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July 24, 2017

**TO:** Judicial and Legal Communities

**FROM:** Mark DeForrest, AOC Sr. Legal Analyst

**RE:** 2017 Summary of Changes to Felony Judgment and Sentencing Forms

The Washington Pattern Forms Committee updated the forms below, to implement approved recommended changes and Laws of 2017, ch. 230 (SHB 1079), relating to human trafficking and promoting prostitution – no-contact orders.

The table beginning on the next page contains descriptions of the proposed changes:

|  |  |  |
| --- | --- | --- |
| No. | Form No.  | Title and Description of Changes |
| **1.** | **CR 84. 0460** | **No-Contact Order – Human Trafficking/Promoting Prostitution***This is a new form. Please see the form.* |
| **2.** | **CR 84. 0400** | **Judgment and Sentence – Jail One Year or Less (Sex Offense or Kidnapping of a Minor)***Page one changes:*In the caption, below the form title, delete the following check box option: “**~~[ ] RCW 9.94A.507 Jail Confinement~~**”Also in the caption, after “Clerk’s Action Required”, change “5.5” to “5.5a.”In paragraph 2.1, delete the following checkbox option: ~~[ ] The defendant is a sex offender subject to indeterminate sentencing under RCW 4.94A.507.~~ *Page four changes:*In paragraph 4.1, delete current section (b) entirely:~~(b)~~ ***~~Confinement~~****~~.~~* ~~RCW 9.94A.507 (Sex Offense, only): The defendant is sentenced to the following term of confinement in the custody of the DOC:~~

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| ~~Count~~ |  | ~~minimum term~~ |  | ~~maximum term~~ | ~~Statutory Maximum~~ |
| ~~Count~~ |  | ~~minimum term~~ |  | ~~maximum term~~ | ~~Statutory Maximum~~ |

Re-label section “(c)” as section “(b)”.*Page five changes:*In paragraph 4.2, delete the following material in section (A): ~~(Sex offenses, only)~~ *~~Community Custody~~* ~~for Count(s) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, sentenced under RCW 9.94A.507, is ordered for any period of time the defendant is released from total confinement before the expiration of the maximum sentence.~~ In paragraph 4.2, delete current section (C) entirely:~~(C) [ ]  For sentences imposed under RCW 9.94A.507, the Indeterminate Sentence Review Board may impose other conditions (including electronic monitoring if DOC so recommends). In an emergency, DOCmay impose other conditions for a period not to exceed seven working days.~~Re-label section “(D)” as section “(C)”. *Page six changes:*In paragraph 4.3a,Legal Financial Obligations, below “court costs…” add “$200” to the following fee: Criminal filing fee: $200 \_\_\_\_\_\_\_\_\_ FRC*Page eight changes:*In paragraph 5.4, delete sub-paragraph (b) entirely: ~~(b) If you have not completed your maximum term of total confinement and you are subject to a violation hearing and DOC finds that you committed the violation, DOC may return you to a state correctional facility to serve up to the remaining portion of your sentence. RCW 9.94A.633(2)(a).~~In the same paragraph, eliminate the labeling “(a)” prior to current sub-paragraph (a) as it is no longer necessary.  |