

## Legal Duties of Juvenile Probation Officers

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## Standard 6.2

### 6.2 Duties

- "A juvenile probation officer shall perform the duties as provided by law."

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## Legal Duties of a JPO – § 12-15-107

### Express Duties (§ 12-15-107, Ala.Code 1975):

- Make investigations, reports, and recommendations to the juvenile court.
- Serve as a juvenile court intake officer when designated by the juvenile court.
- Supervise and assist a child placed on probation or aftercare by order of the juvenile court or other authority of law.

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## Legal Duties of a JPO - § 12-15-107 (cont'd)

- Make appropriate referrals to other private or public departments or agencies of the community if their assistance appears to be needed or desirable.
- This duty includes the duty to report known or suspected child abuse or neglect as a "mandatory reporter." Although JPOs are not found in the list of mandatory reporters in § 26-14-3, working for the juvenile court dealing with children, it is your duty to report child abuse and neglect.

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## Legal Duties of a JPO

- § 26-14-2, the purpose of the child abuse reporting law, provides that "[i]n order to protect children whose health and welfare may be adversely affected through abuse and neglect, the Legislature hereby provides for the reporting of such cases to the appropriate authorities. It is the intent of the Legislature that, as a result of such efforts, and through the cooperation of state, county, local agencies and divisions of government, protective services shall be made available in an effort to prevent further abuses and neglect, to safeguard and enforce the general welfare of such children, and to encourage cooperation among the states in dealing with the problems of child abuse." (Emphasis supplied).

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## Legal Duties of a JPO (cont'd)

### Mandatory Reporting Law:

- \*Immediate oral report (telephone or direct communication) first.
- \*Subsequent written report (See copy of Written Report of Suspected Child Abuse/Neglect under Juvenile Forms in the EForms part of the website, [www.alacourt.gov](http://www.alacourt.gov)).
- \*Both oral and written reports may be made to the chief of police of a municipality and/or county, the sheriff (if the observation is made in an unincorporated territory), or county DHR.
- \*Report SHALL NOT be made to any agency involved in the reported child abuse or neglect.

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## Legal Duties of a JPO – § 12-15-107

- Make predisposition studies and submit reports and recommendations to the juvenile court as required.
- Collect and compile statistical data and file reports as may be required by the Administrative Director of Courts pursuant to Subdivision (1) of § 12-5-10. The reports may include, but shall not be limited to, statistical data, case studies, and research materials.
- Perform other functions as are designated by this chapter or directed by the juvenile court.

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## Legal Duties of a JPO – § 12-15-107 (cont'd)

- Take into custody with the approval of the juvenile court and place in shelter or detention, subject to § 12-15-208, a child who is on probation or aftercare under his or her supervision when the juvenile probation officer has reasonable cause to believe that the child has violated the conditions of his or her probation or aftercare, or that he or she may flee from the jurisdiction of the juvenile court. A juvenile probation officer does not have the powers of a law enforcement officer.

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## Legal Duties of a JPO – Code of Alabama

Other Express Duties in the Code of Alabama, Alabama Rules of Juvenile Procedure, and the Alabama Administrative Code:

\*Sex Offender Registration and Notification Act (§ 15-20A-1, et seq.) – Express Duties of a "Probation Officer":

\*\*If DNA sample has not already been collected from juvenile sex offender and/or JPO does not have a DNA kit, coordinate with the sheriff to have DNA sample taken from offender until the Department of Forensic Sciences provides training on their new system - § 15-20A-7(a)(13).

\*\*If juvenile sex offender petitions the "sentencing court" for relief from registration and notification, court may consider recommendations of probation officer (including recommendations in the predisposition report and offender's compliance with supervision requirements) at the hearing on the petition - § 15-20A-24(h)(1).

