

Superior Court of Washington
County of _____
Juvenile Court

STATE OF WASHINGTON v.

No:

Deferred Disposition Order (ORFD)

Clerk's Action Required: Paragraphs 3.16 through 3.24

Respondent.

D.O.B.:

I. Hearing

- 1.1 Respondent appeared for a disposition hearing pursuant to RCW 13.40.127 on (date) _____ . The respondent asked the court for deferred disposition at least 14 days prior to the beginning of the trial. The court waived the 14 day requirement for good cause.
- 1.2 Persons appearing at the hearing were:

Respondent	<input type="checkbox"/> Parent _____
Pros. Atty. _____	<input type="checkbox"/> Parent _____
Prob. Counsl. _____	<input type="checkbox"/> Other _____
Resp. Atty. _____	
- 1.3 Testimony was taken.

II. Findings

2.1 The court found the respondent guilty of:

Count	Offense:	Committed on or about:
Count	Offense:	Committed on or about:
Count	Offense:	Committed on or about:

- GV In count(s) _____, **domestic violence – family or household member** was pled and proved.
- GV In count(s) _____, **domestic violence – intimate partner** was pled and proved.
- 2.2 The respondent meets the requirements of RCW 13.40.127 and qualifies for a deferred disposition.
- 2.3 The court has consulted with all interested parties.

- 2.4 The court has considered whether both the juvenile offender and the community will benefit from this deferred disposition.
- 2.5 The court took into consideration the facts contained in the police report and/or probable cause affidavit and the Statement of Juvenile for Deferred Disposition. The record supports a finding of guilt as to each count, and the court finds the juvenile guilty of each count.
- 2.6 The respondent committed a felony firearm offense as defined in RCW 9.41.010, and:
- The respondent should register as a felony firearm offender. The court considered the following factors in making this determination:
 - the respondent's criminal history.
 - whether the respondent has previously been found not guilty by reason of insanity of any offense in this state or elsewhere.
 - evidence of the respondent's propensity for violence that would likely endanger persons.
 - other: _____.
 - The respondent must register as a felony firearm offender because the offense was committed in conjunction with an offense committed against a person under the age of 18, or a serious violent offense or offense involving sexual motivation as defined in RCW 9.94A.030.

III. Order

It is Hereby Ordered that disposition of Count(s) _____ of the Information be deferred for a period of _____ months until _____ upon the following conditions (only those paragraphs with boxes checked apply):

- 3.1 **Community Supervision** for _____ months, effective _____.
- A. Respondent shall refrain from committing new offenses.
 - B. Respondent shall comply with the **Mandatory School Attendance** provisions of RCW 28A.225 and inform respondent's school of the existence of this requirement.
 - C. Respondent shall perform _____ hours of **Community Restitution Work**, at a minimum rate of _____ hours per month, to be completed not later than _____.
- The probation counselor may modify this rate in writing.
- 3.2 **Crime Victim's Community Restitution (Service) Work:** The following offenses involved a "victim" as defined in RCW 7.68.020 and are not a most serious offense or a sex offense. Therefore, pursuant to RCW 7.68.035, the court shall order up to seven (7) hours of community restitution per offense unless the court finds such an order not practicable for the offender. This crime victim's community service work is consecutive to itself and to any other community service work imposed in this order:

Count: _____	_____ Hours community restitution (service – 0 to 7 hours)
Count: _____	_____ Hours community restitution (service – 0 to 7 hours)
Count: _____	_____ Hours community restitution (service – 0 to 7 hours)

- 3.3 **Respondent is ordered to Possess No Weapons** during this period of community supervision. Probation counselor is authorized to search respondent and items carried or controlled by respondent at scheduled appointments and other reasonable times and may specify in writing further details of this prohibition.
- 3.4 Counseling and/or information classes, as directed by the supervising probation counselor, including:
- _____
- _____

- 3.5 School/educational/vocational program, as directed by the supervising probation counselor, including:

 _____.
- 3.6 No use and/or possession of alcohol or illegal substances, including random urinalysis at the discretion of the supervising probation counselor.
- 3.7 Drug/alcohol assessment and follow-up treatment at the direction of the supervising probation counselor.
- 3.8 Respondent shall obtain a mental health assessment and shall comply with treatment recommendations, unless otherwise ordered by the court.
- 3.9 No contact with the following victim(s) _____
 _____.
- 3.10 No contact with the co-defendant(s):
 _____.
- 3.11 Report to and maintain contact with the supervising probation counselor as directed.
- 3.12 Reside in the home of the respondent's parent(s) or guardian or at other placement approved by the supervising probation counselor.
- 3.13 Keep the supervising probation counselor advised of the respondent's current address and telephone number.
- 3.14 Commit no further law violations.
- 3.15 Submit to a curfew of _____, which may be monitored by electronic monitoring at the discretion of the supervising probation counselor.
- 3.16 Respondent is ordered to pay:
- FFJ/3706* Fine of \$_____.
- PJC/3152* **\$100 CVC Fee for Most Serious Offense** - Pursuant to RCW 7.68.035, a mandatory Crime Victim's Compensation Fee of \$100 is imposed because one or more of the offenses involve a most serious offense as defined by RCW 9.94A.030.
- Restitution is as follows (include name and address):
- Victim _____ Amount: \$_____
- _____
- Victim _____ Amount: \$_____
- _____
- Victim _____ Amount: \$_____
- _____ add to order Adj & dispo
- Restitution liability ordered: is joint and several with (name/case/referral no) _____
 _____. has been equally divided and the amount ordered is the separate obligation of this offender only.

- Restitution shall be payable as follows:
 - At a rate of \$_____ per month (if not checked, no payment plan is set at this time; however, a payment schedule and rate may be set at a later date, if requested by the juvenile.)
 - Payable at a rate to be determined by the supervising probation counselor.
- The court finds the respondent has insufficient funds to pay the full monetary restitution. The victim/s: _____, agreed that the restitution owed to the victim/s may be converted to community restitution hours. It was was not practicable and appropriate to let the victim/s determine the nature of the community restitution. \$ _____ of restitution is converted to community restitution hours at a 1:1 hourly state minimum wage rate. The respondent shall perform _____ hours of community restitution at any appropriate court-approved venue a venue consistent with the nature of the community restitution recommended by the victim/s which is _____.

3.17 **DNA Testing:** Under to RCW 43.43.754, the respondent shall have a biological sample collected for purposes of DNA identification analysis. The respondent shall fully cooperate in the collection and testing. **Failure to provide a sample as ordered is a gross misdemeanor offense.**

- Collection Required:** The collection will be taken as follows -
 - The test shall be done immediately prior to respondent leaving the courtroom.
 - No in court protocol exists. Respondent is ordered to report to the following local police department/sheriff's/law enforcement office - _____ within _____ days from today for collection of a biological sample to comply with this order. If no agency is indicated above, the respondent shall immediately contact the juvenile department for direction on how to provide a sample to comply with this order and provide a sample as directed.
- Sample Already Taken:** Respondent has already provided a biological sample, as verified by the prosecuting attorney and court.

Paragraph 3.17 does not apply if it is established that the Washington State Patrol crime laboratory already has a sample from the respondent for a qualifying offense. RCW 43.43.754.

3.18 **Firearm Prohibition:** As a result of the adjudication of guilt as to: (1) a felony; or, (2) one or more of the following crimes committed by one family or household member against another or by one intimate partner against another: Fourth Degree Assault, Coercion, Stalking, Reckless Endangerment, Criminal Trespass in the First Degree, Violation of the provisions of a Protection Order or No-Contact Order restraining the person or excluding the person from a residence; or, (3) Harassment committed by one family or household member against another or by one intimate partner against another, committed on or after June 7, 2018; respondent shall not use or possess a firearm, and under federal law any firearm or ammunition, until his or her right to do so is restored by the court in which respondent is adjudicated or the superior court in Washington state where the respondent lives, and by a federal court if required. The court clerk is directed to immediately forward a copy of the respondent's driver's license or identicard, or comparable information, along with the date of conviction, to the Department of Licensing. RCW 9.41.047.

