

Inter-County Transfer of Probation Supervision

Understanding the Statutory Procedures of the Texas Family Code



2008

Data Coordinator's Conference

Objective

To provide an overview of the laws and procedures regarding the Transfer of Probation Supervision Between Counties.



What is ICT?

ICT is a formal mechanism for transferring probation supervision and jurisdiction to another county.



The Six Basic ICT Steps. . .

1. A **CHILD** on probation **MOVES** to another county;
2. SC **NOTIFIES** RC about the child's move;
3. RC **ACCEPTS** child's case (unless basis to refuse);
4. SC **SENDS** required **DOCUMENTS** to RC;
5. RC **SUPERVISES** the child for **180 days**; and
6. Jurisdiction automatically **TRANSFERS** to **RC** after 180 days.



Applicability

Venue, Transfer of Disposition & ICT



When do the ICT procedures apply?

- *TFC §51.06 Venue*
 - Appropriate venue **not yet** determined;
 - Jurisdiction has **not** been exercised by any court.
- *§51.07 Transfer to Another County for Disposition*
 - **Out-of-county resident child** has already been adjudicated;
 - Special or **expensive dispositional needs**; and
 - Appropriate to dispose **consistent with** new county's **resources**.



When do the ICT procedures apply?

- *TFC §51.071-51.075 Transfer of Probation Supervision Between Counties*
 - Court adjudicates and disposes case of **resident** child;
 - Child **SUBSEQUENTLY** moves/intends to move; and
 - To ensure continuation of supervision and services.



Definitions

- **Sending County (SC)**
- **Receiving County (RC)**
- **Interim Supervision (IS)**
- **Permanent Supervision (PS)**
- **Inter-County Transfer Officer (ICT)**



Section 51.072

Interim Supervision



Snapshot of the Statute

Texas Family Code

- *Sec. 51.072 Interim Supervision*

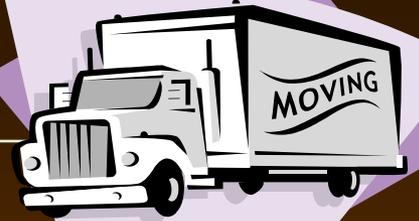
Establishes working definitions, transfer eligibility, procedures for initiating IS, time frames, related duties and required documentation.



Initiating the Process



The Child on Probation is Moving



Now What?

- Will the child reside in the new county for at least **60 days**?
- If **NO**, the child will continue under current supervision
- If **YES**, the dept. **MUST** initiate the process of inter-county transfer of supervision
- Department will determine the ICT Officer for the new county at www.tjpc.state.tx.us



Initiating a Request for Interim Supervision

Requesting Interim Supervision

- **Immediate request;**
- **Electronic mail to RC ICT Officer;**

Recommended forms:

- *Request to Initiate Interim Supervision*
[TJPC-ICT-03-06]
- *Child and Family Identifying Form*
[TJPC-ICT-04-06]



SAMPLE EMAIL
Request to Initiate Interim Supervision

Date: September 1, 2007

To: (Name and Email Address of ICT Officer)

TJPC-ICT-03-06

Subject: Request to (Receiving) County, Receiving County, to Provide Interim Supervision of (Child's Initials and D.O.B.)

Dear ICT Officer:

This electronic mail will initiate our request to (Receiving) County to provide interim supervision of a child under Texas Family Code Section 51.072 (d).

Provided in the attached document [**TJPC-ICT-04-06**] is the required identifying information regarding the above-referenced child currently under our jurisdiction who has moved or intends to move to your county with the intent to reside there for a period of at least 60 days.

Should your department agree to provide interim supervision of this child, our department will immediately, but not later than **ten (10) business days**, provide the documentation required to facilitate this transfer as set forth in Texas Family Code Section 51.072(f). Our records reflect that this child is not residing in your county as a result of a residential placement arranged by this county nor is the child in a Department of Family and Protective Services foster care

Child & Family Identifying Form

§51.072 (e) Texas Family Code



- **SC required to provide:**
 - Parent's Tel. # where child resides in RC
 - Child's Race (*Additional ID*)
 - School Info and Tel #

Expedites the Face-to-Face Meeting

- **To assist RC to quickly identify, locate and contact the child and parent in the new county of residence.**



Child & Family Identifying Information

Inter-County Transfer of Probation Supervision Child and Family Identifying Information

TJPC-ICT-04-06

TIP:

**This form is a
writable Microsoft
Word or Adobe
PDF document.
Tab between fields
to complete
electronically.**

to accompany an initial request for interim supervision pursuant to Section 51.072 (e) of the Texas Family Code. This form should be submitted to the Receiving County along with an email requesting interim supervision when a child moves or intends to move to and reside in the Receiving County. Please fill out this form in its entirety and email the request for interim supervision and the completed form to the Inter-County Transfer Officer (ICTO) in the Receiving County. A comprehensive list of ICT Officers can be accessed at the following website: www.tjpc.state.tx.us.

