

IN THE SUPREME COURT OF THE STATE OF KANSAS

Administrative Order No. 97

In re: Establishment of Juvenile Intake and Assessment System

Pursuant to L. 1994, Ch. 360, Sec. 46, the Kansas juvenile intake and assessment system (JIAS), administered by the Kansas Supreme Court and the Office of Judicial Administration, will provide, subject to availability of appropriate financing, Kansas communities with effective intake services to children in need of care, juvenile offenders, and their families.

1. *Functions of Juvenile Intake and Assessment:*

- a. Each local juvenile intake and assessment program shall respond to all law enforcement requests for assistance with children in need of care and juvenile offenders to provide at the time of the request the following services:
 - (1) Administration of the intake and assessment tool;
 - (2) Referral and placement of children; and
 - (3) Emergency crisis counseling for children and families.

- b. In addition to the functions listed in subsection 2a., a program may, based on available funding, offer the following services for children:
 - (1) Electronic monitoring;
 - (2) Transportation to detention;
 - (3) Drug and alcohol screening and assessment;
 - (4) House arrest;
 - (5) Conditional release;
 - (6) Follow-up crisis counseling and dispute resolution, if not currently provided in the community; and
 - (7) Other services approved by the judicial administrator.

2. *Prohibitions Related to Recommendations for Prosecution:*
Juvenile intake and assessment programs shall not make recommendations regarding the prosecution of juvenile offenders or the filing of petitions for children in need of care. This provision shall not limit the free exchange of information between consenting entities.

3. *Establishing Local Juvenile Intake and Assessment Programs:*
The administrative judge of each judicial district will, subject to available financing, ensure that a juvenile intake and assessment program is established for the judicial district. The juvenile intake and assessment program will follow a written community plan or combined community plan (Section 6) developed by the community team or teams (Section 4) and provide the functions identified in Section 1.

4. *Community Team Development and Composition:* The administrative judge of each judicial district shall appoint a community team to guide the development, implementation, and review of the district's juvenile intake and assessment program. In a multi-county district, the administrative judge may appoint more than one community team with a coordinated plan to be adopted for the judicial district. Judicial districts may, through written agreement, join together to create a single community team which should be representative of the combined districts. After the initial certification of each juvenile intake and assessment program, community teams may continue to meet to review the progress of the local intake and assessment program, but will not be required to do so.

Juvenile intake and assessment community teams should include representatives from each of the following groups: judges hearing juvenile cases, court services officers, social and rehabilitation services employees, local law enforcement officers, prosecuting attorneys, educators, mental health center staff, and existing intake program managers. The administrative

judge may include other persons as desired such as: community corrections personnel, community service providers, alcohol and drug abuse services prevention center staff, city and county councilmen or commissioners, local planning council chairpersons and juvenile detention facility representatives.

5. *Existing Intake Programs:* Judicial districts which have existing juvenile intake and assessment programs are encouraged to build upon the existing organizations.

Judicial districts which have an intake program overseen by an advisory board, executive board, or a board of directors are not required to appoint a separate community team. The administrative judge may appoint the advisory board, executive board, or board of directors of the existing program as the district's juvenile intake and assessment community team.

6. *Mandatory Elements of a Community Plan:* Community plans shall:
 - a. Provide for use of a standardized assessment tool adopted by the Supreme Court for statewide implementation;
 - b. Provide for juvenile intake and assessment for any child taken into custody by law enforcement on a 24-hour per day basis;
 - c. Provide for the least restrictive placement, considering the safety of the child and the community and available community resources;
 - d. Provide for a mechanism to facilitate the exchange of information about the children served through the juvenile intake and assessment program among cooperating entities;
 - e. Provide for adherence to the criteria for the detention of juveniles in detention facilities set out in K.S.A. 38-1640 and amendments thereto; and

- f. Provide for the collection and submittal of data to the Office of Judicial Administration in a format approved by the judicial administrator to evaluate the effectiveness of the community plan for juvenile intake and assessment.
7. *Agreements Related to the Juvenile Intake and Assessment Plan:* All juvenile intake and assessment plans should incorporate the following types of agreements adapted to local conditions:
- a. An agreement among cooperating entities on which entity will administer and supervise juvenile intake and assessment procedures;
 - b. An agreement among cooperating entities on which entity has authority to make placement decisions;
 - c. An agreement with social and rehabilitation services staff concerning coordination during normal business hours and after business hours;
 - d. An agreement coordinating activities with any local or regional detention centers;
 - e. An agreement on which agency shall have responsibility for transporting youth from the intake site to the youth's placement, if the responsibility for transporting is not provided for by statute;
 - f. An agreement, given community resources, on local detention criteria;
 - g. An agreement regarding preadjudication procedures and services;

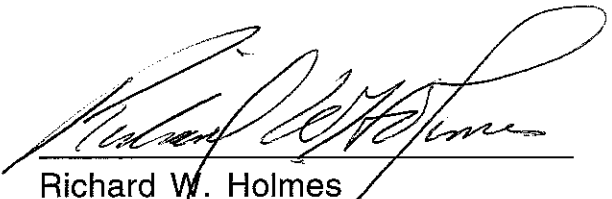
- h. An agreement establishing procedures for follow-up on referrals made to community services;
 - i. An agreement designating a limited number of appropriate intake sites and reasonable response times for intake workers; and
 - j. An agreement establishing procedures to insure assessment information for a particular child is transmitted to all appropriate entities as part of a referral for services or for court action.
8. *Local Court Rules:* District courts assuming responsibility for the administration of juvenile intake and assessment programs may promulgate local court rules governing operation of juvenile intake and assessment centers.

District rules shall not conflict with or supersede regulations set forth in this administrative order.

9. *Schedule for Implementation:* Training for community teams will be scheduled through the Office of Judicial Administration starting in February, 1995. The Office of Judicial Administration will establish a schedule for soliciting community grants and distribution of funds.
10. *Annual Certification and Program Standards:* The Supreme Court will promulgate standards for compliance with this administrative order and require annual certification of juvenile intake and assessment programs to document such compliance. The standards may include, but are not limited to, requirements pertaining to the certification of local juvenile intake and assessment programs by the judicial administrator and certification and training of juvenile intake and assessment workers by the local programs.

11. *Minimum Standards for Juvenile Intake Workers:* Juvenile intake and assessment workers shall meet the following minimum qualifications:
- a. Be at least 21 years of age;
 - b. Complete a written application to the local program;
 - c. Successfully complete a screening which includes a criminal history record investigation; and
 - d. Successfully complete training for juvenile intake and assessment workers which meets standards established by the Supreme Court.
12. *Grants for Community Juvenile Intake and Assessment Programs:* Award of a grant to fund a community juvenile intake and assessment program is contingent upon compliance with this administrative order. Grant applications for funding shall be submitted on a form approved by the judicial administrator.

BY ORDER OF THE COURT this 21st day of February 1995.


Richard W. Holmes
Chief Justice