- 3.19 [] **Felony Firearm Offender Registration:** The respondent must register as a felony firearm offender. The specific registration requirements are in the “Felony Firearm Offender Registration” Attachment.
- 3.20 [] **Unlawful Possession of a Firearm in the 1st or 2nd Degree:** Respondent has been adjudicated for Unlawful Possession of a Firearm in the First or Second Degree.
- [] Under RCW 13.40.193(2), respondent must participate in a qualifying program of Aggression Replacement Training (ART), Functional Family Therapy (FFT), or, another cost-beneficial, evidence or research-based program as directed by his or her supervising probation counselor.
- [] Based upon the juvenile court risk assessment, the court determines that participation in a qualifying program would not be appropriate.
- 3.21 [] **Suspension/Revocation of Driving Privilege:** Department of Licensing notification is required because:
- [] **Over 13 & Alcohol, Drugs, UPFA <18, or Armed with F/A (not first offense)** - (1) Respondent was 13 years or older at the time he/she committed the following offense: Alcohol under RCW 66.44; VUCSA under RCW 69.50; Legend drug under RCW 69.41; Imitation drugs under RCW 69.52; UPFA < 18 RCW 9.41.040(2)(a)(vi); and/or an offense while Armed with a Firearm RCW 13.40.196; AND (2) Respondent has a prior offense for the same offense. See, RCW 13.40.265.
- [] **UPFA or Armed During Offense In Which Vehicle Used (with priors)** – (1) Respondent committed the following offense: UPFA 1 or 2 under RCW 9.41.040; and/or an offense while Armed with a Firearm RCW 13.40.196 during which the court found a motor vehicle served an integral function during the offense; AND (2) Respondent previously committed of one or more of the following offenses: Alcohol under RCW 66.44; VUCSA under RCW 69.50; Legend drug under RCW 69.41; Imitation drugs under RCW 69.52; UPFA under RCW 9.41.040; and/or an offense while Armed with a Firearm RCW 13.40.196. See, RCW 9.41.040(5).
- [] **Certain Motor Vehicle Offenses** – Respondent committed the following offense: DUI; Physical Control; DWLS 1& 2; Vehicular Assault/Homicide; Hit & Run Attended; Reckless Driving; any felony which a vehicle was used in commission (except TMVWOP2 where the court finds the respondent is a passenger only in committing the offense); False Statements under RCW 46; Felony Elude; Unattended Child in Running Vehicle (2nd or subsequent conviction); Reckless Endangerment of Road Workers; and/or Theft of Motor Vehicle Fuel. See RCW 46.20.285, 46.61.5055(9), 46.20.342(2), 46.61.524, 46.52.020(6), 46.61.500(2), 46.61.024(3), 46.61.685(2), 46.61.527(5), 46.61.740(2), and, 46.20.270.
- Court Clerk:** The court clerk is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must suspend/revoke the defendant’s driver’s license.
- 3.22 [] **Offender Registration for Sex Offense or Kidnapping Offense:** The court finds that Count _____ is a kidnapping offense as defined in RCW 9A.44.128 [Attempted Second Degree Kidnapping, Unlawful Imprisonment, or any anticipatory form of those crimes], or an unlawful transmission of HIV to a child or vulnerable adult under chapter

70.24 RCW, therefore Respondent shall register as an offender. The specific registration requirements are set forth in the "Offender Registration" Attachment.

3.23 [] Other: _____

3.24 [] Probation bond of \$ _____.

The Statement of Juvenile for Deferred Disposition was signed by the respondent in open court in the presence of his or her lawyer and the undersigned judge. The respondent asserted that [check appropriate box]:

- [] (a) The respondent had previously read the entire statement and that the respondent understood it in full;
- [] (b) The respondent's lawyer had previously read to him or her the entire statement and that the respondent understood it in full; or
- [] (c) An interpreter had previously read to the respondent the entire statement and that the defendant understood it in full.

INTERPRETER'S DECLARATION:

I am a certified or registered interpreter, or have been found otherwise qualified by the court to interpret, in the _____ language, which the respondent understands. I have interpreted this document and the Statement of Juvenile for Deferred Disposition for the respondent from English into that language. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____.

Interpreter

Print Name

Dated: _____

JUDGE/COMMISSIONER

Respondent

Presented by:

Copy Received; Approved For Entry; Notice of Presentation Waived:

Signature

Deputy Prosecuting Attorney

Print Name

WSBA No.

Print Name

WSBA No.