



June 25, 2020

TO: Judges, Commissioners, County Clerks, Court Administrators,
Court Facilitators, Libraries, Attorneys, and the Public

FROM: Ashley Tam, AOC Sr. Legal Analyst

RE: Summary of Changes to Juvenile Court Forms (June 2020)

The Washington Pattern Forms Committee primarily updated the Juvenile Court pattern forms to incorporate the changes to law, specifically:

[Laws of 2020, ch. 167, 2SHB 1191](#), School Notifications – Various Provisions
[Laws of 2020, ch. 76, ESHB 1551](#), Communicable Disease Control – Various Provisions
[Laws of 2020, ch. 26, ESHB 2318](#), Criminal Investigatory Practices – Various Provisions
[Laws of 2020, ch. 29, SHB 2473](#), Domestic Violence – Various Provisions
[Laws of 2020, ch. 249, ESB 6180](#), Special Sexual Offender Disposition Alternative – Juveniles




We also removed the Out-of-Home Placement Forms from the [court form website](#) because the [Laws of 2020, ch. 41, HB 2682](#), Children with Developmental Disabilities – Out-of-Home Placement Services, eliminated the need for them. The following forms were removed on June 11, 2020:

- JU 12.0100 – Petition for Review of Out-of-Home Placement
- JU 12.0400 – Order on Review of Out-of-Home Placement
- JU 12.0500 – Review Hearing Order/Permanency Planning Hearing

In addition, we updated our forms to better show the impact of [State v. Linssen, 131 Wn. App. 292, 126 P.3d 1287 \(2006\)](#) and 45 C.F.R. § 1356.21, Foster Care Maintenance Payments Program Implementation Requirements. We also made changes to address user feedback, use more inclusive terms, improve form accuracy, and clarify information contained in the forms.

To provide a timely Summary of Changes for our court form users, we have switched to creating the Juvenile Court Forms Summary of Changes¹ using Adobe Acrobat Pro's Compare Tool. Depending on your .pdf reader and software version, you now have more options to create a customized report to meet your needs.

Some tips on using our Summary of Changes in Adobe Acrobat 2017:

1. Use the Bookmarks in the left pane to locate the form you would like to review. (Look for the  icon.) Click on the name of the form.
2. Hover over icons (e.g., a message bubble or white "x" enclosed in red circle) in the document to see changes appear in a pop-up text box, or click on the icons to see them in the right pane.
3. To filter the types of changes you would like to see:
 - a. Select  **Comment** in the right pane. If you don't see the Comment icon to the right, go to View in your menu bar, then select Tools>Comment>Open.
 - b. Click on the upside down triangle next to the filter  icon in the right pane.
 - c. Select Reviewer, and then choose the types of changes you would like to view in the Summary of Changes.
4. If you select the three dots next to the filter icon, you will see an option to "Print with Comment Summary. . ."

To provide feedback about our Summary of Changes or our court forms, please complete our online form at:

<http://www.courts.wa.gov/forms/?fa=forms.formsComments>.

¹ The Summary of Changes for the Juvenile Court Guilty Plea (JuCR) forms are contained in a separate summary located at:

<http://www.courts.wa.gov/forms/?fa=forms.static&staticID=2#GuiltyPlea>.

Compare Results

Old File:

**JU02_020_Shelter Care Hearing Order_2019
07.pdf**

10 pages (238 KB)
8/8/2019 10:03:42 AM

versus

New File:

**JU02 0200 Shelter Care Hearing Order_2020
06.pdf**

10 pages (50 KB)
6/9/2020 7:54:51 PM

Total Changes

280

Content

35 Replacements
34 Insertions
34 Deletions

Styling and Annotations

177 Styling
0 Annotations

[Go to First Change \(page 1\)](#)

Superior Court of Washington
County of _____
Juvenile Court

Dependency of:

D.O.B.:

No:

Shelter Care Hearing Order (SCOR)

- Agreed as to mother father other
- Contested as to mother father other
- Default as to mother father other

Clerk's Action Required. Para. 3.5 (EDL), 3.9

The parties shall:

Hold a case conference/ _____:
On: (Date) _____ at _____ a.m./p.m.
At: _____
Address: _____

Not hold a case conference at this time because the parent did not appear at shelter care did not want to participate.

The court shall:

Conduct a _____ hearing:
On: (Date) _____ at _____ a.m./p.m.
At: _____ Court, Room/Department: _____
Address: _____

I. Hearing

1.1 **Petition:** A dependency petition was filed in this matter on (date) _____ by DCYF Other _____.

The child was removed from the parents' care on (date) _____ by court order protective custody hospital/doctor hold voluntary placement agreement. The court held a shelter care hearing on this date or on (date) _____.

1.2 **Appearance:** The following persons appeared at the hearing:

- | | |
|--|--|
| <input type="checkbox"/> Child | <input type="checkbox"/> Child's Lawyer |
| <input type="checkbox"/> Mother | <input type="checkbox"/> Mother's Lawyer |
| <input type="checkbox"/> Father | <input type="checkbox"/> Father's Lawyer |
| <input type="checkbox"/> Alleged Father <input type="checkbox"/> | <input type="checkbox"/> Alleged Father <input type="checkbox"/> |
| <input type="checkbox"/> Guardian or Legal Custodian | <input type="checkbox"/> Guardian's or Legal Custodian's Lawyer |
| <input type="checkbox"/> Child's GAL/CASA | <input type="checkbox"/> GAL's Lawyer |
| <input type="checkbox"/> DCYF Worker | <input type="checkbox"/> DCYF's Lawyer |
| <input type="checkbox"/> Tribal Representative | <input type="checkbox"/> Current Caregiver |
| <input type="checkbox"/> Interpreter for <input type="checkbox"/> mother <input type="checkbox"/> father | <input type="checkbox"/> |
| <input type="checkbox"/> (name) _____ | _____ |

1.3 **Basis:** The court considered the dependency petition, declarations, testimony, if any, and the relevant court records.

- The child is 12 years old or older and the court made the inquiry required by RCW 13.34.100(6).

II. Findings

2.1 **Notice:** The petitioner gave adequate notice as required under RCW 13.34.062 to the mother father child if age 12 or older guardian legal custodian other:

The petitioner has has not made reasonable efforts to provide notice to the mother father child guardian legal custodian other: and to inform them of their rights.

2.2 **Child's Indian Status:** The court asked each participant on the record whether the participant knows or has reason to know that the child is an Indian child.

The petitioner has has not made a good faith effort to determine whether the child is an Indian Child.

- Based upon the following, there is not a reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), and the Federal and Washington State Indian Child Welfare Acts do not apply to this proceeding:

- Based upon the following information currently available to the court, there is reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), and the Federal and Washington State Indian Child Welfare Acts do apply to this proceeding, unless and until it is determined on the record that the child does not meet the definition of an Indian child:

- Based upon the following, the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), and the Federal and Washington State Indian Child Welfare Acts do apply to this proceeding:

The petitioner has has not made preliminary efforts to notify all tribes to which the petitioner or court knows or has reason to know the child may be a member or eligible for membership of this proceeding.

2.3 **Rights:** The parties present at the hearing were informed of their rights pursuant to RCW 13.34.065 and 13.34.090.

2.4 **Waiver of Shelter Care Hearing:** The mother father guardian legal custodian requested a waiver of the shelter care hearing. The court determined that the parent, guardian, or legal custodian was was not represented by an attorney and the waiver of the shelter care hearing was knowing and voluntary.

2.5 **Shelter Care Factors:**

The court considered the following factors:

(a) What services DCYF provided to the family to prevent or eliminate the need for removal of the child from the child's home.

If lack of suitable housing was a significant factor in removal of the child, whether DCYF provided housing assistance to the family.

(b) Whether the child can be safely returned to the home pending the dependency fact-finding hearing.

(c) Whether restraining orders or orders excluding an allegedly abusive household member from the house of a nonabusive parent, guardian, or legal custodian, will allow the child to safely remain in the home.

(d) What efforts DCYF made to place the child with a relative or other suitable person known to the child and with whom the child has a relationship. The court inquired whether DCYF has discussed this issue with the parents.

(e) Whether the placement proposed by DCYF is the least disruptive and most family-like setting that meets the needs of the child.

(f) Appointment of an attorney or guardian *ad litem* for the child's parent, guardian, or legal custodian, or for the child.

(g) The terms and conditions for parental, sibling, and family visits.

2.6 **Reasonable Efforts:**

Petitioner has has not made reasonable efforts to prevent or eliminate the need for removal of the child from the child's home for the reasons set forth in the dependency petition, supporting declarations and affidavits, and the testimony presented to the court.

This finding is also based on the following:

Specific services offered or provided to the parent(s) have been unable to remedy the unsafe conditions in the home and make it possible for the child to return home; and

The risk of imminent harm to the child as assessed by petitioner establishes reasonable cause for the continued out-of-home placement of the child pending the fact finding hearing;

The child has no parent, guardian, or legal custodian to provide supervision and care for such child;

- The release of such child would present a serious threat of substantial harm to such child, notwithstanding an order entered pursuant to RCW 26.44.063;
- The parent, guardian, or custodian to whom the child could be released has been charged with violating RCW 9A.40.060 or 9A.40.070.
- DCYF did **not** make reasonable efforts to prevent or eliminate the need for removal of the child from the child's home.
- This finding is based on the following:

2.7 Shelter Care:

- The court does not find reasonable cause to believe that shelter care is needed.
- It is currently contrary to the welfare of the child to remain in or return home. The child is in need of shelter care because there is reasonable cause to believe:
 - The child has no parent, guardian, or legal custodian to provide supervision or care for such child; and/or
 - The release of the child would present a serious threat of substantial harm to the child; and/or
 - The parent, guardian or custodian to whom the child could be released is alleged to have violated RCW 9A.40.060 or 9A.40.070.
- The child is or there is reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4). The child is in need of shelter care to prevent imminent physical damage or harm to the child.

2.8 Placement:

- A relative or suitable person is available or willing to care for the child and to meet any special needs of the child or to facilitate the child's visitation with siblings.
 - Placement with the relative or other suitable person is in the child's best interests.
 - DCYF needs to further investigate the character and suitability of the proposed relative or other suitable person to determine if the placement is in the child's best interests.
 - Placement with the relative or other suitable person is not in the child's best interests as there is reasonable cause to believe that placement of the child with the relative or suitable person would jeopardize the health, safety or welfare of the child hinder efforts to reunite the parent and child.
- A relative or suitable person is not available or willing to care for the child and to meet any special needs of the child or to facilitate the child's visitation with siblings.
- DCYF made the following efforts toward placement with a relative or other suitable person:

2.9 Restraining Order:

The court finds reasonable cause to believe that an incident of sexual or physical abuse has occurred and that a restraining order is necessary pursuant to RCW 26.44.063(2).

A restraining order has been shall be entered pursuant RCW 26.44.063 and shall be incorporated by reference into this order. Placement of the child with (name) _____ shall be contingent on continued compliance with the terms of the restraining order.

2.10 Services:

The court inquired into whether the child, the parent or parent(s), or the legal guardian requires examinations, evaluations, or immediate services. The court also inquired into whether the parent(s) agree(s) to any recommended services, and the parent(s) agree(s) to participate in the services listed in the Order.

The Department recommends the following examinations, evaluations, or immediate services for the child:

The child is 12 or older and agrees to the services was notified of the services was notified that he/she may request an attorney.

2.11 Education status:

The child is not of school age.

The court considered whether it is in the best interest of the child to remain enrolled in the (name of school, developmental program, or child care) _____ the child was in prior to placement and what efforts have been made to maintain the child in the school, program, or child care if it would be in the best interest of the child to remain in the same school, program, or child care.

The child should not remain enrolled in the child's present school, developmental program, or child care and the reasons for the transfer to a new school, developmental program, or child care are:

DCYF should enroll the child in school, developmental program, or child care immediately and within seven school days and request transfer of records.

DCYF is responsible for coordinating the student's educational information.

The child meets the criteria for appointment of an educational liaison. DCYF recommends that the court appoint (name) _____ as the child's educational liaison.

The parents are not able to serve as the educational liaison because:

2.12 **Parental Cooperation:**

- It is in the child's best interest for the parent to cooperate with DCYF and provide a current address and phone number to the social worker at all times. Within two weeks of the entry of this order, the parents should provide additional information necessary for placement and notice purposes including:
 - (a) The names, addresses, and phone number of any relatives or other suitable persons who may be placement resources for the child.
 - (b) The names, addresses, phone numbers and other identifying information of any alleged parent(s) of the child.
 - (c) Any known information regarding possible membership in or descent from an Indian tribe.
 - (d) Information necessary to determine financial eligibility for services or foster care.

2.13 **Release of Information:**

- It is in the child's best interest for DCYF, attorney for DCYF, parent's attorney, the guardian ad litem and the attorney for the child to receive all records and all reports related to services completed by the parents.

2.14 **Other:**

III. Order

3.1 **Placement:**

- The child is released to the child's parent, guardian or legal custodian:

Name(s): _____

Address: _____

Subject to the following conditions: _____

- The child is placed in or shall remain in shelter care, in the temporary custody and under the supervision of DCYF, which shall have the authority to place the child in:

- Licensed foster care.
- Relative placement with (name). _____
- Placement with a suitable person: (name) _____.

Placement with the relative or suitable person is contingent upon the caregiver's cooperation with the DCYF case plan and compliance with this, and all subsequent court orders related to the care and supervision of the child, including but not limited to parent-child contact, sibling contacts, and any other conditions imposed by the court.

Placement conditions: _____

DCYF shall continue to make reasonable efforts to locate and investigate an appropriate relative or other suitable person who is available and willing to care for the child, and is authorized to share information with potential relative or other suitable person placement resources as necessary to determine their suitability and willingness as a placement for the child.

DCYF shall have authority to place the child with an appropriate relative with prior reasonable notice to the parties, subject to review by the court.

3.2 **Visitation:** DCYF shall provide visits between the child and parent, guardian, or legal custodian as follows:

Per visitation attachment.

As follows: _____

If siblings are not placed together, DCYF shall provide sibling visits or contact as follows:

Visitation may be expanded upon agreement of the parties. ❌

3.3 **Attorney/GAL Appointments:** Attorney and guardian *ad litem* appointments are as follows:

attorney guardian *ad litem* for (name) _____.

attorney guardian *ad litem* for (name) _____.

attorney guardian *ad litem* for (name) _____.

attorney guardian *ad litem* for (name) _____.

3.4 **Services:**

DCYF shall offer or provide and the parent/guardian/custodian shall participate in the following agreed upon examinations, evaluations, or immediate services:

The mother shall participate in the following:

The father shall participate in the following: _____

The alleged father (name) _____ shall participate in the following:

The guardian/legal custodian shall participate in the following:

DCYF shall provide and the child shall participate in the following examinations, evaluations, or immediate services:

Per attached service plan.

Other: _____

3.5 Education:

DCYF or its designee shall immediately and within seven school days timely enroll the child in school and request transfer of records.

DCYF or its designee shall provide the child's school with a certified copy of the Order and Authorization Re Health Care and Education.

(Name) _____ is appointed as the child's educational liaison to carry out the responsibilities described in RCW 13.34.046. The educational liaison must complete criminal background checks required by DCYF.

3.6 Paternity:

The alleged father(s) _____ shall cooperate in the establishment of paternity and shall complete all interviews, paperwork, and genetic testing within _____ days of the entry of this order.

The mother shall cooperate in the establishment of paternity and shall complete all interviews, paperwork, and genetic testing within _____ days of the entry of this order.

The child shall be made available for genetic testing.

If paternity has not been established regarding the child, the court authorizes the _____ County Prosecutor's Office to proceed in the _____ County Superior Court, Family Law Division, on the issue of paternity, current and past child support, and costs.

3.7 Release of Information:

Parents shall sign all necessary releases to allow DCYF to comply with all federal and state relative search requirements.

3.8 General:

DCYF shall have the right to access, inspect, and copy all records pertaining to the above-named child, including but not limited to health, medical, mental health and educational records.

DCYF may authorize evaluations of the child's physical or emotional condition, routine medical and dental examination and care, and all necessary emergency care.

DCYF shall make reasonable efforts to advise the child's mother father legal guardian or custodian of the status of this case, including the date and time of the hearing(s) scheduled below and their rights under RCW 13.34.090.

3.9 Restraining Order:

The court signed a separate restraining order on this date.

The restraining order entered pursuant to RCW 26.44.063 is incorporated into this order.

Placement of the child with _____ is contingent on continued compliance with the terms of this restraining order. Failure to comply with any and all terms of this order may result in removal of the child.

