

February 3, 2018

TO: Judicial and Legal Community

FROM: Mark DeForrest, AOC Legal Services Senior Analyst

RE: Amendment to Misdemeanor Judgment and Sentence Form

The Washington Pattern Forms Committee adopted revisions to the following Misdemeanor Judgment and Sentence forms:

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| CrRLJ 07.0110 | Judgment and Sentence (JS) |

The changes implement approved recommended changes and:

* Laws of 2017, ch. 272 (ESSHB 1163) relating to the definition of relationships for family or household member in relation to the crime of domestic assault). This law became effective at 12:01 am on Sunday, July 23, 2017.
* RCW 26.50.110 imposing a mandatory fine of $15 for violation of a domestic violence protection order under chapter 26.50 RCW.
* RCW 9.41.270(2) requiring revocation of any concealed pistol license possessed or issued to a defendant convicted of an offense under RCW 9.41.270(1)

The Washington Pattern Forms Committee adopted a new form to add to the Misdemeanor Judgment and Sentence forms:

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| CrRLJ 07.0850 | Notice to Department of Licensing Regarding Revocation of Defendant’s Concealed Pistol License |

This new form implements:

* RCW 9.41.270(2) requiring revocation of any concealed pistol license possessed or issued to a defendant convicted of an offense under RCW 9.41.270(1).

The following table contains detailed descriptions of the changes:

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| 1. **CrRLJ 07.0110 Judgment and Sentence** |
| To implement RCW 9.41.270(2) requiring revocation of any concealed pistol license possessed or issued to a defendant convicted of an offense under RCW 9.41.270(1), add the following text under the title of the form in the court caption at on page 1 of 1:  Clerk’s Action Required: DOL notice  To implement Laws of 2017, ch. 272 and to provide for consistency in the use of docket codes in the form, the following new text should be added to page 1 of 3 after the table listing the counts, crime, and RCW or Ordinance (with subsection):  ***GV***  For the crime(s) charged in count(s) \_\_\_\_\_\_\_\_\_\_\_\_, domestic violence – intimate partner was pled and proved. RCW 9A.36.041(4).  ***GV***  For the crime(s) charged in count(s)\_\_\_\_\_\_\_\_\_\_\_\_, domestic violence (other) was pled and proved. RCW 10.99.020.  In the paragraph on page 1 of 3 that begins with a checkbox and the following text: “This crime is an offense which requires,” add the following text to the paragraph so it now reads:  This crime is an offense which requires sex or kidnapping offender  registration, or is one of the following offenses, assault in the fourth degree  domestic violence, assault in the fourth degree with sexual motivation,  communication with a minor for immoral purposes, custodial sexual  misconduct in the second degree, failure to register, harassment,  patronizing a prostitute, sexual misconduct with a minor in the second  degree, stalking, or violation of a sexual assault protection order granted  under chapter 7.90 RCW. Therefore, the defendant shall have a biological  sample collected for purposes of DNA identification analysis. This paragraph  does not apply if it is established that the Washington State Patrol crime  laboratory already has a sample from defendant for a qualifying offense.  RCW 43.43.754  In the table listing defendant’s obligations to pay the clerk of the court at the bottom of page 1 of 3, in the right side column just above the “Total” line, revise the text to add the following:  DPR fee (RCW 26.50.110) $ 30.75  On page 2 of 3 before the checkbox paragraph at the bottom of the page titled “Department of Licensing Notice – Defendant under age 21 only.” add the following checkbox paragraph:  **Department of Licensing Notice – violation of RCW 9.41.270.**  Count is (a) a violation of RCW 9.41.270 (unlawful carrying or  handling of weapons), a gross misdemeanor for which the penalty include loss of the defendant’s concealed pistol license, if any.  **Clerk’s Action –**The clerk shall forward a Notice of Revocation of Concealed Pistol License to DOL. |
| 1. **CrRLJ 07.0850 Notice to Department of Licensing Regarding Revocation of Defendant’s Concealed Pistol License** |
| This is a new form. Please see the form. |