

## Delinquency Disposition Definitions

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## FORMAL DELINQUENCY DISPOSITION DEFINITIONS

Updated March 2010

DISPOSITION	DEFINITION
<b>Bench Probation</b>	After adjudication, the youth offender is placed on probation by the Juvenile Court, but is not directed to be supervised by an agency; supervision of the case, if any, is conducted by the court and the Juvenile Department keeps the allegation open.
<b>Civil Agreement/Judgment</b>	The youth offender, parents, victim(s) and Juvenile Department and/or OYA and/or the District Attorney and any other parties have reached an agreement in writing or verbally that the youth will meet certain conditions, such as making restitution payments, in lieu of the filing of a petition, or prosecution, or a certain disposition on one or more crimes.
<b>Commit to Agency (or individual) other than DHS or OYA</b>	After adjudication, the youth is committed to or ordered to the legal custody of an agency or individual other than DHS or OYA (ORS 419C.555) and is not otherwise placed on Probation for this allegation. Examples of when this disposition is selected are when a youth is committed to the Mental Health Division or when a youth is committed to the custody of an individual person. This disposition would not be used for youth that are committed to OYA and placed in a Mental Health facility. These youth would continue to have a disposition of Commit to OYA.
<b>Commit to DHS</b>	After adjudication, the youth offender is committed to the legal custody of the Oregon Department of Human Services (DHS) for care, placement and supervision, and is not placed, or continued on probation. (ORS 419C.478)
<b>Commit to OYA - YCF</b>	After adjudication, the youth offender is committed to the legal custody of the OYA for placement in a youth correctional facility (ORS 419C.495)
<b>Disposition Vacated/ Set Aside</b>	Disposition used to replace a prior disposition when the court has ordered that the prior disposition is either set aside or vacated.
<b>Interstate Compact Supervision - Parole</b>	Cooperative interstate supervision of delinquent juveniles on parole.
<b>Interstate Compact Supervision - Probation</b>	Cooperative interstate supervision of delinquent juveniles on probation.
<b>Jurisdiction Only Established</b>	After adjudication, the Court establishes jurisdiction with or without conditions without placing the youth on probation. Wardship may or may not also be established.
<b>Jurisdiction Vacated/ Set Aside</b>	Used with a Review Hearing to replace a prior finding of Jurisdiction Established when the court has ordered jurisdiction set aside or vacated.
<b>OYA Commitment Terminated/Probation Continued</b>	Youth has previously been committed to OYA for care and placement but the commitment and custody to OYA has been terminated and the probation is continued under supervision of the juvenile department.

## FORMAL DELINQUENCY DISPOSITION DEFINITIONS

Updated March 2010

DISPOSITION	DEFINITION
<b>Probation</b>	After adjudication, the youth offender is ordered by the court to a period of probation with certain conditions. (ORS 419C.446)
<b>Probation/ Commit to DHS</b>	After adjudication, the youth offender is placed or continued on probation, and is committed to the legal custody of the DHS for care, placement and supervision. (ORS 419C.478)
<b>Probation/ Commit to OYA-Comm Plcmt</b>	After adjudication, the youth offender is placed or continued on probation, and is committed to the legal custody of the OYA for care, placement and supervision. (ORS 419C.478)
<b>Probation/ Commit to OYA-Comm Plcmt/ Susp Commit - YCF</b>	After adjudication, the youth offender is placed or continued on probation and is committed to the legal custody of OYA for care, placement, and supervision and the court also suspends a commitment to a youth correctional facility with the condition that the youth abide by the rules of probation.
<b>Probation/ Custody to Other</b>	After adjudication, the court orders that the youth offender is placed or continued on probation, and is placed in the legal custody of a person other than a parent, or placed in a foster home, child care center or youth care center, and is not committed to the legal custody of a state agency. (ORS 419.446)
<b>Probation/ Susp Commit to OYA - YCF</b>	After adjudication, the youth offender is placed or continued on probation and is committed to the legal custody of the OYA for placement in a youth correctional facility, and the court suspends the commitment to a youth correctional facility with the condition that the youth abide by the rules of probation.
<b>Sanction(s) - Formal</b>	After adjudication, a single condition or set of conditions is imposed on a youth that when completed, results in a closed allegation.
<b>Sanction - Detention</b>	After adjudication, the youth offender is ordered by the court to a period of incarceration in a juvenile detention facility but is not placed on formal probation. (ORS 419C.453)
<b>Sanction - Jail</b>	After adjudication, the youth offender is ordered by the court to a period of incarceration in an adult jail but is not placed on formal probation.
<b>Sentence of Discharge</b>	Defendant is released with respect to the conviction for which the sentence is imposed without imprisonment, fine, probationary supervision or conditions. (ORS 137.010 & 161.715)

