

*Name of Potential Volunteer _____

Check One:

() Detention Volunteer

() Juvenile Court

() Other volunteer



JUVENILE & FAMILY COURT SERVICES

VOLUNTEER RESOURCE GUIDE

“There is no greater insight into the future than recognizing when we save our children, we save ourselves.”

Margaret Mead, Anthropologist

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- Policy Regarding Eligibility for Employment/Volunteering & Criminal Conviction Reporting Requirements (4 pages- just need to sign and return last page)*
- Authorization for Volunteer Background Inquiry*
- Confidentiality Agreement *

Volunteer Expectations and Application Materials

- Volunteer Expectations and Procedures *
- Volunteer Application*

***Complete these forms and return to Island County Juvenile and Family Court Services.**

Contact Information:

**Island County Juvenile & Family Court Services
PO Box 5000 **or** 501 N Main St.
Coupeville WA 98239-5000**

360-679-7325

JUVENILE COURT IN THE STATE OF WASHINGTON

Juvenile Court Jurisdiction: (Ages 8-18 Children between the ages of 8 and 12 must be found to have the capacity and/or competency to have formed the intent to commit a criminal offense.)

Juvenile court is a division of the superior court, established by law to deal with youths under the age of 18 who commit offenses (offenders) or who are abused or neglected (dependents). Like adults, juvenile offenders are sentenced according to a uniform set of guidelines. Taking into account the seriousness of the offenses committed and the history of the subject's prior offenses, the guidelines establish a range of sentences, and sentence conditions.

A juvenile sentence or disposition outside the standard range is possible if the court finds the standard disposition would amount to a "manifest injustice", to the juvenile or to the community. Dispositions within the standard range are not appealable; manifest injustice dispositions are.

Dependent children are usually placed under the care of the state's Department of Social and Health Services (DSHS). Courts frequently place such children outside the home for varying periods of time.

Juvenile Justice Act of 1977

It is the intent of the legislature that a system capable of having primary responsibility for, being accountable for, and responding to the needs of youthful offenders, as defined by this chapter, be established. It is the further intent of legislature that youth, in turn, be held accountable for their offenses and that communities, families, and the juvenile courts carry out their functions consistent with this intent. To effectuate these policies, the legislature declares the following to be equally important purposes of this chapter:

- (a) Protect the citizenry from criminal behavior;
- (b) Provide for determining whether accused juvenile have committed offenses as defined by this chapter;
- (c) Make the juvenile offender accountable for his or her criminal behavior;
- (d) Provide for punishment commensurate with the age, crime, and criminal history of the juvenile offender;
- (e) Provide due process for juveniles alleged to have committed an offense;
- (f) Provide necessary treatment, supervision, and custody for juvenile offenders;
- (g) Provide for the handling of juvenile offenders by communities whenever consistent with public safety.

- (h) Provide for restitution to victims of crime;
- (i) Develop effective standards and goals for the operation, funding, and evaluation of all components of the juvenile justice system and related services at the state and local levels;
- (j) Provide for a clear policy to determine what types of offenders shall receive punishment, treatment, or both, and to determine the jurisdictional limitations of the courts, institutions, and community services; and
- (k) Encourage the parents, guardian, or custodian of the juvenile to actively participate in the juvenile justice process.

Juvenile Laws and Statutes:

These are the main RCW's (laws/statutes) that relate to Juvenile Justice:

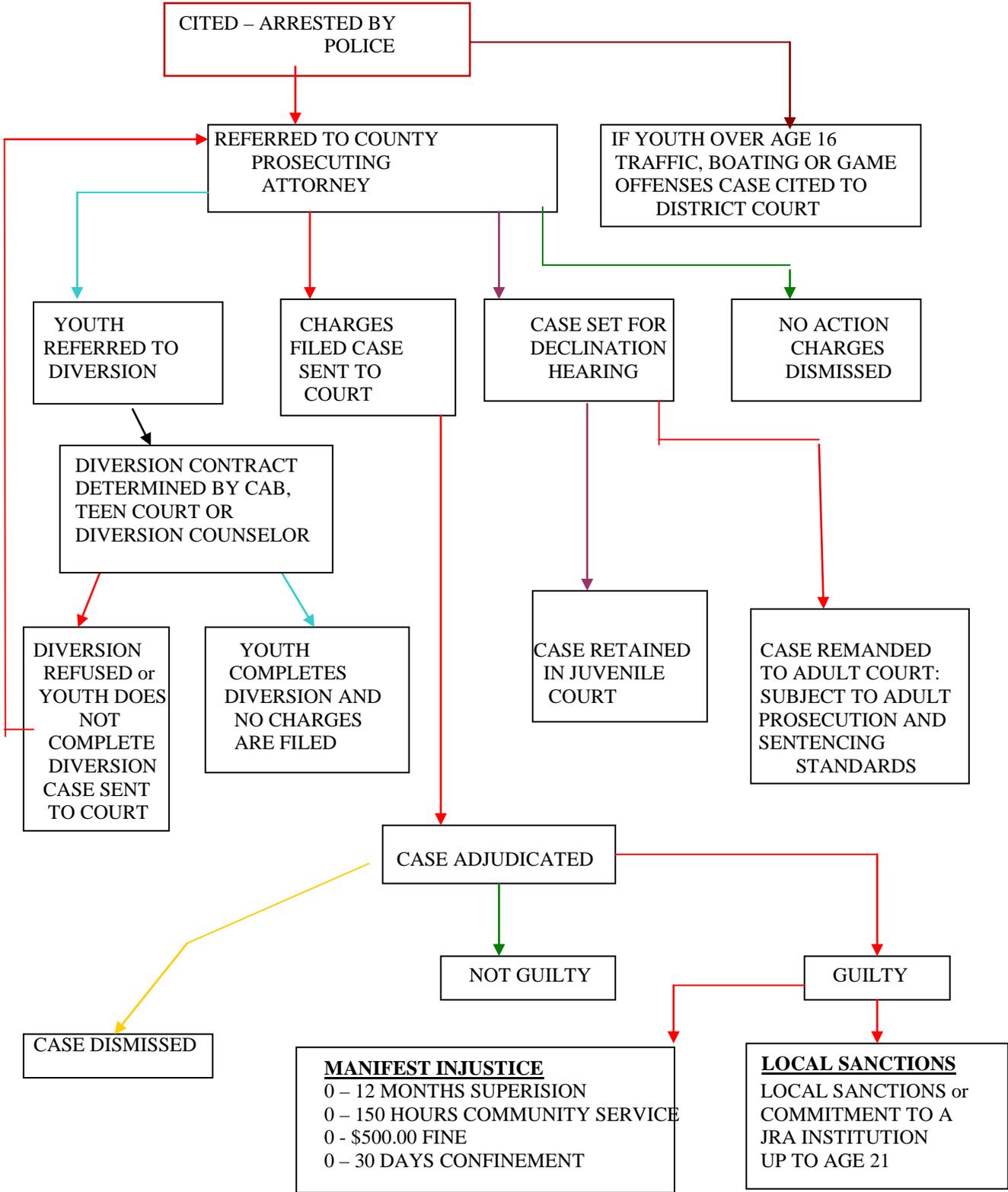
RCW Title 13 (Juvenile Courts and Juvenile Offenders)

Title 9 (Crimes and Punishments)

Title 9a (Washington Criminal Code)

Title 10 (Criminal Procedure)

JUVENILE JUSTICE SYSTEM FLOW CHART FOR CRIMINAL OFFENSES IN ISLAND COUNTY



**MANDATORY REPORTING REQUIREMENTS TO
CHILD PROTECTIVE SERVICES
DIVISION OF FAMILY AND CHILDREN'S SERVICES**

RCW 26.44.030 Reports-Duty and authority to make

(l)(a) When any practitioner, county coroner or medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, licensed or certified child care providers or their employees, employee of the department, juvenile probation officer, or state family and children's ombudsman or any volunteer in the ombudsman's office has reasonable cause to believe that a child or adult dependent or developmentally disabled person, has suffered abuse or neglect, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040. (b) The reporting requirement shall also apply to department of corrections personnel who, in the course of their employment, observe offenders or the children with whom the offenders are in contact. If, as a result of observations or information received in the course of his or her employment, any department of corrections personnel has reasonable cause to believe that a child or adult dependent or developmentally disabled person has suffered abuse or neglect, he or she shall report the incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040. (c) The reporting requirement shall also apply to any adult who has reasonable cause to believe that a child or adult dependent or developmentally disabled person, who resides with them, has suffered severe abuse, and is able or capable of making a report. For the purposes of this subsection, "severe abuse" means any of the following: Any single act of abuse that causes physical trauma of sufficient severity that, if left untreated, could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness. (d) The report shall be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable cause to believe that the child or adult has suffered abuse or neglect. The report shall include the identity of the accused if known. (2) The reporting requirement of subsection (l) of this section does not apply to the discovery of abuse or neglect that occurred during childhood if it is discovered after the child has become an adult. However, if there is reasonable cause to believe other children, dependent adults, or developmentally disabled persons are or may be at risk of abuse or neglect by the accused, the reporting requirement of subsection (l) of this section shall apply. (3) Any other person who has reasonable cause to believe that a child or adult dependent or developmentally disabled person has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040.

