

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 68
Judiciary I Committee Substitute Adopted 3/28/01
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Judiciary II Committee Substitute #2 Adopted 4/24/01

Short Title: Criminal Justice Standards Commission Change.

(Public)

Sponsors:

Referred to:

February 6, 2001

A BILL TO BE ENTITLED

1
2 AN ACT TO MAKE CHANGES TO THE MEMBERSHIP OF THE NORTH
3 CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING
4 STANDARDS COMMISSION, TO CLARIFY THE ENFORCEMENT POWERS
5 OF THE COMMISSION, TO REPEAL THE REMOVAL OF THE DEPARTMENT
6 OF CORRECTION FROM THE COMMISSION, AS RECOMMENDED BY THE
7 JOINT LEGISLATIVE CORRECTIONS AND CRIME CONTROL OVERSIGHT
8 COMMITTEE, AND TO MAKE CONFORMING CHANGES FOR THE
9 DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** G.S. 7B-1501 reads as rewritten:

12 **"§ 7B-1501. Definitions.**

13 In this Subchapter, unless the context clearly requires otherwise, the following
14 words have the listed meanings:

- 15 (1) Chief court counselor. – The person responsible for administration and
16 supervision of juvenile intake, probation, and post-release supervision
17 in each judicial district, operating under the supervision of the
18 Department of Juvenile Justice and Delinquency Prevention.
- 19 (2) Clerk. – Any clerk of superior court, acting clerk, or assistant or
20 deputy clerk.
- 21 (3) Community-based program. – A program providing nonresidential or
22 residential treatment to a juvenile under the jurisdiction of the juvenile
23 court in the community where the juvenile's family lives. A
24 community-based program may include specialized foster care, family
25 counseling, shelter care, and other appropriate treatment.
- 26 (4) Court. – The district court division of the General Court of Justice.

- 1 (5) ~~Court counselor. — A person responsible for probation and post release~~
2 ~~supervision to juveniles under the supervision of the chief court~~
3 ~~counselor.~~
- 4 (6) Custodian. — The person or agency that has been awarded legal
5 custody of a juvenile by a court.
- 6 (7) Delinquent juvenile. — Any juvenile who, while less than 16 years of
7 age but at least 6 years of age, commits a crime or infraction under
8 State law or under an ordinance of local government, including
9 violation of the motor vehicle laws.
- 10 (7a) Department. — The Department of Juvenile Justice and Delinquency
11 Prevention created under Article 12 of Chapter 143B of the General
12 Statutes.
- 13 (8) Detention. — The secure confinement of a juvenile under a court order.
- 14 (9) Detention facility. — A facility approved to provide secure confinement
15 and care for juveniles. Detention facilities include both State and
16 locally administered detention homes, centers, and facilities.
- 17 (10) District. — Any district court district as established by G.S. 7A-133.
- 18 (11) Holdover facility. — A place in a jail which has been approved by the
19 Department of Health and Human Services as meeting the State
20 standards for detention as required in G.S. 153A-221 providing close
21 supervision where the juvenile cannot converse with, see, or be seen
22 by the adult population.
- 23 (12) House arrest. — A requirement that the juvenile remain at the juvenile's
24 residence unless the court or the juvenile court counselor authorizes
25 the juvenile to leave for specific purposes.
- 26 ~~(13) Intake counselor. — A person who screens and evaluates a complaint~~
27 ~~alleging that a juvenile is delinquent or undisciplined to determine~~
28 ~~whether the complaint should be filed as a petition.~~
- 29 (13) Intake. — The process of screening and evaluating a complaint alleging
30 that a juvenile is delinquent or undisciplined to determine whether the
31 complaint should be filed as a petition.
- 32 (14) Interstate Compact on Juveniles. — An agreement ratified by 50 states
33 and the District of Columbia providing a formal means of returning a
34 juvenile, who is an absconder, escapee, or runaway, to the juvenile's
35 home state, and codified in Article 28 of this Chapter.
- 36 (15) Judge. — Any district court judge.
- 37 (16) Judicial district. — Any district court district as established by G.S.
38 7A-133.
- 39 (17) Juvenile. — Except as provided in subdivisions (7) and (27) of this
40 section, any person who has not reached the person's eighteenth
41 birthday and is not married, emancipated, or a member of the armed
42 forces of the United States. Wherever the term "juvenile" is used with