The person having physical custody of the child has an affirmative duty to assist in the enforcement of this restraining order and to notify law enforcement, DCYF, and the court as necessary to request assistance and/or report violations of the order.

3.10 Child's Indian Status:

Any party who subsequently receives information that provides a reason to know the child is an Indian child under 25 C.F.R. § 23.107 shall inform the court.

3.11 All parties shall appear at the next scheduled hearing (see page one).

3.12 Other:

Dated: _____

Judge/Commissioner

Presented by:

Signature

Print Name/Title WSBA No.

Copy Received. Approved for entry, notice of presentation waived.

Signature of **Child**

Signature of Child's Lawyer

Print Name WSBA No.

Signature of **Mother**
 Pro Se, Advised of Right to Counsel

Signature of Mother's Lawyer

Print Name WSBA No.

Signature of **Father**
 Pro Se, Advised of Right to Counsel

Signature of Father's Lawyer

Print Name WSBA No.

Signature of **Guardian or Legal Custodian**
 Pro Se, Advised of Right to Counsel

Signature of Guardian or Legal Custodian's Lawyer

Print Name

WSBA No.

Signature of Child's **GAL**

Signature of Lawyer for the Child's GAL

Print Name

Print Name

WSBA No.

Signature of **DCYF Representative**

Signature of DCYF Representative's Lawyer

Print Name

Print Name

WSBA No.

Signature of **Tribal Representative**

Signature

Print Name

Print Name

WSBA No.

Lawyer for _____

Compare Results

Old File:

JU03_0400 Order of Dependency_2019 07.pdf

10 pages (311 KB)

8/8/2019 10:10:39 AM

versus

New File:

JU03_040_ Order of Dependency_2020 06.pdf

11 pages (62 KB)

6/9/2020 7:55:23 PM

Total Changes

304

Content

37 Replacements

29 Insertions

35 Deletions

Styling and Annotations

203 Styling

0 Annotations

[Go to First Change \(page 1\)](#)

Superior Court of Washington
County of _____
Juvenile Court

Dependency of:

D.O.B.:

No:

Order of Dependency

Agreed/Contested/Default as to Mother (ORODM)

Agreed/Contested/Default as to Father (ORODF)

Agreed/Contested/Default as to Both (OROD)

Dismissed (ORDNE) 4.1

Disposition Order (ORDD) Included

Clerk's Action Required. Paragraphs 4.1, 4.3, 4.6 (EDL), 4.7, and the boxes below.

The court will hear disposition interim review dependency review permanency planning
 _____ (type of hearing) on (date) _____, at _____ a.m./p.m.
at: _____, Court, Room/Department: _____, located
at: _____

Additional clerk's action required: Enter the code(s) that apply.

About today's hearing:

Was adequate and timely notice given to the child's caregiver? Yes (CGATN) / No (CGNATN)

Did the court receive a caregiver report? Yes (CGRR) / No

The caregiver appeared. Did the court give the caregiver an opportunity to be heard? Yes / No

I. Hearing

1.1 **Petition:** A petition was filed by DCYF Other _____
alleging that the above-named child is dependent, and the court held a hearing on (date/s)
_____.

- 1.2 **Appearance:** The following persons appeared at the hearing:
- | | | | |
|--------------------------|---|--------------------------|--|
| <input type="checkbox"/> | Child | <input type="checkbox"/> | Child's Lawyer |
| <input type="checkbox"/> | Mother | <input type="checkbox"/> | Mother's Lawyer |
| <input type="checkbox"/> | Father | <input type="checkbox"/> | Father's Lawyer |
| <input type="checkbox"/> | Guardian or Legal Custodian | <input type="checkbox"/> | Guardian's or Legal Custodian's Lawyer |
| <input type="checkbox"/> | Child's GAL/CASA | <input type="checkbox"/> | GAL/CASA's Lawyer |
| <input type="checkbox"/> | DCYF Worker | <input type="checkbox"/> | Agency's Lawyer |
| <input type="checkbox"/> | Tribal Representative | <input type="checkbox"/> | Current Caregiver |
| <input type="checkbox"/> | Interpreter for <input type="checkbox"/> mother <input type="checkbox"/> father | <input type="checkbox"/> | Other _____ |
| | <input type="checkbox"/> other _____ | | |

- 1.3 **Basis:** The court heard testimony The parties submitted an agreed order.
- The child is 12 years old or older and the court made the inquiry required by RCW 13.34.100(7).

II. Findings

Except where otherwise indicated, the following facts have been established by a preponderance of evidence:

- 2.1 **Child's Indian Status:** On this date On _____, the court asked each participant on the record whether the participant knows or has reason to know the child is an Indian child.

The petitioner has has not made a good faith effort to determine whether the child is an Indian child.

- Based upon the following, there is not a reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), and the Federal and Washington State Indian Child Welfare Acts do not apply to this proceeding:

- Based upon the following, there is reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), and Federal and Washington State Indian Child Welfare Acts apply to this proceeding, unless and until it is determined on the record that the child does not meet the definition of an Indian child:

- Based on the following summary, the petitioner used due diligence to identify and work with the tribes of which there is reason to know the child may be a member or eligible for membership, to verify whether the child is in fact a member (or the biological parent is a member and the child is eligible for membership).

- The facts establish by clear, cogent and convincing evidence, including the testimony of a qualified expert witness that continued custody of the child by the

mother father Indian custodian is likely to result in serious emotional or physical damage to the child.

DCYF made active efforts by actively working with the parent, parents, or Indian Custodian to engage them in remedial services and rehabilitative programs to prevent the breakup of the Indian family beyond simply providing referrals to such services, but those efforts have been unsuccessful.

This finding is based on the following:

DCYF has not made active efforts.

This finding is based on the following:

The petitioner has has not provided notice of this proceeding as required by RCW 13.38.070 and 25 U.S.C. § 1912(a) to all tribes to which the petitioner or court knows or has reason to know the child may be a member or eligible for membership if the biological parent is also a member.

2.2 Facts:

Facts establishing dependency have not been proved.

The following facts establishing dependency have been agreed upon proved:

2.3 Statutory Basis: The child is dependent according to RCW 13.34.030(6), in that the child:

(a) has been abandoned, as defined in RCW 13.34.030;

(b) is abused or neglected, as defined in Chapter 26.44 RCW, by a person legally responsible for the care of the child; and/or

(c) has no parent, guardian or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development.

2.4 Placement:

If the court schedules a separate disposition hearing, the child should remain in the placement and care authority of DCYF pending further order of the court.

The child should be placed or remain in the home of the mother father legal custodian guardian.

It is currently contrary to the child's welfare to return home. The child should be placed or remain in the custody, control and care of DCYF a relative an other suitable person for the following reasons:

- there is no parent or guardian available to care for the child; and/or
- the parent or guardian is unwilling to take custody of the child; and/or
- the court finds by clear, cogent, and convincing evidence that a manifest danger exists that the child will suffer serious abuse or neglect if the child is not removed from the home, and an order under RCW 26.44.063 will not protect the child from danger.


- The child should be placed or remain in:
 - Relative placement.
 - Placement with a suitable person and this placement is in the child's best interests.
 - Adoptive parent or other person with whom the child's siblings or half-siblings live.
 - Licensed care:
 - pending completion of DCYF investigation of relative placement options.
 - because there is no relative or other suitable person who is willing, appropriate, and available to care for the child, with whom the child has a relationship and is comfortable.
 - because there is reasonable cause to believe that relative placement would jeopardize the safety or welfare of the child; and/or hinder efforts to reunite the parent(s) and child.
 - The child is an Indian child as defined in RCW 13.38.040, and this placement complies with the placement priorities in RCW 13.38.180, and 25 U.S.C. § 1915.



2.5 Reasonable Efforts:


- DCYF made reasonable efforts to prevent or eliminate the need for removal of the child from the child's home.
- This finding is based upon the following:

- Those efforts were unsuccessful because the health, safety, and welfare of the child cannot be adequately protected in the home.

- Specific services have been offered or provided to the parent(s), guardian or legal custodian and have failed to prevent the need for out-of-home placement and make it possible for the child to return home. The following services have been offered or provided to the child and the child's parent(s), guardian or legal custodian:

-  _____
- _____
- _____

-   housing assistance, if applicable.

- The whereabouts of the mother father alleged father guardian 
- legal custodian or _____ are unknown.

- Additional Reasonable Efforts Findings: _____
- _____
- _____

Reasonable efforts are not required at this time to attempt to reunify the child with his/her parent(s), guardian or legal custodian because:

The child has been abandoned.

Aggravated circumstances exist and reasonable efforts are not in the child's best interests, as determined by clear, cogent, and convincing evidence. In determining whether aggravated circumstances exist by clear, cogent, and convincing evidence, the court considered and found:

that the following factor(s) listed in RCW 13.34.132, exist:



other: _____

The court ordered the child removed from the home pursuant to RCW 13.34.130(1)(b), and DCYF has recommended that a petition be filed seeking termination of the parent-child relationship between the child's mother father and the child. Because of abandonment of the child and/or the existence of aggravated circumstances as set forth above, filing of a termination petition is in the child's best interest and DCYF is not required to make reasonable efforts to reunify the family.

DCYF did **not** make reasonable efforts to prevent or eliminate the need for removal of the child from the child's home.

This finding is based on the following:

2.6 Sibling contact:

If disposition is heard separately, reserved pending dispositional hearing.

The court ordered the child removed from the home and it is is not in the child's best interest to be placed with or to have contact or visits with these siblings (which could include step-siblings if there is a pre-existing relationship and the child is comfortable with the step-siblings):

_____;

and, a) the court has jurisdiction over the child(ren) listed above or the parents of the child(ren) for whom there is no jurisdiction are willing to agree; and b) there is no reasonable cause to believe that the health, safety, or welfare of any child would be jeopardized or that efforts to reunite the parent and child would be hindered by placement, contact or visitation.

2.7 Child's school:

If disposition is heard separately, reserved pending dispositional hearing.

The court found that the child should be removed from the home pursuant to RCW 13.34.130(1)(b) and placed into out-of-home care. A placement that allows the child to remain in the same school he or she attended prior to the start of the dependency proceeding is is not practical and is is not in the child's best interests.

The child meets the criteria for appointment of an educational liaison. DCYF recommends that the court appoint (name) _____ as the child's educational liaison.

The parents are not able to serve as the educational liaison because:

2.8 **Other:**

III. Conclusions of Law

3.1 **Jurisdiction:** The court has jurisdiction over:

the child the mother
 the father the guardian or legal custodian

3.2 **Notice:**

The following have received timely and proper notice of these proceedings:

The mother father guardian or legal custodian child if 12 or older.

The child is 12 or older and was notified that he/she may request an attorney.

3.3 **Default:** The following have failed to appear and a default order has been entered:

The mother father guardian or legal custodian.

3.4 **Dependency:**

The child is not dependent and the matter should be dismissed.

The child should be found dependent pursuant to RCW 13.34.030.

3.5 **Termination petition:** A termination petition should be filed pursuant to RCW 13.34.132.

3.6 **Other:**

IV. Order

4.1 **Dependency:**

The child is not dependent and the matter is dismissed.

The child is dependent pursuant to RCW 13.34.030(6) (a) (b) (c).

4.2 **Social study:**

- DCYF has conducted a social study, a report of which was filed and provided to the parties.
- DCYF has not conducted a social study and shall return a report to the court and to the parties on a timely basis.

4.3 **Disposition hearing:**


- A disposition hearing has been held.
- A disposition hearing is set for the date and time on page one.

4.4 **Placement:**

- If disposition is heard at a later date, the child shall remain in the placement and care authority of DCYF pending further order of the court.

- The child shall be placed or remain in the home of the mother father legal custodian guardian.
Subject to the following conditions:

_____.

- The child is placed in the custody, control and care of DCYF, which shall have the  authority to place and maintain the child in:

- Relative placement with (name) _____.
- Placement with a suitable person: (name) _____.
- The home of an adoptive parent or other person with whom the child's siblings or half-siblings live.
- Licensed care:
 - pending completion of DCYF investigation of relative placement options.
 - because there is no relative or other suitable person with whom the child has a relationship and who is willing, appropriate and available to care for the child.
 - because there is reasonable cause to believe that relative placement or placement with a proposed other suitable person would jeopardize the safety or welfare of the child and/or hinder efforts to reunite the parent(s) and child.

Absent good cause, DCYF shall follow the wishes of the natural parent regarding the placement of the child in accordance with RCW 13.34.260.

- The child is placed into the custody, control, and care of:

- a relative, (name/s) _____, without supervision of this placement by DCYF.

- another suitable person: (name/s) _____, without supervision of this placement by DCYF.

- DCYF is authorized to place the child with a relative who is willing, appropriate and available, with prior reasonable notice to the parties, subject to review by the court.

- The ordered placement is subject to the following placement conditions:

_____.

4.5 **Services:**

- If disposition is heard separately, reserved pending dispositional hearing
- Services for the parents/guardians/legal custodians entered pursuant to RCW 13.34.130 [any evaluation must comply with RCW 13.34.370]:

- see attached service plan.
- as follows:

- DCYF shall provide and the child shall participate in the following examinations, evaluations, or services:

- SAY evaluation, and the child was notified that he/she may request an attorney.
- The child is 12 or older and agrees to the services was notified of the services was notified that he/she may request an attorney.

4.6 **Educational Liaison:**

(Name) _____ is appointed as the child's educational liaison to carry out the responsibilities described in RCW 13.34.046. The educational liaison must complete criminal background checks required by DCYF.

4.7 **Visitation:**

- If disposition is heard separately, reserved pending dispositional hearing.
- The specific visitation plan between the child(ren) and mother shall be:
- as set forth in the visitation attachment.

- as follows:

- The specific visitation plan between the child(ren) and father shall be:
- as set forth in the visitation attachment.

- as follows:

Visitation between the parent/custodian (name) _____ and the child may be expanded upon agreement of the parties.

The specific plan for visitation or contact between the child and child's siblings shall be:
 as set forth in the visitation attachment.

as follows:

4.8 Restraining Order:

The court entered a separate restraining order pursuant to RCW 26.44.063.

4.9 Parental Cooperation:

The parents shall cooperate with reasonable requests by DCYF and provide DCYF with income and asset information necessary to establish and maintain the child's eligibility for medical care, evaluations, counseling and other remedial services, foster care reimbursement, and other related services and benefits.

4.10 Health Care:

DCYF with custody of the child shall have full power to authorize and provide all necessary, routine and emergency medical, dental, or psychological care as recommended by the child's treating doctor or psychologist, subject to review by the court, as needed.

4.11 Release of Information:

All court-ordered service providers shall make all records and all reports available to DCYF, attorney for DCYF, parent's attorney, the guardian ad litem and attorney for the child. Parents shall sign releases of information and allow all court-ordered service providers to make all records available to DCYF and the guardian ad litem or attorney for the child. Such information shall be provided immediately upon request. All information, reports, records, etc., relating to the provision of, participation in, or parties' interaction with services ordered by the court or offered by DCYF may be subject to disclosure in open court unless specifically prohibited by state or federal law or regulation.

DCYF may continue to make reasonable efforts to locate and investigate an appropriate relative or other suitable person who is available and willing to care for the child, and is authorized to share information about the child, as necessary, with potential relative or other suitable person placement resources to determine their suitability and willingness as a placement for the child.

4.12 Reports:

DCYF shall submit a report for the next review hearing to the court and to the parties in a timely manner.

4.13 Termination Petition:


Due to abandonment of the child and/or existence of aggravated circumstances as found by this court, filing of a termination petition is in the child's best interests and DCYF is not required to make reasonable efforts to reunify the family. DCYF shall file within _____ days a petition to terminate the parent-child relationship between the child's mother father and the child. A permanency planning review hearing shall be held within thirty (30) days.

4.14 **Child's Indian Status:**

Any party who subsequently receives information that provides a reason to know the child is an Indian child under 25 C.F.R. § 23.107 shall inform the court.

4.15 All parties shall appear at the next scheduled hearing (see page one).

4.16 **Other:**

Dated: 

Judge/Commissioner

Presented by:

Signature

Print Name/Title

WSBA No.

Notice: A petition for permanent termination of the parent-child relationship may be filed if the child is placed out-of-home under an order of dependency. (RCW 13.34.180.)

Copy Received; Approved for Entry; Notice of Presentation Waived:

Signature of **Child** Signature of Child's Lawyer

Print Name WSBA No.

 Signature of **Mother** Signature of Mother's Lawyer
 Pro Se, Advised of Right to Counsel

Print Name WSBA No.

 Signature of **Father** Signature of Father's Lawyer
 Pro Se, Advised of Right to Counsel

Print Name WSBA No.