Source:

RCW: <http://wsl.leg.wa.gov/wsladm/rcw.htm>

**ISLAND COUNTY JUVENILE COURT SERVICES POLICY REGARDING
ELIGIBILITY FOR EMPLOYMENT/VOLUNTEERING AND
CRIMINAL CONVICTION REPORTING REQUIREMENTS**

RCW 72.05.440 became effective September 1,1998. A copy of this statute is attached hereto as Attachment A. This policy implements the statute.

A person shall not be eligible for an employed or volunteer position with Island County Juvenile Court Services if the person has been convicted of (a) any felony sex offense, as defined in RCW 9.94A.030 and RCW 9A.44.130, or any violent offense, as -defined in RCW 9.94A.030. Felony sex offenses and violent offenses are listed on Attachment B attached hereto.

A person shall not be eligible for an employed or volunteer position within Island County Juvenile Court Services if the person has been convicted of a gross misdemeanor with sexual motivation. "Sexual motivation" means that one of purposes for which the defendant committed the crime was for the purpose of his or her sexual gratification. RCW 9.94A.030 (34). (See also RCW 9.94A.127, RCW 9.41.010, and RCW 13.40.020 and .135.)

A person shall not be eligible for an employed or volunteer position within Island County Juvenile Court Services if the person has been convicted of a misdemeanor with sexual motivation, an illegal drug-related or alcohol-related crime, a crime involving the use of a firearm, or a crime involving the commission of domestic violence, if such crime was committed within five years of the date of the person's" application for such employed or volunteer position. "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. RCW 9.41.010 (1). "Domestic violence" means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another; or (c) stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member. RCW 26.50.010(1).

RCW 72.05.440

Eligibility for employment or volunteer position with juveniles --Must report convictions -- Rules.

(1) A person shall not be eligible for an employed or volunteer position within the juvenile rehabilitation administration or any agency with which it contracts in which the person may have regular access to juveniles under the jurisdiction of the department of social and health services or the department of corrections if the person has been convicted of one or more of the following:

- (a) Any felony sex offense;
- (b) Any violent offense, as defined in RCW 9.94A.030.

(2) Subsection (1) of this section applies only to persons hired by the department or any of its contracting agencies after September 1, 1998.

(3) Any person employed by the juvenile rehabilitation administration, or by any contracting agency, who may have regular access to juveniles under the jurisdiction of the department or the department of corrections and who is convicted of an offense set forth in this section after September 1' 1998, shall report the conviction to his or her supervisor. The report must be made within seven days of conviction. Failure to report within seven days of conviction constitutes misconduct under Title 50 RCW.

(4) For purposes of this section "may have regular access to juveniles" means access for more than a nominal amount of time.

(5) The department shall adopt rules to implement this section.

NOTES: Intent --Finding --Effective date --1998 c 269: See notes following RCW 72.05.020.

Crimes Prohibiting "Regular Access" to Juveniles

Violent Offenses (RCW 9.94A.030)

* Arson 1;	*Manslaughter 1;
Arson 2;	Manslaughter 2;
*Assault I;	Murder 1;
Assault 2; .	Murder 2;
* Assault of a Child 1	Rape of a Child 1;
Assault of a Child 2;	Rape of a Child 2;
*Burglary I;	*Rape 1;
*Child Molestation I;	*Rape 2;
Drive-By Shooting;	Robbery 1;
Extortion 1;	Robbery 2;
*Homicide By Abuse;	Vehicle Assault;
Indecent Liberties with Forcible Compulsion'	Vehicle Homicide-while under the
* Kidnapping 1;	influence of drugs or alcohol, or by the
*Kidnapping 2;	operation of vehicle in a reckless
	manner;

Any class A felony;

Any attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony;

Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense under RCW 9.94A.030; and

Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under RCW 9.94A-030.

* Class A Felony

Felony Sex Offenses (RCW 9.94A.030, RCW 9A.44.130)

Child Molestation 1;	Patronizing Juvenile Prostitute;
Child Molestation 2;	Rape 1;
Child Molestation 3;	Rape 2;
Communication with a Minor for Immoral Purposes	Rape 3;
(if it is the second sex offense the person has	Rape of a Child 1;
committed);	Rape of a Child 2;
Dealing in Depictions of Minor Engaged in	Rape of a Child 3;
Sexually Explicit Material;	Sending, Bringing into State Depictions
Incest 1;	of Minor Engaged in Sexually Explicit
Incest 2;	Conduct;
Incest 3;	Sexual Exploitation of a Minor;
Indecent Liberties;	Sexual Misconduct with a Minor 1;
	Sexual Violation of Human Remains;

Any felony with a judge's finding of sexual motivation;

Any felony that is an attempt to commit, criminal solicitation of, or criminal conspiracy to commit a sex offense; and

Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a sex offense.

