



JOHN MARK COBERN
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TITUS COUNTY COURTHOUSE
100 WEST FIRST STREET
MOUNT PLEASANT, TEXAS 75455

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Paul R. Lindsey, Investigator

March 11, 2013

Honorable Brian Lee
Titus County Judge
100 W. 1st Street
Mt. Pleasant, Texas 75455

RE: Legal Opinion Regarding Benefits for Juvenile Probation Employees

Dear Honorable Judge Brian Lee:

1. *Are Juvenile Probation Employees considered employees of Titus County?* Yes, if the Juvenile Board has adopted provisions for juvenile probation officers to receive all applicable benefits and allowances given to county employees. Texas Administrative Code 341.3(a). It appears they have; however, I have contacted the Honorable Robert Rolston, a member of the juvenile board, to confirm this. He will be addressing this issue at the next scheduled board meeting and will let us know their opinion.
2. *If Juvenile Probation Employees are considered employees of Titus County are they entitled to all benefits provided to other county employees?* Yes, the Texas Juvenile Probation Commission requires each juvenile department to adopt written policies that require all juvenile probation officers to receive the benefits and allowances packages that are provided to any other county employee of the county in which they are employed. Since Titus County is the lead county in our district, the benefits package would be our package. Jill Tucker, Chief Juvenile Probation Officer, stated that on August 22, 2011 the juvenile probation department entered into a contract with the State of Texas for funding that adopted this policy.
3. *Can Titus County refuse to cover juvenile probation officers?* I am not aware of anything in our benefits package that allows us to refuse coverage to an

otherwise qualifying employee. They would be treated as any other county employee.

4. *Since the juvenile probation department is a multi-county department, is Titus County responsible for the entire costs of benefits?* Although this is not a legal question, I contacted the Titus County Auditors Office and spoke to Amber Newman. Apparently, currently, Titus County is reimbursed all costs associated with juvenile probation officers by the State of Texas. This may very well be the case for additional benefits provided to juvenile probation officers. I would suggest consulting with Carl Johnson for further guidance on this issue.

Sincerely yours,

A handwritten signature in black ink that reads "John Mark Cobern". The signature is written in a cursive style with a large initial "J" and "M".

John Mark Cobern

JMC/jmc



76th & 276th Judicial District
Juvenile Probation Department

Titus County Courthouse
100 West First Street, Suite 400
Mt. Pleasant, Texas 75455-4405
Fax (903) 577-6740

John Mark Cobern
Titus County Attorney
Mt. Pleasant, Texas 75455

John,

The Juvenile Board asked me to get your opinion and findings on a question I posed to them at the Board Meeting February 14, 2013 on Juvenile Probation Officers being County Employees.

Background on this issue: I started working for the juvenile department in January 1983. At that time I was under the Titus County Health Insurance just like all other county employees including retirement. Ronnie became the Chief in September 1983 and we both were under the County Insurance. In 1989 the County insurance went up, Ronnie said, 100% so he was given the OK by the Juvenile Board to find health coverage on his own. So in 1989 we left the county insurance program. For the last couple of years we have been trying to get back on the County Insurance but the Commissioners tell us that we are State Employees. (If we were State employees we would have state insurance which we do not so we are not State Employees)

I tried to change insurance companies this past September and this new company wanted our Tax ID # and we use Titus Counties Tax ID # which included all County employees. I tried to tell them that we did not need the whole county insured, just the juvenile department. I submitted the list of all County Employees but blacked out all the names but juvenile probation. I was denied.

Then in October I approached Judge Lee to see about getting back on the Counties Insurance and he was ok with it but when he mentioned it to the commissioners he was told no and that we were State Employees. He told me to get him something to take to the commissioners to show them that we are County Employees.

I have been doing some research and talking with other juvenile departments in our region and this is what I have found.

| Camp | Marion | Morris | Titus |
|--------------|--------------|--------------|--------------|
| 903-856-0402 | 903-665-8612 | 903-645-5723 | 903-577-6737 |

Texas Juvenile Probation Commission under Title 37 of the Texas Administrative Code Chapter 341.

