

CLALLAM COUNTY JUVENILE & FAMILY SERVICES

Court Services
At-Risk Youth
Drug/Alcohol Services
Probation
Drug Court
Diversion
Detention
CASA
Truancy

Peter A. Peterson
Director

1912 West 18th Street
Port Angeles, WA 98363
(360) 417-2282
FAX (360) 457-4875
Detention (360) 417-2421
Detention FAX (360) 457-4871
Forks Direct Line (360) 374-5324
Seattle Direct Line (206) 464-7098

INFORMATION –EARLY REINSTATEMENT REQUEST (Juvenile)

(EFFECTIVE February 27, 2014 AND AFTER)

WARNING: THE CLALLAM COUNTY SUPERIOR COURT AND JUVENILE DEPARTMENT CANNOT ANSWER LEGAL QUESTIONS, GIVE YOU LEGAL ADVICE, NOR ADVOCATE ON YOUR BEHALF. THE INFORMATION PROVIDED IN THIS DOCUMENT IS NOT LEGAL ADVICE. IT IS MEANT ONLY TO ASSIST YOU IN UNDERSTANDING THE PROCESS AND THE MINIMUM REQUIREMENTS NECESSARY TO REQUEST THE JUVENILE COURT ORDER EARLY REINSTATEMENT OF YOUR PRIVILEGE TO DRIVE A MOTOR VEHICLE. WE RECOMMEND YOU CONSULT WITH AN ATTORNEY IF YOU HAVE LEGAL QUESTIONS OR NEED LEGAL ADVICE.

THIS INFORMATION APPLIES TO OFFENSES ADJUDICATED IN CLALLAM COUNTY JUVENILE COURT ONLY. IF YOUR CASE INVOLVED A DIVERSION YOU MUST CONTACT THE DIVERSION UNIT TO OBTAIN THE EARLY REINSTATEMENT REQUEST. THE JUVENILE COURT DOES NOT HANDLE ADULT COURT CASES.

IF YOU ARE 21 YEARS OR OLDER, THE EARLY REINSTATEMENT CAN BE DONE THROUGH THE DEPARTMENT OF LICENSING WITHOUT A COURT ORDER.

SECTION 1 – ASKING THE COURT FOR EARLY REINSTATEMENT

A) YOU MUST CONTACT THE DEPARTMENT OF LICENSING FIRST

Please contact the Washington State Department of Licensing (DOL) first to determine all the steps necessary to obtain your driver's license, including the necessity for early reinstatement, the dates which make you eligible, along with any fees and tests that may also be required. The Clallam County Superior Court and the Juvenile Department will not provide information on the requirements to get your license back.

You can contact DOL through any office or online at:

<http://www.dol.wa.gov/>

(Go to the "driver's licensing" tab under "suspended license" and find "learn how to reinstate your license" for information).

B) YOU MUST BE ELIGIBLE TO REQUEST EARLY REINSTATEMENT

State law sets forth minimum requirements before you are eligible to ask the court to consider ordering early reinstatement.

- (i) **You must be at least 16 years old** – You are not eligible to ask the court to consider early reinstatement unless you are at least 16 years or older.
- (ii) **The offense revoking your privilege to drive must involve alcohol or drugs** - The offense for which you seek early reinstatement must be an adjudication for minor in possession of alcohol (RCW 66.44) or a drug offense (RCW 69.41, 69.50, or 69.52). Offenses such as firearm possession or something other than alcohol or drugs do not allow early reinstatement.
- (ii) **Time and age requirements*** – You must first determine whether the offense for which you seek early reinstatement is the first offense involving alcohol or drugs, or, a second or subsequent offense because the time and age requirements differ:
 - (a) **First offense** – Eligible depending on whichever comes last:
 - **90 days after your 16th birthday**
 - OR**
 - **90 days after the date of conviction**
 - (b) **Second or subsequent (including diversions)** – Eligible depending on whichever comes last:
 - **Your 17th birthday**
 - OR**
 - **One year after the date of conviction**

C) COURT ORDER REQUIRED

Only the court can authorize early reinstatement if you are under the age of 21. This will require you either hire an attorney to assist you, or, if you do not wish to hire an attorney, that you file certain paperwork. (See Section 2 for instructions on how to ask for early reinstatement).

D) THE COURT CAN DENY YOUR REQUEST

Even if you are eligible to request early reinstatement and your case goes before the court, the court can still deny your request. You should expect the court to review your file and records before it makes a decision. It is recommended that you appear in court as the court may have questions for you during the hearing. At the end of the hearing the court will enter an order either approving or denying your request.

