

STATE OF SOUTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE
POLICY AND PROCEDURES

Title:	Probation and Parole Supervision and Reintegration Planning	Policy No.:	F-8.1	Page(s):	1 of 13
Authority:	County Offices, Division of Community Services				
Juvenile Justice Code:	n/a				
PbS Related Standard(s):	n/a				
Related Statutes/Regulations:	South Carolina Code of Laws Sections 63-19-350, 63-19-1410, 63-19-1840, and 63-19-1860.				
November 26, 2014 Effective Date		<u>SIGNED/ Margaret H. Barber</u> Margaret H. Barber Director			
DATES UPDATED:					

POLICY: The Department of Juvenile Justice (DJJ) County Office staff will work with various law enforcement agencies, victim advocates, judicial entities, child-serving agencies, and other community entities to provide supervision of juveniles and access to appropriate services in the least restrictive environment with input from juveniles and their families.

DJJ County Case Managers (CM) will carry out their duties with technical competence, integrity and professionalism and will provide supervision and access to services to juveniles placed on probation by Family Court Judges, on parole under the authority of the South Carolina Board of Juvenile Parole, on parole under the authority of the DJJ Release Authority, under the authority of the Interstate Compact on Juveniles (ICJ) Agreement and reintegration planning for juveniles on DJJ commitment status.

The Department acknowledges that County Office staff interact with Judges, Solicitors, Attorneys/Public Defenders, various law enforcement agencies, victim advocates, and child-serving entities. The practices of these key groups in the juvenile justice system can result in the County CM deviating from procedures. These procedural deviations will not be contrary to agency policy and procedures, will be brought to the attention of the appropriate Regional Administrator, and will be incorporated in local procedural guides.

PROCEDURAL GUIDELINES:

A. Definitions

1. Probation: A court disposition that does not involve confinement but imposes conditions and supervision of a juvenile adjudicated delinquent for one or more offenses. In South Carolina, juvenile probation can last up until the juvenile's 18th birthday. Juveniles who are on probation remain under the authority of the family court and will be "violated" for failing to abide by the terms and conditions of their probation orders. Probation violations are contempt actions and may result in new and/or stricter sanctions for the juvenile found to be in violation of his or her prior court order. DJJ provides juveniles with three levels of community based

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supervision: standard supervision, moderate supervision and intensive supervision.

2. Commitment status: Official confinement. Committed juveniles may reside in a juvenile facility, prison, mental hospital or appropriate placement for the duration of their commitment. Placement is determined by the Commitment Order and each juvenile's individual needs.
3. Parole: A S.C. Juvenile Parole Board/DJJ Release Authority action allowing a committed juvenile to return to the community on aftercare status, under supervision/authority of the Board/Release Authority, and subject to the general/specific rules established by the Board/Release Authority.
4. Case Staffing: A process in which there is an exchange of information regarding the juvenile's individual circumstance(s) to help identify issues, suggest problem resolution strategies, gain consensus and recommend service and/ or supervision options. A case staffing will include the juvenile's case file, the County CM and a supervisor. The purpose of the case staffing will determine the inclusion of other individuals, i.e. service providers, professionals, juvenile, and parent/guardian.
5. Standard Supervision: A regular level of supervision requiring the County case manager (CM) to work with the juvenile, juvenile's family, and community service providers by monitoring court ordered or parole conditions and the juvenile's case management plan in an effort to help the juvenile become a productive citizen, reduce their risk of reoffending and provide greater public protection.
6. Moderate Supervision: A medium level of supervision requiring the County CM to work with the juvenile, juvenile's family, and community service providers, through increased contacts, by monitoring court ordered or parole conditions and the juvenile's case management plan in an effort to help the juvenile become a productive citizen, reduce their risk of reoffending and provide greater public protection.
7. Intensive Supervision: A high level of supervision requiring the County CM to work intensively with the juvenile, juvenile's family, and community service providers by monitoring court ordered or parole conditions and the juvenile's case management plan in an effort to help the juvenile become a productive citizen, reduce their risk of reoffending and provide greater public protection. Intensive Supervision targets juveniles:
 - a) On commitment status to facilitate reintegration planning;

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- b) On probation or parole in a community alternative setting to facilitate successful re-entry into the community;
 - c) On parole; and/or
 - d) On probation with high risks and/or high needs to reduce the risk for DJJ commitment or out of home placement.
8. Reintegration: The activity and programming conducted to prepare a juvenile to return safely to the home community and live as a law-abiding citizen.