Juvenile Board Responsibilities

341.3(a) – Policy and Procedure

(a) Personnel Policies. The juvenile board shall adopt written personnel policies. These personnel policies shall include but not be limited to:

- 1) a salary scale for all juvenile probation officers, and
- 2) the provision for juvenile probation officer to receive all applicable benefits and allowances given to county employees.

(I have attached to this letter the provision out of the Compliance Resource manual for you to read. I will be monitored on this by the State and I will be unable to get a letter from the Auditor that states, "all benefits and allowance packages provided to county employees are equivalent to those provided to juvenile probation officers")

I also have attached our Policy and Procedure A2.3 which outlines Fiscal Management, Salary Scale and Benefits.

We are called "a Specialized Local entity" under 140.003 of the Local Gov't Code.
(I have attached this Code to this letter)

Texas Human Resources Code Section 141.067 - Probation Officer: County Employee

A juvenile probation officer who's jurisdiction cover only one county is considered to be an employee of that County.

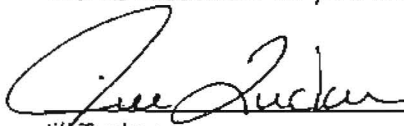
(Multi-Jurisdictional Department is addressed in the 341.3(a))

I have talked with the Chief Juvenile Probation Officers from Upshur, Wood, Smith, Rockwall, Cass, Greg, and three multi-jurisdictional counties - Limestone/Freestone; Franklin/Hopkins; and Castro/Swisher Counties and all these Counties are under their Counties Health Insurance as a county employee. I can call more counties if you want me too.

I would appreciate it if you would look into this matter and give me your opinion in this matter and I would request this opinion be in writing so I can present it to my Juvenile Board at our next Board meeting in May. If you find that we are County Employees I will need this to be presented to the Commissioners Court eventually, but I will need this for the Juvenile Board in May for sure.

If I can be of further assistance to you, please give me a call.

Thanks in advance for your help in this matter.



J. Tucker
Chief Juvenile Probation Officer
Titus, Camp, Morris and Marion Counties
02/25/2013

TEXT OF STANDARD

Subchapter: 8 - Juvenile Board Responsibilities

§341.3 Policy and Procedures.

(a) Personnel Policies. The juvenile board shall adopt written personnel policies. These personnel policies shall include but not be limited to:

- (1) a salary scale for all juvenile probation officers; and
- (2) the provision for juvenile probation officers to receive all applicable benefits and allowances given to county employees.

COMMENTARY

Discussion and Interpretation:

The juvenile board shall adopt written personnel policies for the juvenile probation department that include a salary scale for all juvenile probation officer positions. Compliance with this standard will require that the jurisdiction have a written scale, which identifies probation officer positions by classification or group and includes accompanying steps or levels. Each step or level must have an assigned salary identified. There are no requirements for how many steps or levels must be included in the salary scale. All probation officer positions (including the chief administrative officer and any supervisory positions) shall be included in the salary scale. The standard does not require that non-probation officer positions (e.g., counselors, clerical, etc.) be included in the scale.

The department's written personnel policies shall also include a provision for juvenile probation officers to receive the benefits and allowance packages that are provided to any other county employee (or the employees of the lead county in multi-county departments). A juvenile board may elect to provide its probation officers with benefits which exceed the county's package, but in no case shall a juvenile probation officer be denied a benefit which a county employee is eligible to receive.

Benefits and allowances are not restricted to financial compensation but include related insurance plans and coverage, including but not limited to health, dental, life, short/long term disability and accidental death and dismemberment. Benefits also include traditional county employee retirement plans (i.e., Texas County and District Retirement System), as well as any county coordinated ancillary retirement or investment plans (e.g., 401-K plans, 457 plans, etc.). Cost of living raises, sick leave, vacation, holiday allowances, longevity pay, etc., as well as access to any employee assistance programs, are considered benefits.

Reviewer Guidelines:

To determine compliance with this standard, the reviewer will:

1. Prior to the monitoring visit, request written documentation from the county or probation department human resources coordinator, county commissioner's court or county auditor on official letterhead certifying that juvenile probation officers receive all applicable benefits and allowances provided to county employees.
2. Interview the chief administrative officer regarding the equality of benefits and allowances provided to the juvenile probation officers and county employees.
3. Review the juvenile probation department policy and procedure manual for a salary scale or policy.
4. Review policy and procedure manual for a provision requiring juvenile probation officers to receive all applicable benefits and allowances given to county employees.
5. Review juvenile board minutes, resolution or other written documentation approving the juvenile probation department policy and procedure manual, regarding provisions related to salary scale and benefits.