## INFORMAL DELINQUENCY DISPOSITION DEFINITIONS

Updated March 2010

DISPOSITION	DEFINITION
<b>Diversion</b>	Directive from a juvenile department that a youth will complete certain conditions. Different from either an FAA or Informal Supervision because the juvenile department does not provide supervision of the conditions.
<b>Diversion – Youth Court</b>	Directive from a juvenile department that a youth will participate in an authorized Diversion Program -Youth Court consistent with ORS 419C.226.
<b>Formal Accountability Agreement</b>	A voluntary contract between a youth and a juvenile department whereby the youth agrees to fulfill certain conditions in exchange for not having a petition filed against the youth. (ORS 419C.230)
<b>Informal Supervision</b>	An agreement used by some counties to describe informal supervision and conditions on a youth. Also the code used for recording the disposition of Interstate Compact cases from other states since these cases will not have petitions.
<b>Pending</b>	Juvenile department has reviewed the case and is in the process of determining final disposition. Informal sanctions may be imposed during this time.
<b>Sanction(s) – Informal</b>	A single condition or set of conditions imposed on a youth that when completed, results in a closed allegation.

## DEPENDENCY DISPOSITION DEFINITIONS

Updated March 2010

DISPOSITION	DEFINITION
<b>Protective Supervision</b>	After jurisdiction is found, the court determines it would be in the best interest and welfare of the child to place the child under protective supervision. The court may direct that the child remain in the legal custody of the child's parents or other person with whom the child is living, or the court may direct that the child be placed in the legal custody of some relative or some person maintaining a foster home approved by the court, or in a child care center or a youth care center authorized to accept the child. (ORS 419B.331)
<b>Emancipation Denied</b>	After application and petition for emancipation, the court has denied emancipation.  Disposition will close Allegation.
<b>Emancipation Dismissed/Withdrawn</b>	After application and petition for emancipation, the court has dismissed an application for emancipation or the child has withdrawn the application prior to an Emancipation proceeding.  Disposition will close Allegation.
<b>Emancipation Granted</b>	After application for emancipation, the court has granted a decree of emancipation and certain rights of majority have been conferred upon a child under the age of 18. (ORS 419B.550)  Disposition will close Allegation.

## ADULT SYSTEM DISPOSITION DEFINITIONS

(February 2005; Updated March 2010)

DISPOSITION	DEFINITION
<b>Community Corrections</b>	After Waiver to an adult court for a non-BM11 offense, or as a result of an adult system proceeding that originates in the adult system for a non-BM11 offense, the youth has been convicted of an adult offense and sentenced to a county's adult community corrections department for jail time. The duration of jail time is usually less than one year and community corrections is placing the youth in a youth correctional facility.
<b>DOC-Mandatory Minimum (M11)</b>	The youth has been convicted in adult court of a BM11 offense and sentenced to the Department of Corrections for the mandatory minimum BM11 sentence and the youth is placed in a youth correctional facility. The youth may or may not serve the entire sentence in a youth correctional facility and may be transferred to adult prison at some time in the future.
<b>DOC-Other</b>	The youth has not been waived as a result of a juvenile Waiver Hearing but has been found guilty of an adult offense that is not a BM11 offense. The youth may have started as a BM11 youth but the judge has found guilt on a lessor included but non-BM11 offense, adult system sentence is imposed, but youth is placed in a youth correctional facility. (In the event that sentencing/disposition occurs in the juvenile system, the appropriate juvenile system disposition may be used.)
<b>DOC-Reduced Mandatory Minimum (M11R)</b>	The youth has been convicted in adult court of a BM11 offense and sentenced to the Department of Corrections for the BM11 offense and the youth is placed in a youth correctional facility. However, due to the specific charge defined by statute, the judge has utilized sentencing guidelines in determining the sentence rather than imposing the strict mandatory minimum BM11 sentence. The youth may or may not serve the entire sentence in a youth correctional facility and may be transferred to adult prison at some time in the future.
<b>DOC-Waived</b>	<p>After Waiver to an adult court for a non-BM11 offense, the youth has been convicted of an adult offense and sentenced to the Department of Corrections for a duration of time and placed in a youth correctional facility. The youth may or may not serve the entire sentence in a youth correctional facility and may be transferred to adult prison at some time in the future.</p> <p>The youth may have originally been charged with a Mandatory Minimum BM11 offense.</p>
<b>Federal Commitment</b>	A disposition used by OYA to capture an appropriate disposition for youth that are under the jurisdiction of the federal government but have been administratively transferred to a youth correctional facility and placed in a contracted bed.
<b>Tribal Commitment</b>	A disposition used by OYA to capture an appropriate disposition for youth that are under the jurisdiction of a tribal government for a crime but have been administratively transferred to a youth correctional facility for either the duration or a portion of their sentence.

