



King County Superior Court Juvenile Court Criminal Proceedings Manual

Version 4.0

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Disclaimer: This manual provides a general overview of current policies and procedures in Juvenile Court criminal proceedings cases, and is not a substitute for policies, procedures, court rules, case law and statutes detailed elsewhere.

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PREFACE

This manual is intended to educate practitioners and the public about the details of the juvenile legal system for youth who are accused of committing a crime. Juvenile Court serves youth who are engaged in a broad spectrum of behaviors, including being accused of minor offenses and/or very serious crimes. Juvenile Court strives to serve all youth equitably across this spectrum, including those who may need minimal intervention and those experiencing profound challenges and needing the highest level of care.

This manual should be read in conjunction with the Juvenile Court rules and the King County Local Juvenile Court Rules. Nothing in this manual is intended to conflict with the court rules or the relevant statutes.

INTRODUCTION

Pursuant to [KC LJUCR 7.1](#), this Juvenile Court Criminal Proceedings Manual (“Manual”) is intended to provide a summary of current policies and procedures concerning the adjudication and supervision of juvenile legal cases in King County Superior Court’s Juvenile Court (“Juvenile Court”). The King County Superior Court’s Executive Committee approved the Manual on December 5, 2023. Future revisions will be made as needed and as directed by the Chief Juvenile Court Judge.

VISITING THE JUVENILE COURT AND CONTACT INFORMATION

The Judge Patricia H. Clark Children and Family Justice Center (“CCFJC”) houses Juvenile Court, Juvenile Detention, the Family Resource Center, and a variety of related programs. The CCFJC is located at [1211 East Alder Street, Seattle, WA 98122-5593](#).

Juvenile criminal hearings and fact findings, with rare exceptions, are heard at the CCFJC. See page 12 for further information about Juvenile Criminal calendars.

Upon entering the CCFJC, visit the [Justice Bobbe J. Bridge Resource Center](#), which can provide further direction. Or please contact the resource center at (206) 263-8634 or SCResourceCenter@kingcounty.gov.

For contact information for many of the Court’s management and programs, visit the Superior Court [website](#) and expand the Juvenile Court Services tab.

ORGANIZATION OF THE JUVENILE COURT AND PERSONNEL

JUDICIAL OFFICERS

The Presiding Judge of the King County Superior Court assigns King County Superior Court Judges to the Juvenile Court to serve a designated term. The Presiding Judge appoints a Chief Juvenile Court Judge responsible for the Juvenile Court and the CCFJC.

BAILIFFS/COURT COORDINATORS

Juvenile Court uses bailiffs and court coordinators to facilitate case management, which includes support for in-court operations. These operations include scheduling court dates, monitoring case readiness, and determining the priority order of cases on a given court day. The bailiff or coordinator prepares, generates, and maintains the Court's calendar, and responds to inquiries from attorneys and other stakeholders regarding how to schedule or participate in hearings. More generally, they facilitate communication between judges, court stakeholders, and the public.

CLERKS FROM THE DEPARTMENT OF JUDICIAL ADMINISTRATION

The Superior Court Clerk's Office maintains the official legal court record and maintains the financial information in relationship to a filed juvenile criminal case. This is accomplished by keeping a record of all documents, litigants and court hearings throughout the lifecycle of the case in a database called KCScript. Whenever a court hearing is held, a deputy clerk is in court to take minutes, mark and receive any documents and exhibits into the official court file, and run the digital electronic recording equipment. The clerk maintains all the filed documents digitally in the Electronic Court Record (ECR) system, and attorneys are mandated to electronically file all documents with the Court. The clerk is responsible for sending notification of court actions as required by law. These include required notices to the Department of Licensing regarding the loss of firearms and driver's license privileges and notice of offender case disposition information to the state patrol. The clerk is also responsible for collecting and disbursing restitution and other costs assessed by the order of the Court.

ROLE OF PARENTS IN JUVENILE CASES

PARENTS/GUARDIANS COURT ATTENDANCE

Parents or guardians have the right to be notified of any criminal proceedings against a youth and the right to be heard at certain times in the court process, particularly about whether the youth should be detained. Parents may appear by phone, video, or submit written information to the court. The assigned juvenile probation counselor may also provide information from a parent/guardian to the court and provide information about the outcome of the hearing to a parent/guardian if they are not able to attend. The Court may, in its discretion, proceed without the parent/guardian's presence if

reasonable efforts have been made to notify the parent/guardian and the parent/guardian is not present. *See, e.g.,* [RCW 13.40.050\(8\)](#), [13.40.100](#) and [13.40.130\(10\)](#).

FURTHER INFORMATION ABOUT THE LEGAL PROCESS

An overview of the juvenile justice process and the role of the parent is further explained in the [Juvenile Legal System Family Handbook](#) (available in [multiple languages](#)).