Verification Documents:

1. Letter verifying the equality of benefits and allowances
2. Policy and procedure manual
 - a. Salary scale
 - b. Salary policy
 - c. Benefits provision
3. Juvenile board minutes, resolution or other written documentation

METHODOLOGY

Compliance Methodology:

This standard will be monitored using non-sampling techniques which may include the review and analysis of relevant written documentation, interviewing of selected personnel and personal visual observations of program operations made by the reviewer. A program will be in compliance with the standard if all required elements of the standard are met and are verifiable by the reviewer during the monitoring visit.

Monitoring Methodology: Yes/No

Sample: N/A

Point Value: 10

Total Points Possible: 10

Scoring Methodology: 0 or 10

Level: Level 1 - Administrative

REFERENCE MATERIAL

Recommended Best Practices:

Juvenile probation officer salaries should be commensurate with the salaries paid to their adult probation officer counterparts. The starting salary for entry-level juvenile probation officers should be no less than the entry-level salary for the jurisdiction's adult probation officers. Salary parity is a necessary goal given that each of the two professions are officers of the court with similar job duties and each is required to possess similar education, training and certification credentials.

Sample Form(s):

N/A

Citation(s):

Title 37 Texas Administrative Code
Part II Texas Juvenile Probation Commission
Chapter 341 Texas Juvenile Probation
Commission §341.3(a)

Texas Register Publication Citation:

28(6) TexReg 1073 Proposed Action
28(14) TexReg 2929 Adopted Action

Title 37 Texas Administrative Code Chapter 341

Cross Reference(s):
N/A

Board Opinion:
RFI Opinion:

EFFECTIVE DATES

Standard's Effective Date: 9/1/2003
CRM Last Modified On: 9/1/2003

PRE-MONITORING PREPARATION

Program Tour: False

Policy and Procedure: True

Pre-Monitoring Checklist: False

Pre-Monitoring Preparation Checklist:
Please provide a letter from the county or probation department human resources coordinator, county commissioner's court or county auditor on official letterhead certifying that all benefits and allowance packages provided to county employees are equivalent to those provided to juvenile probation officers.

Reviewer Preparation Checklist Required: True

Reviewer Preparation Checklist:
N/A

INTERVIEW QUESTIONS MAY BE ADMINISTERED TO THE FOLLOWING:

Chief Administrative Officer: True
Professional Staff: False
Program/Facility Administrator: False
Juvenile Board Chair: False
Ancillary Staff: False
Juvenile: False

*Not able to
GET ME A letter
since we don't
rec'v county benefits*

Texas Administrative Code Chapter 341

COUNTY JUVENILE PROBATION DEPARTMENT

| | |
|---|-------------------------------------|
| CHAPTER: FISCAL/DATA MANAGEMENT | POLICY NO: A2.3 Pages: 1 |
| SUBJECT: FISCAL MANAGEMENT SALARY SCALE AND BENEFITS | RELATED STANDARDS: |
| A2.3 (Edited 07/15/12) mc | TJJD: 341.3 (a)(1-2) |

POLICY:

It is the policy of the Juvenile Probation Department to have the juvenile board approve personnel policies in the form of a salary scale and benefits for the Department's personnel.

It is also the policy of the County to have the juvenile board adopt a salary scale for all juvenile Probation officer positions, benefits and allowance packages that are provided to any other County employee or the employees of the lead county in multi-county departments. The juvenile Board may elect to provide probation officers with benefits which exceed the county's package, but in no case shall a juvenile probation officer be denied a benefit which a county employee is eligible to receive. Benefits and allowances are not restricted to financial compensation but include related Insurance plans and coverage, including but not limited to health, dental, life, short/long term Disability and accidental death and dismemberment. Benefits also include traditional county Employee retirement plans (i.e., Texas County and District Retirement System) as well as any county coordinated ancillary retirement or investment plan (e.g., 401-K plans, 457 plans, etc) Cost of Living raises, sick leave, vacation, holiday allowances, longevity pay, etc., as well as access to any Employee assistance programs, are considered benefits.

