

Messages to court staff:

Denney Juvenile Justice Center
2801 10th Street, Everett, WA 98201
ARY / CHINS

Contempt of Court Packet

After an ARY/CHINS order is entered, any party may set a hearing for the court to consider whether or not a violation of the court order has occurred and whether a party should be held in contempt of court for that violation(s). The court can issue a warrant of arrest if it is alleged that the youth has violated court ordered placement. If the court finds there is probable cause (a reason to believe) that the youth would either not respond to the court summons or that an arrest is necessary to prevent serious bodily harm to the youth or another, then a warrant may be issued by the court.

****PLEASE DO NOT TAKE THIS PACKET APART!****

Checklist:

- Fill out ALL forms with Blue or Black ink only. Note in the above message box if you would prefer a Monday or Thursday court hearing.
- If you have questions about filling out the paperwork call 425-388-7954. If the forms are not filled out correctly you will have to come back and re-do the paperwork and re-submit it. We suggest you get assistance the first time you file a contempt packet by calling the number above.
- Turn packet into reception after 8:00 a.m. and before 11:30 a.m. Monday – Thursday and before 10:00 a.m. on Friday at Denney Juvenile Justice Center. We will assign a court date, have the orders signed by the Judge and file it with the Clerk's Office. If you have supporting documents you **need to bring five copies plus original (total of 6)** and all copies must have a cover page filled out. (see *Supporting Document Packet*) If you need an interpreter please indicate the language in the "message box" at the top of page 1.
- You will pick up your filed copies (Petitioner copy, youth copy, and service document) the same day at reception between 4:00 p.m. – 5:00 p.m. If you turned in your paperwork after the above time they will not be ready until the following day for pickup.
- You will then need to have the youth served 5 business days before the hearing. Have the person who served the documents sign the declaration of service. **You MUST bring the signed declaration of service filled out with you to the contempt hearing!**

- Show up to the contempt hearing. If contempt is found then the court will look to you for recommendations on what consequences should be imposed.

Instructions for Requesting a Court Date

Please read all directions carefully before filling out forms.

You will need to fill out **ALL** applicable forms found in this packet in blue or black ink. If you would like the hearing on a particular Monday or Thursday please leave a note in the message box at the top of this packet. All hearings will be held Monday or Thursday at 12:30 p.m. in courtroom 3.

Forms to fill out:

- 1) **Motion to Show Cause Regarding Contempt**
- 2) **Order to Show Cause Regarding Contempt**
- 3) **Declaration of Service**
- 4) **Motion & Declaration for Order for Bench Warrant (fill out only if you are requesting the court to issue a warrant instead of setting a hearing)**
- 5) **Order for Bench Warrant (fill out only if you are requesting the court to issue a warrant instead of setting a hearing)**

1) **Form: Motion to Show Cause Regarding Contempt:**

- At the top of the form you will fill out the information “header” (In Re: Youth’s Last Name, First Name, Middle Initial, & DOB) and case number (NO: ## -7- ##### - 31).
- **Section 1.1:**
 - Fill in youth’s name.
 - Mark the box indicating the type of case you have (ARY/CHINS) and fill in date the order was granted/entered. (Usually first date you appeared in court, Fact Finding).
- **Section 1.3 (B), page 6 of packet**
 - Mark the box indicating the type of case you have (ARY or CHINS) and fill in the date the order was entered. (Same date you just put in section 1.1).
- **Section 1.3, page 7 of the packet**
 - If there are violations of the court order that do not include failure to maintain court ordered placement, then fill in the section that starts Section 3.3,
 - Fill in the date of the alleged violation.
 - On the lines provided: Write each condition the youth allegedly violated and briefly describe how the violation occurred. **Example:** *Youth violated curfew. Youth was ordered to follow curfew of 10:00 p.m. Youth did not come home*

until 11:30 p.m. on 01/01/18 and did not have permission to be out till 11:30 p.m.

- Continue to list each allegation as described above. If you need additional room for more allegations, you may request additional pages or continue listing them on an 8 ½ x 11 piece of paper and number it as page 7b and add it to the packet.
- **Please do not write on the back of any page and DO NOT write in the margins.** If you want to attach supporting document you will need to coversheet it and have a total of 6 copies of cover page with documents with you when you turn in the packet to Juvenile Court reception.
- **Section 1.3, page 9 of the packet**
 - If there is a violation of the court ordered placement, a hearing will be set to address this violation also. However, if you wish the court to consider issuing a warrant instead of setting a hearing, you will need to fill out page 9. The court will decide based on your information if there is probable cause (a reason to believe) that the youth would either not respond to the court summons or that an arrest is necessary to prevent serious bodily harm to the youth or another to issue a warrant.
 - You must also fill out the **Motion and Affidavit for Order Directing Issuance of Bench Warrant** and **Order Determining Probable Cause and Directing Issuance of Bench Warrant** forms on page 10 and 11 of this packet if you are requesting a warrant.
- **Last page, page 8 of the packet**
 - Remember you must sign and date the motion.

