

SUPERIOR COURT OF WASHINGTON
COUNTY OF _____
JUVENILE COURT

STATE OF WASHINGTON v.

NO:

Respondent(s).
D.O.B.:

**ORDER ON ADJUDICATION AND
DISPOSITION
(ORD)**

Clerk's Action Required. Paragraphs 4.1, 4.6,
4.11, 4.16, 4.17

I. HEARING

1.1 Respondent appeared for a disposition hearing on _____(Date).

1.2 Persons appearing were:

Respondent _____	<input type="checkbox"/> Parent _____
Pros. Atty. _____	<input type="checkbox"/> Parent _____
Prob. Counsl. _____	<input type="checkbox"/> Other _____
Resp. Atty. _____	

1.3 The court heard evidence and argument, reviewed the files, and now enters the following:

II. FINDINGS OF FACT

Respondent pled guilty to:

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

Respondent was found guilty at an adjudicatory hearing of:

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

The state failed to prove the following offense(s) and Count(s) _____
_____.

SAME COURSE OF CONDUCT. The conduct in Count(s) _____
is the same course of conduct.

- Respondent waived the right to counsel, arraignment on amended information, and/or speedy disposition.
- Respondent's offender score is _____, which is based upon his/her criminal history.
- The court considered the respondent's eligibility for the chemical dependency disposition alternative.
- Respondent has declined to enter a Diversion Agreement.
- Respondent may be ordered to pay restitution pertaining to matters not here adjudicated, and/or Count(s) _____, notwithstanding dismissal, because respondent, with counsel, so agreed and stipulated.
- A sentence within the standard range would constitute a manifest injustice (RCW 13.40.020).
- The following mitigating factors exist in this case:
 - The respondent's conduct neither caused nor threatened serious bodily injury, or the respondent did not contemplate that his/her conduct would cause or threaten serious bodily injury;
 - The respondent acted under strong and immediate provocation;
 - The respondent was suffering from a mental or physical condition that significantly reduced his/her culpability for the offense through failing to establish a defense;
 - Prior to his or her detection, the respondent compensated or made a good faith attempt to compensate the victim for the injury or loss sustained; and
 - There has been at least one year between the respondent's current offense and any prior criminal offense.
 - Other: _____.
- The following aggravating factors exist in this case:
 - In the commission of the offense, or in flight therefrom, the respondent inflicted or attempted to inflict serious bodily injury to another;
 - The offense was committed in an especially heinous, cruel, or depraved manner;
 - The victim was particularly vulnerable;
 - The respondent has a recent criminal history or has failed to comply with conditions of a recent dispositional order or diversion agreement;
 - The current offense included a finding of sexual motivation pursuant to RCW 13.40.135;
 - The respondent was the leader of a criminal enterprise involving several persons;
 - There are other complaints which have resulted in diversion or a finding or plea of guilty which are not included as criminal history; and
 - The standard range disposition is clearly too lenient considering the seriousness of the juvenile's prior adjudications.
 - Other: _____

III. CONCLUSIONS OF LAW

- Respondent is guilty of the offense(s) as stated in the findings.
- Respondent is not guilty of the offense(s) as stated in the findings.

- A sentence within the standard range would constitute a manifest injustice (RCW 13.40.020).
- Respondent is eligible for the chemical dependency disposition alternative on Count _____. A standard range disposition for that Count would constitute a manifest injustice.

IV. ORDER

IT IS HEREBY ORDERED that:

- 4.1 The state's motion respondent's motion to dismiss Count(s) _____ is granted, and said Count(s) shall be dismissed.

RANGE OF DISPOSITION:

- 4.2 Count _____: Disposition shall be within the standard range.
- 4.3 Count _____: Disposition within the standard range for this offense would effectuate a manifest injustice.
- 4.4 Count _____: Disposition shall be within the Special Sex Offender Dispositional Alternative.
- 4.5. Count _____: Chemical Dependency Disposition Alternative (RCW 13.40.165):
 Respondent is committed to the Department of Social and Health Services, Juvenile Rehabilitation Administration for a total of _____ weeks. Disposition is suspended. If the offender violates any condition of the disposition or the court finds that the respondent is failing to make satisfactory progress in treatment, the court may revoke the suspension and order execution of the disposition.

