

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

A Bill

SENATE BILL 563

4
5 By: Senator Harriman
6 By: Representative Lynn

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED TITLE 9, CHAPTER
10 27, SUBCHAPTER 2 REGARDING JUVENILE OFFICERS' TRAINING;
11 ESTABLISHING A JUVENILE OFFICERS STANDARDS COMMISSION; AND
12 FOR OTHER PURPOSES."

Subtitle

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14
15 "TO AMEND ARKANSAS CODE ANNOTATED
16 TITLE 9, CHAPTER 27, SUBCHAPTER 2."

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

19
20 SECTION 1. Arkansas Code Annotated Title 9, Chapter 7, Subchapter 2 is
21 amended to read as follows:

22 "9-27-201. Legislative intent.

23 The General Assembly finds and determines that the administration of
24 juvenile justice is of statewide concern and is important to the health,
25 safety, and welfare of the people of this state; that the state has a
26 responsibility to ensure effective juvenile justice by establishing minimum
27 selection, training, and educational requirements for juvenile officers, and
28 also to encourage advanced in-service training programs; and that it is in the
29 public interest that minimum levels of education and training be developed and
30 made available to persons seeking to become juvenile officers and to persons
31 presently serving as juvenile officers.

32 9-27-202. Definitions.

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

34 (1) Juvenile officer means any person who is a juvenile intake or
35 probation officer as set out by the Arkansas Juvenile Code of ~~1975~~ 1989,
36 § 9-27-301 et seq.;

1 (2) ~~Advisory board means the Advisory Board on Juvenile Justice~~
 2 ~~Standards Commission means Juvenile Officers Standards Commission~~ as
 3 established by ~~§ 9-27-203;~~

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

6 ~~_____ (4)(3) Political subdivision means any first-class or second-class~~
 7 city, incorporated town, or county of this state.

8 9-27-203. ~~Advisory Board on Juvenile Justice Standards.~~ Juvenile
 9 Officers Standards Commission.

10 (a)(1) There is established ~~an Advisory Board on Juvenile Justice a~~
 11 Juvenile Officers Standards Commission, hereafter called the ~~advisory board~~
 12 commission.

13 (2) The ~~advisory board commission~~ shall be composed of ~~seven (7)~~
 14 twelve (12) members appointed by the Governor.

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

18 (b)(1) The appointed membership of the ~~advisory board shall consist of~~
 19 ~~two (2) juvenile intake officers, two (2) juvenile probation officers, one (1)~~
 20 ~~juvenile referee, one (1) law enforcement officer, and one (1) prosecuting~~
 21 attorney commission shall consist of:

22 (A) three (3) juvenile intake officers and three (3)
 23 juvenile probation officers;

24 (B) three (3) juvenile judges; and

25 (C) one (1) law enforcement officer with juvenile court
 26 experience, one (1) prosecuting attorney who practices in juvenile court, and
 27 one (1) public defender who practices in juvenile court.

28 (2) The Juvenile Committee of the Arkansas Judicial Council and
 29 the Arkansas Juvenile Officers Association shall each provide the Governor a
 30 list of recommended individuals to serve on the commission.

31 (3) A staff member of the Administrative Office of the Courts
 32 (AOC) shall serve as a liaison to the commission.

33 ~~_____ (2)(4) When any juvenile intake officer, juvenile probation~~
 34 ~~officer, juvenile referee judge, law enforcement officer, or prosecutor, or~~
 35 public defender ceases to hold his office, the person shall automatically
 36 cease to be a member of the ~~advisory board~~ commission. The vacancy shall be

1 filled as provided in this ~~subchapter~~ section.

2 (c) Any vacancy on the ~~advisory board~~ commission shall be filled in the
3 same manner as the original appointment, but it shall be filled only for the
4 unexpired term.

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

9 (e) Members of the ~~advisory board~~ commission shall serve without
10 compensation, but they shall be entitled to receive reimbursement for actual
11 expenses incurred in the performance of their official duties.

