

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: H3/19/97

# A Bill

SENATE BILL 526

4  
5 By: Senator Dowd  
6 By: Representative Lynn

## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §§ 16-13-327 AND  
10 16-13-328 REGARDING JUVENILE OFFICERS TRAINING; AND FOR  
11 OTHER PURPOSES."

## Subtitle

12  
13  
14 "TO AMEND ARKANSAS CODE ANNOTATED §§ 16-  
15 13-327 AND 16-13-328 REGARDING JUVENILE  
16 OFFICERS TRAINING"

17  
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19  
20 SECTION 1. Arkansas Code Annotated § 16-13-327 is amended to read as  
21 follows:

22 "16-13-327. Probation officers.

23 (a) Each juvenile division of chancery court shall be provided with not  
24 less than one (1) probation officer to manage the probation services and needs  
25 of the court.

26 (b) Each probation officer shall be an employee of the juvenile  
27 division of chancery court and shall serve at the pleasure of the judge of the  
28 juvenile division.

29 (c) The probation officers shall be certified as juvenile probation  
30 officers according to the laws of this state and must complete initial  
31 certification requirements within one (1) year of the officers employment and  
32 must maintain the certification during the terms of their employment.

33 (1) The Juvenile Intake and Probation Officers Certification  
34 Committee, comprised of juvenile officers and juvenile judges and staffed by  
35 an employee of the Administrative Office of the Courts, shall establish  
36 certification standards for intake and probation officers.

1                   (2) The Administrative Office of the Courts shall collect and  
2 maintain records for the juvenile officers certification documentation.

3           (d) The salaries of the probation officers shall be paid by the county  
4 or counties in which the probation officer works; except that, beginning  
5 August 1, 1990, the state shall pay a portion of the salary of a full-time  
6 probation officer who is certified according to the laws of this state and  
7 whose salary has been paid by the county or counties for a period of one (1)  
8 year. The portion to be paid by the state shall be the lesser of either  
9 fifteen thousand dollars (\$15,000) a year or one-half (1/2) the probation  
10 officer's average salary as calculated over the last twelve (12) months."

11

12           SECTION 2. Arkansas Code Annotated § 16-13-328 is amended to read as  
13 follows:

14           "16-13-328. Intake officers.

15           (a) Each juvenile division of chancery court shall be provided with not  
16 less than one (1) intake officer to manage the intake needs of the court.

17           (b) Each intake officer shall be employed by the juvenile division of  
18 chancery court and shall serve at the pleasure of the judge of the juvenile  
19 division of chancery court.

20           (c) The intake officers shall be certified as juvenile intake officers  
21 according to laws of this state and must complete initial certification  
22 requirements within one (1) year of the officers employment and must maintain  
23 the certification during the terms of employment.

24                   (1) The Juvenile Intake and Probation Officers Certification  
25 Committee, comprised of juvenile officers and juvenile judges and staffed by  
26 an employee of the Administrative Office of the Courts, shall establish  
27 certification standards for intake and probation officers.

28                   (2) The Administrative Office of the Courts shall collect and  
29 maintain records for the juvenile officers certification documentation.

30           (d) The salaries of the intake officers shall be paid by the county or  
31 counties in which the intake officers work; except that, beginning August 1,  
32 1990, the state shall pay a portion of the salary of a full-time intake  
33 officer who is certified according to the laws of this state and whose salary  
34 has been paid by the county or counties for a period of one (1) year. The  
35 portion to be paid by the state shall be the lesser of either fifteen thousand  
36 dollars (\$15,000) a year or one-half (1/2) the intake officer's average salary

1 as calculated over the last twelve (12) months.

2 (e) Each circuit-chancery judge whose primary responsibility is  
3 conducting hearings for the involuntary admission or commitment of persons to  
4 the Arkansas State Hospital or any other public or private hospital with a  
5 fully trained psychiatrist on the active or consultant staff shall be provided  
6 with not less than one (1) intake officer to manage the intake needs of the  
7 court. The salaries of the intake officers shall be paid by the county or  
8 counties in which the intake officers work, with the state paying a portion,  
9 the lesser of either fifteen thousand dollars (\$15,000) per year or one-half  
10 (1/2) of each full-time intake officer's annual salary.