Date:	Disposition:
<input type="text"/>	<input type="text"/>

Statement of Special Needs: <input type="checkbox"/> Mental Health <input type="checkbox"/> Mental Retardation <input type="checkbox"/> Education <input type="checkbox"/> Substance Abuse <input type="checkbox"/> Sex Offender <input type="checkbox"/> Other Explain <input type="text"/>	Reason for Moving to Receiving County: <input type="checkbox"/> Change in Employment <input type="checkbox"/> Child Custody Change <input type="checkbox"/> Family Circumstances <input type="checkbox"/> Live with Relative <input type="checkbox"/> Other Explain <input type="text"/>	School Name: <input type="text"/> School Telephone: (<input type="text"/>) <input type="text"/> Other Important Information: <input type="text"/>
---	--	--

PARENT OR OTHER ELIGIBLE PERSON'S INFORMATION

Name of Person With Whom Child Will Reside:	Social Security Number:	Driver's License Number:	Date of Birth:
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Receiving County Duties After Notification

Receiving County Response (Refusal)

Respond Promptly;

Refuse only if:

- **Child is in a RC facility**
- **Child is in DFPS foster care**

Refusal is not mandatory;

Note: ICT is NOT required in multi-county JPDs.

Recommended form:

Refusal of Request for Interim Supervision [TJPC-ICT-06-06]

Receiving County Response (Acceptance)

Respond Promptly to SC;

Accept Interim Supervision;

Recommended form:

Acceptance of Request for Interim Supervision
[TJPC-ICT-05-06]



SAMPLE EMAIL

Refusal of Request for Interim Supervision

TJPC-ICT-06-06

Date: September 2, 2007

To: (Email Address of ICT Officer or CJPO)

Subject: (Receiving County Name)'s Refusal of Request for Interim Supervision of (Child's Initials and D.O.B.)

Dear ICT Officer:

This electronic mail will confirm our refusal of your request dated MM/DD/YYYY to provide interim supervision of a child under Texas Family Code Section 51.072 (d).

Pursuant to Section 51.072(b), our refusal is based upon the fact that our records reflect that this child is residing at (Name of Residential Placement Facility) in our county as a result of placement arrangements made by (Sending) county. Please note your file accordingly.

SAMPLE EMAIL

Acceptance of Request for Interim Supervision

Date: September 2, 2007

TJPC-ICT-05-06

To: <Email Address of ICT Officer or CJPO>

Subject: Acceptance by <Receiving County Name> of Interim Supervision of <child's initials and DOB>

Dear ICT Officer:

This electronic mail will confirm our conditional acceptance of your request dated MM/DD/YYYY to provide interim supervision of a child under Texas Family Code Section 51.072 (d). We also acknowledge receipt of the juvenile's identifying information [TJPC-ICT-04-06] forwarded with your initial request.

We ask that you provide promptly, but no later than ten (10) business days of this acceptance, all mandatory documentation required under Section 51.072(f). In order to finalize our acceptance and assure a smooth transfer of the case, please ensure that the child's transfer packet containing the mandatory documents, (e.g., legal petitions and orders, social history report, assessments, etc.) arrives at our office in one single mailing, if possible.

For your convenience, we have attached a copy of the *Child Transfer Packet Checklist*

Duties Upon Acceptance of Interim Supervision

Sending County Duties

Promptly, but no later than **10 business days** after acceptance by RC:

SC shall send the Child Transfer Packet

Recommended form:

*Child Transfer Packet Checklist
[TJPC-ICT-07-06]*



Interim Supervision Start Date

SC and RC must establish the IS official start date within **three (3) business days** of acceptance/receipt of packet.

--Document official start date in case files in both SC and RC

The start date is necessary to determine the date permanent supervision transfers.