It is also the policy that juvenile probation officer salaries should be commensurate with the salaries paid to their adult probation officer counterparts. The starting salary for entry-level juvenile probation officers should be no less than the entry-level salary for the jurisdiction's adult probation officers.

341.(a)(1)(2)

All other fiscal responsibilities shall be found in the Department's procedures for internal controls.

[Search]

ions Texas Local Government Code - Section 140.003. Purchasing And Financial Accounting For District Attorneys, Juvenile Boards, And Probation Departments

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Legal Research Home > Texas Laws > Local Government Code > Texas Local Government Code - Section 140.003. Purchasing And Financial Accounting For District Attorneys, Juvenile Boards, And Probation Departments

§ 140.003. PURCHASING AND FINANCIAL ACCOUNTING FOR DISTRICT ATTORNEYS, JUVENILE BOARDS, AND PROBATION DEPARTMENTS. (a) In this section, "specialized local entity" means:

- (1) a district or criminal district attorney;
- (2) a juvenile board, juvenile probation office, or juvenile department established for one or more counties; or
- (3) an adult probation office or department established for a judicial district.

(b) A specialized local entity shall purchase items in accordance with the same procedures and subject to the same requirements applicable to a county under Subchapter C, Chapter 262. For the purposes of this section, a specialized local entity is treated as if it were a county. A specialized local entity may make a contract with a county under which the county performs purchasing functions for the entity.

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(c) Within 30 days after the date the fiscal year of a district or criminal district attorney's office begins, the attorney shall:

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- (1) file with the commissioners court of each county in which the attorney has jurisdiction a complete financial statement of the office covering the preceding fiscal year; and
- (2) prepare a budget for the current fiscal year and file it with each commissioners court.

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(d) If a district or criminal district attorney's office regularly prepares its budget at a time different from the time prescribed by Subsection (c), the attorney shall prepare the budget at the regular time and file it with the commissioners court within 10 days after the date of its adoption.

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(e) The financial statement required by Subsection (c) must contain any information considered appropriate by the district or criminal district attorney and any information required by the commissioners court of each county in which the attorney has jurisdiction.

d Trade

(f) Each specialized local entity shall deposit in the county treasury of the county in which the entity has jurisdiction the funds the entity receives. The county shall hold, deposit, disburse, invest, and otherwise care for the funds on behalf of the specialized local entity as the entity directs. If a specialized local entity has jurisdiction in more than one county, the district judges having jurisdiction in those counties, by a majority vote, shall designate from among those counties the county responsible for managing the entity's funds.

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(g) The county auditor, if any, of the county that manages a specialized local entity's funds has the same authority to audit the funds of the entity that the auditor has with regard to county funds.

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Added by Acts 1989, 71st Leg., ch. 1250, § 1, eff. Sept. 1, 1989. Amended by Acts 1991, 72nd Leg., ch. 600, § 2, eff. June 15, 1991.

Section: [Previous](#) [133.105](#) [133.151](#) [133.152](#) [133.153](#) [133.154](#) [140.001](#) [140.002](#) [140.003](#) [140.004](#) [140.005](#) [140.006](#) [140.007](#) [141.001](#) [141.002](#) [141.003](#) [Next](#)

Last modified: August 11, 2007

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Counties contacted on who provides them their benefits:

One County Departments: 11 departments contacted

| | | | | | | |
|--------|----------|-------|------------|---------|-------|--------|
| Cass | Smith | Gregg | Wood | Lubbock | Lamar | Fannin |
| Upshur | Rockwall | Garza | Hutchinson | | | |

Multi-Jurisdiction Departments: 16 departments contacted making up 51 Counties

| | | | |
|--|---------------------------------|--|------------------|
| Franklin/Hopkins | Freestone/Limestone | Castro/ Swisher | Potter/Armstrong |
| Tom Green/ Coke/Sterling/Runnels/Concho/Schleicher/Irion | | | Goliad/Victoria |
| Culberson/Hudspeth | Johnson/Summervell | Carson/Donley/Hall/Collingsworth/Childress | |
| Milam/Falls/Robertson | Pecos/Upton/Reagan | Callahan/Coleman/Taylor | |
| Jasper/Newton | Bastrop/Burleson/Lee/Washington | | |
| McCulloch/ Brady/Menard/Kimble/ Mason/Edward | | | |

All Counties contacted above provide to their juvenile department personnel , County benefits.