B. Case Assignment and Levels of Supervision

1. Case Assignment

As soon as possible but no later than two (2) business days subsequent to the court hearing, the DJJ County Director/Supervisor will ensure the terms and conditions of probation supervision are explained to the juvenile and the juvenile's parents/guardians by designated county office staff. Within seven (7) business days of the juvenile's placement on probation, commitment to DJJ, or acceptance of cooperative supervision through ICJ, the County Director/Supervisor will review the case file, assign and distribute each juvenile's case to a County CM. Case assignments will be based on the level of supervision and County CM's current caseload.

2. Levels of Supervision

There are three (3) levels of supervision: standard, moderate, and intensive providing a continuum of supervision from least restrictive to most restrictive.

- a. When determining the initial level of supervision, the County Director/Supervisor will consider, the juvenile's risk/needs assessment, commitment sentence, physical location, special conditions of the Court Order/Conditional Release Agreement, the case staffing results, the individual victim and community concerns, and the available resources in the community.
- b. A change in the level of supervision will be determined by the supervisor and County CM through a case staffing. The criteria applied for the initial determination will be considered along with the juvenile's adjustment to their current level of supervision. For juveniles on intensive or moderate level of supervision, recommendations from the Community Planning and Review team will also be considered.

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- c. Juveniles will be supervised at the intensive level of supervision for a minimum of three (3) months and a maximum of six (6) months and at the moderate level of supervision for a minimum of two (2) months and a maximum of three (3) months. Justification for a reduction or extension to the minimum and maximum timeframes at both the intensive and moderate level requires approval by the supervisor and will be documented. The County CM and supervisor will take into account the applicable criteria considered for determining the initial level of supervision, the recommendations from the Community Planning and Review team and the juvenile's progress when recommending a reduction or extension in timeframes.
- d. The County CM responsible for providing supervision at the intensive level will have no more than 20 juveniles assigned to their caseload and will supervise at the intensive and moderate levels of supervision.

C. Juvenile Records and Documentation

1. Confidentiality and Release of Juvenile Records

The County CM will ensure that the juvenile case file is appropriately secured and protected in accordance with DJJ Policy B-5.1, Juvenile Records. County CMs will comply with DJJ Policy B-5.3, Confidentiality and Release of Juvenile Records and Information. Any questions regarding the appropriate release of information will be directed to the supervisor.

2. Documentation

The County CM will provide a written record of all case management activities. Within five (5) business days of all activities, the County CM will complete an Activity Note in JJMS.

3. Organization of County Case File

The County CM will ensure the juvenile's case file is organized according to the County Case Management File Organization Instructions (Attachment F-7.1A).

D. Provisions of Case Management Supervision

The County CM will serve as the primary case manager for juveniles while under DJJ community supervision and will provide case management supervision in accordance with and as outlined in the Community Supervision Levels and Contact Chart (Attachment F-8.1A).

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1. Probation Order or Conditional Release Initial Review and Notification Requirements

The County CM will review and explain the terms and conditions as outlined in the Probation Order or Conditional Release with the juvenile and the juvenile's parents/guardians.