 Signature of **Guardian or Legal Custodian** Signature of Guardian or Legal Custodian's Lawyer
 Pro Se, Advised of Right to Counsel

Print Name WSBA No.

 Signature of Child's **GAL** Signature of Lawyer for the Child's GAL

 Print Name Print Name WSBA No.

Signature of **DCYF Representative** Signature of DCYF Representative's Lawyer

 Print Name Print Name WSBA No.

 Signature of **Tribal Representative** Signature

 Print Name Print Name WSBA No.
Lawyer for _____

Compare Results

Old File:

JU03_0500_Dependency_ReviewPermanency_ Planning_Order_2019 10 01.pdf

15 pages (337 KB)
7/31/2019 10:36:26 AM

versus

New File:

JU03_0500_Dependency_ReviewPermanency_ Planning_Order_2020 06.pdf

15 pages (337 KB)
6/10/2020 2:44:24 PM

Total Changes

86

Content

28 Replacements

30 Insertions

25 Deletions

Styling and Annotations

3 Styling

0 Annotations

[Go to First Change \(page 1\)](#)

Superior Court of Washington
County of _____
Juvenile Court

Dependency of:

D.O.B.:

No:

Order after Hearing:

First Dependency Review (FDPRHO)

Dependency Review (DPRHO)

Permanency Planning (ORPP)

Clerk's Action Required.

Paragraphs 2.10 (CPR NSP CRD
 IPM PCT NFA GCF),
 3.13 (EDL/WDL), and the boxes below.

The court will hear interim review dependency review permanency planning
 (type of hearing) _____ on (date) _____ at
 _____ a.m./p.m. at: _____, Court, Room/Department:
 _____, located at: _____.

Additional Clerk's Action Required: Enter the code(s) that apply.

About today's hearing:

Was adequate and timely notice given to the child's caregiver? Yes (CGATN) / No (CGNATN)

Did the court receive a caregiver report? Yes (CGRR) / No

The caregiver appeared.

Did the court give the caregiver an opportunity to be heard? Yes / No

I. Hearing

1.1 The court held a hearing on (date) _____.

1.2 The following persons appeared at the hearing:

- | | |
|--|---|
| <input type="checkbox"/> Child | <input type="checkbox"/> Child's Lawyer |
| <input type="checkbox"/> Mother | <input type="checkbox"/> Mother's Lawyer |
| <input type="checkbox"/> Father | <input type="checkbox"/> Father's Lawyer |
| <input type="checkbox"/> Guardian or Legal Custodian | <input type="checkbox"/> Guardian's or Legal Custodian's Lawyer |
| <input type="checkbox"/> Child's GAL | <input type="checkbox"/> GAL's Lawyer |
| <input type="checkbox"/> DCYF Worker | <input type="checkbox"/> DCYF's Lawyer |
| <input type="checkbox"/> Tribal Representative | <input type="checkbox"/> Current Caregiver |

Interpreter for mother father Child's Educational Liaison
 Other _____ Other _____

1.3 The order is agreed contested.

The court heard testimony from: _____.

The child is 12 years old or older and the court made the inquiry required by RCW 13.34.100(7).

II. Findings

General

2.1 Child's Indian status: On this date On _____, the court asked each participant on the record whether the participant knows or has reason to know the child is an Indian child.

There is not a reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), based upon prior findings and order(s). The federal and Washington State Indian Child Welfare Acts do not apply to these proceedings.

There is reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), based upon prior findings and order(s). The federal and Washington State Indian Child Welfare Acts apply to this proceeding. The notice and evidentiary requirements of the federal and Washington State Indian Child Welfare Acts were found in previous hearings and are incorporated here by reference.

DCYF has made active efforts by actively working with the parent, parents, or Indian Custodian to engage them in remedial services and rehabilitative programs to prevent the breakup of the Indian family beyond simply providing referrals to such services, but those efforts have been unsuccessful.

This finding is based on the following:

_____.


DCYF has not made active efforts.

This finding is based on the following:

_____.

Other:  

_____.

 2.2 The child's current caregiver was informed of this proceeding and his or her right to be heard by the court as required by Chapter 13.34 RCW.

2.3 Pursuant to RCW 13.34.030, the child was found to be dependent as to the mother father guardian/legal custodian and a disposition order was entered.

2.4 In the previous review period, the permanency plan in effect for the child has been:

Primary:

Alternative:

Return of the child to the home of the mother father
 guardian or legal custodian;

Adoption;

Final non-parental custody order pursuant to Chapter 26.10 RCW or the equivalent laws of another state or a federally recognized Indian tribe;

Title 13 Guardianship;

Long term relative or foster care, for children between 16 and 18 years of age, with a written agreement;

Responsible living skills program; and/or

Independent living for children 16 and older.

2.5 The placement and permanent plan:

are still necessary and appropriate for the safety and wellbeing of the child.

are no longer necessary and appropriate and the placement shall be modified as stated in Paragraph 3.3.

are no longer necessary and appropriate and the permanent plan shall be modified as stated in Paragraph 3.19.

have been accomplished because the court entered a parenting plan, residential schedule, or nonparental custody decree, which is in the child's best interests, and which implements the permanent plan of care.

long-term foster or relative care has been achieved.

2.6 _____ is the projected date for:

return of the child to his or her home.

placement for adoption.

establishment of a guardianship.

implementation of the following alternate plan of care: _____.

2.7 The child is 16 years old or older and the court has approved a permanency plan other than Return Home, Adoption, Title 13 Guardianship, or final non-parental custody order pursuant to chapter 26.10 RCW for the following compelling reasons:

_____.

2.8 The child is 14 years old or older and the court makes the following findings:

The child was present for today's hearing. The court consulted with the child in an age-appropriate manner regarding ongoing opportunities to engage in age or developmentally appropriate activities.

The child was not present for today's hearing.

The child does does not have regular, ongoing opportunities to engage in age or developmentally appropriate activities.

DCYF has taken the following steps to ensure the child's placement is following the reasonable and prudent parent standard as defined in 42 U.S.C. §675(10)(A):

2.9 DCYF [] has [] has not made reasonable efforts to implement and finalize the permanent plan for the child.

[] This finding is based upon the following:

2.10 [] The child has been in out-of-home care for 15 of the last 22 months since the date the dependency petition was filed and:

- [] termination petition has already been filed.
- [] DCYF should file a termination petition pursuant to RCW 13.34.136(3).
- [] A termination petition should be filed pursuant to RCW 13.34.138(2)(d).
- [] Good cause not to require the filing of a termination petition exists because of the following:

- (CPR) [] The child has been placed in the care of a relative.
- (NSP) [] DCYF has not provided the child's family with the services that are necessary for the child's safe return home.
- (CRD) [] DCYF has documented a compelling reason as the basis for its determination that filing a termination petition would not be in the best interests of the child.
- (IPM) [] The parent is incarcerated, or the parent's prior incarceration is a significant factor in why the child has been in foster care for 15 of the last 22 months. DCYF has not documented another reason why it would be otherwise appropriate to file a petition, and the parent maintains a meaningful role in the child's life, because:

(PCT) [] The parent has been accepted into a dependency treatment court program or long-term substance abuse or dual diagnoses treatment program and is demonstrating compliance with treatment goals.

(NFA) [] The parent was court-ordered to complete services necessary for the child's safe return home. The parent filed a declaration under penalty of perjury that the parent is financially unable to pay for those court-ordered services and that DCYF was unwilling or unable to pay for those services necessary for the child's safe return home.

(GCF) [] Other: _____

Reports

- 2.11 The DCYF report was was not timely submitted.
- 2.12 The child's guardian ad litem attorney has has not made a report to the court.
 The guardian ad litem has met with or personally observed the child in the past review period.
 The guardian ad litem has not met with or personally observed the child in the past review period because:

_____.
- 2.13 The child's educational liaison, (name) _____
 has has not made a report to the court.
 The current educational liaison should continue.
 It is no longer appropriate for the current educational liaison to continue because:

DCYF recommends that the court appoint (name) _____
to serve as the child's educational liaison.
- 2.14 The following other parties submitted reports to the court:
_____.

Placement

- 2.15 Placement of the child:
 - A. Return Home**
 - The child has been residing in foster care. A reason for removal of the child as set forth in RCW 13.34.130(2) no longer exists and the child should be placed in the home of the mother father under the supervision of DCYF and the continuing jurisdiction of the court.
 - DCYF has has not identified all adults known to be residing in the home and has has not conducted background checks on those persons.
 - The mother father has identified the following persons as potential caregivers for the child:

_____.
 - B. In Home**
 - The child has been placed in the home of the mother father for a period of six months.
 - The dependency should be dismissed. The permanency plan of return to the mother father has been achieved and court supervision is not needed.

- Court supervision should remain in effect. The placement of the child with the mother father should remain in effect under the supervision of DCYF subject to further review by the court.

C. Out of Home

- Currently out of the home: The child remains placed out of home. There is a continuing need for out-of-home placement for the child and it would be contrary to the child's welfare to return home. The child should remain in the custody, control and care of DCYF a relative another suitable person to be placed or remain in:

- Relative care with (name) _____.
- Relative placement, although preferred, is not in the best interest of the child and the child shall continue or be placed in:
 - Foster care (For QRTP also complete section D below).
 - Placement with a suitable person (name) _____.
 - Placement with an adoptive parent or other person with whom the child's siblings or half-siblings live.
 - Other: _____.

- To be removed from the home now: The child was in the home and is now removed from the home. It is currently contrary to the child's welfare to remain in the home. Reasonable efforts have been made to prevent the removal of the child and were unsuccessful. The child should be placed in the custody, control, and care of:

- DCYF for placement in:
 - Relative care with (name) _____.
 - Relative placement, although preferred, is not in the best interest of the child and the child shall continue or be placed in:
 - Foster care (For QRTP also complete section D below):
 - pending completion of DCYF investigation of relative placement options.
 - because there is no relative or other suitable person who is willing, appropriate, and available to care for the child, with whom the child has a relationship and is comfortable.
 - because there is reasonable cause to believe that relative placement would jeopardize the safety or welfare of the child and/or hinder efforts to reunite the parent(s) and child.
 - Placement with a suitable person (name) _____.
 - Placement with an adoptive parent or other person with whom the child's siblings or half-siblings live.
 - Other: _____.

- A relative or other suitable person.

DCYF recommends a change in placement for the following reasons:

- The child is an Indian child as defined in RCW 13.38.040, and this placement complies with the placement priorities in RCW 13.38.180, and 25 U.S.C. §1915.

The child is is not in a safe and appropriate placement that adequately meets all of his or her physical, emotional, cultural, and educational needs.

DCYF has has not considered out-of-state placements for the child.

There are no appropriate out-of-state placements at this time.

Other:

The mother's father's homelessness or lack of suitable housing is a significant factor delaying permanency for the child by preventing the return of the child to the home of the child's parent.

DCYF should provide housing assistance.


D. Qualified Residential Treatment Program

The child remains placed in a Qualified Residential Treatment Program.

Ongoing assessment of the child's strengths and needs continues to support the determination that the child's needs cannot be met through placement in a foster family home.

The child's placement provides the most effective and appropriate level of care in the least restrictive environment.

The placement in a Qualified Residential Treatment Program is consistent with the child's short and long term goals as stated in the child's permanency plan.

The Qualified Residential Treatment Facility will meet the treatment or service needs of the child, as follows: 

_____ months days is the expected time the child will need the treatment or services provided by the Qualified Residential Treatment Program.

The Department has made the efforts to prepare the child for return home or placement with a relative, legal guardian, adoptive parent, or foster family home, as follows:

Compliance and Progress

2.16 DCYF has has not made reasonable efforts to provide services to the family and eliminate the need for out-of-home placement of the child.

This finding is based on the following:

A. Compliance with Court Order

Agency _____ yes no partial: _____

Mother _____ yes no partial: _____

Father _____ yes no partial: _____

Father _____ yes no partial: _____

Father _____ yes no partial: _____

Child _____ yes no N/A: _____ partial: _____

Other (guardian or intervenor) _____ yes no partial: _____

B. Progress toward correcting the problems that necessitated the child's placement in out-of-home care:

Mother _____ yes no _____

Father _____ yes no _____

Father _____ yes no _____

Father _____ yes no _____

Child _____ yes no _____

Other (guardian or intervenor) _____ yes no _____

C. Other Findings

Visitation

2.17 The mother has has not visited the child on a regular basis.

Reasons why visits have not occurred or have been infrequent:

2.18 The father has has not visited the child on a regular basis.

Reasons why visits have not occurred or have been infrequent:

2.19 The child is placed out of the home and the court has considered the child's placement, contact, and visits with the child's siblings in accordance with RCW 13.34.130(3). Placement with, contact, or visits between siblings:

has occurred (specify): _____
_____.

has not occurred because:
 there is reasonable cause to believe that the best interests of the child or siblings would be jeopardized,
 the court does not have jurisdiction over the siblings in question and the parents are not willing to agree to a plan, or
 efforts to reunify the parent with the child would be hindered by such placement, contact, or visitation.
 Other: _____
_____.

Permanency Planning Findings – Required at Permanency Planning Hearing

2.20 The permanent plan for the child has has not been achieved.


2.21 The court has has not consulted with the child in an age-appropriate manner about the proposed permanency or transition plan.

2.22 Service providers have have not been involved in planning to meet the special needs of the child and the child's parent.

2.23 The child is age 14 years old or older and the court makes the following findings:
 The child was present for today's hearing. The court asked the child about the child's desired permanency outcome and consulted with the child in an age-appropriate manner about the proposed permanency and transition plan.
 The child was not present for today's hearing. DCYF consulted with the child regarding the child's proposed permanency and transition plan.

The following services are needed to assist the child in transitioning to successful adulthood:

_____.

 2.24 The permanency plan identifies independent living as a goal and services should be provided to assist the child in making a transition from foster care to independent living and allow the child to manage his or her financial, personal, social, educational, and non-financial affairs.

DCYF has has not identified specific services to be provided to assist the child in making a transition from foster care to independent living.

2.25 The child has been placed in the home of the mother father for a period of at least six months.
 The permanent plan of return to the mother father has been achieved and court supervision is not needed.
 Court supervision should remain in effect. The placement of the child with the mother father is continued under the supervision of the court until the next review hearing.

The following conditions apply to the continued placement of the child with the
 mother father:

Other

2.26 The child is legally free and it has been six months or more since all parental rights were terminated. The court shall appoint an attorney by separate order.

2.27 **Other:**

III. Order

Placement

3.1 The child remains a dependent child pursuant to RCW 13.34.030(6) (a) (b) (c). Court supervision shall continue.

3.2 An Order Dismissing Dependency shall be entered.

3.3 The child shall be in the custody, control, and care of DCYF for placement in:

- Foster care.
- Relative placement with (name) _____.
- The home of a suitable person (name) _____.
- The home of an adoptive parent or other person with whom the child's siblings or half-siblings live.
- The home of the mother father for a trial return home under the continued supervision of the court.

Placement of the child in the mother's father's home is contingent upon the parent's compliance with court orders related to the care and supervision of the child, including compliance with the DCYF case plan, and the
 mother's father's continued participation in substance abuse
 mental health treatment other services: _____.

DCYF may remove the child from the home, subject to review by the court, if the parent fails to comply with the DCYF plan or court order; is unable, unwilling, or fails to participate in available services or treatment for themselves or the child; or fails to successfully and substantially complete available services or treatment for themselves or the child.

Placement of the child in the mother's father's home is contingent upon (name of caregiver) _____ engaging in and

completing additional services as listed in section 3.20 to ensure the safety of the child [] prior to [] during the trial placement of the child in the home.

If your child is placed in your care, you have an ongoing duty to notify DCYF of all persons who reside in the home or who may act as a caregiver for the child as long as the court retains jurisdiction of this matter or DCYF is providing or monitoring services to you or any caregiver of the child.

- 3.4 [] The child shall be in the custody, control, and care of:
- [] a relative, (name/s) _____, without supervision of this placement by DCYF.
 - [] another suitable person, (name/s) _____, without supervision of this placement by DCYF.

General

- 3.5 DCYF having custody of the child shall have full power to authorize and provide all necessary, routine, and emergency medical, dental, or psychological care as recommended by the child's treating doctor or psychologist, subject to review by the court, as needed.
- 3.6 All service providers shall make all records and all reports available to DCYF, the parent's attorney, and the guardian *ad litem* or attorney for the child. Parents shall sign releases of information and allow all service providers to make all records available to DCYF and the guardian *ad litem* or attorney for the child. Such information shall be provided immediately upon request. All information, reports, records, etc., relating to the provision of, participation in, or parties' interaction with services ordered by the court or offered by DCYF shall be subject to disclosure in open court unless specifically prohibited by state or federal law or regulation.
- 3.7 The report of DCYF for the next review hearing shall be submitted to the court and to the parties at least ten (10) days prior to the hearing.
- 3.8 [] A petition seeking termination of the parent-child relationship between the child's [] mother [] father and the child shall be filed by DCYF not later than (date) _____.