2) Form: Order to Show Cause Regarding Contempt:

- At top of form you will fill out the information “header” Like you did before (In Re: Youth’s Last Name, First Name, Middle Initial, & DOB) and your case number (##-7- ##### - 31).
- Print youth’s name and the parent’s name under “It is hereby ordered that”.
- **Leave the rest of this form blank for Judge/Commissioner and staff to fill out.**

3) Form: Declaration of Service

- At top of form you will fill out the information “header” like you did on the two previous forms. (In Re: Youth’s Name & DOB) and case number (## -7- ##### - 31).
- **On the line checked “Motion and Order to Show Cause Regarding Contempt” fill in the date that has been file stamped on the Motion.** If the packet is turned in on time then it is file stamped the day you dropped it off
- The remainder of this form will be completed by the person serving the Motion and Order to the other party. See service directions below.

Supporting Documents: (attachments are to support your allegation(s) of contempt)

- Supporting documents are documents you would like the Court to consider that support your allegation(s) or requests.
- If you are adding supporting document to your contempt packet then you **MUST** fill out a **cover sheet** (hard copies of cover sheets are available at reception at Juvenile Court). Once the cover sheet is filled out add your document(s) and make five copies (cover sheet with added documents). You then should have five packets plus the original for a **total of six (6) supporting document packets**.
- It is not necessary to make copies of the contempt packet.

Dropping off and picking up paperwork:

- Paperwork may be **dropped off** between 8:00 a.m. & 5:00 p.m. Monday – Friday (except for holidays). The packets are picked up and prepared only once per day, Monday – Thursday @ 11:30 a.m. & Friday @ 10:00 a.m. If your paperwork is submitted after these times, they will be prepared on the following business day. If turned in by the times above, your copies will be available for pick up between 4:00 p.m. and 5:00 p.m. on the day they are prepared. If you do not pick them up that day then you can pick them up anytime the following business day between 8:00 a.m. – 5:00 p.m.
- If **YOU** are unable to pick up the paperwork yourself, then you may designate someone else to do it, but **ONLY** if you write the name of the person who will be picking it up in the “message box” located on page 1 at the top of the packet.
- Anyone who picks up paperwork in your absence must bring identification and present it to the receptionist. **(Please note: We CANNOT release your paperwork to ANYONE but you without I.D. – No Exceptions).**
- If you do not intend to pick up your paperwork when it’s first made available for pick up, please inform staff by writing this information in the “message box”. This box may also be used for any other information you’d like to convey such as; “can’t pick up until Friday,” and/or “please set this for Thursday’s only,” and/or “do not set hearing between 11/20 -11/29 because we will be on vacation.” **If you do not convey your wishes, the first possible date for your hearing will be set, allowing you just enough time to have the other party served.**

Service on Other Party:

- A copy of the Motion to Show Cause and Order to Show Cause Regarding Contempt will need to be personally served on the other party.
- The other party **MUST BE SERVED** by someone 18 or older and not a party to the case. The other party must be served no less than 5 business days before the hearing. When you count the days, do not include weekends, court holidays or the day the papers were served.
- The person who serves the youth must fill out a Declaration of Service (attached to this packet) which states the name of the person who served the documents, the date they served the documents, who they served the documents on, and the type of documents that were served, as well as the day the documents that were served were filed with the court. They'll also need to sign the Declaration of Service stating all the above information is true and correct.
- Bring the Declaration of Service to the scheduled hearing. If the other party does not show up for their hearing, a warrant may be issued for their failure to appear at the hearing if you have proof of service.
- DO NOT give service document to the other party or allow the person who served the packet to keep it.

If you do not give the other party 5 business days' notice or you do not have your service document signed or filled out correctly the hearing will NOT happen. The hearing will then be re-scheduled to allow for proper service. YOU MUST HAVE THE SERVICE DOCUMENT WITH YOU AT THE HEARING.

SUPERIOR COURT OF WASHINGTON COUNTY OF SNOHOMISH JUVENILE DIVISION	
IN RE: DOB:	NO: MOTION TO SHOW CAUSE REGARDING CONTEMPT FOR VIOLATION OF AN AT RISK YOUTH/CHILD IN NEED OF SERVICES ORDER

I. MOTION AND DECLARATION

1.1 I move the Court for an order finding _____ in contempt for failure to comply with the terms of:

- Child in Need of Services (CHINS) order dated _____, 20____.
- At-Risk Youth (ARY) order dated _____, 20____.
- Placement order under ARY/CHINS dated _____, 20____.

1.2 Granting Sanctions for contempt which may include a fine of up to \$100.00, imprisonment of up to three days and/or other relief as requested as provided for in Chapter 7.21 RCW.