- a. During the initial probation meeting, the County CM will provide a photocopy of the Order to the juvenile and the juvenile's parents/guardians and ensure the Order is uploaded into JJMS. If the Court order is not available at the initial appointment, the County CM, will, within two (2) business days of receipt of the Probation Order from the Court, ensure the court order is uploaded into JJMS and will provide a photocopy to the juvenile and juvenile's parents/guardians during the next probation meeting.
- b. Within five (5) business days from case assignment of a juvenile accepted from another state into South Carolina through ICJ, the assigned County CM will review and explain the terms and conditions of supervision with the juvenile and parent/guardian. The County CM will follow DJJ Policy F-5.1, Interstate Compact on Juveniles (ICJ) in providing supervision.
- c. Within two (2) business days from the juvenile's release from commitment status, the County CM will review the terms and conditions of parole supervision with the juvenile and parent/guardian.
- d. The County CM, if applicable, will explain the requirements for Sex Offender Registry, Sexually Violent Predator Act, and/or DNA Sampling as indicated in DJJ Policies A-4.7, Sex Offender Registry, A-4.8, Sexually Violent Predator Act, and A-4.2, DNA Sampling of a Juvenile. The County CM will ensure an opportunity for a DNA sample to be obtained from the qualifying juvenile and enter the information in JJMS when DNA is completed.
- e. The County CM, if applicable, will provide notification (if not previously provided) to the school principal in accordance to the School Safety Act and as outlined in Policy F-7.3, Case Resolution and Court Presentation.

2. Child Assessment and Evaluation Review and Updates

The County CM will review the juvenile's Child Assessment and Evaluation (CAE) to ensure demographic, educational mental, emotional, medical and other related information is current. The County CM will update the CAE in JJMS and in the case file within five (5) business days of the time the update becomes

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known. The CAE shall be reviewed within 180 calendar days of initial completion with any updates noted in JJMS and in the case file. The CAE shall be reformulated within two (2) years of initial completion and a new CAE printed and placed in the case file.

3. Case Management Plan (CMP) Development and Updates

The County CM will develop a Case Management Plan (CMP) (Form F-8.1A) on each juvenile under DJJ supervision, excluding diversion cases as defined through DJJ Policy F-7.3, Case Resolution and Court Presentation. The CMP will serve as a guide for accessing appropriate services for the juvenile and family.

- a. The County CM will assess the needs of the juvenile and develop a CMP for each juvenile on DJJ probation or parole supervision within 30 calendar days from the juvenile's court ordered probation or parole release by the Juvenile Parole Board or DJJ Release Authority.
- b. The CMP will be developed based on the assessment of the information obtained from, but not limited to, the CAE, Court Orders, Conditional Release Agreement, Pre-Dispositional Evaluation Report, juvenile plan for services (BRRC and/or alternative placement), prior CMPs, other provider(s) treatment plan, discharge summaries, interviews with and input from the juvenile and parents/guardians, other available information from agencies involved with the juvenile and family, and victim interest.
- c. The CMP will identify the juvenile's strengths and needs and will specify the goals and actions to address the medical, social, educational and other services needed by the juvenile and family. It will include activities required to meet the identified needs, frequency of activity, responsible authority, projected completion date and actual completion date. Consideration will be given to juvenile's risk factors as well as the interest of the individual victim and community. Services needed by the juvenile but not available in the community will be documented in an Activity note and the reason for the juvenile's need for these services will be explained.
- d. The County CM will finalize the development of the CMP in conjunction with the juvenile and parent/guardian, review the CMP with them, obtain their signatures, and provide them with a copy. If the juvenile and parent/guardian are unavailable, the County CM will document why the signature could not be obtained and will obtain their signatures during the next face to face contact.
- e. Within thirty (30) calendar days of development, the County CM will present the CMP to a supervisor for review and signature.

