



SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR THE COUNTY OF YAKIMA

**JUVENILE COURT DIVISION**

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Candi Shute, Juvenile Court Administrator

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ROBERT PORTER

April 28, 2023

Erin L. Lennon, Clerk of the Supreme Court  
Attn: Supreme Court Rules Committee

RE: JuCR 7.16

As the Juvenile Court Administrator, the current chair of the Washington Association of Juvenile Court Administrators Community Juvenile Accountability Act, and as a concerned community member, I am writing to encourage the Washington State Supreme Court to rescind JuCR 7.16.

The adoption of JuCR 7.16 as a permanent rule and without the opportunity for public comment and without input from juvenile courts has seriously undermined the authority of Superior Court judges as outlined in the Juvenile Justice Act as well as RCW 13.40.040(2) and 13.40.050. JuCR 6.6 states that these statutes are the only authority for detention. Additionally, JuCR 7.16 conflicts with JuCR 7.5.

I have worked in the field of juvenile justice for just over 23 years. Through the course of my career, I have witnessed the dedication, passion, and commitment to the safety of the community and to the well-being of the youth we serve by those who work in juvenile justice. This includes judges, commissioners, probation and parole counselors, detention staff, prosecutors, public defenders, and Court Administrators. Though each of these individuals has their own unique role in the system, juvenile court matters are handled in a therapeutic manner. This includes the use of juvenile detention stays when necessary and appropriate.

The days of housing very large numbers of juveniles for very long stretches of time have passed. Juvenile Justice reforms in WA State and the use of research, evidence-based programs and best practices has helped the WA State juvenile justice system evolve into a compassionate, responsive, and more equitable system. The use of detention is one small piece of the system, but a very important one at times. The juvenile courts in our state use detention for a purpose and not just punishment.

Juvenile detention population and probation caseloads have been declining at a rapid rate for years prior to JuCR 7.16. Juvenile courts utilize graduated responses to address probation violations to include classes, essays, community service, referrals to community programs, curfew restrictions and other creative activities. These practices were in place long before JuCR 7.16. Bringing a youth in front of a judge and the issuance of warrants are a last-ditch effort to intervene when all other efforts have failed to keep the youth and the community safe.

One of the biggest failures of JuCR 7.16 is the inability of the courts to issue a warrant for a youth who is a danger to themselves. If there were widespread and equitable programs in all counties of WA State to address drug addiction, overdose, failure to participate in necessary mental health treatment and victim services, there would be no need to issue a warrant to stabilize a juvenile in crisis. These essential programs and interventions are sparse or nonexistent in a high number of WA counties.

Detention centers in our state serve as a place to detain juveniles who are a clear danger to the public and as stabilization centers for juveniles struggling with the issues outlined above. Yakima County's drug, gang, sex trafficking and gun violence issues are pervasive and growing. Like many counties in our state, we have a high number of homeless and runaway juveniles. Many of these juveniles lack food, shelter, medical treatment, mental health, and substance use disorder treatment, education, and victim advocacy services. When a youth comes into a detention center, they are provided with all these services in the facility and linked with continued care services upon release.

Yakima County, like other WA Counties, has no juvenile detox centers. Juvenile Detention serves as a safe place for a substance addicted juvenile to detox under medical and staff observation. Certified mental health and substance use disorder providers come into detention to meet with juveniles regularly and can connect them with medication assisted treatment and referrals to inpatient and outpatient services.

Numerous community partners come into Juvenile Detention Centers to respond to the needs of the juveniles we serve. Juvenile Court and these partners would prefer their services to be provided in the community and in the juvenile's home or provider offices. Unfortunately, the juveniles who are on runaway status, homeless, using fentanyl and other drugs and being sexually exploited cannot be brought into detention by warrant because JuCR 7.16 eliminates the possibility of issuing a warrant and stabilizing them. As a result, they are continued victims of drug overdose, sexual exploitation, food, medical and education insecurity.

Juveniles are very aware of the limitations imposed by JuCR 7.16. They understand and will tell parents, attorneys, probation counselors and law enforcement that they do not have to comply with court orders, and they know that a warrant cannot be issued. Since the implementation of JuCR 7.16, many juveniles with court orders fail to appear for scheduled court hearings. They have learned that no warrant will be issued for failure to appear.

One of the most difficult consequences of the implementation of JuCR 7.16 is the emotional, desperate, and angry responses from parents/guardians who do not understand why the judge and the probation staff are not doing anything to help their children. Juvenile Court staff must listen to parents/guardians share stories of how their young daughters are being picked up by older men and disappearing for weeks. Parents/guardians are finding evidence of drug use in their children's bedrooms and throughout the home within reach of younger siblings. They are finding their children have passed out or are on the verge of overdose and cannot keep the children stable long enough to get them into life-saving treatment. Parents/guardians will plead with staff to issue a warrant so their child can be booked into detention and get the help they need.

Clearly the implementation of JuCR 7.16 was well intended but misguided. As an emergency rule during the height of the Covid-19 pandemic, it seemed reasonable. Making it permanent has serious and unintended consequences of keeping children in dangerous, life-threatening situations that could be addressed in a temporary detention stay.

The Supreme Court needs to completely rescind JuCR 7.16 and return authority to Superior Court Judges to enforce their court orders and consider the unique needs and challenges of the juvenile, families, and their communities.

Sincerely,



Candi Shute  
Yakima County Juvenile Court Administrator

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: Comments regarding JuCR 7.16  
**Date:** Monday, May 1, 2023 8:18:19 AM  
**Attachments:** [JuCR 7.16 public comment letter.pdf](#)

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**From:** Candi Shute <Candi.Shute@co.yakima.wa.us>  
**Sent:** Saturday, April 29, 2023 9:11 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comments regarding JuCR 7.16

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Good morning Erin L. Lennon.

I have attached a letter for proposed changes to JuCR 7.16.

Regards,

*Candi Shute - Juvenile Court Administrator  
Yakima County Juvenile Court  
509-574-2090*

*Happiness comes through doors we don't even remember opening. . anonymous*