- 1 reference to rights and privileges, that term encompasses the attorney
2 for the juvenile as well.
- 3 (18) Juvenile court. – Any district court exercising jurisdiction under this
4 Chapter.
- 5 (18a) Juvenile Court Counselor. – A person responsible for intake services
6 and court supervision services to juveniles under the supervision of the
7 chief court counselor.
- 8 (19) Repealed by Session Laws 2000, c. 137, s. 2.
- 9 (20) Petitioner. – The individual who initiates court action by the filing of a
10 petition or a motion for review alleging the matter for adjudication.
- 11 (21) Post-release supervision. – The supervision of a juvenile who has been
12 returned to the community after having been committed to the
13 Department for placement in a training school.
- 14 (22) Probation. – The status of a juvenile who has been adjudicated
15 delinquent, is subject to specified conditions under the supervision of a
16 court counselor, and may be returned to the court for violation of those
17 conditions during the period of probation.
- 18 (23) Prosecutor. – The district attorney or assistant district attorney
19 assigned by the district attorney to juvenile proceedings.
- 20 (24) Protective supervision. – The status of a juvenile who has been
21 adjudicated undisciplined and is under the supervision of a court
22 counselor.
- 23 (25) Teen court program. – A community resource for the diversion of
24 cases in which a juvenile has allegedly committed certain offenses for
25 hearing by a jury of the juvenile's peers, which may assign the juvenile
26 to counseling, restitution, curfews, community service, or other
27 rehabilitative measures.
- 28 (26) Training school. – A secure residential facility authorized to provide
29 long-term treatment, education, and rehabilitative services for
30 delinquent juveniles committed by the court to the Department.
- 31 (27) Undisciplined juvenile. –
- 32 a. A juvenile who, while less than 16 years of age but at least 6
33 years of age, is unlawfully absent from school; or is regularly
34 disobedient to and beyond the disciplinary control of the
35 juvenile's parent, guardian, or custodian; or is regularly found in
36 places where it is unlawful for a juvenile to be; or has run away
37 from home for a period of more than 24 hours; or
- 38 b. A juvenile who is 16 or 17 years of age and who is regularly
39 disobedient to and beyond the disciplinary control of the
40 juvenile's parent, guardian, or custodian; or is regularly found in
41 places where it is unlawful for a juvenile to be; or has run away
42 from home for a period of more than 24 hours.

1 (28) Wilderness program. – A rehabilitative residential treatment program
2 in a rural or outdoor setting.

3 The singular includes the plural, unless otherwise specified."

4 **SECTION 2.** G.S. 17C-2(3) reads as rewritten:

5 "(3) Criminal justice officers. – The administrative and subordinate
6 personnel of all the departments, agencies, units or entities comprising
7 the criminal justice agencies who are sworn law-enforcement officers,
8 both State and local, with the power of arrest; ~~revenue law~~
9 ~~enforcement~~ officers; State correctional officers; State
10 probation/parole officers; State probation/parole officers-surveillance;
11 officers, supervisory and administrative personnel of local
12 confinement facilities; ~~State youth services officers; State~~
13 ~~probation/parole intake officers; State probation/parole officers-~~
14 ~~surveillance; State probation/parole intensive officers; and State parole~~
15 ~~ease analysts.~~ State juvenile justice officers; chief court counselors;
16 and juvenile court counselors."

17 **SECTION 3.** G.S. 17C-3 reads as rewritten:

18 "(a) There is established the North Carolina Criminal Justice Education and
19 Training Standards Commission, hereinafter called 'the Commission.' The Commission
20 shall be composed of ~~26~~ 32 members as follows:

21 (1) Police Chiefs. – Three police chiefs selected by the North Carolina
22 Association of Chiefs of Police and one police chief appointed by the
23 Governor.

24 (2) Police Officers. – Three police officials appointed by the North
25 Carolina Police Executives Association and two criminal justice
26 officers certified by the Commission as selected by the North Carolina
27 Law-Enforcement Officers' Association.

28 (3) Departments. – The Attorney General of the State of North Carolina;
29 the Secretary of the Department of Crime Control and Public Safety;
30 the Secretary of the Department of Correction; the President of the
31 ~~North Carolina System of Community Colleges.~~ North Carolina
32 Community Colleges System; the Secretary of the Department of
33 Juvenile Justice and Delinquency Prevention.