INTERPRETER SERVICES FOR PARENTS

The Court provides interpreters for parents/guardians as needed free of charge. *See* Page 9 for more information.

OVERVIEW AND ROLE OF JUVENILE COURT SERVICES

THE ROLE OF JUVENILE COURT SERVICES (JCS)

Juvenile Court Services provides opportunities for youth and families to receive supportive interventions and programming with the goal of eliminating future involvement in the legal system. Juvenile Court is mandated by statute to maintain a balance between treatment, accountability, and community safety when they supervise a youth. JCS has staff that provide direct services to youth and their families, as well as staff that support court operations and provide administrative support.

These units comprise Juvenile Court Services:

- **ADMINISTRATIVE SUPPORT UNIT:** maintains electronic social (e-social) files on all youth referred to Juvenile Court Services (JCS), maintains and updates information in the Court’s data systems, including the state information systems.
- **SCREENING UNIT:** reviews all requests from law enforcement that a youth be admitted into secure detention. Screening JPCs determine if a youth meets the criteria to be brought to detention, administer the Detention Risk Assessment Instrument (DRAI) that generates a placement recommendation, contact the on call judicial officer for possible immediate release for cases that meet specific criteria, and prepare a report for judicial officers.
- **BEHAVIORAL HEALTH RESPONSE (BHR):** a pre-adjudicated therapeutic program model that serves as an alternative to the standard juvenile criminal court processes. Guided by clinical screening instruments, youth gain immediate access to treatment that may include the entire family. Youth who successfully complete the BHR program will incur the benefit of an offense reduction or have their case dismissed, in the discretion of the prosecuting attorney. To be considered for the Behavioral Health Response program, youth must meet offense and screening eligibility requirements established by the prosecuting attorney.

- **RESTORATIVE PROGRAMS:** focuses on prevention and early intervention using three models: Family Intervention and Restorative Services (FIRS), StepUp, and Diversion. These models are designed to provide timely, therapeutic, and restorative support and services to youth and families. Most of these services are offered without the filing of criminal charges or formal court processing. Many offenses handled via FIRS or Diversion are misdemeanors, but some felony offenses can be eligible as well. Diversion is typically available for youth with limited or no prior offense history. Diversions are assigned to either JPC's or Community Accountability Boards (volunteer-based program with community members that can include referrals for services and case management) depending on the unique needs of each youth.
- **COMMUNITY PROGRAMS:** works to foster partnerships with community organizations and community members, connecting youth and families to a network of supportive programs, interventions, and mentors. This unit includes Education and Employment Training (EET), an evidence-based education and employment program; the Commercially Sexually Exploited Children (CSEC) Program, which ensures the safety and support of commercially sexually exploited children and to prevent further exploitation through training and collaboration; Mentoring, in which JCS partners with several community organizations to provide formal mentorship support to court-involved youth; Youth Skills Training and Family Interventions, which are evidence-based programs designed to support court-involved youth and their families; The Resource Center at the CCFJC, where youth and their families can learn about community resources; the Partnership For Youth Justice (PYJ), which is a volunteer-based diversion program; and the Juvenile Justice Assessment Team (JJAT), which provides chemical dependency, psychological, and mental health assessments for youth.
- **TOTAL SERVICE UNITS:** community-based probation services located in located in Seattle, Bellevue, Renton, and Federal Way. Probation services seek to engage and empower youth and families with services and programming to reduce detention admission and reduce youth involvement in the juvenile justice system. Each Total Service Unit has JPCs that provide Intake and Supervision services, as well as youth receiving Diversion and FIRS services. Intake probation counselors link youth to services and support, while also providing information to the court at key decision points. Supervising probation counselors use the JTRAC tenets to assist youth to make positive changes while helping the youth comply with the court's disposition orders.

JUVENILE PROBATION COUNSELOR (JPC) REPORTS AND COURT APPEARANCE

All JPC reports are due by noon the day before the hearing, unless noted below. Reports are distributed to all parties, including the Court, prosecutor, and defense. Receipt of untimely reports is grounds for the Court to require a continuance.

Disposition reports are generally required to be submitted by noon the day before the hearing, however if JPC or any party is requesting a manifest injustice disposition, the JPC's report and all

materials in support of such disposition shall be submitted three court days in advance of the scheduled hearing. See [KCLJuCR 7.12](#).

For modification hearings, the JPC must submit a report to the court, prosecutor, and juvenile’s attorney by noon the day before the hearing. The JPC should attend the hearing, but if the JPC is unable to be present and the youth denies the allegations in the report the court may continue the modification or revocation hearing so that the JPC may testify. Early submittal of a modification report is encouraged to allow defense counsel sufficient time to discuss the details of the alleged violations with their clients.