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## Legal Duties of a JPO – Code of Alabama (cont'd)

Sex Offender Registration and Notification Act (§ 15-20A-1, et seq.) – Express Duties of a "Probation Officer" (cont'd):

\*\*Upon receiving risk assessment, the juvenile probation office shall provide a copy to the state and either the child's attorney or the parent, guardian, or custodian of the juvenile sex offender. In addition, the juvenile probation office shall, within three business days, notify the child's attorney and either the parent, guardian, or custodian of the pending release of the offender from a facility where the juvenile sex offender does not have unsupervised access to the public (DYS) (See copy of Form JU-30 under Juvenile Forms in the EForms part of the website, [www.alacourt.gov](http://www.alacourt.gov)). § 15-20A-26(c) (referenced in § 12-15-107(a)(7) and § 15-20A-48(b))

\*\*If juvenile sex offender petitions the court for relief from lifetime registration, court may consider recommendations of probation officer (including recommendations in the predisposition report and offender's compliance with supervision requirements) at the hearing on the petition - § 15-20A-34(g)(1).

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## Legal Duties of a JPO – Code of Alabama (cont'd)

Section 16-1-51, 1

Act 2018-528 (SB26, Sen. Chambliss)

(Effective: 7/1/2018)

"Section 3. (a)(1) On or before January 1, 2019, the State Board of Education shall develop a comprehensive model policy for the supervision and monitoring of juvenile sex offender students, who have a low risk of re-offense and are enrolled, attending class, and participating in school activities with the general population of students. The purpose of the model policy is to provide a safe and secure environment for all students and staff. The model policy shall be adopted by each local board of education and implemented beginning with the 2020-2021 school year. The model policy, at a minimum, shall contain all of the following components: . . .

"b. An initial meeting of all parties immediately upon the enrollment of the low risk juvenile sex offender, and frequent meetings thereafter as necessary to provide for the continual monitoring of the student and a safe school environment for all. The principal and all appropriate school personnel who have received confidential notification pursuant to subdivision (1) of subsection (b) of Section 15-20A-27, Code of Alabama 1976, in consultation with juvenile probation professionals, shall meet with the student, and the parent or guardian of the student, to create and implement an individualized student safety plan. The principal shall determine other appropriate school personnel to be included in the meetings to assist in defining school expectations. Student safety plans shall outline the responsibilities of all parties in safely managing the behavior of the student and protecting all students. . . ." (Emphasis supplied).

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## Legal Duties of a JPO – Code of Alabama (cont'd)

Section 16-1-51, 1

Act 2018-528, Section 3 (cont'd) (Effective: 7/1/2018)

" . . . (b)(1) The sentencing court shall have the discretion to determine whether a juvenile sex offender classified as having a moderate or high risk or reoffending should return to a public school. Upon making this determination, the court shall consult with a juvenile probation officer and the local superintendent of education to determine appropriate educational placement.

"(2) Any alternative placement of a student with a disability who receives special education services shall be made in compliance with the Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq., and its implementing regulations, 34 C.F.R. Part 300." (Emphasis supplied).

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## Legal Duties of a JPO – Code of Alabama (cont'd)

Act 2018-525 (HB74, Rep. Hollis) (Effective: 7/1/2018)

This Act amends § 15-18-5, Ala. Code 1975, to provide that, “[u]pon a child’s being adjudicated delinquent and committed to the Alabama Department of Youth Services in a juvenile court for a felony or misdemeanor for a set period of time or as a serious juvenile offender as specified in subsection (a) of Section 12-15-219, the juvenile court shall order that the delinquent child be credited with all of his or her actual time spent detained prior to or subsequent to adjudication for the offense. The actual time spent detained shall be certified by a juvenile probation officer on forms to be prescribed by the Alabama Department of Youth Services.”

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## Legal Duties of a JPO – Code of Alabama (cont'd)

Prior to a hearing on a motion to transfer a juvenile to adult court, submit a written study and report to the juvenile court relevant to the following factors [ §§ 12-15-203(d) and (e)]:

- The nature of the present alleged offense;
- The extent and nature of the child’s prior delinquency record;
- The nature of past treatment efforts and the nature of the child’s response to the efforts;
- Demeanor;
- The extent and nature of the child’s physical and mental maturity; and
- The interests of the community and of the child requiring that the child be placed under legal restraint or discipline.

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## Legal Duties of a JPO – Code of Alabama and Alabama Rules of Juvenile Procedure

- Give notice of the detention or shelter care hearing, either verbal or written, stating the date, time, place, and purpose of the hearing and the right to counsel to the parent, legal guardian, or legal custodian if they can be found and to the child if the child is over 12 years of age - § 12-15-207(b).