34 ~~(3a) A representative of the Office of Juvenile Justice.~~

35 (4) At-large Groups. – One individual representing and appointed by each
36 of the following organizations: one mayor selected by the League of
37 Municipalities; one law-enforcement training officer selected by the
38 North Carolina Law-Enforcement Training Officers' Association; one
39 criminal justice professional selected by the North Carolina Criminal
40 Justice Association; one sworn law-enforcement officer selected by the
41 North State Law-Enforcement Officers' Association; one member
42 selected by the North Carolina Law-Enforcement Women's

1 Association; and one District Attorney selected by the North Carolina
2 Association of District Attorneys.

- 3 (5) Citizens and Others. – The President of The University of North
4 Carolina; the Director of the Institute of Government; and two citizens,
5 one of whom shall be selected by the Governor and one of whom shall
6 be selected by the Attorney General. The General Assembly shall
7 appoint ~~two~~ eight persons, ~~one~~ four upon the recommendation of the
8 Speaker of the House of Representatives and ~~one~~ four upon the
9 recommendation of the President Pro Tempore of the Senate. One of
10 the persons appointed upon the recommendation of the Speaker of the
11 House of Representatives and one of the persons appointed upon the
12 recommendation of the President Pro Tempore of the Senate shall be
13 correctional officers in management positions employed by the
14 Department of Correction. Appointments by the General Assembly
15 shall be made in accordance with G.S. 120-122. Appointments by the
16 General Assembly shall serve two-year terms to conclude on June 30th
17 in odd-numbered years.

18 (b) The members shall be appointed for staggered terms. The initial appointments
19 shall be made prior to September 1, 1983, and the appointees shall hold office until July
20 1 of the year in which their respective terms expire and until their successors are
21 appointed and qualified as provided hereafter:

22 For the terms of one year: one member from subdivision (1) of subsection (a),
23 serving as a police chief; three members from subdivision (2) of subsection (a), one
24 serving as a police official, and two criminal justice officers; one member from
25 subdivision (4) of subsection (a), appointed by the North Carolina Law-Enforcement
26 Training Officers' Association; and two members from subdivision (5) of subsection (a),
27 one appointed by the Governor and one appointed by the Attorney General.

28 For the terms of two years: one member from subdivision (1) of subsection (a),
29 serving as a police chief; one member from subdivision (2) of subsection (a), serving as
30 a police official; and two members from subdivision (4) of subsection (a), one appointed
31 by the League of Municipalities and one appointed by the North Carolina Association of
32 District Attorneys.

33 For the terms of three years: two members from subdivision (1) of subsection (a),
34 one police chief appointed by the North Carolina Association of Chiefs of Police and
35 one police chief appointed by the Governor; one member from subdivision (2) of
36 subsection (a), serving as a police official; and three members from subdivision (4) of
37 subsection (a), one appointed by the North Carolina Law-Enforcement Women's
38 Association, one appointed by the North Carolina Criminal Justice Association, and one
39 appointed by the North State Law-Enforcement Officers' Association.

40 Thereafter, as the term of each member expires, his successor shall be appointed for
41 a term of three years. Notwithstanding the appointments for a term of years, each
42 member shall serve at the will of the appointing authority.

1 The Attorney General, the Secretary of the Department of Crime Control and Public
2 Safety, the Secretary of the Department of Correction, the President of The University
3 of North Carolina, the Director of the Institute of Government, and the President of the
4 ~~Department of Community Colleges~~ North Carolina Community Colleges System, and
5 the Secretary of the Department of Juvenile Justice and Delinquency Prevention shall be
6 continuing members of the Commission during their tenure. These members of the
7 Commission shall serve ex officio and shall perform their duties on the Commission in
8 addition to the other duties of their offices. The ex officio members may elect to serve
9 personally at any or all meetings of the Commission or may designate, in writing, one
10 member of their respective office, department, university or agency to represent and
11 vote for them on the Commission at all meetings the ex officio members are unable to
12 attend.

