

**SKOKOMISH CRIMINAL CODE  
JUVENILE JUSTICE**

- 9.12.010**      **Curfew (REPEALED by Resolution No. 16-25)**
- 9.12.020**      **Notice**
- 9.12.030**      **Rights of Minors**
- 9.12.040**      **Hearings to be Closed - Parents' Presence Required**
- 9.12.050**      **Sentencing of Juvenile Defendants**

**9.12.010**      **Curfew (REPEALED by Resolution No. 16-25)**

**9.12.020**      **Notice**

In all proceedings in the Skokomish Tribal Court in which a juvenile is a defendant under this title, notice of the proceedings shall be given to the minor and his or her parent, guardian or custodian and to their attorney or spokesperson, if any, within the time limits prescribed.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

**9.12.030**      **Rights of Minors**

Minors appearing before the Skokomish Tribal Court shall have all the legal rights that adults have under the same circumstances as well as any additional legal protections which may be provided under the laws of the Skokomish Indian Tribe, provided that, a minor has no right to a jury trial.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

**9.12.040**      **Hearings to be Closed - Parents' Presence Required**

In all proceedings in the Skokomish Tribal Court under this title, and in all proceedings in which a juvenile is a defendant, hearings shall be closed to all persons other than the parties, their counsel and witnesses whose presence is allowed by the Court. The juvenile's parent, guardian or custodian shall be present at all such hearings unless his or her presence is waived by the Court upon a showing of good cause.

Court and law enforcement files on minors shall be confidential and shall be kept separate from the files of adults.

Records shall be made available only to:

- (a) The minor and his or her spokesperson;
- (b) The minor's parent, custodian or guardian; and
- (c) The Tribe's prosecutor; and
- (d) The Tribe's counselors.

However, in the event a juvenile is required by law to be registered with the law enforcement official(s) of any jurisdiction, as a result of being convicted of any sex offense, then this section shall not apply.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

### **9.12.050 Sentencing of Juvenile Defendants**

In sentencing a defendant who is under the age of eighteen (18) years, the Court may impose one or more of the following sanctions in lieu of all or part of the fine and/or jail time specified for a particular offense:

- (a) Mandatory school attendance with proof of attendance and submission of grades to the Court on a regular schedule;
- (b) Restitution;
- (c) Probation;
- (d) Community service hours if agreed to by the Prosecutor;
- (e) Individual and/or family counseling;
- (f) Evaluation and treatment, including residential treatment, of alcohol, other substance abuse or mental illness;
- (g) Any other alternative as to the Court may seem just.

The burden of the sentence should fall primarily on the juvenile rather than on the parent, but the parent, guardian or custodian shall be required by the Court to supervise the juvenile and to see that the sentence is carried out. If the Court finds, in the course of proceedings against a juvenile, that he or she is in need of care, the Court shall have broad powers to make orders for the protection of the juvenile and to assist the family to provide better care for the juvenile.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

#### Legislative History prior to July 5, 2017

+Adopted by Resolution No. 95-57 (June 7, 1995)  
+Amended by Resolution No. 98-12 (March 19, 1998)  
+Amended by Resolution No. 04-112 (September 8, 2004)  
Amended by Resolution No. 01-091 (July 25, 2001)  
Amended by Resolution No. 16-25 (February 3, 2016)  
Reaffirmed by Resolution No. 17-100 (July 5, 2017)

+Ordinance and/or amendments not attached to the resolution in the Skokomish Tribal Archives