JPCs are encouraged to attend court hearings either in person or remotely. JPCs are responsible for timely appearance for their hearings, but the Court may hold the hearing even if the JPCs are absent. JPCs are expected to communicate with court staff regarding their intentions regarding appearance, including who is expected to cover if the JPC is unavailable.

Unless the juvenile gives permission to his/her JPC, the JPC may not testify at a fact-finding hearing as to any facts disclosed or discovered during the social investigation. See [KCLJuCR 7.11](#).

BEHAVIORAL HEALTH ASSESSMENTS

All youth served by Juvenile Court Services are screened for behavioral health needs, including anxiety, depression, trauma, and substance use using clinically validated screening tools. Screenings are administered at intake and again every 90 days to identify any new behavioral health needs. Screening tools do not provide a diagnosis but do identify areas that may need further assessment and intervention. The screening tools help identify youth’s needs as early as possible and allow quicker referrals to services. Screening results assist the JPC in case planning and meeting the behavioral health needs of youth.

SECURE DETENTION AND ALTERNATIVES TO SECURE DETENTION

The King County Executive’s Department of Adult and Juvenile Detention (“DAJD”) is responsible for the care and custody of youth who are detained in the juvenile detention facility. However, the Court sets eligibility for booking into detention and individual judicial officers may order detention after a hearing.

DAJD also operates Alternatives to Secure Detention (ASD), otherwise known as Electronic Home Monitoring (EHM). This allows a youth to be monitored via a GPS location device while staying in the community. ASD provides timely reports to a JPC and the court if there is noncompliance with the court’s order and appears in court for hearings to provide information.

DETENTION ADMISSION CRITERIA AND SCREENING

When a police officer arrests a youth and thinks the youth is qualified to be held in detention, the officer must contact the Juvenile Court Services Screening Unit before transporting a youth to the facility. The Screening JPC will complete the WASIC warrant check for the youth and review the circumstances of the arrest with the police officer to determine if a youth meets the detention intake criteria prior to transporting the youth to the detention facility. The Screening JPC communicates with Detention ARV (intake) that the police are on their way to detention. The Screening JPC contacts the judicial officer on call from 8 am to 8 pm for youth that meet criteria to be brought to detention, but who may be eligible for release prior to a court hearing (see below). Determination of eligibility for detention is based on King County Superior Court policy, which is reflected in the Juvenile Intake Criteria. When making this decision, the Screening Unit JPC references this Juvenile Detention Intake Criteria , found [here](#).

DETENTION RISK ASSESSMENT INSTRUMENT (DRAI)

When youth are presented to detention, the Screening JPC administers the DRAI, which generates a placement recommendation (release, eligible for alternative to secure detention program, or secure detention) for the Court at the first appearance hearing or to the on-call judge.

EARLY SCREENING AND RELEASE PROGRAM

Some youth are brought to detention for offenses that are eligible to be “screened and released.” If a youth is “screened and released,” a judge is provided information about the arrest (from the “superform”) and notes from the Screening JPC concerning criminal history, parent/guardian information, and social information. A juvenile judge is on call from 8 am to 8 pm, 7 days a week, 365 days a year for screen and release decisions. After receiving the superform and notes from the Screening JPC, the judge will determine whether to release the youth to their guardian’s custody or place them in detention until their first appearance in court. A first appearance is the next court day, where there is a hearing in court about continued detention.

ALTERNATIVES TO SECURE DETENTION (ASD)

DAJD oversees the Electronic Home Monitoring (EHM) program to provide an alternative to secure detention. EHM includes GPS tracking. A judge may allow an expanded zone while on EHM which allows a youth to be up to 150 feet outside their residence. Passes may also be authorized by the judge, or authority delegated to a JPC, for counseling, appointments, sports, or other pro-social activities. Youth are always allowed to attend school while on EHM.

CASE ASSIGNMENT

GEOGRAPHICAL CASE ASSIGNMENT

Judges are assigned cases after charges are filed according to the youth's residential zip code. To the extent feasible, assigned judges hear all hearings for that youth. Youth assigned to a courtroom remain in that court even if they move to a new residence. Trials are assigned based on judicial availability, not by geographical court, but trial assignment does not change the overall case assignment.

NOTICE OF DISQUALIFICATION

Pursuant to [RCW 4.12.050](#) and subject to limitations, a party or an attorney appearing in any action or proceeding in a superior court may disqualify a judge from hearing a matter. Judges also have obligations in certain circumstances to recuse themselves from cases, i.e., not hear the matters, pursuant to the Washington State [Code of Judicial Conduct](#).

APPOINTMENT OF COUNSEL

The King County Department of Public Defense provides attorney representation for youth at a first appearance calendar, as well as assigns filed cases to public defense divisions for legal representation. Prior to assignment of a case to a public defense division, DPD performs a preliminary screen of the case to identify conflicts of interest in the prior or current representation of parties or witnesses.

