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**BOARD OF JUVENILE JUSTICE
POLICIES IN EFFECT AS OF SEPTEMBER 2009**

Chapter 1 Directives System
01-001 **Board Policies and Standards**

The Board of Juvenile Justice is a policy board, as defined in § 2.2-2100 of the Code of Virginia. It is charged by law with adopting and monitoring regulations and policies for programs over which it has oversight, as provided in the Code of Virginia.

The Department shall assist the Board in development of policies shall review existing policies at least every four years and shall present the Board any recommended modifications that may be necessitated by changes in law, regulation, and practice. Enacted Board policies shall remain in effect, regardless of scheduled review dates, until the Board votes to adopt a new, retain the existing, adopt an amended, or rescind the existing policy.

The Department shall provide means for agency staff to be cognizant of such policies and may issue procedures, as needed, to implement Board policies. Policies shall be maintained in a format that is accessible to the public.

Effective Date: January 25, 1991 Amended: November 14, 2007

Chapter 2 Administrative, Organization, and Management
02-002 **Media Relations**

The Board of Juvenile Justice recognizes and affirms the public's right to be informed about the causes and consequences of delinquent behavior and the philosophy, programs, services, and activities of the Commonwealth's juvenile justice system and its component parts consistent with the statutory requirements to protect the confidentiality of individual juveniles in the system.

Recognizing that the communications media serve as important conduits for information to the public, the Board of Juvenile Justice is committed to maintaining a relationship of cooperation and mutual respect with the news media.

Further, it is the policy of the Board to encourage residential and non-residential programs in Virginia's juvenile justice system to properly and accurately communicate information to the news media, without compromising facility security or the confidentiality of individuals.

Effective Date: May 9, 1993 Amended: November 14, 2007

02-004 **Communication of Serious Incidents**

The effective and efficient operation of the Department and the Board depends on the expeditious communication of information on serious incidents. Incidents affecting the health and safety of citizens, persons under the Department's supervision, and staff must be reported by the operational unit involved with such incidents to the highest appropriate organizational level of the Department and the Board.

The Department shall assure that all units within the Department, and all facilities and programs regulated by this Board, report serious incidents in a timely manner. The Director or his designee shall advise the Board at its next meeting of any serious incidents that may result in litigation against the Department or which may require the Board to take action concerning a facility or program it regulates.

Effective Date: February 14, 1991

Amended:

September 9, 2009

02-006

Applications for Federal Funds

Code of Virginia § 66-10 gives the Board the power and the duty “3. To review and comment ... on all applications [by the Department] for federal funds.”

It is the policy of the Board of Juvenile Justice to encourage the Department to coordinate funding from all sources, federal, state, and private, so as to gain the greatest possible benefit from the available resources.

The Department shall inform the Board of all initial applications for federal funds, including grants (whether received directly from a federal agency or administered by another entity, or jointly applied for with other state agencies) and payments from the federal government under such programs. When the timeframes in the application process permit, the Board shall be notified before the application is made, and the Board’s comments may be included in the application materials as appropriate. When the timeframes of the application process do not permit prior notification to the Board, the Department shall inform the Board as soon as practical of its application for federal funds, the purpose in seeking the funds, and the status of the application.

The Department shall report to the Board at least annually on its multi-year grant-funded projects or applications for federal funds.

Effective Date:

August 26, 1991

Amended:

November 14, 2007

02-016

Cooperation with Federal, State, and Local Officials

The Department shall ensure that personnel in all its facilities and programs cooperate fully with federal, state, and local legislative and executive bodies. Designated staff shall respond promptly to requests for information about programs and operations or about specific youth from federal, state, and local legislators, executives, and other constituents of juvenile justice with due regard to privacy protection statutes.

Effective Date:

April 1, 1993

Amended:

November 14, 2007

02-024

Collaboration with Colleges and Universities

The Board recognizes that institutions of higher education offer opportunities for research, student internships, academic coursework for Department employees, and assistance with seminars and conferences—all of which can enhance the services offered to youth and their families.

The Department and its organizational units are encouraged to collaborate with colleges, universities, and other institutions of higher learning in programs and projects of mutual concern.

