



State Headquarters:
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**All children have the
potential to succeed.**

Juvenile Justice 101

Understanding Process
for Youth in the
Juvenile Justice and
Child Welfare Systems

Key Questions

- What type of proceeding?
- What stage?
- What's at stake?
- Who are the key players?
- Can I/we help?
 - Support child in community
 - Help transition



Juvenile Court Proceedings

OFFENDER MATTERS



Pop Quiz #1

What percentage of youth in the juvenile justice system have learning needs that qualify them for special education services?



Pop Quiz #1

- a) 5-10%
- b) 10-25%
- c) 25-50%
- d) 50-75%



Pop Quiz #1

d) 50-75%



Offender Matters: The Process

- Arrest
- Detention Hearing
- Arraignment
- Case Setting
- Fact Finding (Trial)
- Disposition (Sentencing)



Charging Decisions

- Insufficient Evidence
- Decline Hearing
- Capacity/Competency
- Diversion



Disposition

- Guilty/Not Guilty
- Standard Range
 - Local Sanctions
 - Juvenile Prison - JRA (Echo Glen, Maple Lane, Green Hill, Naselle)
- Manifest Injustice
- Special Sentencing Alternatives
 - CDDA
 - SSODA
- Modification Hearings



Juvenile Court Proceedings

NON CRIMINAL MATTERS



Non-Criminal Matters

- Dependency
- Child in Need of Services (CHINS)
- At Risk Youth (ARY)
- Truancy
- Other

Family Law

Protection Orders

Involuntary Commitment



Pop Quiz #2

What percentage of foster youth in Washington graduate from high school?



Pop Quiz #2

- a) 90%
- b) 70%
- c) 50%
- d) 30%
- e) 5%



Pop Quiz #2

c) 50%

Burley, M. & Halpern, M., Educational Attainment of Foster Youth: Achievement and Graduation Outcomes for Children in State Care, Olympia, Washington: Washington State Institute for Public Policy (2001).

<http://www.wa.gov/wsipp/childfamily/pdf/FCEDReport.pdf>



Dependency: The Process

- Child Removed
- 72 Hour Shelter Care Hearing
- 30 Day Shelter Care Hearing
- Pre Trial Conference
- Trial/Agreed Order
- Disposition Hearing or Order
- 6 Month Review Hearing
- Permanency Planning Hearing
- Dismissal



Child In Need of Services (CHINS)

- Petition by youth, parent or DSHS
- Conflict in home, child needs services
- 180 days (6 months) - temporary, services to reunite family
- Dismissal or dependency - maybe extension



At Risk Youth (ARY)

- Petition by parent, guardian or someone with legal custody of child
- Conflict in home



Truancy

- 7/10 Threshold
- District interventions
- Community Truancy Boards
- Fact Finding - Order
- Contempt



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Unlocking the Future: Juvenile Records Sealing Training

October 30, 2015

Presented by:
Karen Pillar
TeamChild
Seattle

Why Do We Do This?

Sealing Juvenile Records



How Long Will a Juvenile Adjudication Stay on My Record?

- Forever, *unless*
 - you are eligible to seal; AND
 - you file a motion to seal the conviction in juvenile court; AND
 - the court grants your motion; AND
 - you serve the order sealing your record to all of the agencies (public and private) that might have your record OR

If adjudicated on or after June 12, 2014 then:

- Administratively sealed at 18 if all RESTITUTION is paid



Juvenile Criminal History in Washington- Dispelling the Myths

Your Juvenile Record:

- Is never “expunged”
- Doesn’t go away when you turn 18
- Is accessible to the public just like adult criminal history
- Must be disclosed on employment and other applications
- Public defenders are not required to help you seal your juvenile records
- It can be unsealed if convicted of a new crime.



Costs to Individuals

- Private Attorneys charge from \$300-\$1500 to seal a juvenile record
- There is limited help from legal services providers.
- Process varies from county to county.



Where is Juvenile Criminal History Found?

- Electronic and/or paper files at the courthouse
- [JIS - online court records](#)
- [Washington State Patrol website](#)
- Police
- The Juvenile Rehabilitation Administration (JRA)
- Credit Reporting Agencies and....
- On the Internet -google, yahoo ...



Where Does It Go?

- Courthouse
- Private Companies
- Washington State Patrol
- FBI
- JIS/Internet
- JRA



Who is a Juvenile?

- 12-17 years old for most crimes
- Any youth may be transferred (“declined”) to the adult system if a judge decides (“discretionary decline”)



What Juvenile Records Can Be Sealed?

- All Class A, B and C felonies & misdemeanors*;
- Non-conviction data;
- Court Records
- Police Records
- JRA and probation records
- **Juvenile sex offense records where the respondent has been relieved of the duty to register (except Rape 1, 2, Indecent Liberties with Forcible Compulsion)*



Non-Conviction Data

- Diversions
- Vacated Deferred Dispositions
(automatically seal at 18)
- Dismissals
- Findings of Not Guilty
- Arrests that do not lead to conviction -
the “non-charge”



Who Can Seal Juvenile Records?

- Persons who have paid off all **restitution** on the matter they seek to seal
- Persons who have remained **crime free** for the requisite waiting period and have no pending charges.



When Does the Time Start Running?

- From the “the last date of release from confinement” OR the date of disposition (can be either an adult or juvenile matter).
- Don’t forget probation violations (“modifications”); parole violations or subsequent arrests.



What Does Sealing Accomplish?

RCW 13.50. 260(6)(a)

“Thereafter, the proceedings in the case shall be **treated as if they never occurred**, and the subject of the records may reply accordingly to any inquiry about the events, records of which are sealed. Any agency shall reply to any inquiry concerning confidential or sealed records that records are confidential, and no information can be given about the existence or nonexistence of records concerning an individual.”



But Beware . . .

- “Sealed” records may be viewed by prosecutors, police, FBI and court clerks.
- A new juvenile conviction or adult felony charge will result in the nullifying the sealing order.
- Sealed records may still show up
- Guns...



Resources

- [King County www.teamchild.org](http://www.teamchild.org) (Juvenile Record Sealing Project)
- Pierce County Volunteer Legal Services Clinic www.tacomaprobono.org 1-888-822-5134
- Skagit County Volunteer Legal Services SCCAA@skagitcap.org (360) 416-7585
- Gonzaga Law School (Spokane) Clinic
SpokaneJuvenileRecordSealing@gmail.com or 509 313 3688





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Thank You

“Treat people as if they were what they
should be, and you help them become
what they are capable of becoming.”
-Goethe