DPD, through its divisions, assigns an attorney for all youth at no cost to the youth or the youth's family. If a youth chooses to retain a private attorney, the Court appointed attorney withdraws from the case. The attorney-client relationship is between the youth and the attorney.

INTERPRETERS

Interpreters are provided automatically at the First Appearance Hearing if the need is identified by the Probation Screening Unit. Attorneys must inform the court if interpreter services are required for subsequent hearings. Interpreters are provided at no cost to the parties.

Once the need for an interpreter in a spoken language or in ASL is determined, requests can be made by families or by staff and officers of the court (attorney, probation officer, detention staff etc.) by calling the Office of Interpreter Services (OIS) at 206-205-9331 at Juvenile Court or 206-296-9358 at the King County Courthouse, and leaving a message at any time, or by emailing scinterp@kingcounty.gov.

The request can be made prior to the first time the family appears at court or any time thereafter. The following information will be needed by Interpreter Services to fill each request:

- The child's name and cause number, if available;
- The name of the person requiring an interpreter and relationship to the child;

- The date, time and location of the hearing;
- The language requested;
- A return phone number;
- The name of the person calling.

The State of Washington, through the AOC, certifies interpreters in approximately 9 languages, and registers interpreters in approximately 41 languages. The OIS strives to provide certified and registered interpreters for each event. When a certified or registered interpreter is unavailable, the court may qualify an interpreter. Certified and registered interpreters file an oath of interpreter with the AOC. Other interpreters must be qualified and sworn by the court at the beginning of each proceeding.

For more information about the court’s Office of Interpreter Services, please visit the webpage at: [Interpreter Services](#).

Parties are requested to timely inform the Court if a scheduled interpreter is not needed for hearings and proceedings to conserve the Court’s interpreter resources. Notice at least 24 hours before the hearing is requested to avoid unnecessary costs to the Court.

JUVENILE CRIMINAL/BECCA CALENDARS

The juvenile court judges handle criminal matters and the Becca calendars (At-Risk Youth Petitions, Child In Need of Services Petitions, and Truancy). Calendars are posted on the court’s website for the public and stakeholders [here](#).

Generally, in-custody cases, including first appearance hearings, are held every afternoon and Wednesday mornings. Calendars typically encompass a variety of hearings, including arraignments, case setting, motions, trial readiness, pleas, dispositions, and modification of dispositions. The At-Risk Youth Petitions and Child In Need of Services Petitions are heard every Monday afternoon, with Truancy cases typically heard the first Friday of the month. Agreed orders may be presented instead of a hearing on the record, although the parties should be prepared to go on the record even if the Court was presented with an agreed order to address any questions by the Court.

GENERAL CALENDAR

The Juvenile Court allows remote participation by stakeholders (parties, families, victims, JPCs, and community advocates and supports) at hearings, with a certain number of limited exceptions, namely:

- Resolutions requiring fingerprints;
- Hearings where the Court requires the Respondent’s presence, which may include detention reviews, modifications, motions to revoke a suspended sentence; and
- Fact Findings.

To effectuate remote appearance, a Respondent may authorize their attorney to sign the orders on their behalf. Attorneys for the parties should plan to appear in person or have a representative in person if they are appearing remotely, unless the Court grants permission for remote appearance.

To ensure the efficient operations of courts:

- Counsel will continue to provide paperwork in advance of a hearing (no later than noon of prior day) and advance notice of (a) how a party will appear, including Zoom user identification information to admit the correct party to a hearing by Zoom, (b) any known additional participants (especially large groups or media), and (c) any known need for interpreters.
 - Related, the PAO and DPD (through the attorney on duty or otherwise) will print their own paperwork, rather than rely on court staff.
 - If a hearing will not go forward, counsel must notify the court by noon the prior court day.
 - If an interpreter is no longer needed, the parties must notify the court as soon as possible, and preferably before noon the day before to avoid the court incurring interpreter costs.

PROBABLE CAUSE DETERMINATIONS

When a youth is taken into custody on a new charge and is held in detention, a judge makes a determination of probable cause within 24 business hours of the youth's arrest. *See County of Riverside v. McLaughlin*, 111 S.Ct. 1661 (1991) The process is dependent on the timing of the arrest.

When a youth is admitted to detention on Fridays after 6:00 am or on Saturdays, holidays, or non-court days, the prosecutor contacts the assigned weekend judge by email with the arrest information ("superform"). This judge is not necessarily assigned to juvenile court. For a youth to continue to be detained, the judge must find probable cause that a crime occurred. If the judge does not find probable cause, the youth is released. If probable cause that a crime has occurred is found by the judge, a decision about release is not addressed until the next judicial day (except screen and release procedures, explained previously).