- 4.6 **COMMUNITY SUPERVISION:**

Count:____	_____months	Supervision beginning:_____	Supervision ending:_____
Count:____	_____months	Supervision beginning:_____	Supervision ending:_____
Count:____	_____months	Supervision beginning:_____	Supervision ending:_____

- 4.7 **COMMUNITY RESTITUTION WORK:**

Count:____	___ hours community restitution	With _____ hours credited for _____ days served.
Count:____	___ hours community restitution	With _____ hours credited for _____ days served.
Count:____	___ hours community restitution	With _____ hours credited for _____ days served.

- 4.8 **CONFINEMENT:**

Count:_____	_____ days	With credit for _____ days served.
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Count: _____	_____ days	With credit for _____ days served.
Count: _____	_____ days	With credit for _____ days served.

Yes No Temporary releases from confinement for school, work, medical appointments, etc. are authorized at the discretion of the probation counselor.

4.9 **COMMITMENT** to the custody of the Department of Social and Health Services, Juvenile Rehabilitation Administration for institutional placement:

Count: _____	_____ weeks to _____ weeks	With credit for _____ days served.
Count: _____	_____ weeks to _____ weeks	With credit for _____ days served.
Count: _____	_____ weeks to _____ weeks	With credit for _____ days served.

Respondent shall be held in the detention facility pending transportation.

4.10 **STATUTORY FIREARMS ENHANCEMENTS:**

The court finds that respondent possessed a firearm in violation of RCW 9.41.040(1)(e). In addition to the sentence otherwise imposed herein, Respondent is sentenced to _____ days confinement (10 days minimum). If the total period of confinement ordered herein exceeds 30 days, respondent is committed to the custody of JRA to serve the ordered confinement.

The court finds that respondent or an accomplice was armed with a firearm while committing a felony, and thus hereby imposes:

6 months (Class A felony) 4 months (Class B felony) 2 months (Class C felony) confinement in addition to any other sentence imposed herein and respondent is committed to the custody of JRA to serve said confinement.

Any term of confinement ordered in this paragraph 4.10 shall run consecutively to any other term of confinement ordered.

4.11 **CONDITIONS OF SUPERVISION:**

- A. The respondent is ordered to refrain from committing new offenses.
- B. Respondent is further ordered to comply with the **MANDATORY SCHOOL ATTENDANCE** provisions of RCW 28A.225, and to inform respondent's school of the existence of this requirement.
- C. Respondent shall report regularly, and on time, to the assigned probation counselor (or probation counselor's designee), as the probation counselor shall schedule or direct.
- D. Respondent shall keep probation counselor informed of respondent's current address and telephone number and shall notify probation counselor before moving to a different address.
- E. Respondent shall attend information classes and/or other educational programs, as directed by probation counselor.

(Items F through M apply only if the box is checked)

F. **CURFEW** to be set at the discretion of the probation counselor.

- G. Respondent shall **NOT USE OR POSSESS FIREARMS, AMMUNITION OR OTHER DANGEROUS 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.
- H. Respondent shall participate in counseling, outpatient substance abuse treatment programs, outpatient mental health programs, sex offender, and/or anger management classes, as probation officer directs. Respondent shall cooperate fully.
- I. Respondent shall be **EVALUATED FOR ALCOHOL OR OTHER DRUG DEPENDENCY** at the direction of the probation counselor and shall comply with all treatment recommendations.
- J. Respondent shall refrain from using illegal drugs and alcohol and is subject to **RANDOM URINALYSIS** as directed by the probation counselor and shall fully cooperate.
- K. Respondent is ordered not to go upon the following premises or geographic areas:
_____.
- L. Respondent shall not contact, except through counsel or a probation counselor, the following person(s):
_____.
- M. Respondent shall reside in a placement approved by the supervising probation counselor or approved by court order.
- N. Respondent shall not knowingly associate with any person, adult or juvenile, who is under the supervision of any court of this or any other state for any juvenile offense or crime.
- O. Other conditions: _____

_____.

The Department of Social and Health Services may consent to necessary medical, surgical, dental or psychiatric care for respondent, including immunization required for public school students.

