



AT RISK YOUTH PETITION (ARY)

The attached information sheet, checklist and forms are for use in the filing of an At Risk Youth (ARY) Petition

There is no fee for filing.

The person filing this paperwork is referred to as “Petitioner”. This is a petitioner driven action, the petitioner is responsible for reading these instructions and knowing how to file.

Included in this packet are the following:

1. Checklist for filing petition
2. Brief summaries of non-offender at risk youth proceedings after the changes from E25B 5439 (The Becca Bill, Chapter 312 of 1995 Legislative Session)
3. At Risk Youth (ARY) Petition

CHECK LIST FOR FILING PETITIONS UNDER 13.32A RCW

The following check list is intended to assist persons wishing to file an At-Risk Youth (ARY) petition with the Snohomish County Juvenile Court.

1. **Mandatory** Family Reconciliation Services Assessment.
Prior to filing your paperwork you must contact the nearest Division of Children and Family Services (DCFS) to obtain a Family Reconciliation assessment.
DCFS will also provide services to the family and referrals for services that may be needed.

FAMILY RECONCILIATION SERVICES

CENTRAL INTAKE – 1-866-829-2153

CENTRAL INTAKE – AFTER HOURS – 1-800-562-5624

Upon completion of the family assessment the caseworker will sign your petition as verification of the completed assessment and upon learning of your actual court date, will fax the assessment to the Juvenile Court and copies will be given to you on the date of your Fact Finding hearing.

2. Complete the Petition. **FILL OUT IN BLUE OR BLACK INK ONLY. DO NOT WRITE ON THE BACK OF THE FORMS OR IN ANY MARGIN – NEVER WRITE BELOW THE TYPED LINE ON THE PAGE.** Fill in all parts of the petition, particularly the “Alternatives to Court Intervention” and “Allegations” sections, sign, and date. **If you do not have enough room on the paper provided, continue on an 8 ½ x 11 sheet of paper or you may type your allegations and simply bring them. If you do type them, make sure to type 1.10 and the information contained w/in 1.10 at the top of your typed page as the section number must be within the petition we file.**

3. You must request and schedule a screening appointment with Juvenile Court staff
You’ll need to call **(425) 388-7954 in order to request an appointment time & date.** You only need to leave ONE (1) message at the above number in order to request an appointment. In order to expedite your call, please leave your name...the youth’s name (first middle & last), the youth’s date of birth, the FRS caseworker’s name and the date you had your FRS assessment, then someone will return that call as soon as they can. By leaving multiple messages, you’re making staff take longer to retrieve them, and in turn...you’re delaying your return call so please...only leave ONE (1) message.

Your appointment will be held at:
Denney Juvenile Justice Center
2nd Floor Probation Department
2801 10th Street
Everett, WA 98201

At the time of your appointment bring your completed petition which should include a signature from the FRS caseworker on page 7, any supporting documents as well as a list of household rules you’d like to have as an amendment to your petition.

IF YOUR PAPERWORK IS NOT COMPLETE, YOUR APPOINTMENT WILL BE RESCHEDULED. NO EXCEPTIONS!

- 4. At the appointment, your petition will be screened and handouts given. Just so you know; the youth does not need to attend this appointment and is strictly for the parent to file paperwork, you're court date will NOT be on your filing date. During the appointment, we will prepare a notice of hearing for the legal parties prior to you leaving the courthouse. The notice of hearing will contain:
 - a. A court date within the statutory time limit.
 - b. Notice of Hearing form and a copy of the petition and any other documents filed on that day for the legal parties
 - d. A Declaration of Service for respondent (for whoever serves them)
 - e. Original petition as well as any other originals; to be filed with Clerk's office prior to departure from the courthouse

- 4.1 **You will then file the original petition with the Court Clerks which means you will:**
 - a. Take the original petition, other originals & calendar note to the Clerk's office along with all copies of the "Notice of Hearing" that we supply to you.
 - b. Hand all copies & the originals to the clerk; she/he will then keep the originals for the legal file (The copy the Judge has on the bench during your hearing). She/he will also take the "Notice of Hearing" packets but only sign, date and seal them and give them back to you. One is your copy and the other is to serve on the other party (respondent).

- 5. **All legal parties (Custodial parent/adoptive parent or legal guardian & the youth) must attend the court hearing (fact-finding).**

Court is held in:
 Courtroom 3
 Denney Juvenile Justice Center
 2801 10th Street Everett

- 5.1 At the initial court hearing (Fact-Finding), the court will decide if the petition has met the preponderance of evidence needed to prove one of the 3 statutory requirements of an At-Risk Youth (A and/or B and/or C). If the court does in fact make a finding of At-Risk-Youth, a dispositional hearing may occur on that same day after the fact-finding or may be held within 14 days of the fact-finding.