Acknowledgement of Additional Requirements to Report Criminal Convictions

Volunteers who wish to participate in programs with the detention staff and or detainees shall not be granted access to the facility until a criminal history background check is received by Island County Detention/Juvenile and Family Court Services which indicates there is no criminal history reported that would prohibit them from volunteering per policy.

Effective September 1, 1998, RCW 72.05.440 requires JRA to expand background check requirements to ensure persons convicted of:

- (a) any felony sex offense as defined in RCW 9.94A-O30 and RCW 9A-44-130; or
- (b) any violent offense as defined in RCW 9.94A-O30

are not allowed regular access* to juveniles within the JRA system. Any person who has been convicted of one or more of these offenses is not eligible for an employed contracted, or volunteer position within IRA if that person will have regular access to juveniles within the JRA system.

Effective September 1, 1998, current employees, volunteers, and contracted service providers, who are authorized for regular access to a juvenile(s) must report any conviction of a felony sex offense or violent offense. The report must be made to the person's supervisor within seven days of conviction. Failure to report within seven days constitutes misconduct under Title 50 RCW. Employees, volunteers, and contracted service providers who have reported a conviction for one or more of these offenses must not have regular access to juveniles within the JRA system.

*"Regular access" means unsupervised access to a juvenile(s) for more than a nominal amount of time, that is the result of the person's regularly scheduled activities or work duties. For the purpose of this definition, juvenile means a juvenile offender under jurisdiction of JRA or a youthful offender under the jurisdiction of the Department of Corrections who is placed in a JRA facility.

These requirements are not retroactive. The requirements apply to people who are convicted of these crimes on or after September 1, 1998.

I am aware of my additional responsibility to report any criminal convictions. (RCW 05.440 and W AC 275-37-030, Background Checks)

Signature

Date

Confidentiality Agreement

As a volunteer for the Island County Juvenile & Family Court Services office, I understand that I may have access to confidential information and records in files and databases such as court case files, the Judicial Information System, and databases of other organizations. By signing this statement, I affirm my understanding of my responsibilities to maintain confidentiality and agree to the following:

1. I understand that court case files and automated databases contain confidential, as well as public information.
2. I understand that I may access, read or handle confidential records to the extent required in, and for the purpose of, performing my assigned duties as a volunteer of Island County Juvenile & Family Court Services.
3. I agree not to divulge, publish, or otherwise make known to unauthorized persons or to the public any confidential information obtained in the course of serving as a volunteer. I understand that:
 - a. I may divulge confidential information to judicial officers and authorized court employees as necessary to perform my responsibilities.
 - b. I may divulge confidential information to others only if specifically authorized to do so by statute, court rule, judicial policy, or court order.
 - c. Maintaining confidentiality includes not discussing confidential information outside of the meeting place.
 - d. After I leave, I may not divulge confidential information obtained during the course of serving as a volunteer.
4. I agree to consult a Juvenile Court Services representative on any questions I may have concerning whether particular information may be disclosed.
5. I understand that a breach of confidentiality may be grounds for disciplinary or legal action, and may include termination as a volunteer.
6. I agree to notify JCS immediately should I become aware of an actual breach of confidentiality or a situation which could potentially result in a breach, whether this be on my part or on the part of another person.

Signature

Date

Printed Name

Authorization Of Access To Confidential Information

_____ is authorized access to confidential information and records.

Signature of Juvenile Court Administrator

Date

Andrew Somers
Printed Name



**ISLAND COUNTY SUPERIOR COURT
JUVENILE DIVISION
VOLUNTEER EXPECTATIONS/PROCEDURES**

501 N. Main, P.O. Box 5000
Coupeville, WA 98239
(360) 679-7325

EXPECTATIONS AND PROCEDURES FOR ALL VOLUNTEERS

This section provides you with some general information necessary to enable you to function effectively as a volunteer for Island County Juvenile Court Services. They are also designed to clearly define the professional standards and policies the staff and volunteers are required to maintain while performing jobs.

Much will be left to your good judgment. Every situation and case is unique and cannot be handled exclusively in terms of general rules. The following information represents guidelines that should be used along with common sense and good judgment when dealing with youth. The following page should be signed and submitted with all applications materials. You will be given copies of these documents.