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## Legal Duties of a JPO – Code of Alabama

- Status offender at risk of being placed in DHR custody - upon referral to the county children's services facilitation team, provide case management to the status offender unless the county children's services facilitation team appoints another person to act as case manager. The juvenile probation officer shall participate in county children's services facilitation team meetings and share records information and reports on the status offender with the county children's services facilitation team - §§ 12-15-208(a)(1), 12-15-215(a)(3)b., and 12-15-502.

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## Legal Duties of a JPO – Code of Alabama (cont'd)

- Within the first 24 hours during which a status offender is held in secure custody for violating a valid court order, not including weekends or holidays, interview the child in person (if not already performed by another person). Within 48 hours of the admission of the status offender to secure custody for violating a valid court order, not including weekends or holidays, submit a written assessment report to the juvenile court regarding the immediate needs of the child (if not already performed by another person) - § 12-15-208(b)(3).
- May apply to the juvenile court for a consent decree to be extended for an additional six months – § 12-15-211(c).

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## Legal Duties of a JPO – Code of Alabama (cont'd)

- If directed by the juvenile court, conduct a study and submit a written report to the juvenile court with recommendations concerning a child, his or her family, his or her environment, and other matters relevant to the need for treatment or disposition of the case. The recommendations may indicate that the child needs further mental health evaluation, especially, in some cases, for the purpose of determining whether the child is competent to stand trial. The recommendations may also include a request that the juvenile court proceed pursuant to § 12-15-130 - § 12-15-214.

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## Legal Duties of a JPO – Alabama Administrative Code

Alabama Administrative Code [290-3-1-.02(7)(c)4.(i)]

- A juvenile probation officer shall notify the school attendance officer of any child who is under probation supervision as required by §§ 12-15-100 and 12-15-105 (now §§ 12-15-133 and 12-15-217).

### § 12-15-133(c)(7)

- The principal of the school in which the child is enrolled, or principal's representative shall file a "...written petition to the juvenile court setting forth the reasons why the safety or welfare, or both, of the school, its students, or personnel, necessitate production of the information and without which the safety and welfare of the school, its students, and personnel, would be threatened; ..."

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## Legal Duties of a JPO

Exception to Filing Petition Requirement (BUT NOT FOR THE REG.):

- § 15-20A-27(b)(1) and (2) (juvenile sex offender notification provisions).
- § 12-15-217  
The court shall report children who have been ADJUDICATED of (NOT charged with) Class A or B felonies (required) or other offenses (at the discretion of the juvenile court) and dispositions to the superintendent of public school district or principal of private school. (NOTE: Form JU-31 under Juvenile Forms in the EForms part of the website, [www.alacourt.gov](http://www.alacourt.gov), may be used to report these offenses.)

(NOTE: Subsection (b) of this Section allows any information received by a teacher, counselor, administrator, or other school employee in confidence to be shared with the child, his or her parent, legal guardian, legal custodian, law enforcement personnel, and the child's probation officer if it is "... necessary to effectuate the rehabilitation of the child or to protect students and staff.")

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**CREDIT FOR TIME DETAINED**

IN THE JUVENILE COURT OF \_\_\_\_\_ COUNTY, ALABAMA

RE: \_\_\_\_\_ CASE NUMBER: JU \_\_\_\_\_

DOB: \_\_\_/\_\_\_/\_\_\_ SEX: \_\_\_\_\_ RACE: \_\_\_\_\_

DATE DETAINED: \_\_\_/\_\_\_/\_\_\_ DETENTION FACILITY (ies): \_\_\_\_\_

DATE COMMITTED: \_\_\_/\_\_\_/\_\_\_ DAYS IN DETENTION: \_\_\_\_\_

TYPE OF COMMITMENT:

SERIOUS JUVENILE OFFENDER FOR MINIMUM OF ONE YEAR

OR

SET PERIOD OF \_\_\_\_\_ MONTHS

This is to certify that the above information was extracted from official court records for DYS and is true and correct.

\_\_\_\_\_

Date

\_\_\_\_\_

Signature of Juvenile Probation Officer

Based on information forwarded by the court, DYS calculates the minimum length of stay to be until \_\_\_\_\_.

