

ARY FAQs:

Why should I get an ARY petition?

To obtain assistance and support from the juvenile court in maintaining the care, custody and control of the child and to assist in the resolution of family conflict, after alternatives to court intervention have been attempted.

Does my youth qualify?

An at-risk youth is defined by statute as a child under the age of 18 who meets at least one of the following three requirements:

1. Is absent from home for at least 72 consecutive hours without parental consent; OR
2. Is beyond parental control such that his/her behavior endangers the health, safety, or welfare of the child or any other person; OR
3. Has a substance abuse problem for which there are no pending criminal charges relating to the substance abuse.

The law requires that the petitioner attempt an intervention to improve the youth's behavior prior to filing an ARY petition.

For example: Individual/Family Counseling or Drug/Alcohol Treatment

If you have not attempted alternatives to court intervention, FRS can offer twelve (12) hours of free in-home counseling (see number below).

Who can file a petition?

Only the parent of the child may file the ARY petition. "Parent" is defined as the person(s) having legal right to custody of the child and includes custodian or guardian.

What do I need to do get the process started?

Contact your local Family Reconciliation Services (FRS) office at DSHS and request an appointment for intake and assessment. At the conclusion of this meeting, the intake caseworker will prepare a Family Assessment. Request a copy of the family assessment and attach it to the petition prior to filing. The Court must have a copy of the FRS assessment before proceeding with the petition. ***Please note: family assessments are only valid for 90 days from the date of the assessment interview.***

IF YOU HAVE NOT OBTAINED THE FAMILY ASSESSMENT IN TIME FOR THE FACT FINDING HEARING, THE FACT FINDING HEARING MAY BE CONTINUED.

Family Reconciliation Services (FRS)

1-800-609-8764 Days, 8 a.m. - 4:30 p.m.

1-800-562-5624 After hours, 4:30 p.m. - 8 a.m.

Where do I file the petition?

Petitions must be filed in the Court Clerk's Office at Juvenile Court (1211 E. Alder, Seattle) or at the Regional Justice Center (401 - 4th Ave. N, Kent). Petitions can be filed at either location, but hearings will occur in the courthouse corresponding to the zip code the parent resides in. **Generally, Seattle, Eastside and North King County cases will be heard in Seattle and South King County will be heard in Kent.**

Note: Clerk's offices are closed for lunch from 12:15-1:15, M-F.

Are there any costs?

There is no cost to file a petition or for the FRS Family Assessment. The parent shall be financially responsible for costs related to the ***court-ordered plan*** (counseling, drug/alcohol evaluations/treatment, mental health evaluations, etc.). There may be a cost for the attorney that is appointed for your child; for more information, please read the “*ARY-CHINS OPD information*” handout in this packet or call the Office of Public Defense at 206-296-7662.

Who can I contact if I need assistance with the petition process?

For more information about ***filing a petition***, please call **206-205-9732** and leave a message with your name, phone number, postal or email address, and program staff will get back to you, usually within 48 hours.

For questions about ***current cases already filed or in progress***, please contact a case manager at the location you appear at for court hearings:

Regional Justice Center (Kent)

Amy Andree (amy.andree@kingcounty.gov), (206) 205-2578

Juvenile Courthouse (Seattle)

Karen Chapman (karen.chapman@kingcounty.gov), (206) 205-9716

How do I need to inform the youth about the court date?

To be properly served, a non-party (someone other than the parent), 18 years of age or over, must have handed the youth a copy of the documents that are coming before the court. After the server delivers the court papers to the opposing party, the server should complete the Declaration of Service form. That form requires the server to make a sworn statement to the court (under oath) that s/he served the party with the necessary court papers. The server should date and sign the Declaration of Service at the bottom and return it to the party requesting his/her services. That form constitutes “***proof of service***” and should be brought to the hearing.

Since this is a court proceeding, are there attorneys involved?

The child is automatically assigned a court-appointed attorney for all hearings. Under the ARY petition, a parent is not entitled to a court-appointed attorney, regardless of financial need. A parent always has the right to obtain an attorney at his/her own expense.

Are interpreters available if someone does not speak English?

If any of the parties needs an interpreter for a court hearing, tell the Clerk’s office staff at the time of filing. King County Superior Court will pay for all interpreter services.

What kinds of things can the Court order?

If the Court determines a youth to be at-risk, the Court can put in place a court order requiring:

Youth Shall

- attend school with no unexcused absences, tardies or behavioral suspensions
- obtain a drug and alcohol evaluation
- obtain a psychiatric, psychological or mental evaluation
- sign a release of information to allow the court, parents and attorneys to receive results
- submit to random urinalysis
- not use nor possess non-prescribed drugs, alcohol
- obey curfew
- enroll in and attend individual or family counseling
- reside with parent
- have no contact with...
- not allow others in parents home without permission
- not be physically or verbally abusive to people or property

Parents Shall

- ensure enrollment in school program
- arrange evaluation appointments for youth
- post written household rules and chore expectations
- enroll in and attend individual and family counseling or parenting classes
- not be physically or verbally abusive to people or property

What kinds of things can the Court not order?

The State of Washington is a non-involuntary placement state. Therefore, the Court can not order inpatient placement in treatment facilities. Neither can the court order a child to take medication.

What happens if a party does not follow the court order?

Failure by any party to comply with a court order is contempt of court. Violations of the court order should be reported to the court through the filing of a contempt motion. A contempt motion may be filed by a parent, a child or a person/agency having custody of the child. If the court makes a finding of contempt at a **contempt hearing**, the court may impose coercive sanctions, such as research papers or community service hours, alternatives to secure detention, such as work crew or electronic home monitoring, confinement for up to seven days in juvenile detention or a fine of up to \$100, or any combination of these sanctions.

Do not wait for a scheduled review hearing to report violations of the court's orders. An appointment with a case manager is necessary to file a contempt motion.

What should we do if our situation is urgent/crisis and we can not wait for a court date?

IMMINENT DANGER: **CALL "911"**

Crisis: **King County 24 Hour Crisis Line
866-427-4747 or 206-461-3222**