## INFORMAL CLOSING DISPOSITION DEFINITIONS

Updated March 2010

DISPOSITION	DEFINITION
<b>Automatic Transfer to Adult Court (BM11)</b>	A disposition used by county juvenile departments to close a BM11 law violation allegation that will be handled in an Adult court. OYA will reopen the allegation if needed when the youth is convicted, sentenced to the Department of Corrections, and placed in a youth correctional facility. When that happens, the Disposition will be modified to indicate the appropriate disposition (either DOC-BM11 or DOC-BM11 Reduced Sentence).
<b>Bench Probation</b>	After Adjudication, the youth offender is placed on probation by the juvenile court, but is not directed to be supervised by an agency; supervision of the case, if any, is conducted by the court and the juvenile department is closing the allegation.
<b>Civil Agreement/ Judgment</b>	The youth, parents, victim(s) and the juvenile department and/or the District Attorney and any involved parties have reached an agreement in writing or verbally that the youth will meet certain conditions in lieu of filing a petition or proceeding with prosecution.
<b>DA No Complaint/ Declined</b>	The DA's Office has reviewed the allegations and has determined that it will not file a petition and proceed with the referral for any number of reasons
<b>DA No Complaint/ Insufficient Evidence</b>	The District Attorney has determined that there is insufficient evidence to proceed with the referral.
<b>DA/ Rejected</b>	After review of the police report, the District Attorney has eliminated a specific allegation(s). (Example, the youth was charged with Assault IV and Harassment, and the DA only issued a petition on Assault IV) Different from Insufficient Evidence because there may be enough evidence. Different from Plea Bargain because it is prior to any Informal Disposition or a Petition Filing.
<b>Dealt with Through Another Charge</b>	Used to close a law violation allegation that the juvenile department has decided to incorporate into another charge. It differs from Handled as a Probation Violation because the youth may not yet be on probation and/or the response to the behavior will be incorporated into another adjudication.
<b>Deceased</b>	The youth is deceased and no further action will be pursued on the allegation.
<b>Deported</b>	The youth is not a citizen of the United States and has been returned to country of citizenship. No further action will be pursued on the allegation.

## INFORMAL CLOSING DISPOSITION DEFINITIONS

Updated March 2010

DISPOSITION	DEFINITION
<b>Dismiss W/O Prejudice</b>	<p>For any number of reasons, the court has decided to dismiss an allegation without prejudice, which means the right to re-open the allegation and/or allow re-filing on another petition is retained. The court finding, Dismiss W/O Prejudice, allows the court to proceed with adjudication in the future under certain circumstances.</p> <p><i>Normally selected from Findings. Temporary code to help implement Pre-Adjudicatory Informal Proceeding DP. Use only when Dismiss W/O Prejudice is selected for the outcome of the Pre-Adjudicatory Informal Proceeding and the decision is to close the allegation.</i></p>
<b>Dismiss W/ Prejudice</b>	<p>The court has dismissed the allegation after determining the State has failed to proceed in a manner, which is consistent with legal trial process. Allegation cannot be reopened and adjudicated in the future.</p>
<b>Diversion - Traffic/Municipal Court</b>	<p>A disposition used by county juvenile departments to close motor vehicle, boating, game, violation and property allegations under a blanket waiver order of the juvenile court pursuant to ORS 419C.370 that directs cases involving:</p> <p>(a) Violation of a law or ordinance relating to the use or operation of a motor vehicle, boating laws or game laws be waived to criminal or municipal court.</p> <p>(b) An offense classified as a violation under the laws of this state or a political subdivision of this state be waived to municipal court if the municipal court has agreed to accept jurisdiction; and</p> <p>(c) A misdemeanor that entails theft, destruction, tampering with or vandalism of property be waived to municipal court if the municipal court has agreed to accept jurisdiction.</p>
<b>Diversion – Youth Court</b>	<p>Directive from a juvenile department that a youth will participate in an authorized Diversion Program - Youth Court consistent with ORS 419C.226. Disposition closes allegation.</p>
<b>Divert &amp; Close</b>	<p>Used to close a law violation allegation that has been completely diverted from the juvenile department prior to any disposition. The juvenile department has decided not to track the diversion services and is closing the allegation. This informal close reason is distinguished from Referred to Another Agency in that it represents a type of diversion intervention and by recording this close reason, these allegations can be studied in comparison with internally operated diversion programs.</p>
<b>Handled as a Parole Violation</b>	<p>Used to close a new law violation allegation that is being handled as a Parole Violation. There should be a corresponding OYA decision point entry indicating the Parole Revocation.</p>
<b>Handled as a Probation Violation</b>	<p>Used to close a new law violation allegation that is being handled as a Probation Violation. There should be a corresponding decision point entry indicating the Probation Violation.</p>



