



Felony Judgment and Sentence Forms Summary of Changes

Changes to these forms are based on In re Pers. Restraint of Monschke Mar. 11, 2021 - 96772-5; State v. Dillion, 12 Wn.App.2d 133, 152, 456 P.3d 1199 (2020); Chapter 237, Laws of 2021; Chapter 242, Laws of 2021.

1.	All republished Felony Judgment and Sentence Forms	"Chemical dependency" changed to "substance use disorder."
2.	Felony Judgment and Sentence (Prison) (Non-Sex Offender) and Felony Judgment and Sentence (Prison)(Sex Offender)	<p><u>Changed</u> <input type="checkbox"/> Count _____, is aggravated murder in the first degree committed while the defendant was <input type="checkbox"/> under 16 years of age <input type="checkbox"/> 16 through 17 years of age when the offense was committed. To</p> <p><input type="checkbox"/> Count _____, is aggravated murder in the first degree committed while the defendant was <input type="checkbox"/> under 16 years of age <input type="checkbox"/> 16 through 20 years of age when the offense was committed.</p>
3.	Felony Judgment and Sentence (Prison) (Non-Sex Offender), Felony Judgment and Sentence (Prison)(Sex Offender), Felony Judgment and Sentence (Jail One Year or Less) (Non-Sex Offender), and Felony Judgment and Sentence (Jail One Year or Less) (Sex Offender)	<p><u>Changed</u> the boilerplate community custody supervision fee language to allow non-payment based on a finding of indigence.</p> <p>"(B) While on community custody, the defendant shall:</p> <p>(1) report to and be available for contact with the assigned community corrections officer as directed;</p> <p>(2) work at DOC-approved education, employment and/or community restitution (service);</p> <p>(3) notify DOC of any change in defendant's address or employment;</p> <p>(4) not consume controlled substances except pursuant to lawfully issued prescriptions;</p> <p>(5) not unlawfully possess controlled substances while on community custody;</p> <p>(6) not own, use, or possess firearms or ammunition;</p> <p>(7) perform affirmative acts as required by DOC to confirm compliance with the orders of the court; and</p> <p>(8) abide by any additional conditions imposed by DOC under RCW 9.94A.704 and .706. The defendant's residence location and living arrangements are subject to the prior approval of DOC while on community custody.</p> <p>(9) Payment of Supervision Fees While on Community Custody:</p> <p><input type="checkbox"/> The defendant shall pay supervision fees as determined by the DOC.</p> <p><input type="checkbox"/> The defendant is indigent and the payment of supervision fees is waived."</p>

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4.	CR 08.900 Motion and Declaration for Order Vacating a Record of a Felony (Publish late July 2021)	<u>Added</u> a checkbox for the Prosecutor to bring the motion. <u>Added</u> language re vacating an offense due to be a victim of sex trafficking, prostitution, or commercial sexual abuse of a minor; sexual assault; or domestic violence. SB 5180
5.	CR 08.920 Order Vacating a Record of a Felony	<u>Added</u> language re vacating an offense due to be a victim of sex trafficking, prostitution, or commercial sexual abuse of a minor; sexual assault; or domestic violence. <u>Changed</u> section 3.7 to reflect the current process used by clerks and the Washington State Patrol.
6.	New FJS form (Publish late July 2021)	<u>New Form</u> Felony Judgement and Sentence – Mental Health Sentencing Alternative.
7.	CrR4.2(g) Statement of Defendant on Plea of Guilty (Non-Sex Offense)	<u>Added</u> “The judge may sentence me under the mental health sentencing alternative (MHSA) if I qualify under Laws of 2021, Ch. 242. The sentence will be between 12 and 36 months of community custody and include conditions imposed by the court and by DOC. At any time during community custody, the court may schedule a hearing to evaluate my progress in treatment or to determine if I have violated the conditions of the sentence. At the review or termination hearing the court may impose different or additional conditions upon me, require me to serve a term of total or partial confinement, or revoke the sentencing alternative and impose a term of total or partial confinement.”

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