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- Dress comfortably, neatly, and appropriately for your duties as a volunteer. Serving on a Board or doing any job where you encounter parents or the public requires dress that is more formal.
  
- Respect Confidentiality. Under no circumstances should you divulge or discuss with anyone information about what you know or surmise about a youth, except with a person fully authorized by the Court to receive this information. The fact that they are a juvenile offender should not be disclosed. This rule is absolute. Violations are not only highly unethical and illegal; they are also the surest way to destroy a relationship with the juvenile.
  
- Never give a youth your home address or phone number or relay similar information about anyone else. Do not contact anyone outside of the Court on behalf of a youth.
  
- Do not make contact with youth outside of your volunteer work hours. Good intentions can be misinterpreted and in an extreme case, you can be accused of things that did not occur. The process of proving that an allegation is false can be long, involved, and personally exhausting.

- Any contact with the youth outside of Juvenile Court Services must be approved in advance.
- If you are familiar with a resident or youth, a family friend, relative, or acquaintance, report it immediately to the Coordinator for your volunteer position. Absolutely no contact should be made with this youth without the express prior authorization of Juvenile Court staff. Strict confidentiality must be maintained regarding information on this youth's case or his or her incarceration. Criminal prosecution could result from disclosing information obtained at the Juvenile Court.
- Volunteers need to maintain non-association with Court referred youth as well as the family members of juvenile offenders. Volunteers do not have the authority to advocate for an individual youth. Any coercion should be reported immediately to staff.
- With the exception of Law Enforcement, no one is permitted to possess firearms or weapons, whether licensed or not, while entering or working in the facility or any Juvenile Court Program.
- If you are arrested or charged with any crime during your tenure as a volunteer, you must report it to the Volunteer Coordinator within seven days of the arrest or the filing of information charging you with any criminal offense.
- If there are any problems that develop with your volunteer work (i.e. work conditions, time commitments, personal problems, staff, or youth conflicts, etc.) please bring these concerns to the attention of the Volunteer Coordinator for your position as soon as they arise.
- It constitutes grounds for termination if there is unlawful possession or use of a controlled substance by a volunteer; or where there is consumption of any alcoholic beverage during volunteer hours or where a volunteer is under the influence of any alcoholic beverage while on the job.
- CAB volunteers should never disclose information which has been divulged in the diversion hearing by the diverted youth to the youth's parent(s)/guardian or vice versa without the party's permission. An exception would be if the Board's consensus is that the youth is in immediate danger of harming him/herself or someone else. In this situation, the Board should notify Juvenile Court Services immediately.
- If a volunteer comes into unplanned contact with a youth or family while out in the Community it is expected that the volunteer will not initiate contact with that youth. It is acceptable to exchange greetings only if the youth initiates contact. This is in adherence to maintaining a high level of confidentiality.

I have been provided with a copy of this form. I have read and understood the foregoing and will abide by expectations and procedures set forth for my volunteer position.

\_\_\_\_\_
  
Date

\_\_\_\_\_
  
Signature of volunteer

ISLAND COUNTY JUVENILE & FAMILY COURT SERVICES  
**VOLUNTEER APPLICATION**

NAME: \_\_\_\_\_  
          LAST                          MAIDEN                          FIRST                          MIDDLE

DOB: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

HOME PHONE: \_\_\_\_\_ WORK/MESSAGE PHONE: \_\_\_\_\_

Email Address \_\_\_\_\_

~~~~~

PREVIOUS or CURRENT VOLUNTEER EXPERIENCE:

(Please include the dates and the name of the program(s) in which you volunteered.)

PREVIOUS EXPERIENCE with Youth (include work, volunteer, or parenting):

WHY DO YOU WANT TO VOLUNTEER? If wanting to volunteer in detention, what sorts of activities would you want to do with our youth?

HOW LONG ARE YOU WILLING TO VOLUNTEER?

~~~~~

**REFERENCES:**

| <b>NAME</b> | <b>RELATIONSHIP TO APPLICANT</b> | <b>ADDRESS</b> | <b>PHONE</b> |
|-------------|----------------------------------|----------------|--------------|
| 1. _____    |                                  |                |              |
| 2. _____    |                                  |                |              |
| 3. _____    |                                  |                |              |

**I HEREBY AUTHORIZE ISLAND COUNTY JUVENILE AND FAMILY COURT SERVICES TO CONTACT THE REFERENCES PROVIDED ABOVE, BY ME, REGARDING THIS APPLICATION.**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**APPLICANT SIGNATURE**