

Snohomish County



At-Risk Youth (ARY) Petition Fact Sheet

SNOHOMISH COUNTY SUPERIOR COURT DENNEY JUVENILE JUSTICE CENTER

2801 10th Street
Everett, WA 98201-1414
CHINS/ARY Message line: (425) 388-7954

The At-Risk Youth petition is one tool for **parents/legal guardians** to use to help resolve family conflict. The ARY is for parents seeking assistance in managing their child's behavior by petitioning the court to help with reconciling family issues and reinforcing parent rules. Requesting court intervention through an ARY should not be the first attempt on a parents part to gain control of their child.

The legislature enacted the Family Reconciliation Act (13.32A RCW) to preserve, strengthen and reconcile families experiencing problems with youth who are at-risk in the community. The purpose of this legislation is to provide parents a process in which they can request and receive assistance recognizing that the services and resources through Juvenile Court are limited. It is not intended to "punish" you or your child, although consequences can be imposed if the court order is not followed by all parties.

What is needed for a ARY:

An At-Risk Youth (ARY) petition is a request from a **child's custodial parent/legal guardian** to the Juvenile Court to help in maintaining the care, custody and control of their child. ARY petitions can be filed on youth who are 12 - 17 years old if parents can establish one or more of the following:

- A. Absent from the home for a minimum of 72 hours without parent consent; OR
- B. Beyond parental control to the extent that their behavior threatens the health, safety or welfare of themselves or any other person; OR
- C. Has a substance abuse problem for which there are no pending criminal charges related to the substance abuse.

Parents/legal guardian must be able to describe precisely why their child meets the above criteria as well as attempts they have made to remedy the situation prior to asking for court intervention.

Steps to file/obtain a ARY:

- 1) Parent/legal guardian must live in Snohomish County and must be the custodial parent/guardian.
- 2) Call DCYF office and schedule an appointment for Family Reconciliation Services (FRS) Assessment at (866) 829-2153
- 3) Immediately after meeting with FRS call Juvenile Court ARY/CHINS line at (425) 388-7954 to schedule an intake to file your petition. This has to be done within 30 days of meeting with FRS.
- 4) At the time of filing your ARY petition you will be given a first court date called a Fact Finding hearing. This hearing will be about 10 days out. The child will be appointed a lawyer at public expense. The parent is entitled to have a lawyer at their own expense.
- 5) At the Fact Finding hearing the Judge will determine if the youth meets the ARY criteria.
- 6) If the youth is found to be an At-risk youth then the court will enter an ARY Order.

Once a ARY is in place it can provide:

- Converts some of the rules and expectations you already have for your child into a formal court order.
- Allows the parent to file for contempt of court hearings to address rules that have been violated in the ARY order.
- If the child is found in contempt of court (violating the rules of the ARY) you can request consequences or programs be imposed on the youth.
- Allows for the parent to motion the court for a whereabouts unknown warrant when your child is missing for more than 24 hours.

Consequences and or programs that can be imposed:

- Book report/essay/apology letter
- Community service/parent supervised work
- Positive family/social activity
- Positive Youth Development Programs
 - Mentor ship program
 - Sports or club group
 - Youth Enrichment Services
- Monitored house arrest



Resources to utilize before filing an ARY

- Cocoon House (425) 317-9898
- National Alliance on Mental Illness (NAMI) (425) 347-5365
- Compass Health (800) 457-9303

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Child In Need of Services (CHINS) Petition Fact Sheet

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2801 10th Street
Everett, WA 98201-1414
CHINS/ARY Message line: (425) 388-7954

The purpose of a Child in Need of Services (CHINS) petition is to obtain a court order mandating placement of a child in a residence other than the home of his/her parent/legal guardian (for up to 9 months) because a serious conflict exists between the parent/guardian and child. The placement is temporary, and the goal is reunification.

This action is taken when the conflict in the home cannot be resolved and reasonable efforts have been made to work on the relationship and keep the child in the home. If these efforts have not worked then filing a CHINS may be appropriate and can be filed by the child, parent or DCYF (Department of Children, Youth, and Families).

What is needed for a CHINS:

A Child In Need of Services (CHINS) petition is a request from a **child or parent/legal guardian** to the Juvenile Court to grant temporary placement of a child. This is not in place of a parenting plan or emancipation. The child must be 12—17 years old and meet one or more of the following requirements:

- A. The child has been reported as absent without consent for at least 24 consecutive hours on two or more separate occasions from the parent's/guardian's home, a crisis residential center, an out-of-home placement, or a court-ordered placement; and
 1. has exhibited a serious substance abuse problem; or
 2. has exhibited behaviors that create a risk of serious harm to the health, safety, or welfare of the child or any other person; OR
- B. The child is beyond the control of his/her parent/guardian such that the child's behavior endangers the health, safety, or welfare of the child or other person; OR
- C. The child is in need of necessary services (including food, shelter, health care, clothing, education, or services designed to maintain or reunite the family);
 1. The child lacks access to, or has declined to utilize these services; and
 2. the child's parent/guardians have evidenced continuing but unsuccessful efforts to maintain the family structure or are unable or unwilling to continue efforts to maintain the family structure.



Steps to file/obtain a CHINS:

- 1) Parent/legal guardian must live in Snohomish County.
- 2) Call DCYF office and schedule an appointment for Family Reconciliation Services (FRS) Assessment at (866) 829-2153
- 3) Immediately after meeting with FRS call Juvenile Court ARY/CHINS line at (425) 388-7954 to schedule an intake to file your petition. This has to be done within 30 days of meeting with FRS.
- 4) At the time of filing your CHINS petition you will be given a first court date called a Fact Finding hearing. This hearing will be about 10 days out. The child will be appointed a lawyer at public expense. Parent/legal guardians are entitled to have a lawyer and can contact The Office of Public Defense (OPD) to see if they qualify for an attorney or they may seek counsel at their own expense. Most parents/guardians represent themselves.
- 5) At the Fact Finding hearing the Judge will determine if the youth meets the CHINS criteria.
- 6) If the youth is found to be a Child In Need of Services then a CHINS Order will be entered.

What can be imposed in a CHINS petition:

The purpose of a CHINS petition is to request that the child reside in an out of home placement on a temporary basis only. The petitioner must propose an appropriate placement at the hearing. Placement cannot be with a non custodial parent or parent whose rights have been terminated. A CHINS Order authorizes placement for a maximum of 9 months.

During that time the parent and child will be ordered to participate in services that can include counseling, treatment, visitation, etc. All parties are expected to participate in services or risk being in violation of the court's order.

Resources to utilize before filing an CHINS

- Cocoon House (425) 317-9898
- National Alliance on Mental Illness (NAMI) (425) 347-5365
- Compass Health (800) 457-9303