TJPC-ICT-07-06

Inter-County Transfer of Probation Supervision CHILD TRANSFER PACKET CHECKLIST

This checklist details the supporting documentation required to facilitate an interim supervision transfer under Family Code Sections 51.072 (e) and (f). The statute requires the Sending County to forward immediately, but no later than **ten (10) business days** of the Receiving County's acceptance of interim supervision, copies of specific information relating to the child. All mandated and applicable documents should be sent in one complete Child Transfer Packet to the Receiving County's Inter-County Transfer Officer, if not previously provided in the initial request.

The Sending County shall provide the following up-to-date information. All **bolded items** are mandatory. If not provided, please explain.

IDENTIFYING DATA ON CHILD

- Name, sex, age, race, and date of birth*;**
- Birth certificate;**
- Social security number or copy of social security card, if available;

DPS TRACKING AND LAW ENFORCEMENT REPORTS

- Department of Public Safety (DPS) CR 43J form or tracking incident number;**
- Law enforcement Incident report on offense for which child is on probation, if any;

Modifications of Probation

- Upon initial receipt of Interim Supervision, the RC may request a modification of probation.
 - **EXCEPT** no changes to:
 - *Financial Conditions*
 - *Length of Probation Term*



Modifications of Probation

- Upon a violation of probation of the SC's original probation conditions:
 - SC or RC may issue a DTA or detain child in a certified detention center;
 - RC may modify child's probation condition or extend term;
 - RC must provided SC with written **supporting documentation** of violations;
 - RC may require SC to resume supervision;



Recommended form:

Directive to Resume Supervision [TJPC-ICT-08-06]



THIS FORM TO BE USED TO REQUIRE SENDING COUNTY TO RESUME SUPERVISION

TJPC-ICT-08-06

DIRECTIVE TO RESUME SUPERVISION OF A CHILD

TO: Joseph A. Probation
Inter-County Transfer Officer
(Sending) County Juvenile Probation Department

4900

Telep

Fax 0

EMA

RE: (Cause

(Name of Ju

engaged in delinquent

numbered and styled

On (Date of

[Select applicable alternate language]

ALTERNATE LANGUAGE under TFC 51.072(i) — VIOLATION OF CONDITIONS

Respondent's interim supervision period will expire on (Date Interim Supervision Expires).

This Court reasonably believes that Respondent has violated the terms and conditions of probation imposed by (Sending County).

ALTERNATE LANGUAGE under TFC 51.072(m-1) — CHILD HAS MOVED

Respondent's interim supervision period will expire on (Date Interim Supervision Expires).

This Court reasonably believes that Respondent has moved to another county of residence and is no longer in the Sending or Receiving County.

ALTERNATE LANGUAGE under TFC 51.074 (c) — VIOLATION OF DEFERRED

Respondent's interim supervision period will expire on (Date Interim Supervision Expires).

This Court reasonably believes that Respondent violated the terms and conditions of deferred prosecution agreement imposed by (Sending County).

Resuming Supervision in SC

- Upon receipt of Directive to Resume from RC, the SC:
 - Shall promptly arrange for transportation
 - Shall resume supervision
 - May modify the conditions of probation or extend term as needed
 - *But may not* revoke probation for a violation of a condition imposed by the RC



Revocations of Probation

Receiving County

May revoke probation for a violation of a condition of probation that RC modified or imposed

May NOT revoke for violation of SC condition

Sending County

Sending County may revoke probation for a violation of a condition imposed by its own court if:

The condition has not been modified or replaced by the RC juvenile court



Moving Again?



Child Moves During Interim Supervision

- Upon reasonable information that child has moved **prior** to expiration of IS;
- RC should send SC a Directive to Resume Supervision;
- RC can close out case.
- **Remember** – SC still has jurisdiction.

Recommended forms:

- *Directive to Resume Supervision*
[TJPC-ICT-08-06] See --Alternate language



Fees & Financial Responsibility

- **RC collects** and keeps probation **supervision fees** during IS
- **RC to collect** and distributes **restitution payments** during IS
- SC is financially responsible for **special treatment programs or placements** that SC requires as a condition of probation if family is unable to pay



90-Day Progress Report

- RC shall provide SC with Progress Report at least once every **90 calendar days** during the period of IS
 - **90-day Progress Report** and
 - **Prior to expiration of 180 days**
- *Recommended form:*
 - *Interim Supervision 90-Day Progress Report to Sending County*
[TJPC-ICT-14-06]



Inter-County Transfer of Probation Supervision Interim Supervision 90-Day Progress Report to Sending County

Texas Family Code Section 51.072(o) requires that at least once every 90 calendar days during the period of interim supervision, the juvenile probation department of the Receiving County shall provide the juvenile probation department of the Sending County with a progress report of supervision concerning the child. This report format may be used to satisfy this statutory mandate. This form should be completed in its entirety by the Receiving County and transmitted to the Sending County in a timely manner. The report may be completed by the Supervising Probation Officer in the Receiving County, but should ultimately be sent by the Inter-County Transfer Officer to the Sending County. The Inter-County Transfer Officer should ensure the report is prepared and sent in a timely manner.