Services

Any evaluation ordered by the court must comply with RCW 13.34.370.

- 3.9 [] Services for the mother are:
- [] as set forth in the attached service plan.
 - [] as follows:

_____.
- 3.10 [] Services for the father(s) are:
- [] as set forth in the attached service plan.
 - [] as follows:

3.11 [] Additional services for the [] mother [] father that shall be initiated or completed are:
[] as set forth in the attached service plan.
[] as follows:

3.12 [] Services for the child(ren) are:
[] as set forth in the attached service plan.
[] as follows:

[] SAY evaluation, and the child was notified that he/she may request an attorney.
[] The child is 12 or older and [] agrees to the services [] was notified of the services [] was notified that he/she may request an attorney.

3.13 [] Child's educational liaison

[] (Name) _____ shall continue as the child's educational liaison.
[] (Name) _____ is removed as the educational liaison.
[] The court appoints (name) _____ to serve as the child's educational liaison to carry out the responsibilities described in RCW 13.34.046. The educational liaison must complete criminal background checks required by DCYF.


Visitation

3.14 [] The specific visitation plan between the child(ren) and mother shall be:
[] as set forth in the visitation attachment.
[] as follows:

Visitation between the mother and the child may be expanded upon agreement of the parties.

3.15 The specific visitation plan between the child(ren) and father shall be:

as set forth in the visitation attachment.

as follows: 

Visitation between the father and the child may be expanded upon agreement of the parties.

3.16 The specific plan for visitation or contact between the child and child's siblings shall be:

as set forth in the visitation attachment.

as follows:

Child's Indian Status

3.17 Any party who subsequently receives information that provides a reason to know the child is an Indian child under 25 C.F.R. § 23.107 shall inform the court.

Other

3.18 Other:

Permanency Planning Order – Required at Permanency Planning Hearing

3.19 The permanency plan for the child is:

- | Primary: | Alternative: |
|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> Return of the child to the home of the <input type="checkbox"/> mother <input type="checkbox"/> father <input type="checkbox"/> guardian or <input type="checkbox"/> legal custodian; |
| <input type="checkbox"/> | <input type="checkbox"/> Adoption; |
| <input type="checkbox"/> | <input type="checkbox"/> Final non-parental custody order pursuant to Chapter 26.10 RCW or the equivalent laws of another state or a federally recognized Indian tribe; |
| <input type="checkbox"/> | <input type="checkbox"/> Title 13 Guardianship; |
| <input type="checkbox"/> | <input type="checkbox"/> Long term <input type="checkbox"/> relative or <input type="checkbox"/> foster care, for children between 16 and 18 years of age, with a written agreement; |
| <input type="checkbox"/> | <input type="checkbox"/> Responsible living skills program; and/or |
| <input type="checkbox"/> | <input type="checkbox"/> Independent living for children 16 and older. |

3.20 The court orders the following actions to be taken to move the case toward permanency:

3.21 **Release of Information:**

All court-ordered service providers shall make all records and all reports available to DCYF, the attorney for DCYF, the parent's attorney, the guardian ad litem, and the attorney for the child. Parents shall sign releases of information and allow all court-ordered service providers to make all records available to DCYF and the guardian ad litem or attorney for the child. Such information shall be provided immediately upon request. All information, reports, records, etc., relating to the provision of, participation in, or parties' interaction with services ordered by the court or offered by DCYF may be subject to disclosure in open court unless specifically prohibited by state or federal law or regulation.

DCYF may continue to make reasonable efforts to locate and investigate an appropriate relative or other suitable person who is available and willing to care for the child, and is authorized to share information about the child, as necessary, with potential relative or other suitable person placement resources to determine their suitability and willingness as a placement for the child.

3.22 All parties shall appear at the next scheduled hearing (see page one).

Dated: _____

Judge/Commissioner

Presented by:

Signature

Print Name/Title

WSBA No.

Notice: A petition for permanent termination of the parent-child relationship may be filed if the child is placed out-of-home under an order of dependency. (RCW 13.34.180.)

Copy Received; Approved for Entry; Notice of Presentation Waived:

Signature of **Child**

 Signature of Child's Lawyer

Print Name

WSBA No.

 Signature of **Mother**
 Pro Se, Advised of Right to Counsel

 Signature of Mother's Lawyer

Print Name

WSBA No.

 Signature of **Father**
 Pro Se, Advised of Right to Counsel

Signature of Father's Lawyer

Print Name

WSBA No.

 Signature of **Guardian or Legal Custodian**
 Pro Se, Advised of Right to Counsel

 Signature of Guardian or Legal Custodian's Lawyer

Print Name

WSBA No.

 Signature of Child's **GAL**

 Signature of Lawyer for the Child's GAL

Print Name

Print Name WSBA No.

 Signature of **DCYF Representative**

 Signature of DCYF Representative's Lawyer

Print Name

Print Name WSBA No.

 Signature of **Tribal Representative**

 Signature

Print Name

Print Name WSBA No.

Lawyer for _____

(If the mother, father, guardian, or other person signs without legal representation, the certification below shall also be signed.)

Certification

I certify under penalty of perjury under the laws of the state of Washington that I have read or been told the contents of the Dependency Review Hearing Order/Permanency Planning Hearing and I agree that the order is accurate and should be signed by the court.

Mother Date and Place of Signature

Father Date and Place of Signature

Child's Guardian or Legal Custodian Date and Place of Signature

Other Date and Place of Signature

6/18/2020 2:17:07 PM

Compare Results

Old File:

**JU03_0520_EFC Dependency
ReviewPermanency Planning Order.pdf**

6 pages (33 KB)
6/7/2020 10:30:56 AM

versus

New File:

**JU03_0520_EFC Dependency
ReviewPermanency Planning Order_2020
06.pdf**

6 pages (284 KB)
6/10/2020 2:52:41 PM

Total Changes

352

Content

30 Replacements
80 Insertions
69 Deletions

Styling and Annotations

173 Styling
0 Annotations

[Go to First Change \(page 1\)](#)

Superior Court of Washington
County of _____
Juvenile Court

Dependency of:

D.O.B.:

No:

Extended Foster Care

Dependency Review Hearing Order (DPRHO)

Permanency Planning Hearing Order (ORPP)

Clerk's Action Required: The boxes below.

The court will hear interim review dependency review permanency planning
 (type of hearing) _____ on (date) _____ at _____
a.m./p.m. at: _____, Court, Room/Department: _____,
located at: _____.

Additional Clerk's Action Required: Enter the code(s) that apply.

About today's hearing:

Was adequate and timely notice given to the child's caregiver? Yes (CGATN) No (CGNATN)

Did the court receive a caregiver report? Yes (CGRR) / No

The caregiver appeared. Did the court give the caregiver an opportunity to be heard? Yes / No

I. Hearing

1.1 The court held a hearing on (date) _____.

1.2 The following persons appeared at the hearing:

The Youth

The Youth's Lawyer

DCYF Worker

DCYF's Lawyer

Tribal Representative

Current Caregiver

Other _____

1.3 The order is agreed contested.

The court heard testimony from: _____.

II. Findings

General

2.1 The youth:

is 18 years of age or older and remains in the extended foster care program.

is not able to engage in any of the activities described below due to a documented medical condition.

is is not enrolled and participating in a secondary education program or a secondary education equivalency program, or a postsecondary academic or postsecondary vocational program.

is is not participating in a program or activity designed to promote employment or remove barriers to employment.

is is not employed for 80 hours or more per month.

The youth does does not continue to be eligible for extended foster care.

2.2 In the previous review period, the permanency plan in effect for the youth has been independent living.

2.3 The permanent plan:

is still necessary and appropriate.

is not still necessary and appropriate because the youth is no longer eligible for extended foster care.

is no longer necessary because the youth has requested that the court dismiss the dependency.

has been accomplished because the youth has completed secondary education or an equivalency program, or postsecondary academic or postsecondary vocational program, or program or activity designed to promote employment or remove barriers to employment.

2.4 DCYF has has not made reasonable efforts to implement and finalize the permanent plan for the youth.

2.5 Youth's Indian status:

The youth was previously found dependent in a prior proceeding. The youth was 18 years old or older at the commencement of this proceeding. The state and federal Indian Child Welfare Acts do not apply to this proceeding.

The youth was previously found dependent in this proceeding, and the court found:

There is reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), based upon prior findings and orders in this proceeding. The federal and Washington State Indian Child Welfare Acts apply to this proceeding. All notice requirements and evidentiary requirements under the federal and Washington State Indian Child Welfare Acts have been satisfied.

There is not a reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), and the federal and Washington State Indian Child Welfare Acts do not apply to this proceeding.

Other: _____

Reports

2.6 The DCYF report was was not timely submitted.

2.7 The youth's attorney has has not made a report to the court.

2.8 The following other parties submitted reports to the court: _____

Placement

2.9 Placement of the youth has been as follows:

The youth has been residing in foster care in:

Relative care with (name) _____

Relative placement, although preferred, is not in the best interest of the youth and the youth shall continue or be placed in:

Foster home.

Placement with a suitable person (name) _____

Placement with an adoptive parent or other person with whom the child's siblings or half-siblings live.

Supervised independent living setting as follows: _____

Other: _____

Reasonable efforts were made to prevent or eliminate the removal of the youth.

This finding is based on the following:

There is a continuing need for out-of-home placement for the youth and it would be contrary to the youth's welfare to return home. The youth should remain in the care and custody of DCYF for placement in foster care:

Relative care with _____ (name).

Relative placement, although preferred, is not in the best interest of the youth and the youth shall continue or be placed in:

Foster home.

Placement with a suitable person _____ (name).

Placement with an adoptive parent or other person with whom the child's siblings or half-siblings live.

Supervised independent living setting as follows: _____

Other: _____

DCYF recommends a change in placement for the following reasons:

_____.

The court considered whether or not the placement is developmentally appropriate for the youth and whether or not the youth is safe in his or her placement.

Compliance and Progress

2.10 DCYF [] has [] has not made reasonable efforts to provide services to the youth.
[] This finding is based on the following:

_____.

A. Compliance with Court Order

Agency _____ [] yes [] no [] partial: _____
Youth _____ [] yes [] no [] partial: _____
Other _____ [] yes [] no [] partial: _____

Visitation

2.11 [] [] The court has considered the youth's placement, contact and visits with the youth's siblings in accordance with RCW 13.34.130(3). Placement with, contact or visits between siblings:

[] has occurred (specify): _____

_____.

[] has not occurred because:
[] there is reasonable cause to believe that the best interests of the youth or siblings would be jeopardized,
[] the court does not have jurisdiction over the siblings in question, or
[] Other: _____
_____.

Permanency Planning Findings – Required at Permanency Planning Hearing

2.12 The permanent plan for the youth [] has [] has not been achieved.

2.13 Service providers [] have [] have not been involved in planning to meet the special needs of the youth.

2.14 _____ is the projected date for the youth to complete secondary education or a secondary education equivalency program.

2.15 The court has considered the youth's development of independent living skills and the youth's overall progress toward transitioning to full independence and the projected date for achieving such transition.

Other

2.16 Other: _____

III. Order

Dependency Status

- 3.1 The youth remains a dependent child pursuant to RCW 13.34.030(6). Court supervision shall continue.
- 3.2 An Order Dismissing Dependency shall be entered.

Placement

- 3.3 The youth shall be in the care and custody of DCYF for placement in foster care in:
 - Foster home.
 - Relative placement with (name) _____.
 - The home of a suitable person (name) _____.
 - Supervised independent living setting as follows: _____.

General

- 3.4 All service providers shall make all records and all reports available to DCYF and the attorney for the youth. All information, reports, records, etc., relating to the provision of, participation in, or parties' interaction with services ordered by the court or offered by DCYF shall be subject to disclosure in open court unless specifically prohibited by state or federal law or regulation.
- 3.5 The report of DCYF for the next review hearing shall be submitted to the court and to the parties at least ten (10) days prior to the hearing.

Services

- 3.6 Any evaluation ordered by the court must comply with RCW 13.34.370.
- 3.7 Services for the youth are:
 - as set forth in the attached service plan.
 - as follows:

_____.

Visitation

- 3.8 The specific plan for visitation or contact between the youth and youth's siblings shall be:
 - as set forth in the visitation attachment.

[] as follows:

Other

3.9 Other:

Permanency Planning Order – Required at Permanency Planning Hearing

3.10 The permanency plan for the youth is:

Primary: Alternative:
[] [] Independent living.

3.11 The court orders the following actions to be taken to move the case toward permanency:

3.12 All parties shall appear at the next scheduled hearing (see page one).

Dated: _____

Judge/Commissioner

Presented by: _____

Signature _____

Print Name/Title _____

WSBA No. _____

Copy Received; Approved for Entry; Notice of Presentation Waived:

Signature of Youth _____

[] Signature of Youth's Lawyer _____

Print Name _____

WSBA No. _____

[] Signature of DCYF Representative _____

[] Signature of DCYF Representative's Lawyer _____

Print Name _____

Print Name _____

WSBA No. _____

Compare Results

Old File:

**JU03_0540_Findings and Order on Post-18
Extended Foster Care.pdf**

4 pages (25 KB)
6/7/2020 10:31:41 AM

versus

New File:

**JU03_0540_Findings and Order on Post-18
Extended Foster Care_2020 06.pdf**

4 pages (27 KB)
6/9/2020 7:57:02 PM

Total Changes

116

Content

20 Replacements
51 Insertions
45 Deletions

Styling and Annotations

0 Styling
0 Annotations

[Go to First Change \(page 1\)](#)

Superior Court of Washington
County of _____
Juvenile Court

Dependency of:

D.O.B.:

No:

Findings and Order on Post-18 Extended Foster Care (Extending Dependency) (OR18FC)

Clerk's Action Required. Paragraph 3.3, and the boxes below.

The court will hear dependency review permanency planning (type of hearing) _____ on (date) _____ at _____ a.m./p.m.
at: _____ Court, Room/Department: _____,
located at: _____.

Additional Clerk's Action Required: Enter the code(s) that apply.

About today's hearing:

Was adequate and timely notice given to the child's caregiver? Yes (CGATN) No (CGNATN)

Did the court receive a caregiver report? Yes (CGRR) / No

The caregiver appeared. Did the court give the caregiver an opportunity to be heard? Yes / No

I. Hearing

1.1 The court held a hearing on (date) _____.

1.2 The following persons appeared at the hearing:

The Youth

The Youth's Lawyer

DCYF Worker

DCYF's Lawyer

Tribal Representative

Current Caregiver

Other _____

1.3 The order is agreed contested.

The court considered the relevant files, records, and arguments, if any.

The court heard testimony from: _____.

II. Findings

2.1 Agreed extended foster care

The youth:

- agrees**, to participate in the extended foster care program;
- is** dependent and 18 years of age; and
- on the youth's 18th birthday:
 - was** not able to engage in any of the activities described below due to a documented medical condition.
 - was** enrolled in a secondary education program (or its equivalency); or
 - was** enrolled and participating in a postsecondary academic or vocational education program or has applied for and demonstrated that he or she intends to timely enroll in a postsecondary academic or vocational program; or
 - was** participating in a program or activity designed to promote employment or remove barriers to employment.
 - was** employed for 80 hours or more per month.

2.2 Child's Indian status: On this date On _____, the court asked each participant on the record whether the participant knows or has reason to know the child is an Indian child.

- There is not a reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), based upon prior findings and order(s). The Federal and Washington State Indian Child Welfare Acts do not apply to these proceedings.
- There is reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), based upon prior findings and order(s). The Federal and Washington State Indian Child Welfare Acts apply to this proceeding. The notice and evidentiary requirements of the Federal and Washington State Indian Child Welfare Acts were found in previous hearings and are incorporated here by reference.
- DCYF has made active efforts by actively working with the parent, parents, or Indian Custodian to engage them in remedial services and rehabilitative programs to prevent the breakup of the Indian family beyond simply providing referrals to such services, but those efforts have been unsuccessful.
 - This finding is based on the following:

- DCYF has not made active efforts.
 - This finding is based on the following:

- Other: _____

2.3 The youth is receiving extended foster care services, is a party to these proceedings, and should be appointed counsel under RCW 13.34.267, has already been appointed counsel, and that appointment should continue.