## INFORMAL CLOSING DISPOSITION DEFINITIONS

Updated March 2010

DISPOSITION	DEFINITION
<b>Intake Office Contact &amp; Closed</b>	<p>Contact with the youth, parents/legal guardians, victims, and/or any involved party has been made by an Intake Worker. Some Intake services may have been provided and the juvenile department is closing the allegation prior to any Informal Disposition or Petition Filing.</p> <p>Examples include a referral that come to the attention of the county but the youth may have already received significant consequences by another entity, or local policy that permits the closing of particular types of offenses following Intake.</p>
<b>Juv Dept/ Insufficient Evidence</b>	The juvenile department has determined that there is insufficient evidence to proceed with the referral.
<b>Non-Compliant &amp; Close</b>	The youth is non-compliant with either intake or an Informal Disposition and the juvenile department has decided to take no further action and close the allegation.
<b>Out of State</b>	The youth is either from out of state or has moved out of state and there is no interest or jurisdiction in proceeding with the referral.
<b>Petition Expired</b>	Allegation is closed prior to adjudication due to the expiration of the petition. Some counties will require that expired petitions be returned to court and formally be dismissed without prejudice. Other counties may simply close allegations with this informal close disposition.
<b>Plea Bargain</b>	Allegation is closed prior to any Informal Disposition or Petition Filing as a result of a plea bargain. Some referrals will have multiple allegations. Some allegations on the referral may close with this code while others stay open with a different disposition.
<b>Referred to Another Agency</b>	Referral has been sent to another agency prior to disposition and the Juvenile Department is closing the referral. Examples include INS and cases that are completely "diverted" to a private community agency and closed.
<b>***Referred to County of Residence</b>	Used when a county has opened a referral on a youth from another Oregon county and needs to close the referral because the county is not yet using JJIS. If the county of residence is using JJIS, the referral will not be closed and this code will not be used.
<b>Referred to State of Residence</b>	The court has made orders as necessary to cause the youth to be returned to the youth's state of residence and the youth is released or returned as ordered.
<b>Review &amp; Close</b>	Paper review of the police reports and allegation is closed prior to a Petition Filing or Disposition without further action. No contacts made with any party.

## INFORMAL CLOSING DISPOSITION DEFINITIONS

Updated March 2010

DISPOSITION	DEFINITION
<b>Sanction – Deny Driving Privilege</b>	The Court has ordered that the youth’s driving privileges be denied. The juvenile department is not involved in otherwise supervising the youth and the allegation is closed.
<b>Sentence of Discharge</b>	Defendant is released with respect to the conviction for which the sentence is imposed without imprisonment, fine, probationary supervision or conditions. (ORS 137.010 & 161. 715)
<b>Statute of Limitations</b>	No action has previously been taken by the court and the Statute of Limitations has transpired so allegation is closed.
<b>Transferred to Another Jurisdiction</b>	Used to close an allegation when a youth who has been admitted to detention or close custody under the authority of another jurisdiction is released and the referral and allegation is closed.
<b>Unable to Locate</b>	County is unable to locate a youth but is closing the case without further action. This will primarily be used with informal youth. Youth with outstanding warrants will not be closed.
<b>Victim Unwilling</b>	On appropriate cases, victim has indicated no interest in pursuing further action.
<b>Waived</b>	A disposition used by county juvenile departments to close a law violation allegation that has been waived to adult court as a result of a Waiver Hearing. OYA will reopen the allegation if needed when the youth is convicted, sentenced to the Department of Corrections or adult community corrections, and placed in a youth correctional facility. When that happens, the Disposition will be modified to indicate the appropriate disposition, either DOC-Waived or Community Corrections.
<b>Warning</b>	Written or verbal warning intervention is provided on an allegation prior to any Informal Disposition or Petition Filing.