13 Vacancies in the Commission occurring for any reason shall be filled, for the
14 unexpired term, by the authority making the original appointment of the person causing
15 the vacancy. A vacancy may be created by removal of a Commission member by
16 majority vote of the Commission for misconduct, incompetence, or neglect of duty. A
17 Commission member may be removed only pursuant to a hearing, after notice, at which
18 the member subject to removal has an opportunity to be heard."

19 **SECTION 4.** G.S. 17C-11 reads as rewritten:

20 "**§ 17C-11. Power of the Commission to seek injunction. Compliance; enforcement.**

21 (a) Any criminal justice officer who the Commission determines does not
22 comply with the provisions of this Chapter or any rules promulgated hereunder shall not
23 be authorized to exercise the powers of a criminal justice officer and shall not be
24 authorized to exercise the power of arrest unless such certification or deficiency has
25 been waived by the Commission. The Commission shall enforce the provisions of this
26 section by the entry of appropriate orders effective upon service on either the criminal
27 justice agency or the criminal justice officer.

28 (b) Any person who desires to appeal the proposed denial, suspension, or
29 revocation of any certification authorized to be issued by the Commission shall file a
30 written appeal with the Commission not later than 30 days following notice of denial,
31 suspension, or revocation.

32 (c) The Commission may appear in its own name and apply to courts having
33 jurisdiction for injunctions to prevent violations of this Chapter or of rules issued
34 pursuant thereto; specifically, the performance of criminal justice officer functions by
35 officers or individuals who are not in compliance with the standards and requirements
36 of G.S. 17C-6(a) and G.S. 17C-10. A single act of performance of a criminal justice
37 officer function by an officer or individual who is performing such function in violation
38 of this Chapter is sufficient, if shown, to invoke the injunctive relief of this section."

39 **SECTION 5.** G.S. 17E-9(a) reads as rewritten:

40 "(a) Any justice officer who the Commission determines does not comply with the
41 provisions of this Chapter or any rules promulgated hereunder shall not be authorized to
42 exercise the powers of a justice officer and shall not be authorized to exercise the power
43 of arrest unless such certification or deficiency has been waived by the Commission.

1 The Commission shall enforce the provisions of this section by the entry of appropriate
2 ~~orders. orders effective upon service on either the department or the justice officer.~~"

3 **SECTION 6.** Section 17.3 of S.L. 2000-67 is repealed.

4 **SECTION 7.** G.S. 143B-515 reads as rewritten:

5 **"§ 143B-515. Definitions.**

6 In this Article, unless the context clearly requires otherwise, the following words
7 have the listed meanings:

- 8 (1) Chief court counselor. – The person responsible for administration and
9 supervision of juvenile intake, probation, and post-release supervision
10 in each judicial district, operating under the supervision of the
11 Department of Juvenile Justice and Delinquency Prevention.
- 12 (2) Community-based program. – A program providing nonresidential or
13 residential treatment to a juvenile under the jurisdiction of the juvenile
14 court in the community where the juvenile's family lives. A
15 community-based program may include specialized foster care, family
16 counseling, shelter care, and other appropriate treatment.
- 17 (3) County Councils. – Juvenile Crime Prevention Councils created under
18 G.S. 143B-544.
- 19 (4) Court. – The district court division of the General Court of Justice.
- 20 (5) ~~Court counselor. – A person responsible for probation and post-release~~
21 ~~supervision to juveniles under the supervision of the chief court~~
22 ~~counselor.~~
- 23 (6) Custodian. – The person or agency that has been awarded legal
24 custody of a juvenile by a court.
- 25 (7) Delinquent juvenile. – Any juvenile who, while less than 16 years of
26 age but at least 6 years of age, commits a crime or infraction under
27 State law or under an ordinance of local government, including
28 violation of the motor vehicle laws.
- 29 (8) Department. – The Department of Juvenile Justice and Delinquency
30 Prevention.
- 31 (9) Detention. – The secure confinement of a juvenile under a court order.
- 32 (10) Detention facility. – A facility approved to provide secure confinement
33 and care for juveniles. Detention facilities include both State and
34 locally administered detention homes, centers, and facilities.
- 35 (11) District. – Any district court district as established by G.S. 7A-133.
- 36 (12) Judge. – Any district court judge.
- 37 (13) Judicial district. – Any district court district as established by G.S.
38 7A-133.
- 39 (14) Juvenile. – Except as provided in subdivisions (7) and (22) of this
40 section, any person who has not reached the person's eighteenth
41 birthday and is not married, emancipated, or a member of the armed
42 forces of the United States. Wherever the term "juvenile" is used with

1 reference to rights and privileges, that term encompasses the attorney
2 for the juvenile as well.