4.12 Respondent is ordered to pay:

- A **FINE** of \$_____, which respondent shall pay as scheduled by probation officer.
- Victims' Compensation Fund statutory **ASSESSMENT**: \$100 \$75
- Pursuant to RCW 43.43.690 Washington crime laboratory fees: \$100 Waived.
- Restitution** in the total sum of \$_____ for victim(s):
_____.
- A hearing to confirm restitution discovery is set for _____.
- A restitution hearing is set for _____.
- Juvenile Rehabilitation Administration is ordered to provide transportation of respondent to and from the above-ordered restitution hearing.
- The respondent waives his/her right to be present at the restitution hearing.
- Restitution liability is joint and several with:
_____.

Monetary amounts ordered shall be paid at the rate of at least \$_____ per month. The probation officer may revise this schedule in writing.

All payments shall be paid as follows: _____
_____.

Respondent shall remain under the court's jurisdiction for a maximum term of ten (10) years after respondent's 18th birthday (unless extended for an additional 10 years) for the collection of ordered restitution and penalty assessment, unless these amounts have been converted to a civil judgment pursuant to RCW 9.94A.145 and/or RCW 13.40.192 and/or RCW 13.40.198.

- 4.13 **HIV TESTING.** The Department of Health or designee shall test and counsel the respondent for HIV as soon as possible and the respondent shall fully cooperate in the testing. RCW 70.24.340.
- 4.14 **DNA TESTING.** The respondent shall have a biological sample collected for purposes of DNA identification analysis and the respondent shall fully cooperate in the testing. The appropriate agency shall be responsible for obtaining the sample prior to the respondent's release from confinement. RCW 43.43.754.
- 4.15 **JURISDICTION IS HEREBY TRANSFERRED TO** _____
County for supervision of this order. **IT IS FURTHER ORDERED** that the clerk of this court shall transfer the file in this matter to the clerk of _____ County Superior Court.
- 4.16 **DRIVER'S LICENSE REVOCATION:** The court finds that Count _____ is a felony in the commission of which a motor vehicle was used; or the unlawful possession of a firearm in a motor vehicle; or unlawful possess of a firearm 2nd; or _____, The court clerk is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must revoke the defendant's driver's license. RCW 46.20.265, RCW 9.41.040(5), RCW 46.20.285, RCW 13.40.265.
- 4.17 **FELONY FIREARM PROHIBITION:** Respondent shall not use or possess a firearm, ammunition or other dangerous weapon until his or her right to do so is restored by a court of record. 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
- 4.18 **OTHER ORDERS:**

Dated: _____

JUDGE/COMMISSIONER
Print name:

Presented by:

DEPUTY PROSECUTING ATTORNEY

Type or Print Name/Bar Number

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

ADMINISTRATIVE MEMORANDUM	
Does conviction require license surrender? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Surrendered <input type="checkbox"/>	Refused <input type="checkbox"/>
No/Lost license affidavit given	<input type="checkbox"/> Yes <input type="checkbox"/> No
Respondent held in custody	<input type="checkbox"/> Yes <input type="checkbox"/> No
RCW 46.20.270	

ATTORNEY FOR RESPONDENT

RESPONDENT

Type or Print Name/Bar Number

COLLATERAL ATTACK ON JUDGMENT. Any petition or motion for collateral attack on this judgment and sentence, including but not limited to any personal restraint petition, state habeas corpus petition, motion to vacate judgment, motion to withdraw guilty plea, motion for new trial or motion to arrest judgment, must be filed within one year of the final judgment in this matter, except as provided for in RCW 10.73.100, RCW 10.73.090.