When a youth is admitted to detention on Sundays through 6:00 am Fridays, the Court reviews sworn documents (superform) in open court on the next judicial court day and determines whether there is probable cause to believe that the youth committed the referred reference. Detention can be reviewed at this hearing or reserved. At this hearing, both the filing deadline (72 hours after youth is booked into custody) and the second appearance hearing (if charges are filed) are established.

When a youth is not initially detained, the prosecutor files a proposed order requesting a finding of probable cause supported by sworn evidence. These are reviewed ex-parte and the determination is made at the time of filing.

FIRST APPEARANCE, SECOND APPEARANCE, DETENTION REVIEW

Any youth that is detained in detention will have a First Appearance court hearing scheduled for the next court day. Court days are Mondays through Fridays, excluding holidays. The judge decides during the hearing whether the youth will continue to stay in detention, unless the youth and their attorney decide to reserve that decision. The Screening JPC will interview the youth and parents and complete the Detention Intake and Screening Assessment (DISA). This information will be communicated to the judge before the hearing to assist the judge in making a decision.

On court days, the judge makes a probable cause (PC) determination during first appearance, unless PC has been previously determined by the weekend PC review process. The detention review takes place directly after the probable cause determination unless reserved. At this hearing, the State will be given a filing deadline of two court days, and the matter will be set for second appearance.

If an information is not filed within the filing deadline, there is no second appearance hearing. The youth is informed by their attorney that any conditions of release pursuant to first appearance are no longer in effect. If in detention, the youth is immediately released. The youth's attorney contacts them prior to the event to advise that the youth does not need to come to court. If an information is filed, the youth is arraigned on the second appearance date. If charges are not filed within the filing deadline, the prosecuting attorney can still file charges on a later date.

If a youth comes into detention on a domestic violence charge, they are eligible for the FIRS program. If the charge is a misdemeanor, they can be transferred into the FIRS Respite Center instead of detention. The Screening JPC will proceed with the screening process and use that information to decide if they are eligible for the Respite Center and transfer the youth there versus detaining them in detention. If a youth is presented to detention on a felony domestic violence charge, then they are detained pending the First Appearance hearing.

Detention review hearings are set either by the court in tandem with case settings or are set as a motion from defense, the state, or JPC to address changes in youth custody status. Youth can be remanded to detention for violating court ordered conditions of release, placed on EHM, or released from custody depending on circumstances.

ARRAIGNMENT

A case shall be arraigned on the court day after charges are filed if the charges are "rush filed" and if the youth had been detained on that case, even if released on first appearance. In all other cases, the youth is arraigned within two weeks of filing.

An in-court arraignment is required for cases where the most serious offense is a felony, and for any gross misdemeanor or misdemeanor charge that is alleged to have been committed with sexual

motivation or where it is alleged to involve domestic violence, or when the respondent wishes to waive speedy trial to set the case setting hearing more than two weeks beyond the arraignment date.

Sexually motivated and animal cruelty misdemeanor/gross misdemeanor offenses are arraigned in court or via a virtual hearing. Arraignment for other misdemeanor and gross misdemeanor cases may be waived, upon agreement of all parties and the JPC, using a form provided by the Court and signed by the youth.

DECLINE HEARINGS AND WAIVER OF MANDATORY DECLINE HEARINGS

Decline hearings are held in juvenile court to determine whether a youth can be tried as an adult. Decline hearings can be mandatory or discretionary. Mandatory decline hearings are required by statute but can be waived if both parties agree the youth should stay in juvenile court. Discretionary decline hearings are permitted in certain types of cases when the prosecutor, respondent, or court on its own motion requests a hearing to transfer the case to adult court. At a decline hearing, the court may order the case transferred for adult criminal prosecution upon a finding that the transfer would be in the best interest of the juvenile or the public. The hearing may consist of testimony, reports, and arguments presented by the parties. If the court finds adult court is appropriate, the court must put its reasons in a written order.

CAPACITY HEARINGS

The prosecutor cannot file criminal charges against a child under the age of eight. If the youth is age 8-11, the youth is presumed to be incapable of committing a crime, but the prosecutor may file charges and the court must hold a capacity hearing prior to arraignment. A capacity hearing is to determine if the youth understands the nature of their actions and that it was wrong. RCW 9A.04.050

A status conference will be held within 14 days of the first court appearance, prior to a capacity hearing. Notice of the capacity hearing shall be given in accordance with [Juvenile Court Rule 11.2](#).

COMPETENCY HEARINGS

The court must hold a hearing if there is a question of whether a youth is able to understand the nature of the proceedings or unable to assist their attorney. Requests for an evaluation to determine a youth's competency to stand trial should be made in court and an expert will offer an opinion to the court. The matter is then scheduled for a Competency Status Conference Hearing. A Status Conference may be continued as needed until the evaluation process is completed.