\_\_\_\_\_

DYS Representative

Title

Date

(July 2018)

<b>STATE OF ALABAMA</b>  Affidavit Form     6/2015	<b>AFFIDAVIT          VIOLATION OF CONSENT          DECREE</b>	Court Case Number JU- _____
IN THE JUVENILE COURT OF _____ COUNTY, ALABAMA <div style="text-align: center;"><i>(Name of County)</i></div> In the Matter of _____, a child. <div style="text-align: center;"><i>(Name of Child)</i></div>		
I, the undersigned, do swear or affirm that the above-name child, who was placed on a consent decree (copy attached) effective _____ (date judge signed the decree) on the charge of _____ (offense charged) had:		
<input type="checkbox"/> a new delinquency or child in need of supervision petition filed against him or her specifically charging _____ (offense(s) charged); OR		
<input type="checkbox"/> the child failed to fulfill the express terms and conditions of the consent decree, specifically _____ (describe).		
Based on the above facts, I request that a hearing be set to determine whether or not the original petition under which the child was placed on a consent decree should be reinstated.		
_____ Affiant's Signature		_____ Date
Sworn to and subscribed before me this date: _____		
_____ Officer Authorized to Administer Oath/Notary Public		

<b>STATE OF ALABAMA</b>  Form <span style="float: right;">6/2015</span>	<b>PETITION FOR EXTENSION OF AFTERCARE</b>	Court Case Number JU- _____
IN THE JUVENILE COURT OF _____ COUNTY, ALABAMA <div style="text-align: center;"><i>(Name of County)</i></div> In the Matter of _____, a child. <div style="text-align: center;"><i>(Name of Child)</i></div>		
I, the undersigned, hereby request the juvenile court to extend the period of aftercare as provided in the order dated _____ for an additional _____ <i>(not to exceed six months)</i> months for the following reasons: <hr/> <hr/> <hr/>		
_____ <i>Date</i>	_____ <i>Signature of Juvenile Probation Officer</i>	
Upon review of the application above, I hereby [ <input type="checkbox"/> ] grant [ <input type="checkbox"/> ] deny the request for extension of aftercare to an additional _____ <i>(not to exceed six months)</i> months.		
_____ <i>Date</i>	_____ <i>Signature of Judge</i>	

# Alabama Standards for Certification of Juvenile Probation Officers

This document contains the minimum standards for initial and continuing certification of juvenile probation officers as promulgated by the Administrative Director of Courts. The intent of these standards is to promote the delivery of juvenile probation services by ensuring that the juvenile probation officers of Alabama are highly qualified and well-trained professionals. Throughout these standards, any reference to a juvenile probation officer also includes the classification of chief juvenile probation officer.

## Authority and Procedure Generally

### 1.1 Statutory Authority

"Beginning October 1, 1998, the Administrative Director of Courts shall promote the delivery of juvenile probation services for youths alleged or adjudged to be delinquent or in need of supervision, establish and promulgate reasonable minimum standards for initial and continuing certification of juvenile probation officers, and verify any applicant meeting these standards for the position of juvenile probation officer." Ala.Code 1975, § 12-5A-2(a).

### 1.2 Disclaimer

In the event that any standard in this document conflicts with a statute, caselaw or Alabama Supreme Court rule, the statute, caselaw or Alabama Supreme Court rule shall prevail.

### 1.3 Standards and Policy Advisory Council

The Administrative Director of Courts shall appoint and convene an advisory council to review proposed standards and policies for juvenile probation services and make recommendations concerning the implementation of these standards and policies.

### 1.4 Composition of Advisory Council

The Standards and Policy Advisory Council shall consist of five juvenile court judges, five chief juvenile probation officers and five juvenile probation officers, designated by the presidents of the Juvenile Judges Association, the Alabama Chief Probation Officers Association and the Administrative Director of Courts, respectively. Two additional members shall also be appointed by the Administrative Director of Courts.

### 1.5 Appointing Authority

The presiding juvenile court judge shall exercise administrative authority of the juvenile court, including the authority to appoint juvenile probation staff. In order to serve as a juvenile probation officer, all persons appointed to an authorized juvenile probation officer position must achieve initial certification as a juvenile probation officer and must maintain that certification pursuant to these standards of certification. Failure to obtain initial certification or to remain certified shall result in dismissal from employment as a juvenile probation officer. If the dismissed juvenile probation officer is employed by the

governing body of the county, the salary and fringe benefits of that position shall cease to be subsidized by the Administrative Office of Courts.