Effective Date:

May 1, 1994

Amended:

January 9, 2008

Chapter 3

03-007

Quality Assurance

Internal Audit Function

The Department shall develop an Internal Audit Unit to assist management in the effective discharge of its responsibilities. The Internal Auditor shall independently appraise, examine, and evaluate Department activities in order to assess the adequacy and effectiveness of

controls and review the quality of performance in achieving the Department's objectives and goals.

Effective Date: February 1, 1993 Amended: January 9, 2008

Chapter 4
04-111 **Financial Management**
Fees for Psychological Services

The Director annually shall publish an amount, set aside from funds appropriated in the general appropriation act for the Department, from which payments shall be made for reimbursement of the costs for a juvenile's psychological examination ordered by a court pursuant to §16.1-275 of the Code of Virginia when the person responsible for the support of the juvenile is determined by the court to be unable to pay for the costs of such examination. The Department shall not be required to pay for such psychological examinations when the amount set aside for this purpose has been exhausted.

The Department shall recommend a uniform statewide reimbursement fee schedule for approval by the Board every four years.

Effective Date: July 15, 1994 Amended: June 11, 2008

Chapter 5
05-005 **Human Resources Management**
Employee Drug Screening

To promote the safety of staff and youth in Department programs and to enhance security in Department facilities, the Department shall promote a work environment free of the adverse affects of alcohol and other drugs. The Department shall provide for urine drug screening for staff, volunteers, and contract personnel who have direct contact with probationers, juveniles, and parolees.

All staff shall be provided with a copy of the Departments drug screening procedures including a list of positions subject to the drug screening, provisions for pre-employment screening of selected candidates for employment and random in-service screening of subject employees, provisions for staff seeking assistance in dealing with a substance abuse problem, and safeguards for individual privacy and confidentiality.

Effective Date: March 12, 1992 Amended: June 11, 2008

05-009 **Code of Ethics and Code of Conduct**

To protect the integrity of its personnel, programs, and facilities, the Department shall promulgate a written code of ethics outlining broad principles to guide the actions of employees in Department programs and facilities. In addition, the Department shall promulgate an enforceable code of conduct that identifies specific actions or behaviors that are prohibited to employees in its programs and facilities. In keeping with nationally recognized standards, the code of ethics or the code of conduct, or both, shall, in addition to any other provisions, prohibit employees from using their official positions to secure privileges or advantages for themselves and others and from engaging in activities that constitute a conflict of interest. The code of ethics and the code of conduct shall be made available to all employees in the Department's programs and facilities.

Effective Date: May 9, 1993 Amended: June 11, 2008

Chapter 6 Human Resource Development and Training

Chapter 7 Research, Planning, and Management Information Systems

Chapter 8 Records Management

Chapter 9 Client Contract Management

Chapter 10 Interagency Agreements and Coordination

Chapter 11 Reserved

Chapter 12 Health Services
12-001 Health Care Service

Each facility shall timely provide health care services that promote the well being of and are appropriate to meet the medical needs of all juveniles. Such services shall be provided in accordance with applicable statutes and regulations, prevailing community standards, and medical ethics.

In compliance with all state and federal laws and regulations and professional medical standards, the Department shall develop and implement health care procedures for the following areas:

- | | |
|--|--|
| Health Care Authority and Autonomy | Emergency Health Care Services |
| Responsible Agency | Hospitalizations |
| Health Care Insurance | Medical Management of Substance Abuse |
| Adequate Staff and Resources | Pregnancy |
| Health Care Screenings and Examinations | Orthodontic Treatment |
| Immunizations | Prescribing and Administrating Medications |
| Treatment Plans | Elective Health Procedures |
| Standing Orders/Protocols/Direct Orders | Medical Treatment of Staff |
| Access to Health Care Services | Informed Consent |
| Sick Call | Notification of Parents or Guardians |
| First Aid Kits | Health Care Records |
| Statistical and Environment Reporting | Confidentiality of Health Information |
| Licensure and Certification of Health Care Personnel | |
| Cardiopulmonary Resuscitation & First Aid Training | |

Health care services shall include medical, dental, orthodontic, mental health, family planning, obstetrical, gynecological, health education, and other ancillary services.

Effective date: March 12, 1992 Amended: January 14, 2009

12-002 Health Authority and Responsibility

Each facility shall have a designated health care authority responsible for organizing, planning, monitoring, and assuring quality, accessible, and timely health services for all residents. Staff shall refer any resident with any condition suspected of requiring health care services for treatment. Clinical judgments are solely the responsibility of appropriate health care personnel.

