

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 1763

By: Ballenger of the Senate

and

Peters of the House

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9 COMMITTEE SUBSTITUTE

10 (Children - juvenile bureaus as departments of the
11 county -

12 effective date)
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15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 10 O.S. 2001, Section 7305-1.1, as
17 amended by Section 1, Chapter 305, O.S.L. 2004 (10 O.S. Supp. 2007,
18 Section 7305-1.1), is amended to read as follows:

19 Section 7305-1.1 A. In each county having a population of
20 eighty thousand (80,000) or more, as shown by the last preceding
21 Federal Decennial Census, there is created a juvenile bureau and a
22 citizens' advisory committee. For legal representation purposes
23 only, the juvenile bureau and all facilities operated by the
24 juvenile bureau are designated as a department of the county.

1 B. In each county having a duly constituted juvenile bureau as
2 of January 1, 2005, as provided for in subsection A of this section,
3 the juvenile bureau shall remain in place and continue in operation.
4 No other counties shall establish juvenile bureaus.

5 C. The Department of Juvenile Justice shall provide intake,
6 probation and parole services in all counties not having juvenile
7 bureaus as provided for in Section 7302-2.3 of this title.

8 SECTION 2. AMENDATORY 10 O.S. 2001, Section 7305-1.7, as
9 amended by Section 1, Chapter 145, O.S.L. 2005 (10 O.S. Supp. 2007,
10 Section 7305-1.7), is amended to read as follows:

11 Section 7305-1.7 A. 1. The salary of the director and other
12 employees of the bureau and any detention home established pursuant
13 to Section 7305-1.8 of this title shall be fixed by the judge of the
14 Juvenile Division, subject to the general administrative authority
15 of the county commissioners of the contracting county. The salary
16 of the director shall not exceed ninety percent (90%) of salaries of
17 county Class A officers. The salary of a referee shall not be
18 greater than that of the associate district judge of the county.

19 2. The salary of supervisors with intake or intake-probational
20 duties shall not be less than Twelve Thousand Three Hundred Dollars
21 (\$12,300.00) per year, and not more than eighty-five percent (85%)
22 of Class A county officers.

23 3. The salary of employees with case, probation, counseling or
24 juvenile duties shall not be less than Ten Thousand Five Hundred

1 Dollars (\$10,500.00) per year, and not more than eighty percent
2 (80%) of Class A county officers.

3 B. The judge of the Juvenile Division, subject to the general
4 administrative authority of the county commissioners of the
5 contracting county, may fix a limit on the amount of expenses that
6 may be incurred by the director and assistants to the director, such
7 limit to be in the judgment of the judge adequate to care for the
8 expenses necessary to carrying out the orders of the court in an
9 efficient and expedient manner. The director and assistants to the
10 director and other personnel of the court shall keep and maintain
11 their offices at the place where the office of the judge of the
12 court is kept, unless the judge of the Juvenile Division, subject to
13 the general administrative authority of the county commissioners of
14 the contracting county, shall direct otherwise. The offices of the
15 director and assistants to the director shall contain adequate
16 equipment, desk space and consultation rooms necessary for
17 appropriate office procedure.

18 C. In addition to their salaries, the director and assistants
19 to the director shall be reimbursed at the same rate as state
20 employees for mileage traveled by them in the investigation of court
21 cases and in supervising probationers; with the approval of the
22 judge in charge of the Juvenile Division, the director and
23 assistants may also receive reimbursement, at the rate and in the
24 manner applicable to other county officers, for actual and necessary

1 expenses incurred by them in attending conferences, meetings,
2 seminars or official business of the court either within or outside
3 of the State of Oklahoma.

4 D. In all counties having a juvenile bureau, the budget of the
5 juvenile bureau for salaries and expenses of the director,
6 counselors and other employees shall be established and funded as
7 follows:

8 1. All expenses incurred in complying with the provisions of
9 this article shall be a county charge;

10 2. The salaries and other compensation of all employees of the
11 juvenile bureau shall be fixed by the judge within the limit of the
12 total appropriations therefor; and

13 3. It is made the duty of the county excise board to make the
14 necessary appropriation and levy for the payment of salaries of the
15 director and all other employees, together with the expenses of
16 administering the bureau, consistent with the duty to do likewise
17 with the budget estimates of other county officers under the board's
18 jurisdiction, as required by the Constitution and laws of this
19 state.

20 4. Except in instances where it is entitled to representation
21 because of insurance coverage, the district attorney of the county
22 in which the juvenile bureau is located shall represent the juvenile
23 bureau and any employee who was acting in his or her official
24 capacity at the time of the act or omission complained of in any

1 lawsuit. If the district attorney has a conflict of interest or
2 otherwise declines to represent the juvenile bureau or its
3 employees, the county commissioners may request the assistance of
4 the Attorney General or authorize the employment of private counsel
5 for the juvenile bureau and its employees in their official
6 capacity.

7 E. All expenses incurred by the director and counselor in
8 carrying out the orders of the judge of the court shall be reported
9 to the judge of the Juvenile Division under oath, and such expenses
10 shall not be paid by the board of county commissioners until such
11 judge shall, by order entered of record, approve such accounts, and
12 such judge may hear testimony as to the correctness thereof. A
13 certified copy of the order of approval shall be filed in the office
14 of the county clerk and shall be authority to the board of county
15 commissioners to disburse the necessary funds in payment thereof,
16 provided payment of the same comes within the budgetary provisions
17 of the bureau as established in subsection D of this section.

18 SECTION 3. This act shall become effective November 1, 2008.

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20 51-2-10874 SAB 04/03/08

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