## **Basic Qualifications**

### **2.1 Authorized Juvenile Probation Officer Position**

A juvenile probation officer shall have the status of a full-time employee within the personnel system of the governmental entity having responsibility for juvenile probation services. In Jefferson, Madison, Montgomery, Morgan and Shelby Counties, that governmental entity is the governing body of the county. In all other counties, that governmental entity is the Unified Judicial System. These standards shall not provide for the certification of contractors, employees of private entities or employees of other governmental entities.

### **2.2 Age and Education**

A juvenile probation officer shall be at least 21 years of age. A juvenile probation officer also shall have received a bachelor's degree from an accredited college or university, proof of which shall be reviewed by the Human Resources Division of the Administrative Office of Courts.

### **2.3 Criminal History**

A juvenile probation officer shall have never been convicted of a felony. Pursuant to the authority of the Administrative Director of Courts under Ala.Code 1975, § 12-5-10 and Rule 9, Alabama Rules of Judicial Administration, all applicants for the position of juvenile probation officer shall consent in writing to a full criminal background check or investigation prior to determining whether to extend an offer of employment to any applicant. In Jefferson, Madison, Montgomery, Morgan and Shelby Counties, any equivalent background check or investigation shall be done under the authority of the respective governing body.

### **2.4 In-State Travel**

At the direction of the supervising juvenile court judge or the chief juvenile probation officer, a juvenile probation officer shall travel within the state to perform his or her assigned duties or to receive continuing education and training for certification. This travel requires the juvenile probation officer to have a valid state driver's license and access to a motor vehicle for job-related travel.

## **Certification as a Juvenile Probation Officer**

### **3.1 Appointment/Application Form**

The appointment of a qualified person to an authorized juvenile probation officer position shall be signed by the presiding juvenile court judge on an "Appointment and Application for Juvenile Probation Officer Certification" [Form JU-11A] form. The appointee shall complete and sign the applicant's section of the same form. Copies of other forms required by the Human Resources Division of the Administrative Office of Courts shall be completed and submitted, along with Form JU-11, to that Division.

### **3.2 Review and Disposition**

The Administrative Office of Courts shall review the above form and attachments. If the applicant meets the basic qualifications, the presiding juvenile court judge shall be notified.

### **3.3 Provisional Certification**

The purpose of provisional certification is to allow the juvenile probation officer to perform appropriate juvenile probation service functions under local supervision pending the juvenile probation officer's satisfactory completion of entrance training requirements. Provisional certification shall be valid for up to 12 months of the effective date of hire.

### **3.4 Field Orientation and Training**

The presiding juvenile court judge and/or chief juvenile probation officer shall commence a supervised in-service orientation and training for the juvenile probation officer immediately upon appointment.

### **3.5 Classroom Orientation and Training**

Within 12 months of the effective date of hire, a juvenile probation officer shall complete classroom orientation and training conducted by Administrative Office of Courts personnel and guest faculty according to a curriculum approved by the Administrative Director of Courts.

### **3.6 Certificate**

Upon satisfactory completion of the classroom orientation and training, a certificate of full certification shall be issued to the juvenile probation officer. This initial certificate shall be effective for the remainder of the calendar year in which it is issued and all 12 months of the next calendar year unless revoked according to these standards.

### **3.7 Exception for Prior Certification**

If it appears to the Administrative Director of Courts that a candidate for certification has sufficient prior experience as a certified juvenile probation officer, the Director may waive the entrance training requirements and issue a certificate of full certification.

## **Revocation of Certification**

### **4.1 Grounds**

The Administrative Director of Courts may revoke the certification of any juvenile probation officer for any of the following, including but not limited to:

- (a) Failing to maintain basic qualifications and practice standards or failing to comply with duties proscribed by the *Code of Alabama 1975*, or the Alabama Rules of Juvenile Procedure.
- (b) Furnishing or making any misleading or any false statements or reports to the Administrative Office of Courts.