3 (15) Juvenile court. – Any district court exercising jurisdiction under this
4 Chapter.

5 (15a) Juvenile Court Counselor. – A person responsible for intake services
6 and court supervision services to juveniles under the supervision of the
7 chief court counselor.

8 (16) Post-release supervision. – The supervision of a juvenile who has been
9 returned to the community after having been committed to the
10 Department for placement in a training school.

11 (17) Probation. – The status of a juvenile who has been adjudicated
12 delinquent, is subject to specified conditions under the supervision of a
13 court counselor, and may be returned to the court for violation of those
14 conditions during the period of probation.

15 (18) Protective supervision. – The status of a juvenile who has been
16 adjudicated undisciplined and is under the supervision of a court
17 counselor.

18 (19) Secretary. – The Secretary of Juvenile Justice and Delinquency
19 Prevention.

20 (20) State Council. – The State Advisory Council on Juvenile Justice and
21 Delinquency Prevention established under G.S. 143B-556.

22 (21) Training school. – A secure residential facility authorized to provide
23 long-term treatment, education, and rehabilitative services for
24 delinquent juveniles committed by the court to the Department.

25 (22) Undisciplined juvenile. –

26 a. A juvenile who, while less than 16 years of age but at least 6
27 years of age, is unlawfully absent from school; or is regularly
28 disobedient to and beyond the disciplinary control of the
29 juvenile's parent, guardian, or custodian; or is regularly found in
30 places where it is unlawful for a juvenile to be; or has run away
31 from home for a period of more than 24 hours; or

32 b. A juvenile who is 16 or 17 years of age and who is regularly
33 disobedient to and beyond the disciplinary control of the
34 juvenile's parent, guardian, or custodian; or is regularly found in
35 places where it is unlawful for a juvenile to be; or has run away
36 from home for a period of more than 24 hours."

37 **SECTION 8.** G.S. 143B-516(b) reads as rewritten:

38 "(b) The Secretary shall have the following powers and duties:

39 (1) Give leadership to the implementation as appropriate of State policy
40 that requires that training schools be phased out as populations
41 diminish.

42 (2) Close a State training school when its operation is no longer justified
43 and transfer State funds appropriated for the operation of that training

1 school to fund community-based programs, to purchase care or
2 services for predelinquents, delinquents, or status offenders in
3 community-based or other appropriate programs, or to improve the
4 efficiency of existing training schools, provided the Advisory Budget
5 Commission reviews this action.

6 (3) Administer a sound admission or intake program for juvenile facilities,
7 including the requirement of a careful evaluation of the needs of each
8 juvenile prior to acceptance and placement.

9 (4) Operate juvenile facilities and implement programs that meet the needs
10 of juveniles receiving services and that assist them to become
11 productive, responsible citizens.

12 (5) Adopt rules to implement this Article and the responsibilities of the
13 Secretary and the Department under Chapter 7B of the General
14 Statutes. The Secretary may adopt rules applicable to local human
15 services agencies providing juvenile court and delinquency prevention
16 services for the purpose of program evaluation, fiscal audits, and
17 collection of third-party payments.

18 (6) Ensure a statewide and uniform system of juvenile intake, protective
19 supervision, probation, and post-release supervision services in all
20 district court districts of the State. The system shall provide
21 appropriate, adequate, and uniform services to all juveniles who are
22 alleged or found to be undisciplined or delinquent.

23 (7) Establish procedures for substance abuse testing for juveniles
24 adjudicated delinquent for substance abuse offenses.

25 (8) Plan, develop, and coordinate comprehensive multidisciplinary
26 services and programs statewide for the prevention of juvenile
27 delinquency, early intervention, and rehabilitation of juveniles.

28 (9) Develop standards, approve yearly program evaluations, and make
29 recommendations based on the evaluations to the General Assembly
30 concerning continuation funding.

31 (10) Collect expense data for every program operated and contracted by the
32 Department.

33 (11) Develop a formula for funding, on a matching basis, juvenile court and
34 delinquency prevention services as provided for in this Article. This
35 formula shall be based upon the county's or counties' relative ability to
36 fund community-based programs for juveniles.