- 5.2 If the dispositional hearing is held within 14 days, the court will address some temporary conditions for the child and parent(s) instead of doing the entire disposition after the initial Fact-Finding hearing.

- 5.3 If the dispositional hearing is held at the time of the Fact Finding, no other disposition hearing is necessary and your disposition (Relief Requested) will be addressed directly after the finding is made.

- ❑ 5.4 The court must review the case within the first 90 days following a Fact-Finding Hearing Supervision of the youth can't be continued past 180 days following the 90 day review (270 day mark) unless the court finds, and the parent agrees, that there are compelling reasons for an extension. Any extension that is granted cannot exceed 90 days. The parent may request dismissal of an ARY at any time. The court must grant the request unless: (a) a contempt proceeding is pending in the case; (b) a CHINS petition's been filed & a hearing has not been held; or (c) The court has ordered out-of-home placement in a CHINS (RCW 13.32A.196 (5)). **The court may dismiss an ARY at any time if there is good cause to believe that the ARY would serve no useful purpose or the parent is not cooperating with the court ordered case plan.** The court must dismiss an ARY/CHINS proceeding if a dependency petition is filed by DCFS/CPS.

- ❑ 6. **Failure by any party, including the parent(s), to comply with a court order entered in an ARY proceeding is contempt of court and is subject to sanctions of a fine of up to \$100 and/or confinement for up to seven days. (RCW 13.32A.250 (2) (3)).**

AT-RISK YOUTH (ARY) PROCEEDINGS IN *RCW 13 (Revised Code of Washington)

The legislature enacted provisions regarding at-risk youth (ARY) proceedings in 1990 under chapter 276 but recognized that these services and resources were limited, the legislature intended that Counties have the authority to impose reasonable limits on the utilization of juvenile court services and resources in matters related to at-risk youth. Any responsibilities imposed under chapter 276, Laws of 1990 were contingent upon the availability of funds specifically appropriated by the legislature for such purpose. The 1995 amendments (known also as the Becca Bill) made modifications to prior ARY provisions.

The legislature recognized the need for services and assistance for parents and children who are in conflict. These conflicts are manifested by children who exhibit various behaviors including: Running away, substance abuse, serious acting out problems, mental health needs, and other behaviors that endanger themselves or others.

The legislature now provides for the protection of children who, through their behavior, are endangering themselves. The legislature provides appropriate residential services, including secure facilities, to protect, stabilize, and treat children with serious problems. The legislature further intends to empower parents by providing them with the assistance they require to raise their children.

An at-risk youth is defined in RCW 13.32a.030 (3) as any unimancipated person under 18 whom:

- (a) Is absent from home at least 72 consecutive hours without the consent of his/her parent; or/and
- (b) Is beyond parental control such that the child's behavior endangers the health, safety, or welfare of the child or any other person; or/and
- (c) Has a substance abuse problem for which there are no pending criminal charges related to the substance abuse.

Only a child's legal custodial parent or legal guardian may file an ARY petition. DSHS shall, when requested, assist the parent in filing the petition. (Sec. 25(1)). The court may not refuse to accept for filing a properly completed and presented ARY petition. (Sec. 32). A fact-finding hearing must be held within 10 calendar days after the petition is filed. (RCW 13.32A.192 (1) (a)). Unless the parent requests out-of-home placement, the child must reside in the parent's home. (RCW 13.32A.194 and 25(2)).

If both a CHINS petition and an ARY petition have been filed regarding the same child, the petitions and proceedings must be consolidated. Pending the fact-finding on consolidated petitions, the child may be placed in the parent's home or in an out-of-home placement. (Sec. 25(4)).

The court must grant the ARY petition if the allegations are proven by a preponderance of the evidence. (RCW 13.32A.194 (1)). A dispositional hearing must be held within 14 days after the petition is granted. (RCW 13.32A.196 (1)). The court may enter an order that will assist the parents in maintaining the care, custody, and control the child, and may impose conditions of supervision upon the child. (RCW 13.32A.196 (2)). **The court may also order the parent to participate in and/or pay for services. (Sec. 28(4)).**

SUPERIOR COURT OF WASHINGTON COUNTY OF SNOHOMISH JUVENILE DEPARTMENT	
IN RE THE MATTER OF: DOB:	NO: PETITION FOR AT RISK YOUTH (ARY)

I. BASIS

I/We represent to the court the following:

1.1 **Petitioner(s) is/are:**

- Mother (custodial parent)
- Father (custodial parent)
- Parents of the above named child
- Legal guardian/custodian of the above named child