- (c) Fraudulently obtaining monetary benefits or compensation or violation of the ethics law(s) of Ala.Code 1975, Chapter 25 of Title 36.
- (d) Failing to successfully complete continuing education and training requirements.
- (e) Failing to adhere to requirements of professional responsibility as set out in Section 6.1.
- (f) Except for those persons specifically exempt under the second paragraph of Section 6.10, being elected or appointed to a separate position in the executive or legislative branch of government.

Dismissal from employment shall result in the automatic revocation of certification.

#### **4.2 Revocation Procedure**

For any one or more of the above, the Administrative Director of Courts shall give written notice to the juvenile probation officer/chief juvenile probation officer and the presiding juvenile court judge that the proscribed standards have been violated. A reply with intent to rectify must be received by the Administrative Director of Courts within ten days of receipt of the written notice. If the violation of standards is not rectified within 30 days of receipt of the written notice, the Administrative Director of Courts may revoke the juvenile probation officer's certification.

In the event of exigent circumstances, the 30-day period to rectify may be waived and the juvenile probation officer's certification may be revoked upon notice by the Administrative Director of Courts.

Revocation of certification may be in addition to other disciplinary action.

### **Continuing Education**

#### **5.1 Continuing Education Hours**

During each calendar year in which a juvenile probation officer is certified, the juvenile probation officer shall earn a minimum of 12 continuing education-hours. Of these 12 continuing education hours, one hour shall be ethics or professionalism sponsored and provided by the Administrative Office of Courts. Only six of the 12 hours of approved online trainings are allowed during the calendar year. Each continuing education hour shall consist of 60 minutes of instruction approved by the Administrative Office of Courts. The Administrative Director of Courts may waive the continuing education hour requirement in the event of exigent circumstances.

#### **5.2 Approved Training Events**

The Administrative Office of Courts shall provide a minimum of one training annually unless waived by the Administrative Director of Courts. This annual training shall be specifically designed to give each juvenile probation officer an opportunity to earn the 12 continuing education hours of approved training for renewal of certification. Participation

In this training each year shall be the recommended method for juvenile probation officers to qualify for renewal of certification. The Administrative Office of Courts may approve other training activities as alternatives to the annual training for administrative reasons or in the event that no juvenile probation officer training is provided by the Administrative Office of Courts.

For those juvenile probation officers employed by the Unified Judicial System, if an alternative training activity is approved and the training activity is located outside of the state, Ala.Code 1975, § 12-5-17, requires the juvenile probation officer to receive prior approval from the Chief Justice of the Supreme Court to be outside of Alabama on regular pay status instead of approved leave.

## **Juvenile Probation Practice**

### **6.1 Professional Responsibility**

A juvenile probation officer must acquire and have a responsibility to maintain the knowledge, skill, thoroughness and preparation reasonably necessary to perform his or her duties. A juvenile probation officer has a duty to keep abreast of, and abide by, all federal, state, and local laws, including the Alabama Code of Ethics; all applicable rules of procedure of the Supreme Court of Alabama; and administrative rules or policies set forth by the Administrative Office of Courts. A juvenile probation officer has the duty to report suspected child abuse or neglect pursuant to the Mandatory Child Abuse Reporting law.

While on duty, a juvenile probation officer shall perform all duties in a professional and competent manner. A juvenile probation officer is a representative of the juvenile court; therefore, his or her character and conduct both on and off duty must not bring disrespect to the court in which he or she serves. A juvenile probation officer shall immediately report to a supervisor any situation of which he or she is aware of or in which he or she is involved which could disparage the juvenile court.

A juvenile probation officer shall not maintain an inappropriate relationship with children assigned to his or her caseload and/or under his or her supervision. An inappropriate relationship may include, but is not limited to, bribery, solicitation or acceptance of gifts, favors, or services from children and/or their families, and the appearance of an inappropriate relationship.

### **6.2 Duties**

A juvenile probation officer shall perform the duties as provided by law.

### **6.3 Intake**

A juvenile probation officer shall assume on-call duty or work flexible hours as required if designated to be a juvenile court intake officer. A juvenile court intake officer shall not hold a separate appointive or elective office in the executive or legislative branch of government. Appointment/election to one of these offices shall immediately disqualify a juvenile probation officer from serving as a juvenile court intake officer.