Floyd/Motley/Dickens/Briscoe juvenile probation do not have insurance period since the lead County does not offer any of their County Employees health benefits.

Texas Administrative Code 341.3(a)

(a) Personnel policies. The juvenile board shall adopt written personnel policies. These personnel policies shall include but not be limited to:

(1) a salary scale for all juvenile probation officers; and

(2) the provision for juvenile probation officers to receive all applicable benefits and allowances given to county employees.

The Compliance Resource Manual (CRM) Page 22 -23 outlines the TJJD compliance with the Texas Administrative Code 341.3(a).

Policy and Procedure Manual A1.0 Juvenile Board, Board Responsibilities, Standard Compliance, Monitoring, Waivers, Variance and Board Complaints with page 5 being the signature page that the Juvenile Board for the County of Camp, Titus, Morris and Marion, State of Texas, approves the above named departmental manual on policy and procedure for the Camp, Titus, Morris and Marion County Juvenile Probation Department signed by Chairman of the Juvenile Board, Thomas Cravey, Vice-Chairman Robert Rolston, Juvenile Board Members, Lauren Parish, Phil Parker, Lynda Munkres and Brian Lee. Manual was approved on August 14, 2012.

Department Policy A2.3: Fiscal management Salary scale and benefits: It is the Policy of the juvenile probation department to have the juvenile board approve personnel policies in the form of a salary scale and benefits for the Department's personnel. It is also the policy of the County to have the juvenile board adopt a salary scale for all Juvenile Probation officer positions, benefits and allowance packages that are provided to any other County employee or the employees of the lead county in multi-county departments. The Juvenile Board may elect to provide probation officers with benefits which exceed the county's package, but in no case shall a juvenile probation officer be denied a benefit which a county employee is eligible to receive. Benefits and allowances are not restricted to financial compensation but include related Insurance plans and coverage, including but not limited to health, dental, life, short/long term Disability and accidental death and dismemberment. Benefits also include traditional County Employee retirement plans (i.e., Texas County and district Retirement system) as well as any county coordinate ancillary retirement or investment plan (e.g., 401-K plans, 457 plans, etc.) Cost of Living raises, sick leave vacation, holiday allowances, longevity pay, etc., as well as access to any Employee assistance programs, are considered benefits.

State Financial Assistance Contract for 2012-2013 Biennium requires that the Juvenile Board follow the Texas Administrative Code 34. Contract was signed by the juvenile Board August 22, 2011.

5.2 – The Grantee shall be bound by all administrative law promulgated by the Commission (i.e. standards) as codified in Title 37 Texas Administrative Code Chapters 341-359 or any successor provisions which may be amended or adopted during the term of this Contract. The commission may provide a Compliance Resource manual (CRM) to the Grantee as a reference document to detail the monitoring policies, practices, procedures and requirements of the Commission. The CRM shall govern all monitoring policies, procedures and methodologies to be implemented by the Commission.

7.6 Sanctions and Penalties 7.6.1 Withholding of Payments. Notwithstanding anything to the contrary herein, the Grantee acknowledges that payments due under this Contract may be withheld or permanently suspended, in whole or in part, in the event of non-compliance with any federal or state law, administrative rule, or regulation applicable to the services provided herein, or if the duties and responsibilities herein have not been performed in accordance with the terms and conditions of this Contract.

TITLE 37

PUBLIC SAFETY AND CORRECTIONS

PART 11

TEXAS JUVENILE JUSTICE DEPARTMENT

CHAPTER 341

TEXAS JUVENILE JUSTICE DEPARTMENT STANDARDS

SUBCHAPTER B

JUVENILE BOARD RESPONSIBILITIES

RULE §341.3

Policy and Procedures

(a) Personnel Policies. The juvenile board shall adopt written personnel policies. These personnel policies shall include but not be limited to:

(1) a salary scale for all juvenile probation officers; and

(2) the provision for juvenile probation officers to receive all applicable benefits and allowances given to county employees.