* RCW 13.40.265 states: “If the offense is the juvenile's first violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the juvenile may not petition the court for reinstatement of the juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until ninety days after the date the juvenile turns sixteen or ninety days after the judgment was entered, whichever is later. If the offense is the juvenile's second or subsequent violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the juvenile may not petition the court for reinstatement of the juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until the date the juvenile turns seventeen or one year after the date judgment was entered, whichever is later.” RCW 13.40.265(1)(c).

E) IF APPROVED, DOL WILL BE NOTIFIED BY THE JUVENILE DEPARTMENT

If approved, an Early Reinstatement Request will be forwarded by the Clallam County Juvenile Department to DOL within three (3) business days of the court hearing. If your hearing is on a Thursday, you should expect the request to be mailed to DOL by the following Tuesday. Typically, it can take a few days and up to a week or two for DOL to take action on the request. Your ability to get your license can depend on the date DOL takes action. Provided the request is sent to DOL, further inquiries should be made to DOL.

F) APPROVAL DOES NOT GUARANTEE YOU GET LICENSED IMMEDIATELY

Even if approved, the date for early reinstatement of your driving privilege will be determined by DOL once they receive the request. The court will not order a specific date for early reinstatement. DOL will determine early reinstatement based on your eligibility according to law and your driving record. Keep in mind that multiple revocations “stack” consecutively against one another, and can delay your ability to obtain a drivers license even if the court approves early reinstatement.

Other requirements such as fees and possible testing may also delay your ability to get your drivers license right away. It is important to contact DOL for all licensing requirements before you start this process.

SECTION 2 – HOW DO I ASK FOR EARLY REINSTATEMENT?

If you are eligible for early reinstatement, then you have three options available:

(A) OPTION ONE – Do it yourself with assistance and generic forms for a \$25 Fee:

- (i) You pay a non-refundable fee of twenty-five dollars (\$25) for the first case** - Contact the Department of Licensing and obtain a copy of your Driver’s Abstract. Next, contact Clallam County Juvenile Services to begin the process and bring your picture ID and Driver’s Abstract with you. You must provide payment of \$25 for the first case which covers preparation of forms and the filing of the paperwork once the forms are complete. We accept payments from 8:30 a.m. to 3:00 p.m. Monday through Friday. We only accept cash in the exact amount or money order made payable to the Clallam County Juvenile and Family Services. No other payment method is accepted.
- (ii) You pay a non-refundable fee of five dollars (\$5) for each additional case** – If you are requesting early reinstatement for more than one case, there is an additional fee of \$5 to cover preparation of each case heard along with the first case in the same hearing.
- (iii) Assist the Juvenile Department in completing the forms** - After receiving payment, the Juvenile Department will assist with filling out the necessary forms, attaching the DOL record, and filing the paperwork. You are required to provide the vital information necessary to complete the forms. Upon completion of the forms, you will be provided with a court date and copies of the documentation filed.

(iii) Return to court on the scheduled hearing date and time – It is highly recommended that you return to court on the date provided you by the Juvenile Department. If you fail to appear and the court has questions, the motion and hearing may be stricken and the request will not be considered.

(B) OPTION TWO - Hire an attorney:

You can hire an attorney who can assist you with the process, provide legal advice, file paperwork, obtain a court date, and argue on your behalf. However this option requires you consult with an attorney and pay for the services at your own expense and initiative. The Juvenile Department staff can not recommend or refer an attorney for you.

(C) OPTION THREE – Do it yourself for free with no assistance:

If you don't hire an attorney or choose the assistance under the options above, then you will be required to prepare and file all necessary paperwork, obtain a court date, and argue on your behalf with no assistance (this is not recommended).

**CLALLAM COUNTY JUVENILE OFFENDER
DOL EARLY REINSTATEMENT REQUEST FORM**

Please complete all the information below, sign, and return to Juvenile Services with your Driving Abstract and the non-refundable \$25.00 fee to begin the reinstatement process. If you are requesting reinstatement on more than one case, there is an additional fee of \$5.00 per case.

DATE: _____

NAME: _____

BIRTHDATE: _____

ADDRESS: _____

DAY PHONE: _____

My signature below authorizes Clallam County Juvenile Services to determine if I am eligible to have my driving privilege reinstated early. I have been provided with the Driver's License Early Reinstatement Information and I understand that the processing fees are non-refundable. I agree to provide any and all requested information and to comply with the timelines I am given throughout this process. I understand that failure to do so may result in termination of the early reinstatement process.

Signature: _____

Date: _____

Paid initial \$25 on _____

Paid additional \$5 per case _____