2.4 The youth is receiving extended foster care services and should remain in the placement and care authority of DCYF to be placed or remain in foster care in:

Relative care with (name) _____.

Relative placement, although preferred, is not in the best interest of the youth and the youth shall continue or be placed in:

Foster home.

Placement with a suitable person (name) _____.

Placement with an adoptive parent or other person with whom the child's siblings or half-siblings live.

Supervised independent living setting as follows: _____.

Other:

_____.

2.5 The youth is developing independent living skills and is making progress toward transitioning to full independence within the capacity limits of the youth. It is anticipated the youth will achieve the transition to full independence by _____.

2.6 The permanent plan for this youth is independent living.

2.7 DCYF has has not made reasonable efforts to implement and finalize the permanent plan for the youth.

This finding is based on the following:

_____.

2.8 Progress has been made toward finalizing the child's permanent plan.

2.9 Other: _____

_____.

III. Order

3.1 The youth remains dependent and court supervision shall continue.

3.2 The youth agrees to participate in the extended foster care program, is eligible for the program, and remains in the placement and care authority of the DCYF.

3.3 The youth's parent/guardian/custodian (name/s) _____ are dismissed from the dependency proceeding.

3.4 The youth is receiving extended foster care services, is a party to these proceedings, and: is appointed counsel (name) _____, or has already been appointed counsel, and the appointment continues.

3.5 The permanent plan for this youth is Independent Living.

3.6 The youth shall be in the placement and care authority of DCYF for placement in foster care in:

Foster home.

Relative placement with (name) _____.

The home of a suitable person (name) _____.

The home of an adoptive parent or other person with whom the child's siblings or half-siblings live.

Supervised independent living setting as follows: _____

Other: _____.

3.7 Other: _____

The court recognizes that the youth is an adult for other purposes, and therefore recognizes that the youth may do the following without prior court approval:

_____.

3.8 All parties shall appear at the next scheduled hearing (see page one).

Dated: _____

Judge/Commissioner

Presented by:

Signature

Print Name/Title WSBA No.

Copy Received; Approved for Entry; Notice of Presentation Waived:

Signature of Youth

Signature of Youth's Lawyer

Print Name WSBA No.

Signature of DCYF Representative

Signature of DCYF Representative's Lawyer

Print Name

Print Name WSBA No.

Compare Results

Old File:

JU03_1400_EFC Ord of Dependency.pdf

4 pages (25 KB)

6/3/2020 9:38:16 AM

versus

New File:

**JU03_1400_EFC Ord of Dependency_2020
06.pdf**

4 pages (27 KB)

6/9/2020 7:57:33 PM

Total Changes

172

Content

33 Replacements

71 Insertions

68 Deletions

Styling and Annotations

0 Styling

0 Annotations

[Go to First Change \(page 1\)](#)

Superior Court of Washington
County of _____
Juvenile Court

Dependency of:

D.O.B.:

No:

Order of Dependency – Extended Foster Care

Agreed

Contested

(ORODFC)

Clerk's Action Required. Paragraph 3.3, and the boxes below.

The court will hear dependency review permanency planning (type of hearing) _____
_____ on (date) _____ at _____ a.m./p.m.
at: _____ Court, Room/Department: _____,
located at: _____.

Additional clerk's action required: Enter the code(s) that apply.

About today's hearing:

Was adequate and timely notice given to the child's caregiver? Yes (CGATN) / No (CGNATN)

Did the court receive a caregiver report? Yes (CGRR) / No

The caregiver appeared. Did the court give the caregiver an opportunity to be heard? Yes / No

I. Hearing

1.1 **Petition:** A Dependency Petition – Extended Foster Care was filed by DCYF
 (name) _____ alleging that the above-named youth is a dependent, and
the court held a hearing on (date/s) _____.

1.2 The following persons appeared at the hearing:

Youth

Youth's Lawyer

DCYF Worker

DCYF's Lawyer

Current Caregiver

Other _____.

1.3 The order is agreed contested.

The court considered the relevant files, records, and arguments, if any.

The court heard testimony from: _____.

II. Findings

- 2.1 The dependency proceeding under cause number _____ in the Juvenile court of _____ county, was dismissed on (date) _____.
- 2.2 Indian status: The youth was previously found dependent in a prior proceeding. The youth is 18 years old or older. The state and federal Indian Child Welfare Acts do not apply to this proceeding.
 Other: _____.
- 2.3 The youth was was not under 21 years of age when he/she requested extended foster care services.
- 2.4 The youth requested extended foster care services. The youth and DCYF entered into a voluntary placement agreement on (date) _____.
- 2.5 The youth requested extended foster care services from DCYF on (date) _____. DCYF declined to enter into a voluntary placement agreement with the youth on (date) _____.
DCYF did did not provide the youth with written documents required by RCW 13.34.268(1)(a), including the reasons DCYF declined to enter a voluntary placement with the youth and information about the youth's right to ask for a dependency and the right for a lawyer to help make that request.
- 2.6 The youth must be appointed counsel under RCW 13.34.268, or has already been appointed counsel, and that appointment should continue.
- 2.7 The court determined that the youth is is not eligible for extended foster care services based on evidence that the youth:
 is unable to engage in any of the activities described below due to a documented medical condition.
 is is not enrolled in a secondary education program (or its equivalency); or
 is is not enrolled and participating in a postsecondary academic or vocational education program or has applied for and demonstrated that he or she intends to timely enroll in a postsecondary academic or vocational program; or
 is is not participating in a program or activity designed to promote employment or remove barriers to employment.
 is is not employed for 80 hours or more per month.
- 2.8 The youth should should not be found dependent under RCW 13.34.030(6).
- 2.9 The youth should should not be placed in or remain in the placement and care authority of DCYF to be placed or remain in foster care in:
 Relative care with (name) _____
 Relative placement, although preferred, is not in the best interest of the youth and the youth shall continue or be placed in:
 foster home.
 placement with a suitable person (name) _____.
 placement with an adoptive parent or other person with whom the child's siblings or half-siblings live.

Supervised independent living setting as follows: _____

Other: _____

2.10 The placement is is not in the youth's best interests.

2.11 The permanent plan for this youth should be independent living.

2.12 DCYF has has not made reasonable efforts to implement and finalize the permanent plan for the youth.
 The finding is based on the following:

2.13 Other:

III. Conclusions of Law

3.1 The court has jurisdiction over the parties.

3.2 All parties received timely notice.

3.3 **Dependency:**

The youth is not dependent and the matter should be dismissed.

The youth is dependent pursuant to RCW 13.34.030(6).

3.4 **Other:**

IV. Order

4.1 The court denies this petition. A separate Order Dismissing Dependency shall be entered.

4.2 The court grants this petition. The youth is dependent under RCW 13.34.030(6).

4.3 The youth:

is appointed counsel (name) _____, or
 has already been appointed counsel, and the appointment continues.

4.4 The youth shall be in the placement and care authority of DCYF for placement in foster care in:

- foster home.
- relative placement with (name) _____.
- the home of a suitable person (name) _____.
- the home of an adoptive parent or other person with whom the child's siblings or half-siblings live.
- Supervised independent living setting as follows: _____
_____.
- Other: _____.

4.5 The permanent plan for this youth is Independent Living.

4.6 Other: _____
_____.

The court recognizes that the youth is an adult for other purposes, and therefore recognizes that the youth may do the following without prior court approval:

_____.

4.7 All parties shall appear at the next scheduled hearing (see page one).

Dated: _____

Judge/Commissioner

Presented by:

Signature

Print Name/Title

WSBA No.

Copy Received; Approved for Entry; Notice of Presentation Waived:

Signature of Youth

Signature of Youth's Lawyer

Print Name

WSBA No.

Signature of DCYF Representative

Signature of DCYF Representative's Lawyer

Print Name

Print Name

WSBA No.

Compare Results

Old File:

**JU06_010_Advice about
Diversion_confinement possible.pdf**

2 pages (15 KB)
6/3/2020 9:35:13 AM

versus

New File:

**JU06_010_Advice about Diversion_ 2020
06.pdf**

2 pages (15 KB)
6/9/2020 9:16:42 PM

Total Changes

23

Content

5 Replacements
0 Insertions
5 Deletions

Styling and Annotations

13 Styling
0 Annotations

[Go to First Change \(page 1\)](#)

Advice about Diversion

1. Diversion is a different way of dealing with juveniles who are charged with an offense. You do not go to court and there is no trial before a judge.
2. A Diversion Agreement is a contract between you and the diversion unit. A Diversion Agreement may require you to do certain things, such as: community restitution, attend counseling, informational, restorative justice, or education sessions, pay restitution, requirements to attend school, observe home curfews, abide by restrictions to certain geographical locations, and refrain from any contact with victims or witnesses of the offense; but you cannot be sent to jail. Under certain circumstances, you may be counseled and released, which means no further action will be required of you.
3. If you sign a Diversion Agreement, or if you are counseled and released, the offense you are charged with and any Diversion Agreement will be part of your criminal history. Your criminal history may result in: (A) future or other offenses not being handled by diversion or deferred disposition; and (B) future or other offenses resulting in more serious consequences. Your criminal history will show whether or not you have completed the terms of a Diversion Agreement. Your criminal history is accessible to the police, the prosecutor, the court, and the diversion unit.
4. If you do not follow the Diversion Agreement, the prosecutor may bring you to a hearing for the offense(s) with which you are charged. If you do not appear at the court hearing, the court may order that you be arrested.
5. If you sign a Diversion Agreement for an alcohol, drug, or firearm related offense, that offense can later be used as a prior offense to revoke your driving privilege should you be convicted in court of an alcohol, drug, or firearm related offense.
6. You do not have to participate in diversion. If you choose not to participate, your case will go to court if charges are filed by the prosecutor. If your case goes to court, you can have a lawyer represent you, and you will not have to pay the lawyer if you cannot afford it.
7. You may ask the court to seal your file on your current offense(s) if you spend two continuous years in the community from the date you complete the terms of your Diversion Agreement without committing any offense or crime that results in conviction or diversion.
8. If your criminal history includes this Diversion Agreement, then upon its successful completion, the records in this case will be automatically destroyed within 90 days of becoming eligible for destruction. Records in this case become eligible for destruction when all of the following conditions exist: (1) you are 18 years or older; (2) the records consist of successfully completed diversion agreements or counsel and release agreements, or both, completed on or after June 7, 2018; and, (3) restitution is paid in full.
9. You have the right to talk to a lawyer about whether you should participate in diversion or whether you should go to court. You will not have to pay for a lawyer if you cannot afford it. A lawyer can review the police reports, explain your rights, and explain the law. If you do not believe you committed this offense, you should talk to a lawyer.

10. When you agree to participate in the diversion process, you do not have the right to have a free lawyer appointed for you to help you work out a Diversion Agreement, but you do have the right to have a lawyer help you work out a Diversion Agreement if you can afford to pay for it.



I have read or someone has read to me everything printed above, and I understand it. I have been given a copy of this statement.

Dated: _____

Dated: _____

Parent or Guardian (optional)

Juvenile

The above statement was read by or read to the juvenile and signed by the juvenile on the date indicated.

Diversion Unit Representative

6/18/2020 2:37:44 PM

Compare Results

Old File:

JU06_012_Diversion Agreement.pdf

2 pages (43 KB)

6/3/2020 9:35:43 AM

versus

New File:

JU06_012_Diversion Agreement_2020 06.pdf

2 pages (43 KB)

6/9/2020 9:17:13 PM

Total Changes

103

Content

7 Replacements
27 Insertions
29 Deletions

Styling and Annotations

40 Styling
0 Annotations

[Go to First Change \(page 1\)](#)

Juv # _____
Referral # _____

_____ County Juvenile Court
Diversion Agreement (DAS)

Name: _____ DOB: _____
Mailing Address: _____ Telephone: (____) _____
Physical Address: _____
Offense(s): _____ Offense Date: _____

I agree to enter into this Diversion Agreement and complete the conditions and requirements, rather than have my case heard in court before a judge. By signing this agreement, the offenses listed above will become a part of my juvenile criminal history. This agreement will include the following conditions:

***Restitution:** I will pay \$ _____ for damages/loss/injury incurred by the victim(s), excluding restitution owed to any insurance provider under Title 48 RCW.

At the rate of \$ _____ per month, by the _____ of each month.

My first payment is due by _____ and will be paid in full by _____.

Restitution is joint and several with: _____

Referral # _____

has been equally divided and the amount ordered is my separate obligation, only.

Restitution is to be paid through: _____

Physical Address: _____

Mailing Address: _____

***Community Restitution:** I will perform _____ hours of volunteer work, at a placement approved by the diversion officer. These hours will be completed by _____.

***Positive Youth Development/Educational/Information/Restorative Justice Program:**
I will attend and complete:

_____, by _____

_____, by _____

The Diversion Unit is not responsible for any cost of counseling, positive youth development, educational, restorative justice, and/or informational sessions. All costs incurred are payable by the parent.

***Counseling:** I will attend _____ sessions/hours with _____ to be completed by _____.

The Diversion Unit is not responsible for any cost of counseling, educational, restorative justice, and/or informational sessions. All costs incurred are payable by the parent.

Juv # _____
Referral # _____

Evaluation: I will have an evaluation through _____, to be completed by _____. I also agree to follow any recommendation/s resulting from the evaluation.

The following conditions remain in effect for the duration of the Diversion Agreement:

Curfew: Week days _____ Weekends _____

School Attendance at: _____ during required school hours.

Restricted from the following locations: _____

Refrain from any contact with the following victims or witnesses: _____

Special instructions: _____

Review date: _____ **No Review date scheduled at this time.**

If I fail to complete the above conditions, my Diversion Agreement may be terminated and my case sent back to the prosecuting attorney for court action.

Date: _____ Juvenile: _____

Diversion Parent Fee: \$ _____ **Fee paid**
 Fee will be paid by: _____
 Other _____

Parent/Guardian: _____

Parent/Guardian: _____

Date: _____

Counselor: _____

CAB Member: _____

CAB Member: _____

CAB Member: _____

CAB Member: _____

CAB Member: _____

CAB Member: _____

Compare Results

Old File:

**JU06_013_Diversion Agreement_Sexual
Exploitation.pdf**

1 page (16 KB)
6/3/2020 9:36:18 AM

versus

New File:

**JU06_013_Diversion Agreement_Sexual
Exploitation_2020 06.pdf**

1 page (16 KB)
6/9/2020 11:09:14 PM

Total Changes

78

Content

20 Replacements
29 Insertions
28 Deletions

Styling and Annotations

1 Styling
0 Annotations

[Go to First Change \(page 1\)](#)

_____ **County Juvenile Court**
Diversion Agreement/Contract – Sexual Exploitation (DASSX)

(Name) _____ (Parent/Guardian) _____

(Address) _____ (Address) _____

(Phone) _____ (Phone) _____

I have been referred for the offense of: _____, committed on _____ . I understand that the county prosecuting attorney has determined that probable cause exists to believe that I have committed the alleged offense. I agree to complete the following conditions and requirements rather than have my case heard in court before a judge. Signing this agreement enters the above offense onto my juvenile court records as criminal history.

Housing: I will reside at: _____

Evaluation: through _____ to be completed by _____ . Cost \$ _____ .

Chemical dependency evaluation: Comply with all treatment recommendations by _____ . Evaluation completed by _____ .

Do not possess or consume alcohol or non-prescribed drugs. Subject to random UA/PBT/BAC testing to ensure compliance.

Counseling with _____ for _____ hours/sessions, completed by: _____ .

Positive Youth Development/Education/Information/Restorative Justice Program:

will attend and complete:

_____ by _____ Cost \$ _____

_____ by _____ Cost \$ _____

The Diversion Unit is not responsible for any cost of counseling, positive youth development, educational, restorative justice, and/or informational sessions. All costs incurred are payable by the parent.

Employment screening with _____, completed by: _____

Community Restitution (Service)

I have been informed of my obligation to complete community restitution work. It is my responsibility to find an approved organization or an approved individual who would benefit from this service. I agree to set up a schedule for completion of my assigned hours. In no case is this schedule to exceed the agreed completion date of this contract.