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12 SECTION 3. Arkansas Code Annotated §§ 9-27-201 through 9-27-206 are  
13 repealed.

14 ~~9-27-201. Legislative intent.~~

15 ~~The General Assembly finds and determines that the administration of~~  
16 ~~juvenile justice is of statewide concern and is important to the health,~~  
17 ~~safety, and welfare of the people of this state; that the state has a~~  
18 ~~responsibility to ensure effective juvenile justice by establishing minimum~~  
19 ~~selection, training, and educational requirements for juvenile officers, and~~  
20 ~~also to encourage advanced in-service training programs; and that it is in the~~  
21 ~~public interest that minimum levels of education and training be developed and~~  
22 ~~made available to persons seeking to become juvenile officers and to persons~~  
23 ~~presently serving as juvenile officers.~~

24 ~~9-27-202. Definitions.~~

25 ~~As used in this subchapter, unless the context otherwise requires:~~

26 ~~(1) "Juvenile officer" means any person who is a juvenile intake or~~  
27 ~~probation officer as set out by the Arkansas Juvenile Code of 1975, § 9-27-301~~  
28 ~~et seq.;~~

29 ~~(2) "Advisory board" means the Advisory Board on Juvenile Justice~~  
30 ~~Standards as established by § 9-27-203;~~

31 ~~(3) "Executive commission" means the Arkansas Commission on Law~~  
32 ~~Enforcement Standards and Training as provided in § 12-9-103;~~

33 ~~(4) "Political subdivision" means any first-class or second-class city,~~  
34 ~~incorporated town, or county of this state.~~

35 ~~9-27-203. Advisory Board on Juvenile Justice Standards.~~

36 ~~(a)(1) There is established an Advisory Board on Juvenile Justice~~

1 ~~Standards, hereafter called the "advisory board."~~

2 ~~— (2) The advisory board shall be composed of seven (7) members appointed~~  
3 ~~by the Governor.~~

4 ~~— (3) Each of the board members shall be appointed for terms of four (4)~~  
5 ~~years and shall serve for such terms unless removed for cause in a manner~~  
6 ~~prescribed by law.~~

7 ~~— (b)(1) The appointed membership of the advisory board shall consist of~~  
8 ~~two (2) juvenile intake officers, two (2) juvenile probation officers, one (1)~~  
9 ~~juvenile referee, one (1) law enforcement officer, and one (1) prosecuting~~  
10 ~~attorney.~~

11 ~~— (2) When any juvenile intake officer, juvenile probation officer,~~  
12 ~~juvenile referee, law enforcement officer, or prosecutor ceases to hold his~~  
13 ~~office, the person shall automatically cease to be a member of the advisory~~  
14 ~~board. The vacancy shall be filled as provided in this subchapter.~~

15 ~~— (c) Any vacancy on the advisory board shall be filled in the same manner~~  
16 ~~as the original appointment, but it shall be filled only for the unexpired~~  
17 ~~term.~~

18 ~~— (d) The advisory board shall designate the chairman and such other~~  
19 ~~officers as it deems necessary from its members. Each officer shall be~~  
20 ~~selected for a term of one (1) year, but may succeed himself as many times as~~  
21 ~~selected.~~

22 ~~— (e) Members of the advisory board shall serve without compensation, but~~  
23 ~~they shall be entitled to receive reimbursement for actual expenses incurred~~  
24 ~~in the performance of their official duties.~~

25 ~~— (f) The advisory board shall hold no less than one (1) regular meeting a~~  
26 ~~year. The chairman shall fix the time and place of the meetings, either on his~~  
27 ~~own motion or upon written request of any five (5) members of the advisory~~  
28 ~~board.~~

29 ~~— (g) The advisory board shall have the power and duty to advise the~~  
30 ~~executive commission and to provide the executive commission with any~~  
31 ~~assistance in any matter relating to the administration of juvenile justice,~~  
32 ~~including, but not limited to, minimum standards and training for juvenile~~  
33 ~~justice officers.~~

