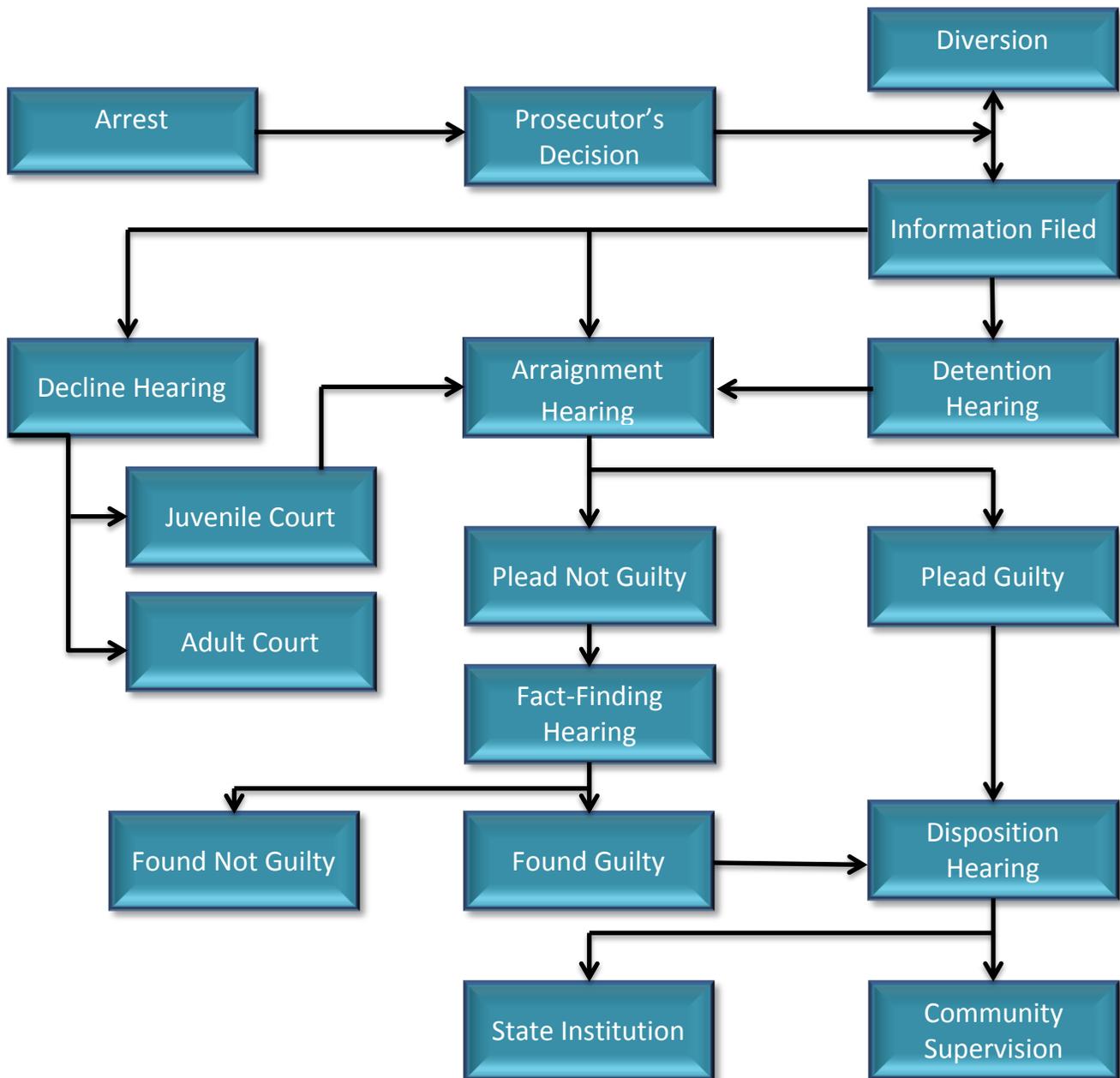




Grays Harbor County Juvenile Court

Washington State Juvenile Court Process for Juvenile Offender



Arrest - To arrest a juvenile, the police must have probable cause to believe the juvenile has committed an offense or have a valid arrest warrant.

Prosecutor's Decision - After placing a juvenile under arrest, the police file a report with the Prosecuting Attorney's Office. The Prosecuting Attorney is a lawyer who works for the County and represents the community. The Prosecuting Attorney screens the report for legal sufficiency and decides which offense, if any, should be charged.

If the case is legally sufficient and the Prosecuting Attorney determines that charges should be filed, they may "divert" the case, or file an information with the juvenile court.

Diversion - If the prosecutor diverts the case, the juvenile does not go to court. Instead, the juvenile meets with a diversion worker or with an "accountability board." The board is a group of people from the local area. Board members are unpaid volunteers.

The worker or board discuss the offense with the juvenile and decide on a reasonable consequence. That consequence is then incorporated into a "Diversion Agreement".

A diversion agreement may include any of the following: volunteer (unpaid) work; counseling; paying a fine; and paying "restitution." Restitution is money paid to the victim for damages they suffered as a result of an offense. It can also be the cost of paying for doctor bills if the juvenile hurt a person.

The juvenile must agree to the decision of the worker or board by signing the diversion agreement.

Information Filing - An information is a legal document, filed with the court, that names the juvenile and describes the alleged offense.

Notice and Summons - Subsequent to the filing of an information, a Notice and Summons is sent to the juvenile and his or her family. This notice sets the time and day for the juvenile to appear in juvenile court.

Detention Hearing - If a youth is booked into the juvenile detention center, a detention hearing will be held on the next judicial day. This usually occurs within twenty-four hours. At this hearing, a judge decides if continued detention is necessary.

If released, the judge may set special release conditions. These conditions may include house arrest or maintaining attendance at school or work. Restrictions from associating with alleged co-defendants or victims may also be included.

Arraignment Hearing - If the juvenile is not in detention, an arraignment is generally the first court appearance. The juvenile is advised of his or her rights and asked to either enter a plea of guilty or not guilty.

If the juvenile pleads **guilty**, they are admitting that they committed the offense for which they are charged. The court will then sentence the juvenile to an appropriate sentence, either at that time, or later, if the court feels it needs further information.

If the juvenile pleads **not guilty**, the judge will set a future date for a fact finding hearing.

Decline of Jurisdiction or Remand Hearing - By statute, some offenses require a juvenile to automatically be remanded to adult court. After a hearing, based on a juvenile's age, criminal history and the seriousness of the alleged crime, other juveniles may also be sent to adult court.

Fact-Finding Hearing - A fact-finding hearing or trial is held to allow the Prosecuting Attorney an opportunity to prove, beyond a reasonable doubt, that the juvenile in question committed the alleged offense. At a Fact-Finding hearing, the juvenile is generally represented by a lawyer, who attempts to present the juvenile's side of the case. The judge then decides if the case has been proven or not.

If the judge decides that the Prosecuting Attorney has not proven the case, the juvenile is found **not guilty**.

If the judge decides that the **case has been proven**, the youth will subsequently be sentenced to appropriate consequences.

Disposition Hearing - This is a sentencing hearing. The judge determines the appropriate consequences for the offense and enters this information on a Disposition Order. This order may include detention time, a period of time on community supervision (probation), community service, monetary fines and assessments and/or restitution. Other case specific conditions may also be included. In some cases, a disposition order may include state juvenile institution time.