Effective date: March 12, 1992 Amended: January 14, 2009

12-003

Health Care Screenings and Evaluations

All residents shall undergo a health care screening, performed by health-trained or qualified health care personnel, upon admission at the Reception and Diagnostic Center and upon arrival at a facility after an intra-system transfer. Health care screenings shall include a review of the residents, medical, dental, and mental health history and status.

Upon admission at the Reception and Diagnostic Center, all residents shall undergo a physical and dental examination, unless exempted by the responsible physician on the basis of a sufficiently recent full medical examination. Each resident's immunizations shall be updated, except when the resident qualifies for an exemption under state or federal law. Upon completion of the examination of the resident, a plan of care shall be developed appropriate to the findings. The resident shall receive preventative and follow-up health care services, including the gynecological assessment of females, as ordered by clinicians and/or in accordance with the resident's established plan of care.

Within 30 days prior to release, all residents shall undergo a full medical examination, unless exempted by the responsible physician on the basis of a sufficiently recent full medical examination.

Effective date: April 9, 1992

Amended: January 14, 2009

12-004

Access to Health Care Services

All residents shall have unimpeded access to request health care services. Information about the availability of and access to health care services shall be communicated, orally and in writing, to residents upon their arrival at the facility.

Requests for health care services shall be monitored and responded to daily by qualified healthcare staff and referred to a physician when necessary. Physician-directed sick call shall be provided timely, in accordance with applicable national frequency standards, and in a clinical setting by qualified health care professionals. Thereafter, a plan of care shall be developed appropriate to the findings.

The resident shall receive preventative and follow-up health care services, including the gynecological assessment of females, as ordered by clinicians and/or in accordance with the resident's established plan of care.

Effective date: January 14, 2009

12-005

Right to Refuse Treatment

Each resident may refuse specific health care evaluations and treatment in accordance with applicable state and federal laws.

Effective date: January 14, 2009

12-006

Special Health Care Needs

Each facility shall implement a proactive program that provides appropriate health care for residents who require close medical supervision or multidisciplinary care. All residents with special health care needs shall have a written treatment plan, developed by the appropriate physician, dentist, or qualified mental health practitioner, with directions for health care personnel and other staff regarding their roles in the care and supervision of the resident. Arrangements shall be made to provide hospitalization and specialty care to residents in need of such services.

Chronic Disease Program: A chronic disease program with the goal of decreasing the frequency and severity of symptoms, including preventing disease progression and fostering improvement in functioning, shall be provided for residents with chronic diseases.

Substance Abuse: Clinical management shall be provided for residents who are under the influence of alcohol or other drugs or those going through withdrawal. Detoxification of any residents who are chemically dependant shall be performed under medical supervision.

Family Planning: Comprehensive family planning services shall be provided or made available, as needed, in accordance with state law. Pregnant juveniles shall receive timely and appropriate prenatal care, high risk obstetrical services, when indicated, and postpartum care.

Orthoses/Prostheses: Medical or dental orthoses, prostheses, and other aids to impairment shall be supplied in a timely manner when the health of the resident would otherwise be adversely affected, as determined by the responsible physician or dentist, and when a significant portion of the prosthetic or orthodontic treatment can reasonably be expected to be completed during the time the resident is in direct care.

Medications: Pharmaceuticals shall be provided in a timely, safe, and sufficient manner. Psychotropic medications shall be prescribed only when clinically indicated as part of a program of therapy.

Discharge Planning: Discharge planning shall be provided for residents with serious health care needs whose release is imminent.

Effective date: January 14, 2009

12-007

Emergency Health Care Services

Each facility shall provide for 24-hour emergency medical, mental health, and dental services. Each facility's written emergency management plan shall address medical emergencies and accommodating residents with special health care needs in the event of an emergency. The plan shall be reviewed annually and updated as necessary.

Health care staff shall be prepared to implement the health care aspects of the facility's emergency management plan. Also, facility personnel shall be trained to respond to health care emergencies as dictated by national standards. Health care and facility personnel shall cooperate to ensure that all procedures may be implemented to ensure an appropriate level of necessary security which minimally impedes the emergency transportation of residents.

