

1 Your Honor. I am filling in for him today.

2 THE COURT: That's fine. I appreciate
3 that.

4 And with Mr. Ekwäll, and we will have a
5 hearing. But I don't think anybody is going
6 anywhere fast. And we're going to start next
7 Wednesday in the Treatment Court setting at 4:00.

10:30:53

8 Thank you. So we will be in recess.

9 MS. FORCELLA: Your Honor, before we go
10 in recess, can I finish making a record, please?
11 Thank you.

10:31:06

12 So, Your Honor, it's my understanding
13 that you're saying that he is being sentenced at
14 this time to be screened by the Treatment Court.
15 But if he doesn't participate in the Treatment
16 Court, we come back and we do a different
17 disposition, which I think is my concern with us
18 not having a final disposition is that he has a
19 right to a disposition, but that's not going to
20 happen.

10:31:25

21 THE COURT: You bet. We're just doing
22 an opening portion. It's a very important
23 portion. I think the family, and I think
24 recognizes that. But there are all sorts of other
25 options available. And all of those lead to those

10:31:38

1 documents remaining in the public, subject to
2 certain rules, but, you know, they get disclosed,
3 particularly that adult criminal matter.

4 MS. FORCELLA: Your Honor, the State has
5 agreed to, at the age of 18, to seal the adult
6 criminal matter without objection. 10:31:54

7 THE COURT: I didn't see that in the
8 document, but I will go back and review it.

9 MS. FORCELLA: Absolutely. It's not in
10 the document. I am additionally letting the Court 10:32:02
11 know that that has been agreed to.

12 But, again, I am very concerned with
13 this multiple dispositions. I don't believe that
14 that's legal or that there's --

15 THE COURT: Sure. Well, I will do the 10:32:12
16 order, and you will have your rights, as you have,
17 for whatever you want to.

18 MS. FORCELLA: Additionally, Your Honor,
19 I think that we are leaving kind of a blank check
20 open in this restitution question. And I think he 10:32:23
21 has the right to know exactly what he has been
22 sentenced to and the exact amount. And if the
23 Court is looking for additional information, I
24 understand that because the Crime Victim Fund does
25 have the right to ask for money back, but we need 10:32:32

1 to -- we need to have a process. That can't just
2 be an open thing that can happen at any point in
3 the future. He needs to know what he is being
4 sentenced to and what his requirements are.

5 THE COURT: Great. Well, we will be in 10:32:43
6 touch with the county attorney. And Mr. Ekwall
7 will be able to indicate when he thinks it's at a
8 point where it's final. So there will be no
9 surprises. Mr. Ekwall has control of that, and
10 I'm sure he will share it with everybody. 10:32:56

11 MS. FORCELLA: We don't have any
12 hearings set in this matter? It's just at the
13 Youth Treatment Court?

14 THE COURT: Continued without date.
15 And, you know, I know where you live. So we will 10:33:02
16 have future hearings as appropriate and as
17 necessary.

18 MS. FORCELLA: Thank you.

19 THE COURT: Thank you. We are going to
20 take a break. 10:33:12

21 MR. EKWALL: Your Honor, real quick, we
22 do need a finding on the record that he is a
23 serious juvenile offender for the suspended Pine
24 Hills. And I did just want to clarify. It sounds
25 like the State does not need to do a draft order 10:33:23

1 for this case?

2 THE COURT: That's correct. I'm doing
3 it.

4 MR. EKWALL: Okay.

5 THE COURT: Thank you.

6 MR. EKWALL: Thank you.

7 THE COURT: I mean, as part of this,
8 you'll go down to CMS. And we will give you the
9 CMS document to give to them to get the monitor.
10 So you can go there now. And they know my number,
11 too. So if they have any questions, they will
12 call me.

10:33:42

13 (End of proceedings.)

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