#### **6.4 Supervision**

A juvenile probation officer shall be under the general supervision of the presiding juvenile court judge and, where applicable, the chief juvenile probation officer.

#### **6.5 Data Entry and Collection**

A juvenile probation officer shall utilize the Juvenile Probation Intake Treatment Integrated Resource (JUPITIR) application for all intake and case management functions.

#### **6.6 Firearms**

A juvenile probation officer shall not carry a firearm in the performance of his or her duties.

#### **6.7 Use of Force / Personal Protection**

A juvenile probation officer is not a certified law enforcement officer and does not have law enforcement authority such as the power to take a child into custody except as provided in Ala.Code 1975, § 12-15-107(b). However, if placed in a situation in which self-protection, or the protection of others, is required, a juvenile probation officer may take reasonable action necessary for such protection, consistent with Ala.Code 1975, § 13A-3-23. No juvenile probation officer shall intentionally insert himself or herself in a situation where there may be an anticipated confrontation. Use of physical restraints (handcuffs, shackles, etc.) by Unified Judicial System employees is prohibited.

#### **6.8 Transporting Juvenile Probation Service Clients**

Employees of the Unified Judicial System shall not transport juvenile probation service clients.

#### **6.9 Circuit Clerk's Functions**

Alabama law requires that judges and circuit clerks be elected independently. Neither a judge nor an employee of a judge has the authority to perform the legal functions of a circuit clerk or to supervise the employees of a circuit clerk in the performance of these functions.

A juvenile probation officer shall not perform official functions of the circuit clerk, including, but not limited to:

- \*Maintaining custody of the court records (legal files).
- \*Issuing summonses, subpoenas and other process.
- \*Certifying copies of court documents and records.
- \*Receiving and recording petitions delivered by the juvenile court intake officer for filing (juvenile) and filed by plaintiffs (civil).
- \*Receiving and recording the filing of motions in existing cases before the court.

\*Collecting and disbursing of any monies.

\*Entering any of the above actions or other official actions of the circuit clerk on the case action summary in any case.

### **6.10 Secondary Employment**

Secondary employment must be approved by the presiding juvenile court judge. Secondary employment must not, however, interfere with the duties of a juvenile probation officer or conflict with any federal, state or local law.

Those persons who have been appointed as a juvenile probation officer shall not hold separate appointed or elected offices in the executive or legislative branch of government unless approved to do so by the Administrative Director of Courts after consultation with the presiding juvenile court judge.

## **Standards and Policy Advisory Council, 2014**

### **Alabama Juvenile Judges Association**

- Honorable Philip Lisenby, Circuit Judge, 6<sup>th</sup> Judicial Circuit
- Honorable Butch Binford, Circuit Judge, 20<sup>th</sup> Judicial Circuit
- Honorable Bob Bailey, Circuit Judge, 15<sup>th</sup> Judicial Circuit
- Honorable Raymond Chambliss, Circuit Judge, 10<sup>th</sup> Judicial Circuit
- Honorable James Malone, District Judge, Clay County
- President, Alabama Juvenile Judges Association (ex officio)

### **Alabama Chief Probation Officers Association**

- Donna Johnson, Chief Juvenile Probation Officer, Marshall County
- Ricky Thomas, Chief Juvenile Probation Officer, Tuscaloosa County
- Jacques Cothren, Chief Juvenile Probation Officer, Madison County
- Gary Watson, Chief Juvenile Probation Officer, Coffee County
- David Pearce, Chief Juvenile Probation Officer, Covington County
- Chairman, Alabama Chief Probation Officers Association (ex officio)

### **Administrative Director of Courts Appointments**

- Kay Bell, Juvenile Probation Officer, Cullman County
- Karen Solomon, Juvenile Probation Officer, Houston County
- Patricia Strickland, Juvenile Probation Officer, Montgomery County
- Ashby Pauley, Juvenile Probation Officer, Mobile County
- LeAnn Rigney, Juvenile Probation Officer, Shelby County
- Karen Trussell, Director, Family Court Division, Administrative Office of Courts
- Bob Maddox, Legal Advisor, Family Court Division, Administrative Office of Courts