37 Local governments receiving State matching funds for
38 programs under this Article must maintain the same overall level of
39 effort that existed at the time of the filing of the county assessment of
40 juvenile needs with the Department.

41 (12) Assist local governments and private service agencies in the
42 development of juvenile court services and delinquency prevention
43 services and provide information on the availability of potential

- 1 funding sources and assistance in making application for needed
2 funding.
- 3 (13) Assist the Criminal Justice Information Network Governing Board
4 with administering a comprehensive juvenile justice information
5 system to collect data and information about delinquent juveniles for
6 the purpose of developing treatment and intervention plans and
7 allowing reliable assessment and evaluation of the effectiveness of
8 rehabilitative and preventive services provided to delinquent juveniles.
- 9 (14) Coordinate State-level services in relation to delinquency prevention
10 and juvenile court services so that any citizen may go to one place in
11 State government to receive information about available juvenile
12 services.
- 13 (15) Appoint the chief court counselor in each district upon the
14 recommendation of the chief district court judge of that district.
- 15 (16) Develop a statewide plan for training and professional development of
16 chief court counselors, court counselors, and other personnel
17 responsible for the care, supervision, and treatment of juveniles. The
18 plan shall include attendance at appropriate professional meetings and
19 opportunities for educational leave for academic study.
- 20 (17) Study issues related to qualifications, salary ranges, appointment of
21 personnel on a merit basis, including chief court counselors, court
22 counselors, secretaries, and other appropriate personnel, at the State
23 and district levels in order to adopt appropriate policies and procedures
24 governing personnel.
- 25 (18) Designate persons, as necessary, as State juvenile justice officers, to
26 provide for the care and supervision of juveniles placed in the physical
27 custody of the Department."

28 **SECTION 9.** G.S. 143B-536 reads as rewritten:

29 **"§ 143B-536. Duties and powers of juvenile court counselors.**

30 As the court or the chief court counselor may direct or require, all juvenile court
31 counselors shall have the following powers and duties:

- 32 (1) Secure or arrange for any information concerning a case that the court
33 may require before, during, or after the hearing.
- 34 (2) Prepare written reports for the use of the court.
- 35 (3) Appear and testify at court hearings.
- 36 (4) Assume custody of a juvenile as authorized by G.S. 7B-1900, or when
37 directed by court order.
- 38 (5) Furnish each juvenile on probation or protective supervision and that
39 juvenile's parents, guardian, or custodian with a written statement of
40 the juvenile's conditions of probation or protective supervision, and
41 consult with the juvenile's parents, guardian, or custodian so that they
42 may help the juvenile comply with the conditions.

- 1 (6) Keep informed concerning the conduct and progress of any juvenile on
2 probation or under protective supervision through home visits or
3 conferences with the parents or guardian and in other ways.
4 (7) See that the juvenile complies with the conditions of probation or bring
5 to the attention of the court any juvenile who violates the juvenile's
6 probation.
7 (8) Make periodic reports to the court concerning the adjustment of any
8 juvenile on probation or under court supervision.
9 (9) Keep any records of the juvenile's work as the court may require.
10 (10) Account for all funds collected from juveniles.
11 (11) Serve necessary court documents pertaining to delinquent and
12 undisciplined juvenile matters.
13 (12) Assume custody of juveniles under the jurisdiction of the court when
14 necessary for the protection of the public or the juvenile, and when
15 necessary to carry out the responsibilities of court counselors under
16 this section and under Chapter 7B of the General Statutes.
17 (13) Use reasonable force and restraint necessary to secure custody
18 assumed under subdivision (12) of this section.
19 (14) Provide supervision for a juvenile transferred to the counselor's
20 supervision from another court or another state, and provide
21 supervision for any juvenile released from an institution operated by
22 the Department when requested by the Department to do so.
23 (15) Assist in the development of post-release supervision and the
24 supervision of juveniles.
25 (16) Screen and evaluate a complaint alleging that a juvenile is delinquent
26 or undisciplined to determine whether the complaint should be filed as
27 a petition.
28 (17) Have any other duties as the Department may direct.
29 ~~(16)~~ (18) Have any other duties as the court may direct."

30 **SECTION 10.** This act becomes effective June 30, 2001.