[court contact information]

_____ Hours of Community Restitution

_____ Agreed Completion Date

Other requirements/instructions: _____

The following Conditions are for the Duration of the Entire Diversion Agreement:

Curfew: Weekdays: _____ Weekends: _____

Restricted from the following locations: _____

No contact with (including through a third party) _____

Date: _____ **Youth:** _____

Counselor: _____ **Parent/Guardian:** _____

Chairperson: _____ **CAB Members:** _____

Juv No./Referral No. _____

Diversion Parent Fee paid **will be paid by:** _____ **Other:** _____

Compare Results

Old File:

JU07_080_Order on Adjudication and Dispositon_2019 07.pdf

10 pages (647 KB)
8/8/2019 10:23:09 AM

versus

New File:

JU07_080_Order on Adjudication and Disposition_2020 06.pdf

11 pages (657 KB)
6/10/2020 4:12:07 PM

Total Changes

180

Content

78 Replacements
67 Insertions
35 Deletions

Styling and Annotations

0 Styling
0 Annotations

[Go to First Change \(page 1\)](#)

Superior Court of Washington
 County of _____
Juvenile Court

State of Washington v.

No:

Order on Adjudication and Disposition (ORD)

Clerk's Action Required. Paragraphs 1.3, 4.1, 4.4, 4.6, 4.11, 4.14, 4.15, 4.16, 4.17, 4.18, 4.19, 4.22

D.O.B.:

Respondent.

I. Hearing

- 1.1 Respondent appeared for a disposition hearing on (date) _____.
- 1.2 Persons appearing were:
 - Respondent Parent _____
 - Pros. Atty. _____ Parent _____
 - Prob. Counsl. _____ Other _____
 - Resp. Atty. _____
- 1.3 The court heard evidence and argument, reviewed the files, and now enters the following:

II. Findings of Fact

Respondent pled guilty to:

Count	Offense:	Committed on or about:
Count	Offense:	Committed on or about:
Count	Offense:	Committed on or about:

Respondent was found guilty at an adjudicatory hearing of:

Count	Offense:	Committed on or about:
Count	Offense:	Committed on or about:
Count	Offense:	Committed on or about:

The state failed to prove the following offense(s) and count(s) _____

GV In count(s) _____, **domestic violence – family or household member** was pled and proved.

GV In count(s) _____, **domestic violence – intimate partner** was pled and proved.

- Same Course of Conduct.** The conduct in count(s) _____ is the same course of conduct.
- Respondent waived the right to counsel, arraignment on amended information, and/or speedy disposition.
- Respondent's offender score is _____, which is based upon his/her criminal history.
- The court considered the respondent's eligibility for the chemical dependency/mental health disposition alternative.
- Respondent has declined to enter a Diversion Agreement.
- Respondent may be ordered to pay restitution pertaining to matters not here adjudicated, and/or Count(s) _____, notwithstanding dismissal, because respondent, with counsel, so agreed and stipulated.
- A sentence within the standard range would constitute a manifest injustice (RCW 13.40.020).
- The following mitigating factors exist in this case:
 - The respondent's conduct neither caused nor threatened serious bodily injury, or the respondent did not contemplate that his/her conduct would cause or threaten serious bodily injury.
 - The respondent acted under strong and immediate provocation.
 - The respondent was suffering from a mental or physical condition that significantly reduced his/her culpability for the offense through failing to establish a defense.
 - Prior to his or her detention, the respondent compensated or made a good faith attempt to compensate the victim for the injury or loss sustained.
 - There has been at least one year between the respondent's current offense and any prior criminal offense.
 - Other: _____.
- The following aggravating factors exist in this case:
 - In the commission of the offense, or in flight therefrom, the respondent inflicted or attempted to inflict serious bodily injury to another.
 - The offense was committed in an especially heinous, cruel, or depraved manner.
 - The victim was particularly vulnerable.
 - The respondent has a recent criminal history or has failed to comply with conditions of a recent dispositional order or diversion agreement.
 - The current offense included a finding of sexual motivation pursuant to RCW 13.40.135.
 - The respondent was the leader of a criminal enterprise involving several persons.
 - There are other complaints which have resulted in diversion or a finding or plea of guilty which are not included as criminal history.
 - The standard range disposition is clearly too lenient considering the seriousness of the juvenile's prior adjudications.
 - Other: _____

_____.
- The respondent committed a felony firearm offense as defined in RCW 9.41.010, and:
 - The respondent should register as a felony firearm offender. The court considered the following factors in making this determination:
 - The respondent's criminal history.
 - Whether the respondent has previously been found not guilty by reason of insanity of any offense in this state or elsewhere.
 - Evidence of the respondent's propensity for violence that would likely endanger persons.
 - Other: _____.
 - The respondent must register as a felony firearm offender because the offense was committed in conjunction with an offense committed against a person under the age of _____.

18, or a serious violent offense or offense involving sexual motivation as defined in RCW 9.94A.030.

This case was transferred from exclusive adult court jurisdiction by:

Agreement

Reduced charge

Jury verdict

Other: _____

III. Conclusions of Law

Respondent is guilty of the offense(s) as stated in the findings.

Respondent is not guilty of the offense(s) as stated in the findings.

A sentence within the standard range would constitute a manifest injustice (RCW 13.40.020).

Respondent is eligible for the chemical dependency/mental health disposition alternative on Count _____ A standard range disposition for that Count would constitute a manifest injustice.

IV. Order

It is ordered:

4.1 The state's motion respondent's motion to dismiss Count(s) _____ is granted, and those Count(s) are hereby dismissed.

Range of Disposition:

4.2 Count _____: Disposition shall be within the standard range.

4.3 Count _____: Disposition within the standard range for this offense would effectuate a manifest injustice.

4.4 Count _____: Disposition shall be within the Special Sex Offender Dispositional Alternative (SSODA - RCW 13.40.162).

Respondent is committed to the Department of Children, Youth, and Families Juvenile Rehabilitation (DCYFJR) for a total of _____ weeks. If standard range commitment is ordered under SSODA, the court shall impose a specific number of weeks within the range and not the range itself. See *State v. Linssen*, 131 Wn. App. 292 (2006) (applies to standard range, not a manifest injustice SSODA). Disposition is suspended under RCW 13.40.162. The offender shall be placed on supervision for a period of two years. If the offender violates any condition of the disposition or the court finds the respondent is failing to make satisfactory progress in treatment, the court may revoke the suspension and order execution of the disposition.

Respondent is subject to a standard range of local sanctions. Respondent shall serve a total of _____ months of community supervision, _____ hours of community service work, and _____ days of detention. Disposition is suspended under RCW 13.40.162. The offender shall be placed on supervision for a period of two years. If the offender violates any condition of the disposition or the court finds the respondent is failing to make satisfactory progress in treatment, the court may revoke the suspension and order execution of the disposition.

NOTICE OF REGISTRATION AND HEARING SET (also paragraph 4.22): Respondent is required to register as a sex offender pursuant to RCW 9A.44.130. At the end of the supervision ordered under this disposition alternative, there will be a presumption that respondent is sufficiently rehabilitated to warrant removal from the registry of sex offenders and the court shall relieve respondent of the duty to register unless the court finds that the offender is not sufficiently rehabilitated to warrant removal after considering the factors in RCW

13.40.162(7). A waiver hearing is set approximately two years from the date of this order as follows: _____, _____ at _____ am/pm. At that time the court will determine if the offender is sufficiently rehabilitated to warrant removal from the registry of sex offenders.

4.5. **Count** _____: Chemical Dependency/Mental Health Disposition Alternative (CMDA - RCW 13.40.165):

Respondent is committed to DCYFJR for a total of _____ weeks. Disposition is suspended under RCW 13.40.165. If the offender violates any condition of the disposition or the court finds that the respondent is failing to make satisfactory progress in treatment, the court may revoke the suspension and order execution of the disposition.

Respondent is subject to a standard range of local sanctions. Respondent shall serve a total of _____ months of community supervision, _____ hours of community service work, and _____ days of detention. Disposition is suspended under RCW 13.40.165. If the offender violates any condition of the disposition or the court finds the respondent is failing to make satisfactory progress in treatment, the court may revoke the suspension and order execution of the disposition.

4.6 Option B Suspended Disposition Alternatives (OPTION B - RCW 13.40.0357 - For offenses committed on or after July 27, 2003.)

Respondent is committed to DCYFJR for a total _____ weeks.

Days of Confinement _____ Community Service Work _____

Disposition is suspended under RCW 13.40.0357 OPTION B. If the offender violates any condition of the disposition or the court finds that the respondent is failing to make satisfactory progress in treatment, the court may revoke the suspension and order execution of the disposition.

4.7 **Community Supervision** **Minimum Parole Supervision (if required by statute):**

<input checked="" type="checkbox"/>	Count: _____	_____ Months	Supervision beginning: _____	Supervision ending: _____
	Count: _____	_____ Months	Supervision beginning: _____	Supervision ending: _____
	Count: _____	_____ Months	Supervision beginning: _____	Supervision ending: _____

4.8 **Community Restitution (Service) Work:**

Count: _____	_____ Hours community restitution (service)	With _____ hours credited for _____ days served
Count: _____	_____ Hours community restitution (service)	With _____ hours credited for _____ days served
Count: _____	_____ Hours community restitution (service)	With _____ hours credited for _____ days served

4.9 **Crime Victim's Community Restitution (Service) Work.** The following offenses involved a "victim" as defined in RCW 7.68.020, and are not a most serious offense or a sex offense. Therefore, pursuant to RCW 7.68.035, the court shall order up to seven (7) hours of community restitution per offense unless the court finds such an order not practicable for the offender. This crime victim's community service work is consecutive to itself and to any other community service work imposed herein.

Count:_____	_____ Hours community restitution (service – 0 to 7 hours)
Count:_____	_____ Hours community restitution (service – 0 to 7 hours)
Count:_____	_____ Hours community restitution (service – 0to 7 hours)

4.10 **Confinement in a Private Residence.** (If required by RCW 13.40.308) The respondent shall remain at home, confined in a private residence. If the respondent is enrolled in school, the confinement shall be served on nonschool days:

Count:_____	_____ Days confinement in a Private Residence
Count:_____	_____ Days confinement in a Private Residence
Count:_____	_____ Days confinement in a Private Residence

The respondent is subject to electronic monitoring.

4.11 **Confinement:**

Count:_____	_____ Days	With credit for _____ days served
Count:_____	_____ Days	With credit for _____ days served
Count:_____	_____ Days	With credit for _____ days served

Yes No temporary releases from confinement for school, work, medical appointments, etc., are authorized at the discretion of the probation counselor.

4.12 **Commitment** to the custody of **DCYFJR** for placement in a rehabilitation facility:

Count:_____	_____ Weeks to _____ weeks	With credit for _____ days served
Count:_____	_____ Weeks to _____ weeks	With credit for _____ days served
Count:_____	_____ Weeks to _____ weeks	With credit for _____ days served

Respondent shall be held in the detention facility pending transportation.

4.13 **Statutory Firearms Enhancements:**

Unlawful Possession of a Firearm in the 2nd Degree Under 18: The court finds that respondent possessed a firearm in violation of RCW 9.41.040(2)(a)(vi). The mandatory minimum disposition is 10 days confinement. If the total period of confinement ordered exceeds 30 days, respondent is committed to the custody of **DCYFJR** to serve the ordered confinement.

Unlawful Possession of a Firearm in the 1st or 2nd Degree: Respondent has been adjudicated for Unlawful Possession of a Firearm in the First or Second Degree.

Under RCW 13.40.193(2), respondent must participate in a qualifying program of Aggression Replacement Training (ART), Functional Family Therapy (FFT), or another cost-beneficial, evidence or research-based program as directed by his or her supervising probation counselor.

Based upon the juvenile court risk assessment, the court determines that participation in a qualifying program would not be appropriate.

Armed During Commission of A Felony: The court finds that respondent or an accomplice was armed with a firearm while committing a felony (other than possession of

a machine gun, possession of a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first and second degree, or use of a machine gun in a felony), and thus hereby imposes the following confinement in addition to any other sentence imposed herein, and, respondent is committed to the custody of DCYFJR to serve said confinement:

6 months (Class A felony) 4 months (Class B felony) 2 months (Class C felony)
 12 months (Violent offense committed at age 16 or 17)

- Armed During Violent Offense at Age 16 or 17 with Gang Involvement:** The court finds that: (a) respondent was 16 or 17 years old during the commission of a robbery in the first degree, drive-by shooting, burglary in the first degree, or any violent offense as defined in RCW 9.94A.030; (b) during commission of the offense respondent was armed with a firearm, and, (c) respondent's participation in the offense is related to membership in a criminal street gang, or advanced a benefit, aggrandizement, gain, profit, or other advantage for a criminal street gang. Therefore, an additional 3 months of confinement is imposed in addition to any other sentence imposed herein, and respondent is committed to the custody of DCYFJR to serve said confinement consecutively with any other sentencing enhancement herein.

4.14 **Conditions of Supervision:**

- A. The respondent is ordered to refrain from committing new offenses.
 - B. Respondent is further ordered to comply with the **mandatory school attendance** provisions of RCW 28A.225, and to inform respondent's school of the existence of this requirement.
 - C. Respondent shall report regularly, and on time, to the assigned probation counselor (or probation counselor's designee), as the probation counselor shall schedule or direct.
 - D. Respondent shall keep probation counselor informed of respondent's current address and telephone number and shall notify probation counselor before moving to a different address.
 - E. Respondent shall attend information classes and/or other educational programs, as directed by probation counselor.
- (Items F through Q apply only if the box is checked)
- F. **Curfew** to be set at the discretion of the probation counselor.
 - G. **Respondent shall not use or possess firearms, ammunition or other dangerous weapons** during this period of community supervision. Probation counselor is authorized to search respondent and items carried or controlled by respondent at scheduled appointments and other reasonable times, and may specify in writing further details of this prohibition.
 - H. Respondent shall participate in counseling, outpatient substance abuse treatment programs, outpatient mental health programs, sex offender, and/or anger management classes, as probation officer directs. Respondent shall cooperate fully.
 - I. Respondent shall be **evaluated for alcohol or other drug dependency** at the direction of the probation counselor and shall comply with all treatment recommendations.
 - J. Respondent shall refrain from using illegal drugs and alcohol and is subject to **Random Urinalysis** as directed by the probation counselor and shall fully cooperate.
 - K. Respondent is ordered not to go upon the following premises or geographic areas:

 - L. Respondent shall not contact, except through counsel or a probation counselor, the following person(s):

- M. Respondent shall reside in a placement approved by the supervising probation counselor or approved by court order.
- N. Respondent shall not knowingly associate with any person, adult or juvenile, who is under the supervision of any court of this or any other state for any juvenile offense or crime.
- O. Respondent shall obtain a mental health evaluation and shall comply with treatment recommendations unless otherwise ordered by the court.
- P. The respondent shall attend all mental health appointments and take medications as prescribed.
- Q. Other conditions: _____

DCYFJR may consent to necessary medical, surgical, dental or psychiatric care for respondent, including immunization required for public school students.

4.15 Respondent is ordered to pay:

- FFJ/3706 A **Fine** of \$ _____, which respondent shall pay as scheduled by probation officer.
- PJC/3152 **\$100 CVC Fee for Most Serious and/or Sex Offense** - Pursuant to RCW 7.68.035, a mandatory Crime Victim's Compensation Fee of \$100 is imposed because one or more of the offenses involve a most serious offense as defined by RCW 9.94A.030, or a sex offense under chapter 9A.44.
- Pursuant to RCW 43.43.7541 and 43.43.754, a one-time mandatory DNA Fee of \$100 is imposed. No DNA fee is imposed as DNA has already been collected as a result of a prior conviction.
- Restitution** in the total sum of \$ _____ for victim(s) (include name and address):

- A hearing to confirm restitution discovery is set for _____.
- A restitution hearing is set for _____.
- DCYFJR is ordered to provide transportation of respondent to and from the **above-ordered** restitution hearing.
- The respondent waives his/her right to be present at the restitution hearing.
- Restitution liability ordered: is joint and several with: _____
 has been equally divided and the amount ordered is the separate obligation of this offender, only.
- The respondent is ordered to reimburse _____ (name of electronic monitoring agency) at _____ for the cost of pre-adjudication electronic monitoring in the amount of \$ _____.
- The court finds the respondent has insufficient funds to pay the full monetary restitution. The victim/s: _____, agreed that the restitution owed to the victim/s may be converted to community restitution hours. It was was not practicable and appropriate to let the victim/s determine the nature of the community restitution. \$ _____ of restitution is converted to community restitution hours at a 1:1 hourly state minimum wage rate. The respondent shall perform _____ hours of community restitution at any appropriate **court-**

approved venue a venue consistent with the nature of the community restitution recommended by the victim/s which is _____.

Monetary amounts ordered shall be paid at the rate of at least \$ _____ per month. The probation officer may revise this schedule in writing.