1.3 FACTS IN SUPPORT of this motion are:

- A) The respondent personally appeared for the Fact Finding hearing or was served the ARY order, therefore service is waived.
- B) I, the petitioner, do declare that The CHINS ARY Order dated _____ was violated by the respondent as follows:

(List the alleged violation with date and what occurred)

Section 3.3 was violated on _____ by the Respondent in the following ways:

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Section 3.3 was violated on _____ by the Respondent in the following ways:

Section 3.3 was violated on _____ by the Respondent in the following ways:

I DECLARE under penalty of perjury under the laws of the State of Washington that the forgoing is true and correct.

Dated this _____ day of _____, 20____ at _____, Washington.
(City)

Printed Name of Moving Party

Signature of Moving Party

A warrant can be requested for violation of court ordered placement for specific, limited reasons. If you wish the court to consider issuing a warrant, you must also complete the reasons below as well as the Motion and Declaration for Order for Bench Warrant form on page 10 and the Order for Bench Warrant form on page 11 and 12.

The youth has failed to maintain court ordered placement on _____ as required in Section 3.1 of the order in the following way(s):

I am requesting a warrant be issued for the arrest and detention of the youth because their arrest is necessary to prevent serious bodily harm to themselves or another in the following ways:

AND/OR

There is reason to believe that the youth would not respond to a summons to court for the following reasons:

SUPERIOR COURT OF WASHINGTON COUNTY OF SNOHOMISH JUVENILE DIVISION	
IN RE DOB:	NO: MOTION AND DECLARATION FOR ORDER FOR BENCH WARRANT (ARY/CHINS)

MOTION:

COMES NOW the Moving Party in this matter, and moves the court for the issuance of an order directing the Clerk of this Court to issue a bench warrant for the arrest of the above named juvenile, for the reason that the juvenile has Violated Court Ordered Placement of an At-Risk-Youth/Child In Need Of Services placement order dated: _____.

This motion is BASED UPON THE RECORDS AND FILES HEREIN AND UPON THE DECLARATION BELOW HERETO.

Custodial Parent/Legal Guardian

DECLARATION

The undersigned declares that I am the Custodial Parent/Legal Guardian in the above stated matter and am acquainted with the facts of the above entitled case and request that a Bench Warrant be issued for the following reason: _____

I CERTIFY UNDER PENALTY OF PERJURY, UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

Custodial Parent/Legal Guardian

Date

at _____, Washington

SUPERIOR COURT OF WASHINGTON COUNTY OF SNOHOMISH JUVENILE DIVISION	
IN RE:	NO:
DOB:	ORDER FOR BENCH WARRANT (CHINS/ARY)
	DOB: SEX: HEIGHT: HAIR: WEIGHT: RACE: EYES: ID MARKS:

THIS MATTER HAVING COME upon Motion and Declaration for Order for Bench Warrant to arrest/pickup juvenile filed with this Court. Under RCW 13.32A.192 (3) the Court finds probable cause exists to order the issuance of a bench warrant for the above named juvenile because the juvenile has not remained in placement as ordered. NOW, THEREFORE,

IT IS HEREBY ORDERED that the Snohomish County Clerk issue a Bench Warrant for the apprehension and arrest of the above-named juvenile as follows:

TIER 1 (Juvenile to be booked directly into secure confinement; the juvenile shall be brought before the Court on the next judicial day following the juvenile's apprehension.)

TIER 2 (Juvenile may be released at the discretion of detention staff or law enforcement who will serve the juvenile with notice of a new court date and time to appear before the court.)

IT IS FURTHER ORDERED that the bail shall be set in the amount of \$25.00, cash only to be posted by the custodial parent/legal guardian only.

DATED: _____

Judge/Court Commissioner

Presented by:

 Attorney for Parent Parent

Probation staff

SUPERIOR COURT OF WASHINGTON COUNTY OF SNOHOMISH JUVENILE DIVISION	
IN RE: DOB:	NO: ORDER TO SHOW CAUSE REGARDING CONTEMPT AND DIRECTING CLERK TO ISSUE A SUMMONS (ARY/CHINS) (CLERK'S ACTION REQUIRED)

IT IS HEREBY ORDERED THAT:

_____ and _____ are DIRECTED to _____
(Youth's Name) (Parent's Name)

APPEAR for a HEARING ON THE ATTACHED MOTION TO BE

HELD ON _____, 20____ at 1:00 pm at the Denney Juvenile Justice Center,
2801 10th Street, Everett WA 98201, and show cause why contempt should not be found.

Dated: _____
_____ JUDGE/COMMISSIONER

Screened by: _____

SUPERIOR COURT OF WASHINGTON COUNTY OF SNOHOMISH JUVENILE DIVISION	
IN RE: DOB:	NO: DECLARATION OF SERVICE (ARY/CHINS)

I, _____ say upon oath, that on the _____ day of _____, 20 _____, I served _____ in person with a copy of the following document(s) which have been filed under the above cause number:

Motion and Order to Show Cause Regarding Contempt

Filed on _____

Other: _____

Filed on N/A

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

Signed in _____, _____ on _____
(City) (State) (Date)

Signature

Print Name