(b) Department Policies. The juvenile board shall adopt written department policies and procedures. These policies shall include but not be limited to:

(1) Deferred Prosecution. The deferred prosecution policy shall at a minimum include the following policies:

(A) The maximum supervision fee for deferred prosecution cases is \$15.00 per month.

(B) The monthly fee shall be determined after obtaining a financial statement from the parent or guardian.

(C) The fee schedule shall be based on total parent/guardian income.

(D) The chief administrative officer, or the chief administrative officer's designee shall approve in writing the fee assessed for each child including any waiver of deferred prosecution fees.

(E) A deferred prosecution fee shall not be imposed if the juvenile board does not adopt a fee schedule and rules for waiver of the deferred prosecution fee.

(2) Volunteers and Interns. If a juvenile probation department has or develops a volunteer or internship program, the juvenile board at a minimum shall adopt the following policies for the volunteer and internship program:

(A) a description of the authority, responsibility and accountability of volunteers and interns who work with the department;

(B) a requirement for criminal history searches in accordance with the requirements set forth in §344.300 of this title;

(C) selection and termination criteria including disqualification based on criminal history;

(D) orientation and training requirements including training on reporting abuse, exploitation and

neglect;

(E) a requirement that volunteers and interns meet minimum professional requirements; and

(F) a provision for a volunteer and intern sign in log.

(3) Experimentation. The policy shall at a minimum prohibit a department or juvenile justice program from using juveniles for medical, pharmaceutical, or cosmetic experiments.

Source Note: The provisions of this §341.3 adopted to be effective September 1, 2003, 28 TexReg 2938; amended to be effective May 1, 2011, 36 TexReg 2246

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TEXT OF STANDARD

Subchapter: B - Juvenile Board Responsibilities

§341.3 Policy and Procedures.

(a) Personnel Policies. The juvenile board shall adopt written personnel policies. These personnel policies shall include but not be limited to:

- (1) a salary scale for all juvenile probation officers; and
- (2) the provision for juvenile probation officers to receive all applicable benefits and allowances given to county employees.

COMMENTARY**Discussion and Interpretation:**

The juvenile board shall adopt written personnel policies for the juvenile probation department that include a salary scale for all juvenile probation officer positions. Compliance with this standard will require that the jurisdiction have a written scale, which identifies probation officer positions by classification or group and includes accompanying steps or levels. Each step or level must have an assigned salary identified. There are no requirements for how many steps or levels must be included in the salary scale. All probation officer positions (including the chief administrative officer and any supervisory positions) shall be included in the salary scale. The standard does not require that non-probation officer positions (e.g., counselors, clerical, etc.) be included in the scale.

The department's written personnel policies shall also include a provision for juvenile probation officers to receive the benefits and allowance packages that are provided to any other county employee (or the employees of the lead county in multi-county departments). A juvenile board may elect to provide its probation officers with benefits which exceed the county's package, but in no case shall a juvenile probation officer be denied a benefit which a county employee is eligible to receive.

Benefits and allowances are not restricted to financial compensation but include related insurance plans and coverage, including but not limited to health, dental, life, short/long term disability and accidental death and dismemberment. Benefits also include traditional county employee retirement plans (i.e., Texas County and District Retirement System), as well as any county coordinated ancillary retirement or investment plans (e.g., 401-K plans, 457 plans, etc.). Cost of living raises, sick leave, vacation, holiday allowances, longevity pay, etc., as well as access to any employee assistance programs, are considered benefits.

Reviewer Guidelines:

To determine compliance with this standard, the reviewer will:

1. Prior to the monitoring visit, request written documentation from the county or probation department human resources coordinator, county commissioner's court or county auditor on official letterhead certifying that juvenile probation officers receive all applicable benefits and allowances provided to county employees.
2. Interview the chief administrative officer regarding the equality of benefits and allowances provided to the juvenile probation officers and county employees.
3. Review the juvenile probation department policy and procedure manual for a salary scale or policy.
4. Review policy and procedure manual for a provision requiring juvenile probation officers to receive all applicable benefits and allowances given to county employees
5. Review juvenile board minutes, resolution or other written documentation approving the juvenile probation department policy and procedure manual, regarding provisions related to salary scale and benefits.