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- f. The County CM will implement and monitor the CMP to ensure appropriate services are being provided and progress is being made.
- g. The County CM and a supervisor will review the CMP after the initial development in compliance with the timeframes outlined in the Community Supervision Levels and Contact Chart (Attachment F-8.1A) to reassess whether supervision or services should be continued, modified, or terminated. Modifications to the CMP will be written on the CMP and made accordingly with the goal of moving the juvenile toward successful case closure. The County CM will review the CMP quarterly and document the juvenile's progress in an Activity Note in JJMS. A new CMP will be reformulated based on a reassessment utilizing a new form within 365 calendar days of initial development.
- h. The County CM will ensure the CMP is reviewed and modified as needed when juveniles on probation/parole return to court and receive a determinate or an indeterminate sentence.
 - 1) For a juvenile receiving a determinate sentence followed by probation, the County CM will reassess the needs of the juvenile and make modifications to the current CMP as necessary. If there is no current CMP, a CMP will be developed within thirty (30) days from the time probation begins following the standard as outlined in D.3 (a-g) above.
 - 2) For a juvenile receiving a determinate sentence with no probation, the County CM will close out the current CMP upon commitment.
 - 3) For a juvenile receiving an indeterminate sentence, the County CM will close out the current CMP upon commitment. A reintegration plan will be developed as indicated in F.1a of this policy.
 - 4) For a juvenile receiving a determinate sentence with no probation or indeterminate sentence and not currently on probation/parole, the County CM will not be required to develop a CMP.

4. Referrals for Services

The County CM will make referrals to appropriate programs and providers for services as identified on the CMP. Referrals will follow the process as established by the County office.

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5. Probation Order or Conditional Release and CMP Compliance Monitoring

The County CM will monitor the juvenile's compliance with the terms and conditions as outlined in the Probation Order or Conditional release and compliance with the referrals for services identified on the CMP. The County CM will:

- a. Comply with Earned Compliance Credit (ECC) guidelines;
- b. Monitor monetary restitution and/or community service requirements consistent with DJJ Policy F-8.3, Juvenile Restitution;
- c. Follow the process consistent with DJJ Policy F-6.0, Community Residential Program Placement Services when requesting alternative placement;
- d. Conduct case staffings with a supervisor and others as applicable; and
- e. Apply graduated responses in monitoring compliance with terms and conditions.

6. Earned Compliance Credit (ECC) Implementation and Monitoring

In accordance with SC Code of Laws Section §63-19-1835, Earned Compliance Credit (ECC) authorizes the Department of Juvenile Justice to grant up to a 10-day reduction in supervision length to probationers and parolees who are under DJJ supervision for each month they are compliant with the terms and conditions of their order/release agreement. DJJ shall grant ECC to all qualifying juveniles.

- a. The County CM will comply with the guidelines as outlined in Earned Compliance Credit Overview (Attachment F-8.1C) in the implementation of ECC as follows:
 - 1) Document the justification regarding compliance or noncompliance on an activity note in JJMS and calculate the adjusted release date monthly;
 - 2) Reference both the activity note and adjusted release date on the Community Probation/Parole Earned Credit form (Form F-8.1B); and
 - 3) Discuss the adjusted release date with the juvenile at least monthly.

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- b. Juveniles on cooperative supervision transferred from South Carolina to another state through ICJ are eligible for ECC; however, juveniles transferred from other states to South Carolina are not eligible for ECC.
- c. There is no release order required for juveniles released at their earliest release date or adjusted release date.
- d. The County CM will conduct case closure in accordance with DJJ Policy F-9.2, Probation/Parole Supervision Release and Case Closure.

E. Case Staffings

Case staffings are essential to providing case management supervision and can vary depending on the purpose and need. The County Director or designated Supervisor is responsible for ensuring case staffings are conducted.

1. The County CM will staff juvenile cases with a supervisor to include the juvenile's case file as follows:
 - a. To assess the progress of the juvenile and determine to what extent supervision will be continued, modified or terminated in compliance with the timeframes outlined in the Community Supervision Levels and Contact Chart (Attachment F-8.1A). Quarterly case staffings are calculated from the time of case assignment and continue thereafter on at least a quarterly basis;
 - b. For juveniles in commitment status for reintegration and/or progress review in compliance with timeframes outlined in Commitment Contact Chart (Attachment F-8.1B);
 - c. When there is a change in a juvenile's status;
 - d. To determine graduated responses and appropriate level of supervision;
 - e. To determine need for probation violation/parole revocation in accordance with DJJ Policy F-9.1 Probation Violation and Parole Revocation Procedures; and
 - f. On pending court cases (new referrals and violations) within 10 business days of the scheduled court hearing.
2. The County CM will staff high risk, problematic and special needs cases with the DJJ community psychologist and/or the Community Services Coordinator of Special Needs Case Management on an as-needed basis.