All payments shall be paid as follows: _____

Respondent shall remain under the court's jurisdiction for a maximum term of ten (10) years after respondent's 18th birthday or disposition, whichever is earlier (unless extended for an additional 10 years) for the collection of ordered restitution and penalty assessment, unless these amounts have been converted to a civil judgment pursuant to RCW 13.40.192 and/or RCW 13.40.198. While under the court's jurisdiction, the court may modify the amount, terms, and conditions of restitution for good cause, including inability to pay. The court's jurisdiction over the collection of restitution will terminate if the court grants the respondent's petition to seal the records of this case. RCW 13.40.190.

- 4.16 **DNA Testing.** Under RCW 43.43.754, the respondent shall have a biological sample collected for purposes of DNA identification analysis. The respondent shall fully cooperate in the collection and testing. Failure to provide a sample as ordered is a gross misdemeanor offense.
- Confinement at DCYFJR:** The juvenile has been ordered to serve a term of confinement at a facility operated by DCYFJR. The facility shall collect a biological sample to comply with this order either during the intake process or as soon as practical thereafter.
- No DCYFJR Confinement:** The juvenile has not been ordered to serve a term of confinement at a facility operated by DCYFJR. The collection will be taken as follows:
- The test shall be done immediately prior to respondent leaving the courtroom.
- No in court protocol exists. Respondent is ordered to report to the following local police department/sheriff's office (law enforcement agency) _____ within _____ days from today for collection of a biological sample to comply with this order. If no agency is indicated above, the respondent shall immediately contact the juvenile department for direction on how to provide a sample to comply with this order and provide a sample as directed.
- Sample Already Taken:** Respondent has already provided a biological sample as verified by the prosecuting attorney and court.

Paragraph 4.16 does not apply if it is established that the Washington State Patrol crime laboratory already has a sample from the respondent for a qualifying offense. RCW 43.43.754.

- 4.17 **Jurisdiction is transferred to** _____ County for supervision and enforcement of this order. This court retains venue over restitution. When a restitution order is entered, venue will be transferred to the above named county. **It is Further Ordered** that the clerk of this court shall transfer the case file in this matter to the clerk of _____ County Superior Court and the juvenile probation department of this court shall transfer only those legal and social documents pertaining to this matter to the juvenile probation department of _____ County Superior Court.

4.18 [] **Suspension/Revocation of Driving Privilege:** Department of Licensing notification is required because:

[] **Over 13 and Alcohol, Drugs, UPFA <18, or Armed with F/A (not first offense)** - (1) Respondent was 13 years or older at the time he/she committed the following offense: Alcohol under RCW 66.44; VUCSA under RCW 69.50; Legend drug under RCW 69.41; Imitation drugs under RCW 69.52; UPFA < 18 RCW 9.41.040(2)(a)(vi); and/or, an offense while Armed with a Firearm RCW 13.40.196; AND, (2) Respondent has a prior offense for the same offense. See, RCW 13.40.265.

[] **UPFA or Armed During Offense In Which Vehicle was Used (with priors)** – (1) Respondent committed the following offense: UPFA 1 or 2 under RCW 9.41.040; and/or, an offense while Armed with a Firearm RCW 13.40.196 during which the court found a motor vehicle served an integral function during the offense; AND (2) Respondent previously committed one or more of the following offenses: Alcohol under RCW 66.44; VUCSA under RCW 69.50; Legend drug under RCW 69.41; Imitation drugs under RCW 69.52; UPFA under RCW 9.41.040; and/or, an offense while Armed with a Firearm RCW 13.40.196. See, RCW 9.41.040(5).

[] **Certain Motor Vehicle Offenses** – Respondent committed the following offense: DUI; Physical Control; DWLS 1 & 2; Vehicular Assault/Homicide; Hit & Run Attended; Reckless Driving; any felony which a vehicle used in commission (except TMVWOP2 where the court finds the respondent is a passenger only in committing the offense); False Statements under RCW 46; Felony Elude; Unattended Child in Running Vehicle (2nd or subsequent conviction); Reckless Endangerment of Road Workers; and/or Theft of Motor Vehicle Fuel. See, RCW 46.20.285, 46.61.5055(9), 46.20.342(2), 46.61.524, 46.52.020(6), 46.61.500(2), 46.61.024(3), 46.61.685(2), 46.61.527(5), 46.61.740(2), and, 46.20.270.

Court Clerk: The court clerk is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must suspend/revoke the defendant's driver's license.

4.19 [] **Firearm Prohibition:** As a result of the adjudication of guilt as to: (1) a felony; or, (2) one or more of the following crimes committed by one family or household member against another or by one intimate partner against another: Fourth Degree Assault, Coercion, Stalking, Reckless Endangerment, Criminal Trespass in the First Degree, Violation of the provisions of a Protection Order or No-Contact Order restraining the person or excluding the person from a residence; or, (3) Harassment committed by one family or household member against another or by one intimate partner against another, committed on or after June 7, 2018; respondent shall not use or possess a firearm, and under federal law any firearm or ammunition, until his or her right to do so is restored by the court in which the respondent was adjudicated or the superior court in Washington state where the respondent lives, and by a federal court if required. The court clerk is directed to immediately forward a copy of the respondent's driver's license or identicaid, or comparable information, along with the date of conviction, to the Department of Licensing. RCW 9.41.047.

4.20 [] **Felony Firearm Offender Registration:** The respondent must register as a felony firearm offender. The specific registration requirements are in the "Felony Firearm Offender Registration" Attachment.

4.21 [] **Offender Registration for Sex Offense or Kidnapping Offense:** Because this crime involves a sex offense, or a kidnapping offense involving a minor as defined in RCW

9A.44.128, or an unlawful transmission of HIV to a child or vulnerable adult under chapter 70.24 RCW, the respondent must register. The specific registration requirements are set forth in the "Offender Registration" Attachment. Respondent may only be relieved of the duty to register as provided in RCW 9A.44.142, 9A.44.143, and 13.40.162.

4.22 **Notice Concerning Ability to Administratively Seal This Case Later**

Warning: A sealing hearing does not guarantee the case will be sealed at the hearing. Please read the qualifications below.

An administrative sealing hearing shall be set for the latest of either the respondent's 18th birthday, the anticipated end of community supervision, or, if commitment to a juvenile rehabilitation facility is imposed, the anticipated end of the commitment and any parole.

The administrative sealing hearing in this case is set for: _____

 The respondent is not required to appear at the administrative sealing hearing.

Notice for Sealing Hearings Held On or Before 12/31/2020: In the event the administrative sealing is held on or before December 31, 2020, the juvenile court will seal the case unless the court finds:

- (1) Respondent failed to comply with the terms of the disposition; or
- (2) There is an objection to the sealing or a compelling reason not to seal.

If there is an objection or compelling reason, the court will set a contested hearing for a date no sooner than 18 days after notice of the hearing and opportunity to object is sent to the respondent, the victim, and the respondent's attorney. At the contested hearing, the court will decide whether or not to seal the court record.

Notice for Sealing Hearings Held On or After 1/1/2021: In the event the administrative sealing is held on or after January 1, 2021, the juvenile court will seal the case unless the court finds at the time of the sealing hearing:

- (1) One or more of the offenses in Section II involve - (a) a serious violent offense as defined in RCW 9.94A.030; (b) a sex offense as defined in RCW chapter 9A.44; or, (c) a felony drug offense (other than possession under RCW 69.50.4013 and forged prescription under RCW 69.50.403);
- (2) Respondent owes an amount of restitution to an individual victim, excluding any public or private entity providing insurance coverage or health care coverage; or,
- (3) Respondent remains on supervision or DCYFJR commitment/parole in this case. However, in the event the court finds the respondent remains on supervision/parole, the administrative sealing hearing will be continued to a date within 30 days of the anticipated end of supervision/parole. At the next hearing the court will determine eligibility for administrative sealing.


Nothing prevents respondent from asking the court to seal this case pursuant to RCW Title 13.50 or GR15.

4.23 [] **Bail:** Bail in the amount of \$ _____ is [] exonerated [] forfeited.

4.24 [] **Other Orders:** _____
_____ 

 Dated: _____ 

Judge/Commissioner

 Print Name: _____

Presented by:

Deputy Prosecuting Attorney

Print Name WSBA No.

Copy Received; Approved for Entry; Notice of
Presentation Waived:

Attorney for Respondent

Print Name WSBA No.

Administrative Memorandum

Does conviction require license or permit markup?

[] Yes [] No

License or permit marked in manner authorized by
Department of Licensing?

[] Yes [] No

RCW 46.20.270

Respondent

Print Name

Collateral Attack on Judgment. Any petition or motion for collateral attack on this judgment and sentence, including but not limited to any personal restraint petition, state habeas corpus petition, motion to vacate judgment, motion to withdraw guilty plea, motion for new trial or motion to arrest judgment, must be filed within one year of the final judgment in this matter, except as provided for in RCW 10.73.100, RCW 10.73.090.

Fingerprints (If required by RCW 10.64.110)

I hereby attest that the fingerprint(s) appearing on this Order are the fingerprints of _____, and were affixed in open court on the date below.

Dated: _____

Clerk _____

By: _____ Deputy Clerk

Compare Results

Old File:

JU07_131_Statement of Juvenile for Deferred Disposition_2019 07.pdf

5 pages (191 KB)
8/8/2019 10:25:13 AM

versus

New File:

JU07_131_Statement of Juvenile for Deferred Disposition_2020 06.pdf

5 pages (192 KB)
6/10/2020 4:14:27 PM

Total Changes

27

Content

19 Replacements
6 Insertions
2 Deletions

Styling and Annotations

0 Styling
0 Annotations

[Go to First Change \(page 1\)](#)

Superior Court of Washington	
County of _____	
Juvenile Court	
STATE OF WASHINGTON v.	
D.O.B.:	Respondent(s).

No:
**Statement of Juvenile for
Deferred Disposition
(STJDD)**

- 1.1 STIPULATION OF JUVENILE: Pursuant to RCW 13.40.127, I wish to take advantage of the opportunity to have the disposition of my case deferred by the court. I understand:
- (a) I stipulate to the admissibility of the facts contained in the written police reports.
 - (b) The police reports will be entered and used by the judge to support a finding of guilt to the offenses of:
 - _____
 - _____
 - _____
 - (c) The finding of guilty will be used to impose a disposition on me if I fail to comply with the terms of my supervision.
 - (d) I have the right to be represented by a lawyer at all stages of the proceedings against me. If I cannot afford to pay for a lawyer, one will be provided for me at public expense.
 - (e) I am giving up my constitutional right to a trial. At a trial I would have the following rights:
 - (i) to have my case heard within 30/60 days of my arraignment;
 - (ii) to hear and question witnesses who might be called to testify against me;
 - (iii) to call witnesses to testify for me who could be required to appear at no expense to me;
 - (iv) to testify or to exercise my right not to testify; and
 - (v) to be presumed innocent until all of the elements of the offense(s) I am charged with is/are proven beyond a reasonable doubt.
 - (f) I am giving up my right to have a disposition of my case within 14/21 days of an adjudication of guilt.
 - (g) I am giving up my right to appeal any finding of guilt based upon sufficiency of the evidence.

- (h) If the court grants my Motion for Deferred Disposition, the maximum punishment I can receive is 12 months of community supervision and 150 hours of community service work, no matter what the prosecutor or my lawyer recommends. The court will impose any condition of supervision it deems appropriate, including payment of restitution as provided in RCW 13.40.190.
- (i) The court may extend my supervision for up to an additional 12 months for good cause.
- (j) The court may require me to post a probation bond.
- (k) Upon my full compliance with all conditions of my community supervision, the court shall vacate the conviction(s) and dismiss the charge(s) against me with prejudice.

1.2 STANDARD RANGE SENTENCE: I understand **that** if I do not comply with any of the terms of my community supervision, the court will revoke the deferred disposition and shall enter an Order of Disposition, after which the court may impose any sentence authorized by law, including the following (check applicable):

OFFENSES SUBJECT TO LOCAL SANCTIONS: I am stipulating to one or more offenses which carry a standard range of local sanctions in the event my deferred disposition is revoked. Local sanctions are as follows:

- 0 to 12 months of community supervision
- 0 to 150 hours of community restitution (community service)
- 0 to \$500 fine
- 0 to 30 days of detention
- Payment of restitution

OFFENSES WITH A STANDARD RANGE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES JUVENILE REHABILITATION (DCYFJR) SENTENCE: I am stipulating to one or more of the following offenses which carry a standard range commitment to the DCYFJR for placement in a rehabilitation facility in the event my deferred disposition is revoked:

- 103 to 129 week commitment to DCYFJR for the following offenses:
 - Possession of Incendiary Device; or,
 - BAIL JUMP from a charge of Murder in the First Degree.
- 15 to 36 week commitment to DCYFJR for the following offenses:
 - Delivery of Narcotic Drug or Methamphetamine (or attempt/conspiracy/solicitation);
 - Attempt, Conspiracy, or Solicitation to commit Possession of Incendiary Device;
 - Intimidating a Public Servant or Witness;
 - Promoting Prostitution First Degree;
 - Hit and Run with Death;
 - Felony DUI or Physical Control; or,
 - BAIL JUMP from any of the following offenses - Murder Second Degree, Assault First Degree, Arson First Degree, Kidnapping First Degree, Robbery First Degree, Rape First Degree, Rape Second Degree, Rape of a Child First Degree, Child Molestation First Degree, Possession of Incendiary Device, Delivery of Narcotic Drug or Methamphetamine, and/or any "Other Class A Felony" under RCW 13.40.0357.

The maximum possible punishment that can be imposed by Juvenile Court is _____ years or commitment to DCYFJR to age 21, whichever is less.

- 1.3 COUNTS AS CRIMINAL HISTORY: The judge's acceptance of my motion for deferred disposition and the resulting conviction will become part of my criminal history, and will remain part of my criminal history even when I become an adult, unless and until I successfully complete my deferred disposition, the conviction is vacated, and the charge(s) against me are dismissed. My criminal history can affect my ability to remain in the Juvenile Justice System should I re-offend and would be considered for sentencing on any future offenses I may commit as a juvenile or adult.
- 1.4 GROUNDS FOR DEPORTATION: If I am not a citizen of the United States, the court's finding of guilt herein to an offense punishable as a crime under state law may be grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.
- 1.5 NOTIFICATION OF DIRECT CONSEQUENCES: If any of the following paragraphs do not apply, they should be stricken and initialed by the juvenile and judge:

- (a) SUSPENSION/REVOCAION OF DRIVING PRIVILEGE: I have been informed that the Department of Licensing will be notified and my privilege to drive will be suspended or revoked:

Over 13 & Alcohol, Drugs, UPFA <18, or Armed with F/A (not first offense):

(1) If the court finds me guilty of one of the following offenses and I was 13 years or older at the time I committed the offense: Alcohol under RCW 66.44; VUCSA under RCW 69.50; Legend drug under RCW 69.41; Imitation drugs under RCW 69.52; UPFA < 18 RCW 9.41.040(2)(a)(vi); and/or, an offense while Armed with a Firearm RCW 13.40.196; AND (2) I have a prior offense for the same offense. See, RCW 13.40.265.

UPFA or Armed During Offense In Which Vehicle Used (with priors):

(1) If the court finds me guilty of one of the following offenses: UPFA 1 or 2 under RCW 9.41.040; and/or an offense while Armed with a Firearm RCW 13.40.196 during which the court found a motor vehicle served an integral function during the offense; AND (2) I previously committed one or more of the following offenses: Alcohol under RCW 66.44; VUCSA under RCW 69.50; Legend drug under RCW 69.41; Imitation drugs under RCW 69.52; UPFA under RCW 9.41.040; and/or an offense while Armed with a Firearm RCW 13.40.196. See RCW 9.41.040(5).

Certain Motor Vehicle Offenses – If the court finds me guilty of one of the following offenses: DUI; Physical Control; DWLS 1&2; Vehicular Assault/Homicide; Hit & Run Attended; Reckless Driving; any felony which a vehicle used in commission (except TMVWOP2 where the court finds I was a passenger only in committing the offense); False Statements under RCW 46; Felony Elude; Unattended Child in Running Vehicle (2nd or subsequent conviction); Reckless Endangerment of Road Workers; and/or Theft of Motor Vehicle Fuel. See, RCW 46.20.285, 46.61.5055(9), 46.20.342(2), 46.61.524, 46.52.020(6), 46.61.500(2), 46.61.024(3), 46.61.685(2), 46.61.527(5), 46.61.740(2), and 46.20.270.