TIP:		SENDING COUNTY INFORMATION	
To:	<input type="text"/>	Title:	<input type="checkbox"/> Inter-County Transfer Officer
E-Mail Address:	<input type="text"/>	Telephone:	(<input type="text"/>) <input type="text"/>
RECEIVING COUNTY INFORMATION			
From:	<input type="text"/>	Title:	<input type="checkbox"/> Inter-County Transfer Officer
E-Mail Address:	<input type="text"/>	Telephone:	(<input type="text"/>) <input type="text"/>
CHILD AND FAMILY INFORMATION			
Name of Child:	<input type="text"/>	Date of Birth:	<input type="text"/>
	<input type="text"/>	Cause Number:	<input type="text"/>
Offense(s) for Which Child is Currently on Probation:		Probation Term:	
<input type="text"/>		From <input type="text"/> To <input type="text"/>	
Child and Family Have Relocated Within Receiving County: <input type="checkbox"/> Yes <input type="checkbox"/> No		Child and/or Family Have Experienced New Problems/Issues: <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, Provide New Contact Information:		If Yes, please explain:	
<input type="text"/>		<input type="text"/>	

TJPC-ICT-14-06

PROGRESS OF CHILD DURING INTERIM SUPERVISION

Case Plans and Case Plan Reviews



Case plans are required to be sent to the RC to finalize acceptance of IS.

Sending County

- **REQUIRED** - If **60 days or more** have elapsed since recent disposition date.
- **NOT REQUIRED** - If recent disposition date is **LESS than 60 days** from *IS request*.
- **Case plan review** is not required if *IS request* occurred less than **180 days** from the most recent disposition date.



Case Plans and Case Plan Reviews



Receiving County

- Complete case plan review not later than **30 calendar days** from first official intake meeting.
- Complete not later than **30 calendar days** from official intake if SC not required or fails to provide.



Section 51.073

Permanent Supervision



Snapshot of the Statute

Texas Family Code

- *Sec. 51.073 Permanent Supervision*

Outlines the procedural steps for finalizing PS jurisdictional transfer from SC to RC.



Permanent Supervision



By Request

At any time **PRIOR** to the expiration of IS, the RC may request the early transfer of PS

Recommended form:

Request to Transfer Permanent Supervision
[TJPC-ICT-09-06]

RC ICT Officer completes form and sends to SC ICT Officer

By Request

Request should be presented to SC juvenile court

Order should be signed for entry by SC juvenile court and **PROMPTLY** sent to RC

Recommended pleading:

Order to Transfer Permanent Supervision by Request
[TJPC-ICT-10-06]

**THIS FORM TO BE USED TO REQUEST
EARLY TRANSFER OF PERMANENT SUPERVISION**

TJPC-ICT-09-06

TO: Joseph A. Probation
Inter-County Transfer Officer
Any County Juvenile Probation Department
4900 North Street, Any Town, Texas 77777
Telephone 000-000-0000
Fax 000-000-0000
EMAIL: itc.officer@any.email.provider.com

FROM: Jacqueline N. Detention
Inter-County Transfer Officer
Any County Juvenile Probation Department
1234 South Street, Any Town, Texas 77777
Telephone 000-000-0000
Fax 000-000-0000
EMAIL: itc.officer@any.email.provider.com

WHEREAS, _____, hereinafter Respondent, a child (age) years of age, born (D.O.B.), is under the interim supervision provided by the Receiving County, hereinafter referred to as (Receiving) County pursuant to Family Code Section 51.072; and

WHEREAS, the (Receiving) County has supervised the Respondent from 00/00/200_ to Present under the original probation conditions imposed by the Juvenile Court of (Sending) County, the Sending County.

