

# FINAL BILL REPORT

## SSB 6240

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C 177 L 12  
Synopsis as Enacted

**Brief Description:** Modifying provisions relating to orders of disposition for juveniles.

**Sponsors:** Senate Committee on Human Services & Corrections (originally sponsored by Senators Regala, Hargrove, Kline, Carrell and Harper).

**Senate Committee on Human Services & Corrections**  
**House Committee on Early Learning & Human Services**

**Background:** Deferred disposition is a disposition alternative for some juvenile offenders. In a deferred disposition, a guilty plea or finding of guilt is entered, the case is continued generally for up to one year, and the juvenile is placed on community supervision. If the juvenile complies with the conditions of supervision and pays full restitution, the guilty plea is vacated and the case is dismissed with prejudice. If the juvenile fails to comply with the conditions of the community supervision, the court must enter the original disposition order.

A juvenile is ineligible for deferred disposition under the following circumstances: the current charge is for a sex or violent offense; the juvenile has a criminal history that includes any felony; the juvenile has a prior deferred disposition or deferred adjudication; or the juvenile has two or more prior adjudications.

The juvenile court may continue a case for disposition if a motion is made at least 14 days prior to commencement of the trial.

**Summary:** If a motion for a deferred disposition is made less than 14 days before trial but prior to commencement of the trial, the court may waive the 14-day requirement for good cause. A juvenile who agrees to a deferral of disposition must acknowledge the direct consequences of being found guilty and the direct consequences that will occur if an order of disposition is entered.

At the conclusion of the deferral period, if restitution has not been paid in full, the court may proceed to vacate the conviction if the court is satisfied the respondent made a good faith effort to pay. In this instance, the court must enter an order establishing the amount of restitution still owing and the terms and conditions of payment, which may include a payment plan extending up to ten years. The respondent remains under the court's jurisdiction for a maximum of ten years after the respondent turns 18. Prior to the expiration of the initial ten-year period, the juvenile court may extend the judgment for restitution an

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additional ten years. The court may relieve a respondent of the requirement to pay restitution to any insurance provider if the court is satisfied the respondent does not have the means to pay and could not reasonably acquire the means to pay over a ten-year period.

When vacating a deferred disposition, the court must also enter an order sealing the case if the juvenile is 18 years of age or older and restitution has been paid in full. When a case is vacated prior to a juvenile turning 18, the court must set an administrative hearing to seal the case no later than 30 days after the juvenile turns 18 if no further charges are pending and restitution has been paid in full.

A disposition in a single disposition order for two or more offenses runs consecutively. When disposition for two or more offenses is contained in separate disposition orders, multiple orders of detention must run consecutively, but the terms of community supervision will run concurrently.

**Votes on Final Passage:**

Senate	48	0	
House	97	0	(House amended)
Senate	48	0	(Senate concurred)

**Effective:** June 7, 2012