- (b) OFFENDER REGISTRATION FOR SEX OFFENSE OR KIDNAPPING OFFENSE: I have been informed if the court finds me guilty of a kidnapping offense as defined in RCW 9A.44.128 [Attempted Second Degree Kidnapping, Unlawful Imprisonment, or any anticipatory form of those crimes], or any unlawful transmission of HIV to a child or vulnerable adult under chapter 70.24 RCW, I will be required to register as an offender where I reside, study, or work. The specific registration requirements are set forth in the "Offender Registration" Attachment.

- (c) DNA TESTING: Pursuant to RCW 43.43.754, I have been informed if the court finds me guilty of a felony, or an offense which requires kidnapping offender registration [Attempted Second Degree Kidnapping, Unlawful Imprisonment, or any anticipatory form of those crimes], or any of the following offenses: Stalking, Harassment, Assault in the Fourth Degree with Sexual Motivation, Custodial Sexual Misconduct in the Second Degree, Failure to Register as a Sex or Kidnapping Offender, Patronizing a Prostitute, Indecent Exposure, or Violation of a Sexual Assault Protection Order, I will be required to have a biological sample collected for purposes of DNA identification analysis. This paragraph does not apply if it is established the Washington State Patrol crime laboratory already has a sample from me for a qualifying offense.
- (d) \$100 CVC FEE FOR MOST SERIOUS OFFENSE: I have been informed that if the court finds me guilty of a most serious offense as defined by RCW 9.94A.030, I will be required to pay a mandatory Crime Victim's Compensation Fee of \$100. RCW 7.68.035.
- (e) SCHOOL NOTIFICATION: I understand that if one or more of the offenses for which I am pleading guilty is an offense under chapter 9.41 RCW (firearms/weapons); or, unlawful possession or delivery, or both, of a controlled substance in violation of chapter 69.50 RCW; then, following my adjudication of guilt the court will provide written notification of the adjudication to any school in which I was enrolled prior to adjudication, or, in which I express an intent to enroll following adjudication, unless: (1) I have already received a high school diploma or its equivalent; or, (2) I am over the age of 18 and my enrollment information cannot be obtained or I assert no intention of enrolling in any educational program.
- (f) RIGHT TO POSSESS FIREARMS: [JUDGE MUST READ THE FOLLOWING TO OFFENDER] I have been informed that if the court finds me guilty of any offense classified as: (1) a felony; or, (2) any of the following crimes when committed by one family or household member against another or by one intimate partner against another: assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree, or violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence; or, (3) Harassment committed by one family or household member against another or by one intimate partner against another, committed on or after June 7, 2018; I may not possess, own, or have under my control any firearm, and under federal law any firearm or ammunition, unless my right to do so has been restored by the court in which I am adjudicated, or the superior court in Washington state where I live, and by a federal court if required.
- (g) UNLAWFUL POSSESSION OF A FIREARM IN THE 1ST OR 2ND DEGREE: I understand that if the court finds me guilty of Unlawful Possession of a Firearm in the 1st or 2nd degree, I must participate in a "qualifying program" unless there is no such program available or the court makes a written finding based on the juvenile court risk assessment that participation in the program would not be appropriate. A qualifying program means an aggression replacement training program, a functional family therapy program, or another cost-beneficial, evidence or research-based approved program applicable to the juvenile firearm offender population.
- (h) FELONY FIREARM REGISTRATION: I am subject to court-ordered felony firearm offender registration, pursuant to RCW 9.41.330. The specific registration requirements are in the "Felony Firearm Offender Registration" Attachment.


1.6 PROSECUTOR RECOMMENDATION: The prosecutor has promised to take the following action and/or make the following recommendations:

_____ Months of community supervision.

_____ Hours of community restitution (community service).

\$_____ Fine.

Payment of restitution (if any).

 Other recommendations:

1.7 No one has made any threats or promises to get me to submit this case for a deferred disposition, other than the above promises or recommendations by the prosecutor.

1.8 I have read, or have had read to me, the foregoing statement; I understand the requirements of a deferred disposition; and I have no questions of the court.

Dated: _____

Respondent

Presented by:

Approved as to form:

Attorney for Respondent

Attorney for Plaintiff

Type or Print Name/Bar Number

Type or Print Name/Bar Number

Compare Results

Old File:

**JU07_132_Deferred Disposition Order_2019
07.pdf**

6 pages (392 KB)
8/8/2019 10:27:04 AM

versus

New File:

**JU07_132_Deferred Disposition Order_2020
06.pdf**

6 pages (394 KB)
6/10/2020 4:20:35 PM

Total Changes

31

Content

19 Replacements
5 Insertions
7 Deletions

Styling and Annotations

0 Styling
0 Annotations

[Go to First Change \(page 1\)](#)

Superior Court of Washington
County of _____
Juvenile Court

STATE OF WASHINGTON v.

No:

Deferred Disposition Order (ORFD)

Clerk's Action Required: Paragraphs 3.16 through 3.24

Respondent.

D.O.B.:

I. Hearing

- 1.1 Respondent appeared for a disposition hearing pursuant to RCW 13.40.127 on (date) _____ [] The respondent asked the court for deferred disposition at least 14 days prior to the beginning of the trial. [] The court waived the 14 day requirement for good cause.
- 1.2 Persons appearing at the hearing were:

Respondent _____	[] Parent _____
Pros. Atty. _____	[] Parent _____
Prob. Counsl. _____	[] Other _____
Resp. Atty. _____	
- 1.3 Testimony was taken.

II. Findings

2.1 The court found the respondent guilty of:

Count	Offense:	Committed on or about:
Count	Offense:	Committed on or about:
Count	Offense:	Committed on or about:

- GV [] In count(s) _____, **domestic violence – family or household member** was pled and proved.
- GV [] In count(s) _____, **domestic violence – intimate partner** was pled and proved.
- 2.2 The respondent meets the requirements of RCW 13.40.127 and qualifies for a deferred disposition.
- 2.3 The court has consulted with all interested parties.

- 2.4 The court has considered whether both the juvenile offender and the community will benefit from this deferred disposition.
- 2.5 The court took into consideration the facts contained in the police report and/or probable cause affidavit and the Statement of Juvenile for Deferred Disposition. The record supports a finding of guilt as to each count, and the court finds the juvenile guilty of each count.
- 2.6 The respondent committed a felony firearm offense as defined in RCW 9.41.010, and:
- The respondent should register as a felony firearm offender. The court considered the following factors in making this determination:
 - the respondent's criminal history.
 - whether the respondent has previously been found not guilty by reason of insanity of any offense in this state or elsewhere.
 - evidence of the respondent's propensity for violence that would likely endanger persons.
 - other: _____.
 - The respondent must register as a felony firearm offender because the offense was committed in conjunction with an offense committed against a person under the age of 18, or a serious violent offense or offense involving sexual motivation as defined in RCW 9.94A.030.

III. Order

It is Hereby Ordered that disposition of Count(s) _____ of the Information be deferred for a period of _____ months until _____ upon the following conditions (only those paragraphs with boxes checked apply):

- 3.1 **Community Supervision** for _____ months, effective _____.
- A. Respondent shall refrain from committing new offenses.
 - B. Respondent shall comply with the **Mandatory School Attendance** provisions of RCW 28A.225 and inform respondent's school of the existence of this requirement.
 - C. Respondent shall perform _____ hours of **Community Restitution Work**, at a minimum rate of _____ hours per month, to be completed not later than _____.
- The probation counselor may modify this rate in writing.

- 3.2 **Crime Victim's Community Restitution (Service) Work:** The following offenses involved a "victim" as defined in RCW 7.68.020 and are not a most serious offense or a sex offense. Therefore, pursuant to RCW 7.68.035, the court shall order up to seven (7) hours of community restitution per offense unless the court finds such an order not practicable for the offender. This crime victim's community service work is consecutive to itself and to any other community service work imposed in this order:

Count: _____	_____ Hours community restitution (service – 0 to 7 hours)
Count: _____	_____ Hours community restitution (service – 0 to 7 hours)
Count: _____	_____ Hours community restitution (service – 0 to 7 hours)

- 3.3 **Respondent is ordered to Possess No Weapons** during this period of community supervision. Probation counselor is authorized to search respondent and items carried or controlled by respondent at scheduled appointments and other reasonable times and may specify in writing further details of this prohibition.

- 3.4 Counseling and/or information classes, as directed by the supervising probation counselor, including:
- _____
- _____

- 3.5 School/educational/vocational program, as directed by the supervising probation counselor, including:

 _____.
- 3.6 No use and/or possession of alcohol or illegal substances, including random urinalysis at the discretion of the supervising probation counselor.
- 3.7 Drug/alcohol assessment and follow-up treatment at the direction of the supervising probation counselor.
- 3.8 Respondent shall obtain a mental health assessment and shall comply with treatment **recommendations**, unless otherwise ordered by the court.
- 3.9 No contact with the following victim(s) _____
 _____.
- 3.10 No contact with the co-defendant(s):
 _____.
- 3.11 Report to and maintain contact with the supervising probation counselor as directed.
- 3.12 Reside in the home of the respondent's parent(s) or guardian or at other placement approved by the supervising probation counselor.
- 3.13 Keep the supervising probation counselor advised of the respondent's current address and telephone number.
- 3.14 Commit no further law violations.
- 3.15 Submit to a curfew of _____, which may be monitored by electronic monitoring at the discretion of the supervising probation counselor.
- 3.16 Respondent is ordered to pay:
- FFJ/3706* Fine of \$_____.
- PJC/3152* **\$100 CVC Fee for Most Serious Offense** - Pursuant to RCW 7.68.035, a mandatory Crime Victim's Compensation Fee of \$100 is imposed because one or more of the offenses involve a most serious offense as defined by RCW 9.94A.030.
- Restitution is as follows (include name and address):
- Victim _____ Amount: \$_____
- _____
- Victim _____ Amount: \$_____
- _____
- Victim _____ Amount: \$_____
- _____ add to order Adj & dispo
- Restitution liability ordered: is joint and several with (name/case/referral no) _____
 _____. has been equally divided and the amount ordered is the separate obligation of this offender only.

- Restitution shall be payable as follows:
 - At a rate of \$_____ per month (if not checked, no payment plan is set at this time; however, a payment schedule and rate may be set at a later date, if requested by the juvenile.)
 - Payable at a rate to be determined by the supervising probation counselor.
- The court finds the respondent has insufficient funds to pay the full monetary restitution. The victim/s: _____, agreed that the restitution owed to the victim/s may be converted to community restitution hours. It was was not practicable and appropriate to let the victim/s determine the nature of the community restitution. \$ _____ of restitution is converted to community restitution hours at a 1:1 hourly state minimum wage rate. The respondent shall perform _____ hours of community restitution at any appropriate court-approved venue a venue consistent with the nature of the community restitution recommended by the victim/s which is _____.

3.17 **DNA Testing:** Under to RCW 43.43.754, the respondent shall have a biological sample collected for purposes of DNA identification analysis. The respondent shall fully cooperate in the collection and testing. **Failure to provide a sample as ordered is a gross misdemeanor offense.**

Collection Required: The collection will be taken as follows -

The test shall be done immediately prior to respondent leaving the courtroom.

No in court protocol exists. Respondent is ordered to report to the following local police department/sheriff's/law enforcement office - _____ within _____ days from today for collection of a biological sample to comply with this order. If no agency is indicated above, the respondent shall immediately contact the juvenile department for direction on how to provide a sample to comply with this order and provide a sample as directed.

Sample Already Taken: Respondent has already provided a biological sample, as verified by the prosecuting attorney and court.

Paragraph 3.17 does not apply if it is established that the Washington State Patrol crime laboratory already has a sample from the respondent for a qualifying offense.
RCW 43.43.754.

Firearm Prohibition: As a result of the adjudication of guilt as to: (1) a felony; or, (2) one or more of the following crimes committed by one family or household member against another or by one intimate partner against another: Fourth Degree Assault, Coercion, Stalking, Reckless Endangerment, Criminal Trespass in the First Degree, Violation of the provisions of a Protection Order or No-Contact Order restraining the person or excluding the person from a residence; or, (3) Harassment committed by one family or household member against another or by one intimate partner against another, committed on or after June 7, 2018; respondent shall not use or possess a firearm, and under federal law any firearm or ammunition, until his or her right to do so is restored by the court in which respondent is adjudicated or the superior court in Washington state where the respondent lives, and by a federal court if required. The court clerk is directed to immediately forward a copy of the respondent's driver's license or identicaid, or comparable information, along with the date of conviction, to the Department of Licensing. RCW 9.41.047.

- 3.19 [] **Felony Firearm Offender Registration:** The respondent must register as a felony firearm offender. The specific registration requirements are in the “Felony Firearm Offender Registration” Attachment.
- 3.20 [] **Unlawful Possession of a Firearm in the 1st or 2nd Degree:** Respondent has been adjudicated for Unlawful Possession of a Firearm in the First or Second Degree.
- [] Under RCW 13.40.193(2), respondent must participate in a qualifying program of Aggression Replacement Training (ART), Functional Family Therapy (FFT), or, another cost-beneficial, evidence or research-based program as directed by his or her supervising probation counselor.
- [] Based upon the juvenile court risk assessment, the court determines that participation in a qualifying program would not be appropriate.
- 3.21 [] **Suspension/Revocation of Driving Privilege:** Department of Licensing notification is required because:
- [] **Over 13 & Alcohol, Drugs, UPFA <18, or Armed with F/A (not first offense)** - (1) Respondent was 13 years or older at the time he/she committed the following offense: Alcohol under RCW 66.44; VUCSA under RCW 69.50; Legend drug under RCW 69.41; Imitation drugs under RCW 69.52; UPFA < 18 RCW 9.41.040(2)(a)(vi); and/or an offense while Armed with a Firearm RCW 13.40.196; AND (2) Respondent has a prior offense for the same offense. See, RCW 13.40.265.
- [] **UPFA or Armed During Offense In Which Vehicle Used (with priors)** – (1) Respondent committed the following offense: UPFA 1 or 2 under RCW 9.41.040; and/or an offense while Armed with a Firearm RCW 13.40.196 during which the court found a motor vehicle served an integral function during the offense; AND (2) Respondent previously committed of one or more of the following offenses: Alcohol under RCW 66.44; VUCSA under RCW 69.50; Legend drug under RCW 69.41; Imitation drugs under RCW 69.52; UPFA under RCW 9.41.040; and/or an offense while Armed with a Firearm RCW 13.40.196. See, RCW 9.41.040(5).
- [] **Certain Motor Vehicle Offenses** – Respondent committed the following offense: DUI; Physical Control; DWLS 1& 2; Vehicular Assault/Homicide; Hit & Run Attended; Reckless Driving; any felony which a vehicle was used in commission (except TMVWOP2 where the court finds the respondent is a passenger only in committing the offense); False Statements under RCW 46; Felony Elude; Unattended Child in Running Vehicle (2nd or subsequent conviction); Reckless Endangerment of Road Workers; and/or Theft of Motor Vehicle Fuel. See RCW 46.20.285, 46.61.5055(9), 46.20.342(2), 46.61.524, 46.52.020(6), 46.61.500(2), 46.61.024(3), 46.61.685(2), 46.61.527(5), 46.61.740(2), and, 46.20.270.
- Court Clerk:** The court clerk is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must suspend/revoke the defendant’s driver’s license.
- 3.22 [] **Offender Registration for Sex Offense or Kidnapping Offense:** The court finds that Count _____ is a kidnapping offense as defined in RCW 9A.44.128 [Attempted Second Degree Kidnapping, Unlawful Imprisonment, or any anticipatory form of those crimes], or an unlawful transmission of HIV to a child or vulnerable adult under chapter

70.24 RCW, therefore Respondent shall register as an offender. The specific registration requirements are set forth in the "Offender Registration" Attachment.

3.23 [] Other: _____

3.24 [] Probation bond of \$ _____.

The Statement of Juvenile for Deferred Disposition was signed by the respondent in open court in the presence of his or her lawyer and the undersigned judge. The respondent asserted that [check appropriate box]:

- [] (a) The respondent had previously read the entire statement and that the respondent understood it in full;
- [] (b) The respondent's lawyer had previously read to him or her the entire statement and that the respondent understood it in full; or
- [] (c) An interpreter had previously read to the respondent the entire statement and that the defendant understood it in full.

INTERPRETER'S DECLARATION:

I am a certified or registered interpreter, or have been found otherwise qualified by the court to interpret, in the _____ language, which the respondent understands. I have interpreted this document and the Statement of Juvenile for Deferred Disposition for the respondent from English into that language. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____.

Interpreter

Print Name

Dated: _____

JUDGE/COMMISSIONER

Respondent

Presented by:

Copy Received; Approved For Entry; Notice of Presentation Waived:

Signature

Deputy Prosecuting Attorney

Print Name

WSBA No.

Print Name

WSBA No.