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3. The County CM will participate in regular interagency staffings to monitor juvenile compliance with services and to link the juvenile with appropriate services. Intensive supervision cases will be staffed with the Community Planning and Review team (CPRT) as outlined in Community Service Supervision Levels and Contact Chart (Attachment F-8.1 A) and Commitment Contact Chart (Attachment F-8.1B).

F. Commitment Contacts, Parole Board Reports and Reintegration Planning

Preparation for a juvenile's successful transition from commitment to the community begins at the time of commitment.

1. Commitment Contacts and Reintegration Plan

The County CM will maintain contact with the juvenile, family and DJJ facility Social Worker (SW) or alternative placement Human Service Professional (HSP) and will participate in case planning and staffings as outlined in the Commitment Contact Chart (Attachment F-8.1B).

- a. Within thirty (30) calendar days of commitment, the County CM will develop a Community Reintegration Plan (CRP), (Form F-8.1C), review the CRP with the juvenile and parent and obtain their signatures. The CRP will be developed in conjunction with the DJJ facility treatment plan or placement facility care plan and will be updated as new information becomes available. The CRP will be finalized within 90 days of the juvenile's anticipated release.
 - b. The BRRC Multidisciplinary team, of which the County CM is a member, will establish when the juvenile is within 90 days of anticipated release and determine frequency of staffings. When juveniles are transferred to an alternative placement, the alternative placement staffing team, which the County CM is a member, will establish when the juvenile is within 90 days of anticipated release and determine the frequency of staffings.
 - c. The County CM will request the discharge summary from the DJJ social worker if the juvenile is released from BRRC or the alternative placement HSP if the juvenile is released from placement to facilitate reintegration planning.
2. Determinate Sentence with No Probation: Contact and Reintegration
The County CM assigned to juveniles committed on a determinate sentence with no probation will maintain contact with the juvenile and parent/guardian to facilitate re-entry into the community.

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3. Parole Board Reports

The County CM is responsible for the completion of board reports upon notification, submission to the supervisor for review and signature and forwarding to the Juvenile Parole Board or to the DJJ Release Authority as applicable on or before the requested date. The Case Manager will follow the procedures and complete the parole reports as outlined in DJJ Policy A-5.1, Juvenile Parole Release Authority Process for parole cases managed by the DJJ Release Authority. For parole cases managed by the Juvenile Parole Board, the County CM will complete the Juvenile Parole Board Exhibit P-10, DJJ Community Report.

G. Victim Notification Requirements

The County CM will review both the juvenile case file and JJMS to determine the status of victim notification and will adhere to DJJ Policy F-2.2, DJJ Victim Services regarding victim notification. All victim contacts will be documented in JJMS.

H. Abuse/Neglect and/or Event Reporting Requirements

1. Abuse and Neglect Reporting

DJJ County office staff are required by law to report an alleged or known incident of abuse or neglect regarding a juvenile who is living at home on probation or parole to the local office of the Department of Social Services (DSS) utilizing Form F-7.2H. County office staff will comply with DJJ Policy I-3.1, Alleged Abuse and Neglect of a Juvenile.

2. Event Reporting Management Information Services (ERMIS)

The County CM will report incidents, accidents, injury or other significant events that occur involving juveniles, employees, volunteers, and/or visitors occurring at and/or related to DJJ consistent with DJJ Policy I-3.2, Reporting Events using Form I-3.2A, DJJ Event Report.