If there is no dispute as to the youth's competency and if the parties agree the youth is competent or the youth needs treatment and a period of restoration, the appropriate order is entered at the Status Conference. If there is to be an evidentiary hearing, the matter is set in the assigned courtroom. If the

respondent seeks to have the evaluation sealed in whole or in part, the respondent shall submit a brief written motion with the parts of the evaluation sought to be sealed.

DIFFERENTIATED CASE MANAGEMENT

Timely resolution of cases (Case Processing Reform) is one of eight core strategies of the Juvenile Detention Alternatives Initiative (JDAI). For detained youth, there is a direct relationship between time spent in detention and time to resolution. Even for youth who are not detained, timely and appropriate resolution is important so that there is a connection between the offense and the sanctions imposed.

The standards below are intended to address routine cases. If a case is complicated, parties may come to court and request more time.

CASE SETTING HEARINGS

Case setting hearings happen 1-3 weeks after arraignment and often informally include out-of-court meetings between youth and their attorneys where case resolution options are discussed. The respondent and their attorney decide whether to enter a plea and proceed to disposition or proceed to a fact-finding hearing to resolve the matter. This hearing may also be continued as the parties discuss the options and review any investigation information provided by the prosecutor. If speedy trial is waived, the youth's presence can be waived. Case setting hearings often occur off the record.

TRIAL SETTING PROTOCOLS

Omnibus Hearings and Pre-Trial Conferences occur when a case is set for a fact-finding (trial). The parties confirm what is needed for a case to be ready for the fact finding, the number of days the fact-finding is expected to last, the number of witnesses, identify motions that need to be heard at trial, and any other issue that needs to be addressed prior to a fact-finding date.

Fact-findings are scheduled to start on a Tuesday and are held Tuesdays through Fridays.

Trial Identification and Coverage Procedures

- Bailiffs flag fact-finding(s) scheduled approximately two weeks ahead of time for their judge.
- Following the Pre-Trial Conference (or last hearing prior to Trial), Judges will
 - (a) flag fact finding(s) that are **likely to proceed** 10-12 days ahead of time (e.g., the Thursday **two** weeks before a Monday fact-finding),
 - (b) prioritize the matters if needed, and
 - (c) discuss with the Chief Judge who should be assigned to the fact-finding.
- If coverage is needed, Chief Judge will address coverage needs at the trial assignments meeting.

- Either way, the Court Operations Supervisor or the judge’s bailiff will communicate with counsel as to the date and location of the fact finding no later than the day before the scheduled fact-finding.

SCHEDULING DISPOSITIONS

When scheduling dispositions, including motions for deferred dispositions, the parties are to notify the bailiff/court coordinator for the relevant court as soon as they have reached a resolution. The bailiff/court coordinator will provide a disposition date. If a respondent is convicted after a fact finding, the disposition hearing will be heard before the judge who did the fact-finding hearing and will be scheduled by the bailiff/coordinator in that court.

The parties shall provide the Court with an estimate of the duration of the hearing, including a list of individuals expected to speak during the hearing to the extent they know who may wish to speak.

FACT-FINDING RELATED MOTIONS

Motions to Admit or Suppress Evidence pursuant to [CrR 3.5](#) or [CrR 3.6](#) will heard on the date of the Fact-Finding, absent express prior authorization of the Chief Juvenile Court Judge. [KCLJuCR 7.14](#) provides for a standard briefing schedule for these motions.

FILING A MOTION AT JUVENILE COURT

MOTIONS FOR DETENTION REVIEW

Detention reviews are heard at first appearance, second appearance/arraignment. Outside of those hearings, the party requesting a detention review must contact the appropriate court before noting a motion. Unless the hearing is set in a courtroom, the moving party contacts the appropriate court for a court date before noting a motion. Filing or e-filing a notice of motion, without first obtaining a date from the bailiff or coordinator, is not sufficient. Initial motions are heard at first or second appearance. Subsequent motions are heard by the assigned court, based on a change of circumstances, with at least two days’ (48 hours) notice, unless, for emergency reasons, the Court authorizes a shorter period.

If the assigned court is unavailable, the matter may be heard in another court. The moving party obtains a date from the bailiff or coordinator in the appropriate courtroom. If the parties agree that a youth scheduled for case setting should be released, the matter may be heard without a formal note, provided the assigned JPC has no objection.

Opposing counsel and the assigned JPC are notified of motions for detention review by the moving party as soon as possible. The moving party completes and distributes the note for motion for detention review on changed circumstances form.

If agreed by all parties and the JPC, an agreed order may be presented to the court for a temporary pass from secure detention or from EHM. Passes must include specific information regarding the pass—the date and time of release, the person who is authorized to pick up the youth, who will supervise the youth while released, the date and time of return to detention, the reason for the pass. The Court reserves the right to require a hearing even if the pass is agreed. If there is a dispute, the matter shall be noted in the same manner as a detention review.

