

JuCR
RULE 7.12
DISPOSITION HEARING

(a) Time. A disposition hearing shall be held if the juvenile has pleaded guilty or has been found guilty by the court. The hearing may be held immediately following the juvenile's plea of guilty or immediately following the adjudicatory hearing if found guilty by the court. The disposition hearing may be continued for a period of up to 14 days after the plea or the conclusion of the hearing if the juvenile is held in detention, or 21 days after the plea or the conclusion of the hearing if the juvenile is not held in detention. Either time may be extended by the court for good cause shown. Notice of a continued hearing shall be given to all parties in accordance with rule 11.2.

(b) Conduct of Hearing. The court shall conduct the hearing in accordance with RCW 13.40.150. At the conclusion of the disposition hearing, the court shall, in accordance with CrR 7.2(b), advise the juvenile of the right to appeal, including when applicable the right to appeal a sentence based upon a finding of manifest injustice.

(c) Criminal History--Definition. In determining the standard range of disposition for a juvenile, the juvenile's criminal history includes any criminal complaint alleging an offense and resulting in one of the following prior to the commission of the current offense:

(1) A finding made prior to July 1, 1978, that the juvenile committed an offense, if the allegation was required to be proven beyond a reasonable doubt or if the juvenile admitted the allegation; or

(2) A conviction or a plea of guilty on or after July 1, 1978; or

(3) Violations, as defined by RCW 13.40.020, committed on or after July 1, 1998.

(d) Criminal History--Multiple Charges. If the juvenile has been convicted of two or more charges arising out of the same course of conduct, then only the highest charge is counted as criminal history. If the juvenile has been convicted of two or more charges that did not arise out of the same course of conduct, then all of the charges count as criminal history, even though the charges may have consolidated into a single disposition order.

(e) Disposition Based Upon Finding of Manifest Injustice. If the court imposes a sentence based upon a finding of manifest injustice, the disposition order shall set forth those portions of the record material to the disposition.

(f) Disposition Requiring Detention in a State-Operated Juvenile Detention Facility. If the court imposes a sentence requiring commitment to the Division of Juvenile Rehabilitation of the Department of Social and Health Services for detention, the copy of the disposition order sent to the Division shall be accompanied by a statement of the criminal history relied upon by the sentencing court.

(g) Judgment and Sentence. For every disposition order entered pursuant to a juvenile court offense adjudication or deferred adjudication, the court entering the order shall forward to the Sentencing Guidelines Commission the information contained in the order and such criminal history, demographic, and other information as

the Office of the Administrator for the Courts may prescribe. The Administrator for the Courts, at the direction of the Supreme Court, and after consulting with the Sentencing Guidelines Commission, shall determine the method for transmitting this information from the court to the Commission.

(Amended July 11, 1996)

Pursuant to 1997 C338 ' 12 amending RCW 13.40.0357.

(Amended September 1, 1999)
