

ENROLLED SENATE  
BILL NO. 742

By: Morgan of the Senate

and

Braddock of the House

An Act relating to children; amending 10 O.S. 2001, Sections 1505 and 7003-5.6e, which relate to county juvenile officers appointment and court appointed special advocates; authorizing certain judges to appoint special advocates as juvenile officers; delineating juvenile officer appointments; allowing court appointed special advocate programs to employ juvenile officers; requiring certain court appointed special advocate programs to maintain independent board of directors and comply with certain laws; allowing court appointed special advocates to serve as juvenile officers; allowing approval of funding for specified salaries; allowing certain court appointed special advocates to participate in employee benefits program and allowing for county reimbursement; requiring provision of office space; requiring court appointed special advocate program to fund other expenses; making service of court appointed special advocate at the pleasure of the court; making provisions applicable to subsequently hired juvenile officers; deleting requirements related to court appointed special advocates with regard to permanency hearings; updating statutory reference; requiring Department of Human Services to contact court appointed special advocates for certain assistance; allowing court appointed special advocates to submit additional information for certain court review; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 10 O.S. 2001, Section 1505, is amended to read as follows:

Section 1505. A. The presiding or associate district judge or other judge with juvenile or deprived docket responsibilities may, with the approval of the county commissioners, appoint a court appointed special advocate (CASA) as juvenile officer in.

1. In counties having a population in excess of twenty-four thousand (24,000) a juvenile officer and an assistant juvenile officer in counties, one juvenile officer may be employed in the

respective county to handle juvenile deprived cases and other related matters;

2. In counties having a population in excess of forty thousand (40,000) ~~to assist the associate district judge and district judges,~~ a juvenile officer and assistant juvenile officer may be employed in the respective county ~~in handling~~ to handle juvenile deprived cases and other related matters.

B. 1. a. A CASA program, as defined in paragraph 11 of subsection A of Section 7001-1.3 of this title, may employ and manage the juvenile officer and/or the assistant juvenile officer. A court-appointed special advocate may serve as the juvenile officer and a volunteer coordinator employed by a CASA program may be named the assistant juvenile officer.

b. When a CASA program, as defined in paragraph 11 of subsection A of Section 7001-1.3 of this title, is appointed by a court as the juvenile officer, the CASA program shall maintain an independent board of directors and shall function pursuant to the provisions of the Oklahoma Children's Code or the Oklahoma Juvenile Code.

2. The county commissioners may approve county funding to a CASA program as salaries of the juvenile officer and/or assistant juvenile officer.

3. The salary of the juvenile officer shall be not less than sixty percent (60%) nor more than ninety percent (90%) of Class A officers of ~~said the county; the.~~ The salary of the assistant juvenile officer shall be not less than sixty percent (60%) nor more than eighty percent (80%) of Class A officers of ~~said the county and such.~~ Such salaries shall be paid from county funds.

~~The~~ Except as provided in paragraph 5 of this subsection, the juvenile officer and assistant juvenile officer shall be entitled to reimbursement for all traveling expenses incurred in the performance of official duties. Such expenses shall be paid upon sworn itemized claims. When transportation involves the use of the private automobile of the juvenile officer or assistant juvenile officer, such officer shall be entitled to claim reimbursement for use thereof at the rate provided for state employees under the State Travel Reimbursement Act. Such reimbursement shall be from county funds.

4. The county may allow the CASA to participate in all county employee benefit programs including, but not limited to, health care plans. The CASA program shall, upon the county's request, reimburse the county for the cost of the CASA's participation in such programs.

5. The county may provide adequate office space for the CASA program. All other expenses of the CASA including, but not limited to, travel reimbursement shall be the responsibility of the CASA program.

6. The juvenile officer and assistant juvenile officer court appointed special advocate shall serve at the pleasure of the associate district judge court.

C. The provisions of this act shall apply to juvenile officers employed subsequent to the effective date of this act.

~~This~~ D. The provisions of this act shall not be applicable in counties which maintain a Juvenile Bureau under the provisions of Sections 1201 through 1210 of Title 10 of the Oklahoma Statutes this title.

SECTION 2. AMENDATORY 10 O.S. 2001, Section 7003-5.6e, is amended to read as follows:

Section 7003-5.6e A. At least three (3) weeks prior to a permanency hearing, ~~the court-appointed special advocate assigned to the case or, if there is no court-appointed special advocate so assigned,~~ the Department of Human Services shall arrange for a meeting to prepare a report regarding the child ~~to the~~ for court ~~for~~ review. The ~~court-appointed special advocate or the~~ Department, as applicable, shall contact the foster parents of the child, the parents of the child or the parents' attorney, a postadjudication review board member, the guardian ad litem or the court appointed special advocate who has been appointed to the case, and the child's attorney to assist in the preparation of the report; provided, however, this provision shall not apply to permanency hearings scheduled for persons determined not to require reasonable efforts pursuant to the provisions of Section ~~14~~ 7003-4.6 of this ~~act~~ title.

B. The report shall contain the:

1. Efforts and progress demonstrated by the child's parent to complete an individual treatment and service plan;
2. Extent to which the parent or legal guardian cooperated and used the services provided;
3. Status of the child, including the child's mental, physical, and emotional health; and
4. Plan for permanency for the child.

C. The child's attorney, the parents or parents' attorney, the foster parent, postadjudicatory review board member, the guardian ad litem or the court appointed special advocate of the child, or the Department of Human Services may submit an additional informational report to the court for review.

SECTION 3. This act shall become effective November 1, 2003.

Passed the Senate the 9th day of February, 2003.

---

Presiding Officer of the Senate

Passed the House of Representatives the 31st day of March, 2003.

---

Presiding Officer of the House  
of Representatives