## FORMAL CLOSING DISPOSITIONS – (from Findings)

(February 2005; Updated March 2010)

DISPOSITION	DEFINITION
<b>Acquit</b>	The court has determined that the evidence introduced is such as would not support a verdict against the defendant. This code is only used to record the verdict (finding) on adult system youth offenders that are placed in an OYA youth correctional facility.
<b>Dismiss</b>	The court has dismissed the allegation.
<b>Dismiss W/O Prejudice</b>	The court has dismissed the allegation due to the State's inability to proceed. The state may re-file a petition on the allegation and proceed with adjudication in the future.
<b>Dismiss W/Prejudice</b>	The court has dismissed the allegation after determining the State has failed to proceed in a manner consistent with legal trial process. Allegation cannot be reopened and adjudicated in the future.
<b>Dismiss-Civil Agreement</b>	The court has dismissed the allegation because the parties have agreed to dispose of the allegation through a Civil Agreement or Judgment.
<b>Dismiss – Other</b>	The court has dismissed the allegation for reasons other than Civil Agreement, Plea Bargain, Dismiss with Prejudice, or Dismiss Without Prejudice.
<b>Dismiss-Plea Bargain</b>	The court has dismissed the allegation as a result of negotiations between the State and the Defense and has instructed or agreed that the State will not proceed with further action on the allegation.
<b>Dismiss-Plea Bargain W/Civil Agreement</b>	The court has dismissed the allegation because the parties have agreed to dispose of the allegation through a Civil Agreement or Judgment as part of negotiations between the State and the Defense and has instructed or agreed that the State will not proceed with further action on the allegation.
<b>No Jurisdiction</b>	The court has determined that the evidence presented did not warrant a True Finding.
<b>Not Guilty</b>	The court has determined by what ever means that the defendant is not guilty of the crime alleged and the allegation is closed.  This code is used only to record the verdict (finding) on adult system youth offenders placed in an OYA youth correctional facility.

## ALLEGATION CLOSING REASON DEFINITIONS

(February 2005; Updated March 2010)

CLOSING REASON	DEFINITION
<b>Complete</b>	There is no expiration date or case is being closed prior to disposition expiration date by the juvenile department (not the court) because all conditions, objectives, and services are complete or accepted as complete.
<b>Accepted as Complete</b>	There is no expiration date or case is being closed prior to disposition expiration date by the juvenile department (not the court) because all conditions, objectives, and services are either complete or accepted as complete as determined by local practice.
<b>Incomplete</b>	There is no expiration date or case is being closed prior to disposition expiration date by the juvenile department (not the court) and most conditions, objectives, and services are either partially complete or incomplete as determined by local practice. Juvenile department determines that no additional conditions, objectives, services or supervision will be imposed.
<b>Expired Complete</b>	The maximum term of the disposition has been reached, the disposition has expired and all conditions, objectives, and services are complete or accepted as complete. (Includes Probation and Commitment to OYA)
<b>Expired Incomplete</b>	The maximum term of the disposition has been reached, the disposition has expired and most conditions, objectives, and services are either partially complete or incomplete as determined by local practice. (Includes Probation and Commitment to OYA)
<b>Terminated Complete</b>	The formal active disposition (Probation, Commitment to OYA) has been ordered terminated by the Court since the youth has completed or sufficiently completed all conditions, objectives, and services.
<b>Terminated Incomplete</b>	The formal active disposition (Probation, Commitment to OYA) has been ordered terminated by the Court and the youth has not sufficiently completed all conditions, objectives, and services
<b>Deported</b>	The youth is not a citizen of the United States and has been returned to country of citizenship. No further action will be pursued on the allegation.
<b>Deceased</b>	The youth is deceased and no further action will be pursued on the allegation.