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Subject: FW: JuCR 7.16
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From: Young, Melinda <Melinda.Young@kingcounty.gov>
Sent: Friday, April 28, 2023 11:13 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: JuCR 7.16

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To Whom It May Concern:

I am writing to strongly support the Superior Court Judge' Association and Washington Juvenile Court Administrator's request to amend Juvenile Court Rule 7.16. As noted, JuCR 7.16 was originally part of emergency orders in response to the COVID pandemic. In that way, this rule makes sense. The need to limit youth in congregate settings and reduce the spread of COVID was of paramount concern three years ago. However, it makes much less sense as a permanent rule. Not allowing courts to consider the risk a youth may pose to themselves is contrary to law (RCW 13.40.040), unnecessarily harmful to the youth, and restrictive of a trial court's authority.

I will not repeat the legal analysis in the GR 9 coversheet submitted by SCJA and WAJCA, nor will I share any additional examples. The ones provided by SCJA and WAJCA show the magnitude of the difficulties with the current rule. The families that asked for help in those examples were let down by this rule. It limited the ability of the trial court to help their child in crisis. The rule has good intentions; making sure there is a thoughtful analysis of whether a warrant, and detention, is really necessary. That type of analysis is an important one for all trial courts; detention should not be the primary tool of juvenile justice. However, trial courts also need every tool available to intercede in moments of crisis and JuCR 7.16 takes away an important option when there is urgency to act.

The proposed amendment to JuCR 7.16 provides the appropriate balance of reducing the number of warrants, while recognizing the (sometimes) urgent needs of our youth. An inability to consider the youth's suicidal ideation, addiction, or exploitation in issuing a warrant unnecessarily takes away tools from a trial court's toolbox. King County juvenile court shares the goal of finding alternatives to detention. The amended rule, requiring that the trial court find a threat to the juvenile or a threat to the public, is consistent with that goal.

I urge you to adopt the proposed amendment.

Thank you,

Judge Melinda Young

King County Superior Court, Chief Judge of Juvenile Court