12 (f) The ~~advisory board shall hold no less than one (1) regular meeting~~
13 commission shall meet at least twice a year. The chairman shall fix the time
14 and place of the meetings, either on his own motion or upon written request of
15 any five (5) members of the ~~advisory board~~ commission.

16 (g) ~~The advisory board shall have the power and duty to advise the~~
17 ~~executive commission and to provide the executive commission with any~~
18 ~~assistance~~ The commission shall have the power and duty to develop in any
19 ~~matter relating to the administration of juvenile justice, including, but not~~
20 ~~limited to, minimum standards and training for juvenile justice officers'~~
21 training.

22 9-27-204. Powers of ~~executive~~ commission.

23 In addition to powers conferred upon the ~~executive~~ commission by other
24 laws, the ~~executive~~ commission shall have the power to:

25 (1) Promulgate rules and regulations for the administration of this
26 subchapter;

27 (2) Obtain from the juvenile courts within this state the names and
28 dates of employment of their juvenile officers and such additional background
29 information as deemed necessary by the commission;

30 (3) Establish minimum selection and training standards for admission to
31 employment as a juvenile officer. The standards may take into account
32 different requirements for urban and rural areas;

33 (4) ~~Establish~~ Recommend to the AOC minimum curriculum requirements for
34 ~~preparatory in-service and advanced courses and programs of schools operated~~
35 ~~by or for the state and political subdivisions for the specific purpose of~~
36 ~~training juvenile officers'~~ training;

1 (5) Consult with the AOC and cooperate with political subdivisions,
2 ~~agencies of this state, other governmental agencies, and with universities,~~
3 ~~colleges, junior colleges, community colleges, and other institutions or~~
4 ~~organizations~~ concerning the development of training programs or courses of
5 instruction;

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

10 9-27-205. Selection and training requirements.

11 (a) ~~At the earliest practicable time, the executive commission shall~~
12 ~~provide by regulation that no~~ No person shall serve as a juvenile officer
13 unless, within one (1) year after the person's hiring date or within one (1)
14 year of the first training session, whichever comes later, that person shall
15 have satisfactorily completed the training required by ~~the executive~~
16 ~~commission~~ this section.

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

20 (c) The ~~executive commission~~ AOC shall issue a certificate evidencing
21 satisfaction of the requirements of subsections (a) and (b) of this section to
22 any applicant who ~~presents such evidence as may be required by its rules and~~
23 ~~regulations of satisfactory completion of~~ satisfactorily completes a program
24 or course of instruction, ~~in this or any other state,~~ conforming to the
25 ~~content and quality required~~ standards established by the ~~executive~~ commission
26 ~~for approved education and training.~~

27 9-27-206. Juvenile justice training programs.

28 (a) For the purposes of this subchapter, the ~~executive~~ commission and
29 the Administrative Office of the Courts may cooperate with federal, state, and
30 local juvenile justice agencies in establishing and conducting instruction and
31 training programs for juvenile justice officers of this state and its
32 political subdivisions.

33 (b) The ~~executive commission~~ AOC shall establish and maintain juvenile
34 officers' training programs ~~through such agencies and institutions as the~~
35 ~~executive commission may deem appropriate to carry out the intent of this~~
36 ~~subchapter~~ in conformity with the commission's standards.

1 (c) The ~~executive~~ commission or the Administrative Office of the Courts
2 is authorized to apply for and accept federal grants to assist funding in
3 order to carry out the provisions of this subchapter."
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5 SECTION 2. All provisions of this act of a general and permanent nature
6 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
7 Revision Commission shall incorporate the same in the Code.
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9 SECTION 3. If any provision of this act or the application thereof to
10 any person or circumstance is held invalid, such invalidity shall not affect
11 other provisions or applications of the act which can be given effect without
12 the invalid provision or application, and to this end the provisions of this
13 act are declared to be severable.
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15 SECTION 4. All laws and parts of laws in conflict with this act are
16 hereby repealed.
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