ORDER TO BE USED TO TRANSFER
PERMANENT SUPERVISION ON REQUEST OF RECEIVING COUNTY

CAUSE NO. _____

TJPC-ICT-10-06

IN THE MATTER OF § IN THE ____ DISTRICT COURT
§
(NAME OF JUVENILE) § _____ COUNTY, TEXAS
§
A CHILD/JUVENILE § A DESIGNATED JUVENILE COURT

ORDER TO TRANSFER PERMANENT SUPERVISION BY REQUEST

On this the ____ day of _____, 200 , the Court hereby finds the following:

(Name of Juvenile), Respondent, a child (age) years of age, born (D.O.B.), was found to have engaged in delinquent conduct/CINS for the offense of (Offense(s) Adjudicated) in the above-numbered and styled cause on (Date of Adjudication), in (Sending County), Sending County.

On (Date of Disposition), Respondent was placed on probation under reasonable and lawful terms and conditions of probation until (Date Probation Expires).

Respondent has moved to and resided in (Receiving County), Receiving County, at least 60 days but not more than 180 days and Respondent is under interim supervision with (Juvenile Probation Department) in (Receiving County).

Permanent Supervision



By Operation of Law

Upon the expiration of **180 days**, IS automatically becomes PS

SC shall sign order to transfer PS to the RC

Recommended pleading:

Order to Transfer Permanent Supervision (SC)
[TJPC-ICT-11-06]

Then – Agreed Permanent Supervision Probation Order (RC)
[TJPC-ICT-15-07]

Determinate Sentence (DS)

Prior to transfer of PS, a child is required to complete **the greater of 180 days or one-third (1/3)** of a determinate sentence probation before IS will expire

SC shall sign order to transfer PSDS to the RC

Recommended pleading:

Order to Transfer Permanent Supervision Under Determinate Sentence Probation
[TJPC-ICT-12-06]



ORDER TO BE USED TO TRANSFER
PERMANENT SUPERVISION TO RECEIVING COUNTY
(NOT FOR DETERMINATE SENTENCE)

TJPC-ICT-11-06

CAUSE NO. _____

IN THE MATTER OF

(NAME OF JUVENILE)

A CHILD/JUVENILE

§
§
§
§
§

IN THE _____ DISTRICT COURT

_____ COUNTY, TEXAS

A DESIGNATED JUVENILE COURT

ORDER TO TRANSFER PERMANENT SUPERVISION

On this the ____ day of _____, 200 , the Court hereby finds the following:

(Name of Juvenile), Respondent, a child (age) years of age, born (D.O.B.), was found to have engaged in delinquent conduct/CINS for the offense of (Offense(s) Adjudicated) in the above-numbered and styled cause on (Date of Adjudication), in (Sending County), Sending County. On (Date of Disposition), Respondent was placed on probation under reasonable and lawful terms and conditions of probation until (Date Probation Expires).

Respondent has moved to and resided in (Receiving County), Receiving County, under interim supervision by (Juvenile Probation Department).

ORDER TO BE USED TO TRANSFER
PERMANENT SUPERVISION OF A DETERMINATE SENTENCE PROBATION

TJPC-ICT-12-06

CAUSE NO. _____

IN THE MATTER OF § IN THE ____ DISTRICT COURT
§
(NAME OF JUVENILE) § _____ COUNTY, TEXAS
§
A CHILD/JUVENILE § A DESIGNATED JUVENILE COURT

ORDER TO TRANSFER PERMANENT SUPERVISION
UNDER DETERMINATE SENTENCE PROBATION

On this the ____ day of _____, 200 the Court hereby finds the following:

(Name of Juvenile), Respondent, a child (age) years of age, born (D.O.B.), was found to have engaged in delinquent conduct pursuant to Section 53.045 of the Texas Family Code for the offense of (Offense(s) Adjudicated) on (Date of Adjudication), in (Sending County), sending county.

On (Date of Disposition), Respondent was placed on determinate sentence probation under reasonable and lawful terms and conditions of probation until (Date Probation Expires).

Respondent has moved to and resided in (Receiving County), receiving county, at least 60 days and Respondent has been on interim supervision with (Juvenile Probation Department) in (Receiving

Permanent Supervision Transfer Hearings

- Agreed Permanent Supervision Probation Order (RC)
 - Terms and Conditions – Unchanged
 - No Hearing Required
- Permanent Supervision Hearing (RC)
 - Hearing to Impose New or Different Conditions
 - Attorney under 51.10
- Parent Appearance before Court (RC)



