

**SUPERIOR COURT OF WASHINGTON  
COUNTY OF YAKIMA  
JUVENILE COURT**

(School District)  
Vs.

Petitioner

Student

Student's D.O.B. \_\_\_\_ / \_\_\_\_

Parent(s)/Guardian(s)

No:

**Order on Hearing RE: Contempt  
(ORCN)**

\_\_\_\_\_  
(Name of School)

**Clerk's Action Required; para 2.5; 2.6**

Interpreter  YES  NO

This matter came before the court for a contempt hearing requested by the petitioner, the moving party, against the respondent(s)  student  parent(s)/guardian(s). Present were the  school district representative  Community Engagement Board representative  student  parent(s)/guardian(s). Having reviewed the relevant documents, heard testimony and/or argument and, being advised in the premises, the court finds and orders as follows:

**I. FINDINGS OF FACT**

- 1.1 On \_\_\_\_\_, this court entered an Order on Truancy Hearing.  
 The order directed the student to perform certain specific actions, including attend school and not have unexcused absences.  
 The order directed the parent(s)/guardian(s) to perform certain specific actions, including causing the student to attend school and not have unexcused absences.  
 Other: \_\_\_\_\_.
- 1.2  The student  the parent(s)/guardian(s) were present when the order was entered and had actual notice of the terms of the order.  
 The student  the parent(s)/guardian(s) were not present when the order was entered but did have actual notice of the terms of the order.
- 1.3 Since  the court's order was issued,  the last contempt hearing on \_\_\_\_\_, the student was absent from school \_\_\_\_\_ days and was late to class (tardy) \_\_\_\_\_ times.
- 1.4 The student:  
 Obeyed the court order and is not in contempt of court.  
 Failed to obey the court order but had a lawful excuse and is not in contempt.

Had notice of the court order, willfully refused to abide by the court order, had the ability to comply with the order, had no lawful excuse for failing to obey the court's order, and is in contempt if this court. Specifically, the student failed to comply as follows:

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1.5  Testing the student for use of controlled substances or alcohol, as well as treatment, when necessary, is appropriate under the circumstances and behavior of the child and will help the student's compliance with the mandatory school attendance law.

1.6  The student continues to fail to comply with the court's order to attend school, with student previously being in contempt of an order  in this case  in a prior truancy case in Yakima County cause number \_\_\_\_\_. Other measures to secure the student's compliance have been tried but have been unsuccessful and no less restrictive alternative is available (predicate finding to detention), specifically:

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1.7  The court considered the mitigating and aggravating factors listed below to determine whether detention is appropriate. The court also considered all less restrictive options and based upon the following clear, cogent, and convincing evidence, decided that detention is the only appropriate alternative to enforce its order:

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1.8  The parent(s)/guardian(s)  
 Obeyed the court order and is/are not in contempt.  
 Failed to obey the court order, but had a lawful excuse and is/are not in contempt.  
 Had notice of the court order, willfully refused to abide by the court order, had the ability to comply with the order, had no lawful excuse for failing to obey the court's order, and is/are in contempt of this court. Specifically, the parent(s)/guardian(s) failed to comply as follows:

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1.9  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

## II. ORDER

2.1  The motion for the student's contempt is denied.

2.2  The motion for the student's contempt is granted. The following remedial sanctions for the student's contempt are imposed:

- The student shall attend school on a regular basis as directed by the school district and have no unexcused absences or tardies.
- The student shall serve \_\_\_\_\_ hours community restitution at a non-profit agency to be completed by \_\_\_\_\_ (date). The student shall bring proof of completion of the hours of court.
- The student shall participate in nonresidential program with intensive wraparound services. Instructions are attached to this order.
- The student shall meet with a designated mentor for the following number of times to be completed by \_\_\_\_\_ (date).
- The student shall submit to drug/alcohol testing (UAs) as follows:  
\_\_\_\_\_  
\_\_\_\_\_.

2.3  The motion for the parent(s)/guardian(s) contempt is denied.

2.4  The motion for the parent(s)/guardian(s) contempt is granted. The following remedial sanctions for the parent(s)/guardian(s) contempt are imposed:

- The parent(s)/guardian(s) shall cause the student to attend school on a regular basis as directed by the school district and have no unexcused absences or tardies.
- The parent(s)/guardian(s) shall serve \_\_\_\_\_ hours community restitution at a non-profit agency to be completed by \_\_\_\_\_ (date). The parent(s)/guardian(s) shall bring proof of completion of the hours of court.
- The parent(s)/guardian(s) \_\_\_\_\_ shall pay a fine of \$ \_\_\_\_\_ to the clerk of Yakima County Superior Court. The clerk shall remit 50% of the fine to the student's School District.
- Other: {OTHER} \_\_\_\_\_  
\_\_\_\_\_.

2.5  A contempt review (purge) hearing is set on **Tuesday, {DATE}** \_\_\_\_\_ at 1:30 p.m. in Courtroom 1 at Yakima County Juvenile Court, Yakima County Juvenile Justice Center, 1728 Jerome Avenue, Yakima, WA 98902. The court orders  the student  the parent(s)/guardian(s) to personally appear to show compliance with the court's orders.

2.6 The Order on Truancy Petition entered in this case remains in effect, except as modified by this order.

2.7 Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Dated: \_\_\_\_\_

**JUDGE/COMMISSIONER**

Prepared by/Agreed/Agreed as to form:

Prepared by/Agreed/Agreed as to form:

\_\_\_\_\_  
School District Representative

\_\_\_\_\_  
Parent's/Guardian's signature

\_\_\_\_\_  
Student's signature