

SUPREME COURT OF WYOMING

WJH v. State

24 P.3d 1147 (Wyo. 2001) · No. C-00-9 · Decided June 14, 2001

SUMMARY

The Wyoming Supreme Court reviewed a juvenile delinquency disposition involving indefinite probation and 360 hours of community service in lieu of restitution. The court held that the juvenile court had broad discretion to impose sanctions, but that deviation from the statutory progressive-sanctions guidelines required written reasons in the record. The adjudication order was affirmed, the dispositional order was reversed, and the matter was remanded.

CASE DETAILS

COURT	Supreme Court of Wyoming
WRITING FOR THE COURT	Kite, Justice; Lehman, C.J.; Golden, J.; Hill, J.; Kite, J.
JURISDICTION	Wyoming
DECIDED	June 14, 2001
DOCKET	C-00-9
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	WJH appealed juvenile delinquency adjudication and disposition orders after admitting several allegations of delinquent behavior. The Supreme Court of Wyoming affirmed the adjudication order, reversed the dispositional order, and remanded for proceedings addressing the statutory sanction guidelines and the juvenile court's reasons for deviation.
STANDARD OF REVIEW	The principal issue was statutory interpretation reviewed by examining the statutory language, ordinary meaning, legislative intent, and the statutes in pari materia. Juvenile dispositions generally involve broad judicial discretion.
PRECEDENTIAL VALUE	Published Wyoming Supreme Court opinion; precedential.
PARTIES	WJH v. State of Wyoming

TOPICS

- statutory interpretation
- legislative intent
- in pari materia
- appellate procedure
- standard of review

PRACTICE AREAS

juvenile law

appellate law

statutory interpretation

juvenile sanctions

restitution

QUESTIONS PRESENTED

1. Whether the Wyoming Juvenile Justice Act required the juvenile court to impose one of the statutory progressive sanction levels.
2. Whether the juvenile court could impose sanctions different from those specified at any statutory sanction level without written reasons for the deviation.
3. Whether the juvenile court's advisement that future delinquent conduct could result in more serious sanctions satisfied Wyo. Stat. Ann. § 14-6-247(c).
4. Whether the adjudication order's terminology and purported waiver of appellate rights required reversal.

HOLDINGS

1. The Juvenile Justice Act does not require the juvenile court to assign one of the five progressive sanction levels or limit the court to sanctions listed at a particular level. The Act gives the juvenile court broad discretion to tailor an appropriate disposition.
2. When the juvenile court omits assignment of a sanction level or imposes sanctions different from those provided at any sanction level, it has deviated from the statutory guidelines and must state written reasons for the deviation in the record.
3. The juvenile court complied with Wyo. Stat. Ann. § 14-6-247(c) by explaining to WJH in age-appropriate terms that further violations of law could result in a more serious disposition; the court was not required to read the statutory sanctions verbatim.

KEY QUOTATIONS

“The language indisputably provides the juvenile court with the ability to impose any sanctions it deems appropriate.” (1153)

“The requirement for a written explanation to be made part of the record is eminently reasonable. It ensures the juvenile court has carefully considered the relevant circumstances, has set forth its rationale, and has provided a basis for appellate review.” (1154)

“The case is remanded with direction to the juvenile court to (1) assign a sanction level as set out in §§ 14-6-248 through 14-6-252 or (2) enter written reasons in the record to explain both its decision to deviate from the guidelines, through its omission of assignment of a sanction level as set out in §§ 14-6-248 through 14-6-252, and its imposition of sanctions different from any provided at any sanction level and (3) conduct such further proceedings as are appropriate and consistent with this decision.” (1155)

FACTUAL BACKGROUND

WJH, a juvenile, admitted involvement in several incidents involving property damage and unauthorized entry, including discharging a fire extinguisher, entering the Hubbard Mill building, spilling seed, and placing a stick in a bulldozer smokestack during a dirt-clod incident. The juvenile court placed him on indefinite probation and

ordered 360 hours of community service in lieu of monetary restitution. The record contained no admitted evidence establishing the amount of damages, and the court relied on unsworn discussions regarding alleged losses.