ORDER TO FINALIZE PERMANENT SUPERVISION
PROBATION CONDITIONS IN THE RECEIVING COUNTY

TJPC-ICT-15-07

CAUSE NO. _____

IN THE MATTER OF
(NAME OF JUVENILE)
A CHILD/JUVENILE

§
§
§
§
§

IN THE ____ DISTRICT COURT
____ COUNTY, TEXAS
A DESIGNATED JUVENILE COURT

AGREED PERMANENT SUPERVISION PROBATION ORDER

On this the ____ day of _____, 2007, the Receiving County enters this Agreed Permanent Supervision Probation Order in the above-entitled and numbered cause, and it appears to the Court that this Agreed Order should be honored and entered pursuant to Texas Family Code Section 51.073(c). The Court hereby finds the following:

(Name of Juvenile), Respondent, a child (age) years of age, born (D.O.B.), was found to have engaged in delinquent conduct/CINS for the offense of (Offense(s) Adjudicated) in Sending County's (Cause Number) on (Date of Adjudication).

(Disposition), Respondent was placed on probation until (Date Probation Expires).

Respondent's interim supervision is to be in accordance with the provisions of the operation of law after the expiration of the probation period of (Date) or was requested on (Date).

WHEREAS, the juvenile court has jurisdiction over the juvenile and the juvenile court has entered an order for permanent supervision and jurisdiction over the juvenile (as provided in (Order)).

IT IS THEREFORE ORDERED

By Agreement:

Respondent

Respondent's Parent Guardian or Custodian



Effect of Permanent Supervision

Generally - -

Once supervision becomes permanent:

- *RC has complete jurisdiction, duties, and responsibilities for the supervision of the child*
- *RC then becomes the SC if the child were to move again*

If the state elects to transfer DS probation case to adult under TFC 54.051, SC may transfer PSDS prior to expiration of IS under DS



Sex Offender Registration & ICT

§51.073 (d-1) Texas Family Code



- Upon PS, the RC has jurisdiction over **any** required ***SXO registration hearing*** and related decisions under Article 62 CCP.
- RC juvenile court may ***consider the written recommendations*** of the SC court.



Caseworker & ICT



Interim Supervision CW5 – Referral Tab

CASEWORKER – Juvenile Tracking & Caseload Management System – User: AZAMARRON

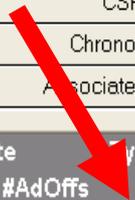
Folder Report Administration Window Help



WHITE FEMALE 1 / 1 / 1994

Contents

Child	Detentions	MAYSI	Programs
CSR	JJAEPs	Placements	Victims
Chronos	Hearings	Offenses	Supervisions
Associates	Fees	Non-Residential	Referrals



Date	Type	Primary Offense	Date
#AdOffs	Intake Officer		Disposition
02/01/2008	TR	BURGLARY OF HABITATION (F2)	10/29/2007
0	ANNE SIBLEY		PROB

Add New

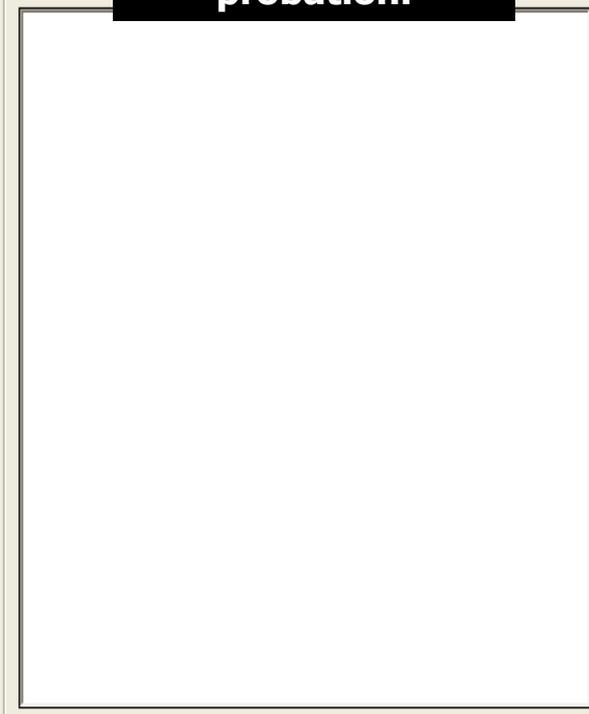
Open

Print Summary

NOTE:

The user sees the referral tab first. The referral type is **TR** and child is on probation.