MOTIONS FOR CASES NOT YET SET FOR TRIAL

Motions to extend juvenile court jurisdiction for youth nearing 18 years of age may be made at any time of the proceeding, but frequently and most efficiently are made at arraignment. If heard in conjunction with some other court event, such as a case setting hearing (which then must be heard in open court) or arraignment, no note for motion is required.

Motions should be scheduled in the youth's geographic court. Motions shall be scheduled in the same manner as detention reviews, by contacting the court to schedule a date and time.

If defense agrees to the form of the State's proposed order to dismiss, an agreed motion to dismiss may be presented to the geographic Juvenile Judge (or if that judge is not available to any other judicial officer) without noting the matter on a calendar. The motion will typically be handled off the record.

If there is disagreement between the parties as to the form of the order, or if the Court declines to sign the agreed proposed order, the matter shall be noted on an appropriate calendar by the party requesting the motion.

MOTIONS FOR CASES ON TRIAL CALENDAR

Agreed motions to continue omnibus only, but not the trial date, may be done by stipulation and presented to the Juvenile Judge. They do not need to be noted. Court availability must be confirmed with court staff. A judge may decline to sign the order continuing omnibus or require that the request is heard on the record.

Motions to continue the pre-trial hearings must be made on the record.

Motions to continue trial are presented to the geographic Juvenile Judge. These motions are often heard on the omnibus calendar; however, if issues are heard post-omnibus, the matter will be heard as soon as the parties are able to note the hearing.

Discovery motions, including requests to provide DNA or fingerprints, or for depositions, must be noted in advance of trial. Evidentiary motions are reserved for trial/fact finding. Knapstad or [Cr 8.3\(b\)](#) motions are reserved for fact finding, unless special permission is granted.

If agreed to by defense, State's motions to dismiss are presented to the Chief Juvenile Judge. If argument is required, the bailiff of the Chief Juvenile Judge is contacted for an argument date.

Motions to amend information are generally made at, or before, the omnibus hearing. Agreed motions to amend may be made at any time the case will be on the record, otherwise the State should request a date from the court.

DISPOSITIONS, INCLUDING MOTIONS FOR DEFERRED DISPOSITION

Juvenile Court Operations staff schedule all dispositions, including motions for deferred dispositions.

Disposition recommendation guidelines are used to make recommendations unless a manifest injustice is requested. Disposition recommendations outside the guidelines must clearly be noted in the report to the Court, include a thorough justification, and have approval from the Juvenile Probation Unit supervisor. Disposition Guidelines are found [here](#).

A request for a manifest injustice by any party must be noted 5 court days in advance, with all briefing and materials provided to all parties, the JPC, and the court.

If a JPC is notified by either party that they plan to continue the case, the JPC should notify the court. Parties must notify the court by noon the day before the scheduled hearing.

DEFERRED DISPOSITIONS

Deferred dispositions are available when legally eligible. In a deferred disposition, the court enters a finding or plea of guilt and defers disposition for up to one year, but not beyond two years, from the date the motion deferring the case is granted. During the deferred period, the youth is supervised by a JPC.

Upon successful completion of the community supervision and financial requirements, the Court vacates the conviction and dismisses the case with prejudice. Cases with restitution owing can be dismissed, however the restitution may remain in effect per RCW [13.40.127 \(9\)\(b\)](#). The case may not be sealed until the restitution obligation is satisfied.

Within the community supervision period, the youth can be brought to court for violations of the terms of a deferred disposition order, by the JPC filing a motion to revoke/modification of a deferred disposition petition.

If the State files a new probable cause offense or the youth has a filing from another jurisdiction, the JPC has the discretion to request a revocation. Review hearings are held prior to the end of the deferral period to confirm all conditions have been met.

Youth residing in other jurisdictions may enter a deferred disposition; however, they will be on courtesy supervision status in their residing county with jurisdiction retained by King County.

SEALING RECORDS AND MOTIONS FOR RELIEF

Administrative sealing hearings are scheduled and occur at Deferred Disposition dismissal hearings, soon after the youth's 18th birthday, or beyond if there is probation supervision or state commitment and parole past age 18.

At administrative sealing hearings, the Court reviews whether the youth has completed the terms of disposition and probation including the payment of all legal financial obligations and completed serving time in detention or state commitment. Each case is considered separately. Unless an objection is filed with notice provided to the youth to establish a contested hearing, these hearings are non-contested and may be decided on the pleadings, rather than on the record. Administrative sealing hearing dates are scheduled in all eligible disposition orders.

Some cases may not be administratively sealed per statute.

Juvenile Court Operations Supervisor should be contacted regarding motions for relief from sex offender registration, and motions for restoration of right to possess a firearm. Forms for these can be found online at [the Forms you May Need](#) section of the Juvenile Court website.

POLICY FOR APPLYING STATE V. MCENROE TO MOTIONS TO SEAL EXPERT ORDERS

Defense counsel submits the proposed orders and motions to seal to the Chief Juvenile Judge.