1.2 Information about the child:

Legal Name of Child: _____
First Middle Last

Have you ever been known by any other first/last name? _____

Date of Birth: _____ Age: _____ Sex: _____ Race: _____

Legal Address: _____

Phone: _____ Drivers License: _____
Physical Description: Height: _____ Weight: _____ Eyes: _____
Hair Color: _____ Identifying Marks: _____

1.3 Information about the child's parents/legal custodian or guardian:

a. **Legal Name of Legal Guardian/Biological/Adopted Father:** _____
First Middle Last

Have you ever been known by any other first/last name? _____

Address: _____

Phone Number: (Work) _____ (Home) _____

WA Drivers License number: _____ Date of Birth: _____

b. **Legal Name of Legal Guardian/Biological/Adopted Mother:** _____
First Middle Last

Have you ever been known by any other first/last name? _____

Address: _____

Phone Number: (Work) _____ (Home) _____

WA Drivers License number: _____ Date of Birth: _____

c. **Marital Status of biological parents:** _____
Married, Separated, Divorced, Never Married

d. **Name of parent/legal guardian (of those listed above) who has residential custody:**

Address: _____

Phone Number: (Work) _____ (Home) _____

WA Drivers License number: _____ Date of Birth: _____

1.4 The child is not the subject of a dependency proceeding under Chapter 13.34 RCW.

A Child in Need of Services (CHINS) petition involving this child is active. The legal number is: _____

A Truancy petition involving this child is active. The legal number is: _____

An offender (criminal) matter involving this child is active: The legal number is: _____

- 1.5 The child is an at-risk-youth as defined in RCW 13.32A.030 (3), in that the child:
- A. Has been absent from the home for more than seventy-two (72) consecutive hours without parental consent;
 - B. Is beyond parental control such that the child’s behavior endangers the health, safety, or welfare of the child or any other person; or
 - C. Has a substance abuse problem and there are no pending criminal charges related to the substance abuse.
- 1.6 The petitioner(s) has (have) the legal right to residential custody of the child.
- 1.7 Court intervention and supervision are necessary to assist the petitioner in maintaining the care, custody, and control of the child
- 1.8. **List** alternatives to court intervention that have been attempted (I.e. restriction, counseling, treatment, medication etc):
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-
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-
- 1.9 A family assessment has been completed by Family Reconciliation Services (FRS) and verification thereof is included with this petition.
- FRS was unable to complete the family assessment within two working days of the petitioner’s request.

II. RELIEF REQUESTED

The petitioner(s) request(s) that the following recommendations, pursuant to 13.32A.196 be considered by the Court for inclusion in the dispositional order to assist in maintaining the care, custody, and control of the child:

- Regularly attend school with no unexcused absences, tardies, skipping classes, expulsions or suspensions and timely complete all assignments;
- Provide parent(s) and Court with a written weekly school progress report;
- Participate in family counseling, follow all recommendations as to other treatment and/or programs, and sign releases of information;
- Participate in individual counseling, follow all recommendations and/or programs;
- Obtain a mental health (psychological/psychiatric) evaluation if recommended by an individual or family counselor, follow all recommendations and sign releases of information;
- Obtain a urinalysis U/A prior to leaving courthouse/detention;
- Obtain a drug/alcohol evaluation, follow treatment recommendations, and sign releases of information;
- Comply with present drug and alcohol treatment at _____;
- Submit to parent(s) and Court written treatment compliance reports every _____;
- Not use or possess tobacco products, controlled substances, drug paraphernalia, or alcohol or be at any place where they are being used;
- Abide by a curfew of Sunday to Thursday at _____ p.m. and Friday and Saturday at _____ p.m. This may be changed on a day to day basis by prior written approval of all parties or the placement;
- Notify petitioner(s) or placement of whereabouts at all times; (choose how by marking one of the options below)
 - Obtain prior approval from parent to be at a place other than school, work, treatment or _____;
 - Youth shall remain at home, except to attend school, treatment or events preapproved in advance in writing by Petitioner or placement. Such approval shall be in a specially kept notebook which shall be brought to court at the next hearing.

- ❑ Refrain from purposeful damage of property;
- ❑ All parties shall refrain from physical and verbal abuse and threats of abuse;
- ❑ Seek and/or maintain employment.
- ❑ Submit to parent(s) and Court a weekly job log showing proof of application for _____ jobs per _____;
- ❑ Reimburse petitioner for property damage and debts owed: _____

- ❑ Refrain from contact with following person(s): _____

- ❑ Comply with attached written house rules
- ❑ Other conditions: _____

III. CERTIFICATION

I/We certify under penalty of perjury under the laws of the State of Washington that the above information is true and correct.

Signed this _____ day of _____, 20__ at _____, Washington
City

Print Name of Petitioner

Signature of Petitioner

Print Name of Petitioner

Signature of Petitioner

Screened By