Current



Alert

Merge Folder

Print History

Seal Folder

Delete Folder

Interim Supervision CW5 – Intake Screen

Referral Last Changed by AZA MARRON on 2/29/2008 8:24 am

Intake | Offenses | Dispositions | Victims | Fee Assessments | User Defined Fields

Number: 27923 | Referral Date: 2 / 1 /2008 | Type: INTERIM/PERMANENT TRANSFER | County: COLLIN COUNTY

Referral Source: PROBATION DEPARTMENT | Age: 14 | Intake Officer: ANNE SIBLEY | Address/Location: COUNTY RESIDENT

School Status: IN REGULAR SCHOOL | Education Standing: FAILING AND/OR BEHIND THE APPROP GRADE

Last Grade Completed: 8 | In Need of Substance Abuse Services?: UNKNOWN

Std Assessment Date: 2 /29/2008 | Risk Assessment Level: | Further Testing Recommended By Assessment?: | Further Testing Recommended By Evaluator?:

Save
Close
Delete
Move Referral
Copy Referral
Seal Referral

Interim Supervision CW5 – Offense Tab

Referral Last Changed by AZAMARRON on 2/29/2008 8:24 am

Intake

Offenses

Dispositions

Victims

Fee Assessments

User Defined Fields

Date	Counts	Description	
Inc#	TRN#	Intake	Disposition
07/29/2007	1	BURGLARY OF HABITATION (F2)	
b-4567	1111111111	Primary	Primary

Save

Close

Delete

Move
Referral

Copy
Referral

Seal
Referral

Add New

Add Like

Open

Interim Supervision CW5 – Offense Detail

Offense Last changed by AZAMARRON on 2/29/2008 8:24 am

Offense Detail Victims User Defined Fields

Complaint Received Date Offense Date Arrest Date

2 / 1 / 2008 7 / 29 / 2007 7 / 29 / 2007

Referring Agency Incident # TRN Number TRS Number

BELL COUNTY b-4567 1111111111 001

Offense Preparatory Code Counts

BURGLARY OF HABITATION (F2) Browse 1

**BURGLARY OF HABITATION (F2) [PC 30.02(c)(2)]
(22990002)**

Weapon Type(Used/In Possession) If Firearm, What Type?

NOT APPLICABLE - NO WEAPON WAS USED

Gang Related Sub Abuse Related? Type

NO NO

School Related School Campus

REFERRAL NOT SCHOOL RELATED

Intake Indicator Disposition Indicator

Primary Primary

Save

Close

Delete

Attach To: 02/01/2008 BURGLARY OF HABITATION (F2)

Interim Supervision CW5 – Disposition Tab

Referral Last Changed by AZAMARRON on 2/29/2008 8:24 am

Intake Offenses **Dispositions** Victims Fee Assessments User Defined Fields

Date	Disposition	Cause #
10/29/2007	ADJUDICATED - PLACED ON PROBATION	

Save

Close

Delete

Move Referral

Copy Referral

Seal Referral

Add New Open



Interim Supervision CW5 – Supervision Screen

Supervision Last Changed by AZAMARRON on 3/03/2008 2:33 pm

Supervision Case Plan Reviews User Defined Fields Officer Change History

Begin Date: 2/1/2008 Estimated End Date: 7/31/2008 Actual End Date: 3/3/2008

Supervision Type: INTERIM PROBATION

Officer: ANNE SIBLEY

Level/Phase:

Conditions: Inter-County Transfer: Interim Probation

Outcome:

Attach To: 02/01/2008 BURGLARY OF HABITATION (F2)

Save Close Spell Check Delete

CW5 – Interim Supervision Closed Out



Supervision Last Changed by AZAMARRON on 07/03/2008 2:34 pm

Supervision | Case Plan Reviews | User Defined Fields | Officer Change History

Begin Date: 2 / 1 / 2008

Estimated End Date: 7 / 31 / 2008

Actual End Date: 7 / 31 / 2008

Supervision Type: INTERIM PROBATION

Officer: ANNE SIBLEY

Level/Phase:

Conditions: Inter-County Transfer: Interim Probation

Outcome: CHILD COMPLETED THE SUPERVISION

Attach To: 02/01/2008 BURGLARY OF HABITATION (F2)

Buttons: Save, Close, Spell Check, Delete

CW5 – Permanent Supervision

Supervision Last Changed by AZAMARRON on 3/03/2008 2:34 pm

Supervision Case Plan Reviews User Defined Fields Officer Change History

Begin Date: 3/31/2008 Estimated End Date: 12/30/2008 Actual End Date: 7/31/2008

Supervision Type: PERMANENT PROBATION (TRANSFERRED)

Officer: ANNE SIBLEY

Level/Phase:

Conditions: Inter-County Transfer: Permanet Probation

Outcome:

Attach To: 02/01/2008 BURGLARY OF HABITATION (F2)

Save **Close** **Spell Check** **Delete**

Section 51.074

Deferred Probation & Collaborative Supervision





Snapshot of the Statute

Texas Family Code

- *Sec. 51.074 Deferred Prosecution*

Authorizes transfer of deferred prosecution cases for interim supervision with no conversion to permanent.

