and maximum term subject to limitations of RCW 13.40.030(2).

VCO (Violation of Court Order) Warrant: For pre-adjudicated youth, a VCO warrant may be requested by a JPC who has probable cause to believe that a youth is in violation of court-ordered conditions of release and there is an immediate need for court intervention. For youth on probation supervision, a JPC may request a VCO warrant when the youth's whereabouts are unknown and set a modification hearing subject to call. Under these circumstances, the VCO warrant is often referred to as a "subject to call warrant".

VPA – Victim Penalty Assessment: Victim penalty assessment is a legal financial obligation which cannot be waived and must be ordered in every juvenile disposition, regardless of whether there is a "victim." Like other financial obligations, victim penalty assessments can be enforced for a total of 20 years after the respondent's 18th birthday.

Warrant Reduction Project: The warrant reduction project is designed to reduce failures to appear, resulting in warrants and detention placements. Probation clerical staff call youth to remind them to appear for arraignment.

Warrant Prevention Program: A grant funded pilot project that involves a contracted community agency (YMCA's Alive and Free Program) contacting filed on youth and providing information and support to assist the youth and their families in attending scheduled arraignment and case setting hearings.

16. Appendix B: Juvenile Offender Legal Financial Obligations

1. Per RCW 7.68.035(1)(b) a $100 Crime Victim Penalty is assessed on all felony and gross misdemeanor convictions. A $75 Crime Victim Penalty is assessed on all misdemeanor convictions. This fee cannot be waived.

2. Trust fees are authorized per KCC 4A.630.120(B)(2). The fee is $10 on each restitution payment of $25.01 and over. Trust fees can be waived but must be done per court order. This fee only applies to payment processed through the court's registry (i.e. to payments of restitution). It is not collected when the payment is applied to fines or fees.

3. If a respondent pays the entire amount of legal financial obligations off in one lump sum payment, and this payment includes payment of restitution, the trust fee would still apply unless it is waived by court order.

4. LFO collection work is within the jurisdiction of JPCs through the term of probation.

5. When the offender reaches the age of 18, if there are still LFOs owing, DJA establishes a judgment in the judgments docket for the remaining LFO balance. Once the judgment is established the balance at that time begins accruing interest and DJA becomes responsible for collection of the LFO. A copy of the financial history screen is filed at that time to document the amount of the judgment. This judgment is valid at least ten years from the date of disposition, and can be extended for an additional ten year period.

6. Once DJA becomes responsible for collection of the LFO, it may assess a $100 collection fee, as authorized in RCW 36.18.016. DJA will only assess this fee if an offender is delinquent. If they are identified as being delinquent, they are sent notice of the delinquency and are given a minimum of 30 days to cure the delinquency. If, after notice and passage of at least 30 days, the offender is delinquent, DJA may assess this fee. This is a statutory fee which is not subject to waiver.

7. Interest does not start accruing on juvenile offender cases until a judgment is established when the juvenile is 18 years of age or older and still owes legal financial obligations as a result of a juvenile offender matter. Interest accrues at a rate of 12% per statute.

8. Interest on fines and fees may be waived by court order. Interest on restitution may be reduced by court order if the court enters findings as described in RCW 10.82.090.

9. If the court wishes to structure payments for a single offender such that they are "consecutive" across multiple offender cases, they could enter an order to the effect of "payments on the current case are to be made after (or before) payments on all prior cases". The court needs to be aware that DJA has no way to enforce this, so if this is the court's intent, the court needs to be clear with the offender that they must advise DJA when making payments, the proper case numbers to apply payments to.