Effective date: January 14, 2009

12-008

Health Care Records

Confidentiality: Health care records shall be maintained for each resident. All health care records shall be confidential and maintained in accordance with all applicable state and federal laws and regulations. All health care records shall be used in a manner which promotes a safe treatment environment, encourages the resident's subsequent use of health care services, and maximizes the success of treatment.

Juvenile Access: Residents shall have unimpeded access to their medical information. However, the Department may withhold from inspection, in accordance with applicable state laws and regulations, that portion of the records determined to be detrimental to the resident.

Effective date: January 14, 2009

12-009 **Statistical and Environmental Reporting**

Each facility's designated health care authority shall meet with the facility superintendent at least quarterly and shall submit, to the Department's Health Administrator and the facility superintendent, monthly statistical summaries, quarterly reports, and annual statistical summaries on the health care delivery system and health environment. The superintendent and administrative staff shall be updated annually on health care related procedures that require their attention.

Effective date: January 14, 2009

Chapter 13 Food Services

Chapter 14 Maintenance and Sanitation Services

Chapter 15 Volunteer Services

Chapter 16 Emergency Preparedness

Chapter 17 Juvenile Rights

17-001 **Summary of Residents' Rights**

The Department shall ensure the safety and dignity of individuals committed to its care or to its temporary custody by observing, upholding, and enforcing the basic rights of residents guaranteed in laws relating to individual rights and under the United States Constitution, the Constitution of Virginia, and federal and state statutes and regulations. Staff in facilities regulated by the Board shall respect and protect all such rights. These rights shall not be diminished or denied for disciplinary reasons.

Effective Date: December 20, 1992 Amended: September 9, 2009

17-001.1 **Language Assistance Services**

The Department shall take reasonable steps to ensure that individuals with limited English proficiency or with a hearing impairment have meaningful access to the programs, services, and information provided by the Department.

The Department, as needed, shall arrange and provide language assistance to a juvenile or his parent(s) or legal guardian(s) in a timely manner at no cost to the juvenile or his parent or legal guardian, to enable individuals to effectively communicate their issues, concerns, and questions, as well as comprehend the Department's policies, procedures, and programs.

Effective Date: January 9, 2008 Amended: January 9, 2008

17-003 **Due Process in Transfer to More Restrictive Program or Facility**

Due process safeguards shall be provided for residents prior to their transfer to a more restrictive unit, program, or facility while in direct care. In the case of emergency transfers, such safeguards shall be initiated immediately after transfer. The resident's treatment needs shall be considered in the decision to transfer the resident.

Effective Date: September 9, 1993 Amended: September 9, 2009

Chapter 18 Security
18-001

Crisis Intervention and Use of Force

When applicable to the duties and responsibilities of a position, staff shall be trained in appropriate crisis prevention and intervention techniques and the use of physical force. Crisis prevention and intervention techniques may be used to control residents whose behavior poses a risk to the safety of the resident or others. Physical force may be used only as a last resort, as appropriate for the level of risk, shall not be used as punishment or with intent to inflict injury, and shall be utilized in accordance with Department procedures. Staff may use only the least force as they deem reasonable to be necessary to eliminate the imminent risk to the safety of persons or to maintain security and order.

The Department's procedures and training shall ensure compliance with applicable laws and regulations.

Effective Date: June 11, 1992 Amended: November 12, 2008

18-002 **Use of Mechanical Restraints**

Mechanical restraints may only be used in facilities that have received prior approval from the Board. When used, mechanical restraints shall be employed only as a temporary means of controlling residents whose behavior poses a demonstrable threat to the safety of the resident or others, to the security or order of the facility, or for preventing escapes while youth are in non-secure areas. Mechanical restraints shall not be applied as punishment and shall be applied only for the absolute minimum time necessary to ensure safety and security.

Effective Date: June 11, 1992 Amended: November 12, 2008

18-004 **Firearms, Stun Guns, and Other Weapons**

The possession, use, and storage of weapons are prohibited in facilities or on the property of facilities operated by or under contract with the Department except when specifically authorized by statutes or regulations or as designated in Department procedure.

Effective Date: June 11, 1992 Amended: September 9, 2009

18-005 **Chemical Agents**

Staff are prohibited from using chemical agents in facilities regulated by the Board.