- *Sec. 51.075 Collaborative Supervision*

Contemplates a form of courtesy supervision under an agreement between adjacent counties regarding a child with sufficient contacts (i.e. school or work). The original county retains case.

Deferred Prosecution

§51.074 Texas Family Code

- Authorizes transfer of deferred prosecution cases on **INTERIM SUPERVISION**
 - ***BUT NOT*** – PERMANENT SUPERVISION
- A child continues on **IS** when deferred is **extended**
- **No modifications** of terms and conditions of deferred
- **RC** can send a **Directive to Resume** for violations of deferred.



Caseworker & ICT



Interim Supervision CW5 – Deferred

Supervision Last Changed by AZAMARRON on 3/03/2008 2:34 pm

Supervision

Case Plan Reviews

User Defined Fields

Officer Change History

Begin Date

9 / 1 /2007

Estimated End Date

3 / 1 /2007

Actual End Date

7 /31/2008

Supervision Type

INTERIM DEFERRED PROSECUTION

Officer

ANNE SIBLEY

Level/Phase

Conditions

Inter-County Transfer: Interim Deferred Prosecution

Outcome

Save

Close

Spell Check

Delete

Attach To:

02/01/2008 BURGLARY OF HABITATION (F2)

Interim Supervision CW5 – Deferred Extension

Supervision Last Changed by AZAMARRON on 3/03/2008 2:34 pm

Supervision Case Plan Reviews User Defined Fields

Begin Date: 9 / 1 / 2007 Estimated End Date: 7 / 1 / 2008 Actual End Date: 7 / 31 / 2008

Supervision Type: INTERIM DEFERRED PROSECUTION

Officer: ANNE SIBLEY

Level/Phase:

Conditions: Inter-County Transfer: Interim Deferred Prosecution

Outcome:

NOTE:
Change estimated end date to the new end extended date.

Save Close Spell Check Delete

Attach To: 02/01/2008 BURGLARY OF HABITATION (F2)

Collaborative Supervision

§51.075 Texas Family Code

- Contemplates a form of courtesy supervision under an agreement between adjacent counties, but original county retains case.
 - Child spends **SUBSTANTIAL TIME**
 - *E.g., School, work*
 - Probation officer acts as **AGENT**
 - *Supervision*
 - *Services*
 - *Periodic Reports*



Transfer of Parental Orders



Snapshot of the Statute

Texas Family Code

- *§61.0031 Transfer of Orders Affecting Parents & Other Eligible Persons*

Authorizes transfer of the parental order to the new county of residence. Requires notice and hearing in RC court to reiterate terms affecting a parent.



Orders Affecting Parents

- Court orders relating to parents and others may be transferred to juvenile court in the child's new county
- SC court must provide notice:
 - In writing
 - Identifying the court to which order was transferred
 - Provide to parent or other person



Orders Affecting Parents

- **SC shall sign parental order and forward to RC**
- *Recommended pleading:*
 - *Transfer of Order Affecting Parent or Other Eligible Person*
[TJPC-ICT-13-06]
- **RC juvenile court shall require parent or other person to appear before the court**
 - **Failure to do so renders order unenforceable**



Parental Notice & Appearance

§ 61.0031(d) Transfer of Order Affecting Parents

Although Section 51.073 now waives the child's PS Transfer Hearing, Sec. 61.0031 still requires parental notice and appearance to maintain the enforceability of the Transfer Order Affecting a Parent or Other Eligible Person.



Related Materials

- **ICT Packet**

- Overview and implementation recommendations
- Sample Emails
- Sample Forms
- Sample Court Pleadings

- **Download at Commission Website**

- www.tjpc.state.tx.us



Read More About It...

*JLS Special Legislative Issue
Juve. L. Sect. Rpt. (August, 2007).*

Juvenile Law Section, State Bar of Texas

www.juvenilelaw.org

Texas Juvenile Probation Commission

www.tjpc.state.tx.us



Texas Juvenile Probation Commission

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