34 ~~— 9-27-204. Powers of executive commission.~~

35 ~~— In addition to powers conferred upon the executive commission by other~~  
36 ~~laws, the executive commission shall have the power to:~~

1 ~~— (1) Promulgate rules and regulations for the administration of this~~  
2 ~~subchapter;~~

3 ~~— (2) Obtain from the juvenile courts within this state the names and dates~~  
4 ~~of employment of their juvenile officers and such additional background~~  
5 ~~information as deemed necessary by the commission;~~

6 ~~— (3) Establish minimum selection and training standards for admission to~~  
7 ~~employment as a juvenile officer. The standards may take into account~~  
8 ~~different requirements for urban and rural areas;~~

9 ~~— (4) Establish minimum curriculum requirements for preparatory in-service~~  
10 ~~and advanced courses and programs of schools operated by or for the state and~~  
11 ~~political subdivisions for the specific purpose of training juvenile officers;~~

12 ~~— (5) Consult and cooperate with political subdivisions, agencies of this~~  
13 ~~state, other governmental agencies, and with universities, colleges, junior~~  
14 ~~colleges, community colleges, and other institutions or organizations~~  
15 ~~concerning the development of training programs or courses of instruction;~~

16 ~~— (6) Adopt rules and minimum standards for training programs for juvenile~~  
17 ~~officers and supervisory personnel which shall include, but not be limited to,~~  
18 ~~the establishment of the curriculum for basic training courses and advanced~~  
19 ~~training courses.~~

20 ~~— 9-27-205. Selection and training requirements.~~

21 ~~— (a) At the earliest practicable time, the executive commission shall~~  
22 ~~provide by regulation that no person shall serve as a juvenile officer unless,~~  
23 ~~within one (1) year after the person's hiring date or within one (1) year of~~  
24 ~~the first training session, whichever comes later, that person shall have~~  
25 ~~satisfactorily completed the training required by the executive commission.~~

26 ~~— (b) In addition to the requirements of subsection (a) of this section and~~  
27 ~~§ 9-27-204(6), the executive commission, by rules and regulations, shall fix~~  
28 ~~other qualifications as it deems necessary.~~

29 ~~— (c) The executive commission shall issue a certificate evidencing~~  
30 ~~satisfaction of the requirements of subsections (a) and (b) of this section to~~  
31 ~~any applicant who presents such evidence as may be required by its rules and~~  
32 ~~regulations of satisfactory completion of a program or course of instruction,~~  
33 ~~in this or any other state, conforming to the content and quality required by~~  
34 ~~the executive commission for approved education and training.~~

35 ~~— 9-27-206. Juvenile justice training programs.~~

36 ~~— (a) For the purposes of this subchapter, the executive commission may~~

1 ~~cooperate with federal, state, and local juvenile justice agencies in~~  
2 ~~establishing and conducting instruction and training programs for juvenile~~  
3 ~~justice officers of this state and its political subdivisions.~~

4 ~~— (b) The executive commission shall establish and maintain juvenile~~  
5 ~~officers' training programs through such agencies and institutions as the~~  
6 ~~executive commission may deem appropriate to carry out the intent of this~~  
7 ~~subchapter.~~

8 ~~— (c) The executive commission is authorized to apply for and accept~~  
9 ~~federal grants to assist funding in order to carry out the provisions of this~~  
10 ~~subchapter.~~

11

12 SECTION 4. All provisions of this act of a general and permanent nature  
13 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
14 Revision Commission shall incorporate the same in the Code.

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16 SECTION 5. If any provision of this act or the application thereof to  
17 any person or circumstance is held invalid, such invalidity shall not affect  
18 other provisions or applications of the act which can be given effect without  
19 the invalid provision or application, and to this end the provisions of this  
20 act are declared to be severable.

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22 SECTION 6. All laws and parts of laws in conflict with this act are  
23 hereby repealed.

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26 /s/Senator Dowd, et al

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