If the Chief Judge denies the proposed order to seal, the Court files the order denying sealing and returns the motion and a copy of the order denying sealing to defense counsel. Defense may submit the pleadings to DPD without a proposed order to seal or submit an amended motion and proposed order with a motion to seal to the Chief Judge. When the Court denies a motion to seal, the moving party may withdraw the documents. The moving party must receive notice, before the documents are filed in the Court file, that the motion to seal has been denied. If the proposed order to seal is granted, the Chief Judge will print, sign, and file the order to seal. A copy of the signed order will be sent to DPD and defense counsel. DPD will rule on the motion for services and send all of the documents, including a copy of the order to seal, to DJA for review and filing. If DJA detects an error, DJA may return the document to the Chief Judge.

MOTIONS FOR RECONSIDERATION

Motions for Reconsideration will be noted in accordance with [LCR 59](#) before the court that made the initial decision.

MOTION FOR MODIFICATION /REVOCAION

The JPC or the prosecuting attorney may file motions to modify disposition orders regarding probation supervision conditions and/or violation of the terms of disposition orders. The moving party must secure a court date from the bailiff or coordinator in the assigned court, providing notice of modification or motion for revocation to the parties in the case at least five days in advance.

The JPC submits a report substantiating violations and recommendations to the Court, the PAO, and the defense by noon the day prior to the hearing. A report is encouraged to be provided to the parties as soon as possible to allow defense counsel time to review the violations with the youth, but shall not be any later than noon the day prior to the hearing.

COURT CALENDAR FOR HOLIDAYS AND EMERGENCY CLOSURES AND DELAYS

The court is not open for all federal and state holidays (New Year's Day, Martin Luther King Day, Presidents Day, Memorial Day, Juneteenth, Fourth of July, Labor Day, Veterans Day, Thanksgiving Day and the day after, Christmas Day). It is open for a county holiday as Juvenile Court is a state court.

WARRANTS

JUCR 7.16

[Juvenile Court rule 7.16](#) states that “no new warrant (s) shall [be] issue unless a finding is made that the individual circumstances of the alleged “violation of a Court order” or “Failure to Appear” pose a serious threat to public safety. The facts supporting the issuance of a warrant must be current and recited on the record in open court.

Warrant hearings must be heard by elected and/or appointed Judges; pro tem Judges cannot hear requests for warrants.

All warrants require a youth be presented to detention and held for in-person judicial review. Court hearings are to occur within 48 hours of detainment as determined by local rules. All warrants have expiration dates determined at the time they are issued, depending on the offense type, age of the youth, and other mitigating issues considered by the Court.

WARRANT QUASH PROCEDURE

Youth, attorneys, JPCs, or any interested party can request to quash (end) a warrant at a hearing in front of a Juvenile Court Judge by contacting the Court by phone or in person. Warrant quash hearings are set Monday through Friday.

DIVERSION AND STIPULATED ORDER OF CONTINUANCE

Diversion is a way of addressing an offense at the lowest level possible, allowing a youth to enter into a Diversion Agreement, which is a legal contract, that requires youth to take steps to be accountable for their actions. These can include receiving services, doing community service, or paying a victim to compensate for their financial loss.

Youth who are eligible for diversion, along with their parent or guardian, meet with a team of trained volunteers, or an individual staff member to determine what goes into the Diversion Agreement. In some cases, diversion is provided by the Court's Partnership for Youth Justice program, in which youth meet with a Community Accountability Board (CAB) of community volunteers and sign a diversion agreement, which may include restitution to victims, community service, fines, counseling, and/or classes. Youth who do not comply with diversion agreements are referred back to the prosecutor. The prosecutor may decide to file charges or continue to offer diversion options, at their discretion. In some instances, after filing, the case may be resolved as a diversion. In other cases, diversion is provided by a JPC who creates and monitors the diversion agreement.

The requirements of the agreement are defined by law and guided by principles of Restorative Justice using a Positive Youth Development Model. Diversion meetings happen in the community closest to where a youth lives, with either a staff member or volunteers.

When a youth completes all requirements in the Diversion Agreement, they do not have a criminal record and no charges are filed. If a youth does not complete a Diversion Agreement or does not respond to requests to meet to establish a Diversion Agreement, Juvenile Court sends the case back to the prosecutor, at which time the prosecutor might decide to file criminal charges [or continue with the criminal case]. The diversion process may be usually quicker and less stressful than the court process and can help youth and their family access helpful services in our community. Youth who successfully complete a diversion have the added benefit of handling a criminal incident without having a criminal conviction.

JUVENILE COURT FORMS

Electronic Forms: Electronic versions of many Juvenile Court Forms are available online at [the Forms you May Need](#) section of the Juvenile Court Website.