PROCEDURAL HISTORY

A delinquency petition was filed in the Juvenile Court for the Fourth Judicial District. WJH admitted several allegations, after which the juvenile court adjudicated him delinquent, ordered a predisposition study, and imposed indefinite probation and 360 hours of community service in lieu of financial restitution. WJH appealed, challenging the court's statutory authority, the sanctions, the damages determination, and related procedural defects.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Order Adjudicating Child Delinquent and Requiring Predispositional Study is affirmed. The Dispositional Order is reversed and remanded for the juvenile court either to assign a sanction level under Wyo. Stat. Ann. §§ 14-6-248 through 14-6-252 or to enter written reasons explaining the omission of a sanction-level assignment and the imposition of sanctions different from those provided at any sanction level, and to conduct further proceedings consistent with the opinion.

CASES CITED

- *McAdams v. State*, 907 P.2d 1302, 1304 (Wyo. 1995)
- *GN v. State (In re C.N.)*, 816 P.2d 1282, 1283 (Wyo. 1991)
- *ALJ v. State*, 836 P.2d 307, 311, 313 (Wyo. 1992)
- *A.M.R. v. State*, 741 N.E.2d 727, 729 (Ind. Ct. App. 2000)
- *In the Matter of C.C.*, 13 S.W.3d 854, 859 (Tex. App. 2000)
- *People v. V.O.*, 287 Ill. App. 3d 1055, 223 Ill. Dec. 468, 679 N.E.2d 1241, 1243 (1997)
- *State v. James P.*, 180 Wis. 2d 677, 510 N.W.2d 730, 732 (Ct. App. 1993)
- *San Diego County Department of Social Services v. Sherry A. (In re Corey A.)*, 227 Cal. App. 3d 339, 277 Cal. Rptr. 782, 786 (1991)
- *Thompson v. Oklahoma*, 487 U.S. 815, 825, 108 S. Ct. 2687, 2693, 101 L. Ed. 2d 702, 712 (1988)
- *Interest of W.L.F.*, Nos. 0-760, 00-0939, 2001 WL 103522, at *1 (Iowa Ct. App. Feb. 7, 2001)
- *State in Interest of C.*, 638 P.2d 165, 168 (Wyo. 1981)
- *Rawson v. State*, 900 P.2d 1136, 1138 (Wyo. 1995)
- *In re Lyons*, No. CA98-11-024, 1999 WL 988819, at *2 (Ohio Ct. App. Nov. 1, 1999)
- *In re Caldwell*, 76 Ohio St. 3d 156, 666 N.E.2d 1367 (1996)
- *Fosler v. Collins*, 13 P.3d 686, 688 (Wyo. 2000)

- United States v. Criden, 648 F.2d 814, 819 (3d Cir. 1981)
- State ex rel. K.O., 327 N.J. Super. 555, 744 A.2d 233, 239 (Ct. App. Div. 2000)
- Mondt v. Cheyenne Police Department, 924 P.2d 70, 76 (Wyo. 1996)
- In re C.N., 816 P.2d 1282, 1284 (Wyo. 1991)
- In re Maricopa County, Juvenile Action No. J-74275, 117 Ariz. 317, 572 P.2d 451, 452 (Ct. App. 1977)
- In re Voss, 550 P.2d 481, 485 (Wyo. 1976)
- Allen v. Allen, 550 P.2d 1137, 1142 (Wyo. 1976)
- In re HC, 983 P.2d 1205, 1209 (Wyo. 1999)
- Chicago & Northwestern Railway Co. v. City of Riverton, 70 Wyo. 84, 127, 247 P.2d 660, 663 (Wyo. 1952)
- Kent v. United States, 383 U.S. 541, 554, 86 S. Ct. 1045, 1054, 16 L. Ed. 2d 84 (1966)