Effective Date: October 1, 1995 Amended: November 12, 2008

Chapter 19 Case Management

19-002 **Classification of Committed Youth**

The Department shall utilize an objective classification system that will enable staff to assess residents' appropriate security and custody levels, determine the most appropriate services and programs for all residents, assign residents to appropriate housing placements within a facility or institution, and assess residents for placement in community transition programs and for special needs. The classification system shall provide for periodic reviews of security,

custody, and program placement in light of residents' needs and progress and for the re-classification of residents as appropriate.

Effective Date: December 20, 1992 Amended: September 9, 2009

Chapter 20 Programs and Services
20-001 Treatment Programs and Services

The Department shall make available to residents in direct care(1) mental health treatment and crisis intervention and (2) a range of programs and services, as applicable and appropriate to the residents' individual treatment needs.

Such treatment resources shall be implemented with the goal of addressing individual needs and reducing the risk of re-offending and shall include, but shall not be limited to, a continuum of programs and services for the treatment of:

- (1) Committed juvenile sex offenders;
- (2) Residents identified with substance abuse problems; and
- (3) Residents identified with aggression management problems.

To guide the Department in the development and administration of its sex offender, substance abuse, and aggression management treatment programs and services, the Director or his designee shall establish a committee or committees to ensure that quality programs and services are accessible to residents and that such programs are consistently applied across all facilities and to provide quality control for, oversight of, and recommendations for these treatment programs.

The Board encourages the use of evidence-based approaches and practices to support the identification and implementation of such treatment modalities.

Effective Date: February 1, 1993 Amended: September 9, 2009

20-002 Alternatives to Incarceration

The Board of Juvenile Justice actively encourages alternative methodologies to incarceration or residential placement consistent with maintaining the welfare of the juvenile and the assurance of public safety. Alternative methodologies, such as electronic monitoring, may be used to supplement traditional forms of court-authorized supervision in a variety of situations including as an alternative to pre-dispositional detention, a supplement to post-dispositional community supervision, and as part of parole supervision or placement of youth.

Effective Date: April 9, 1992 Amended: September 9, 2009

20-100 All Residential Facilities

20-105 Graduated Community Reentry

The Department shall have the ability to promote activities which would ease residents' transition from a structured setting to less structured settings, give residents access to services and programs not otherwise available, and provide an incentive in behavior management programs.

Effective Date: August 26, 1991 Amended: September 17, 2008

20-106

Behavior Management

The Department shall develop procedures and practices that will reward the positive behavior of individual residents in facilities operated by or under contract with the Department and encourage residents who behave negatively to correct their behavior.

Effective Date: February 1, 1993 Amended: September 9, 2009

20-107

Tobacco Products

Facilities regulated by the Board shall not permit residents to use, possess, purchase, or distribute any tobacco product on facility property. Staff of and visitors to any such facility shall not use any tobacco products where residents may see or smell the tobacco product.

Effective Date: May 13, 1993 Amended: September 17, 2008

20-112

Resident Programming Input

To help juveniles assume greater responsibility and develop social and leadership skills, each community residential facility and each juvenile residential facility operated by or under contract with the Department, except RDC and those facilities that are military-style boot camps, shall provide a means for juveniles to have input into planning, problem-solving, and decision-making in areas of the residential program that may affect their lives. In each facility a youth advisory committee, representative of the facility's juvenile population, shall meet monthly and operate under established bylaws.

Effective Date: December 1, 1993 Amended: November 12, 2008

20-200 State Juvenile Correctional Centers

20-300 Community Residential Facilities

20-301

Employment of Residents in Community Residential Facilities

The Department shall assist residents in community residential facilities find and maintain employment. The Department should work through collaborative partnerships with state and local agencies and programs, as well as with private sector resources and employers, to accomplish this goal..

Effective Date: February 1, 1993 Amended: June 10, 2009

20-400 Court Service Units

20-500 Probation and Aftercare

20-504

Termination of Probation

Consistent with Department procedures and in collaboration with the courts, each court service unit shall develop a process for early termination of probation supervision when supervision is no longer warranted by the circumstances of the case to protect the community and to meet the juvenile's needs.

Effective Date: May 1, 1994 Amended: April 8, 2009