I. Electronic Monitoring Utilization

The County CM will utilize electronic monitoring as a graduated response and an alternative to secure confinement consistent with DJJ Policy F-8.2, Electronic Monitoring

J. Volunteer Services Utilization within the Community

The County Director will maintain a list of approved volunteers and the County Director and County CM will comply with DJJ Policy A-5.5, Volunteer Services when utilizing

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volunteers in the community. The County CM will ensure the Parental Permission to Receive Volunteer Services (Form F-7.2C) is in the case file prior to volunteer services being provided to the juvenile.

K. Juveniles on Probation/Parole traveling to another state (Travel Permit)

There are circumstances when juveniles on probation or parole need to travel to another state. The County CM will adhere to DJJ Policy F-5.1, Interstate Compact on Juveniles (ICJ) for provision of travel permits allowing juveniles to travel out of South Carolina.

L. Juvenile relocation during supervision

Continuity of supervision is important when a juvenile on probation or parole relocates to another county within South Carolina or a juvenile relocates from state to state.

1. Juvenile relocating within South Carolina

The County CM will follow DJJ Policy F-8.4, Community Case Transfer when a juvenile on probation or parole permanently or temporarily relocates to another county within the state.

2. Juvenile relocating from state to state

The County CM will follow DJJ Policy F-5.1, Interstate Compact on Juveniles (ICJ) in coordinating supervision for juveniles on probation or parole that relocate from state to state. This applies for juveniles relocating from South Carolina to another state or from another state to South Carolina.

M. Release from Supervision

Juveniles can be released from supervision through Earned Compliance Credit (ECC), early release, completing the period of supervision and conditions as ordered by the Family Court, SC Board of Juvenile Parole or DJJ Juvenile Release Authority or upon reaching the statutory age limit.

The County CM will comply with DJJ Policy F-9.2, Probation/Parole Supervision Release and Case Closure in releasing a juvenile from supervision.

RELATED FORMS AND ATTACHMENTS:

Attachment F7.1A County Case Management File Organization Instructions

Attachment F-8.1A Community Supervision Levels and Contact Chart

Attachment F-8.1B Commitment Contact Chart

Attachment F-8.1C Earned Compliance Credit

Form A-5.1K Request for Change of Parole Status/Special Conditions (DJJ Release Authority)

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Form F-7.2C Parental Permission to Receive Volunteer Services
 Form F-7.2F Child Assessment and Evaluation
 Form F-7.2H Mandated Report of Suspected Abuse and/or Neglect
 Form F-8.1A Case Management Plan
 Form F-8.1B Community Probation/Parole Earned Credit Form
 Form F-8.1C Community Reintegration Plan
 Exhibit P-16 Request for Change of Parole Status/Special Conditions (Board of Juvenile Parole)
 Form I-3.2A, DJJ Event Report

REFERENCED POLICIES:

Policy A-5.1 Juvenile Parole Release Authority Process
 Policy A-4.7, Sex Offender Registry
 Policy A-4.8, Sexually Violent Predator Act
 Policy A-4.2, DNA Sampling of a Juvenile
 Policy A-5.5, Volunteer Services
 Policy B-5.1, Juvenile Records
 Policy B-5.3, Confidentiality and Release of Juvenile Records
 Policy F-2.2 Victim Services
 Policy F-5.1, Interstate Compact on Juveniles (ICJ)
 Policy F-6.0, Community Residential Program Placement Services
 Policy F-7.3, Case Resolution and Court Presentation
 Policy F-8.2, Electronic Monitoring.
 Policy F-8.3 Juvenile Restitution
 Policy F-8.4, Community Case Transfer
 Policy F-9.1 Probation Violation and Parole Revocation Procedures
 Policy F-9.2, Probation/Parole Supervision Release and Case Closure
 Policy I-3.1, Alleged Abuse and Neglect of a Juvenile
 Policy I-3.2, Reporting Events

SCOPE:

This policy applies to regional and county office staff members.

LOCAL PROCEDURAL GUIDE:

The County Director is required to provide a local procedural guide that has been approved by the Regional Administrator.

TRAINING REQUIREMENTS:

Regional and county office employees are required to review this policy within 30 days of its publication.