Local Juvenile Court Rule 7.18
VIOLATIONS OF COMMUNITY SUPERVISION

(A) Generally. Probation counselors shall have the authority to file with the respective Clerk of the Court a motion and affidavit alleging a violation of community supervision.

(B) Procedure. Once the motion and affidavit alleging a violation of community supervision has been filed, the probation counselor shall contact the appropriate juvenile court unit to ensure the matter is scheduled and all appropriate parties are notified of the hearing date, time and place.

1. The probation counselor shall prepare a written report of the alleged violations. Copies will be provided to all appropriate parties no later than one (1) day prior to the hearing.

2. The probation counselor shall be present at such hearing to respond to questions concerning the matter.

(C) Absconding From Placement. All juvenile respondents placed on community supervision shall strictly follow the terms and conditions of his/her probation contract as well as any instructions of his/her probation counselor, including placement. If a juvenile respondent voluntarily and without authority absents himself/herself from a placement pursuant to the terms of his/her community supervision, this will be deemed a violation of the juvenile's community supervision and is sufficient grounds for a warrant of arrest to be issued.

1. A juvenile respondent placed in confinement as a result of a warrant of arrest issued pursuant to this rule shall not be released unless ordered by the court.

(D) Warrants. The court may order a warrant for the arrest of a juvenile respondent. A warrant may be served by law enforcement or a probation counselor.

(E) Guidelines. The following guidelines are established for probation counselors with respect to alleged violations of community supervision:

1. A minor or technical violation and the respondent's whereabouts are known: file the appropriate motion and have the respective Clerk of the Court issue a Summons.

2. A serious violation of the criminal law or condition of community supervision and the respondent's whereabouts are known: immediate arrest by law enforcement or probation counselor followed by filing the appropriate motion and schedule of detention hearing.

3. A violation of the criminal code or condition of community supervision and the respondent's whereabouts are unknown: file the appropriate motion and request the issuance of a warrant.

(F) Issuance of Notice/Summons. The respective Clerk of the Court shall be delegated the authority to issue Notice/Summons pursuant to a motion alleging violations of community supervision without the need for a formal order from the court.

[Adopted effective April 1, 1988, September 1, 2013]