Verification Documents:

1. Letter verifying the equality of benefits and allowances
2. Policy and procedure manual
 - a. Salary scale
 - b. Salary policy
 - c. Benefits provision
3. Juvenile board minutes, resolution or other written documentation

METHODOLOGY**Compliance Methodology:**

This standard will be monitored using non-sampling techniques which may include the review and analysis of relevant written documentation, interviewing of selected personnel and personal visual observations of program operations made by the reviewer. A program will be in compliance with the standard if all required elements of the standard are met and are verifiable by the reviewer during the monitoring visit.

Monitoring Methodology: Yes/No
Sample: N/A
Point Value: 10
Total Points Possible: 10
Scoring Methodology: 0 or 10
Level: Level 1 - Administrative

REFERENCE MATERIAL**Recommended Best Practices:**

Juvenile probation officer salaries should be commensurate with the salaries paid to their adult probation officer counterparts. The starting salary for entry-level juvenile probation officers should be no less than the entry-level salary for the jurisdiction's adult probation officers. Salary parity is a necessary goal given that each of the two professions are officers of the court with similar job duties and each is required to possess similar education, training and certification credentials.

Sample Form(s):
N/A

Citation(s):
Title 37 Texas Administrative Code
Part II Texas Juvenile Probation Commission
Chapter 341 Texas Juvenile Probation
Commission §341.3(a)

Texas Register Publication Citation:
28(6) TexReg 1073 Proposed Action
28(14) TexReg 2929 Adopted Action

Title 37 Texas Administrative Code Chapter 341

Cross Reference(s):
N/A

Board Opinion:
RFI Opinion:

EFFECTIVE DATES

Standard's Effective Date: 9/1/2003
CRM Last Modified On: 9/1/2003

PRE-MONITORING PREPARATION

Program Tour: False

Policy and Procedure: True

Pre-Monitoring Checklist: False

Pre-Monitoring Preparation Checklist:

Please provide a letter from the county or probation department human resources coordinator, county commissioner's court or county auditor on official letterhead certifying that all benefits and allowance packages provided to county employees are equivalent to those provided to juvenile probation officers.

Reviewer Preparation Checklist Required: True

Reviewer Preparation Checklist:
N/A

INTERVIEW QUESTIONS MAY BE ADMINISTERED TO THE FOLLOWING:

Chief Administrative Officer: True
Professional Staff: False
Program/Facility Administrator: False
Juvenile Board Chair: False
Ancillary Staff: False
Juvenile: False

**76th & 276th JUDICIAL DISTRICT
TITUS, CAMP, MARION & MORRIS COUNTY
JUVENILE PROBATION DEPARTMENT**

| | |
|---|---|
| CHAPTER: ADMINISTRATION, ORGANIZATION AND MANAGEMENT | POLICY - A1.0 PAGES: 5 |
| SUBJECT: JUVENILE BOARD, BOARD RESPONSIBILITIES, STANDARD COMPLIANCE, MONITORING, WAIVERS, VARIANCE AND BOARD COMPLAINTS | RELATED STANDARDS: TJJD: 343.2 (a)(b) 348.19 349.2 (a)(b) 349.37 349.19 341.2(a) (1)(2) JJC: 51.12(c) |
| A 1.0 (Edited 03/13/12) mc | ACA: 3-JCRF-1A-04 1-SJD-1A-19 1-SJD-1A-20 1-SJD-1A-02 1-SJD-1A-11 THR CODE: Sec 141.085 |

POLICY:

The County Juvenile Board is the governing authority of the County Juvenile Probation. The Juvenile Board typically holds meetings on a quarterly basis but shall meet as needed with the Chief Probation Officer and designated staff in order to facilitate communication, establishes and review policy & procedure, explores problems, ensure conformity to legal and fiscal requirements and implement programs. (3-JCRF-1A-04) (1-SJD-1A-19) (1-SJD-1A-20)

This manual is prepared in compliance with Texas Juvenile Justice Department Standard which states, "the Juvenile Board shall ensure that the Chief Administrative Officer develops and maintains an Administrative Manual which includes policies, procedures, and regulations set forth by the County Juvenile Board, as well as, a current organizational chart depicting structure, lines of authority, and responsibility. The facilities shall be operated according to current written policies which address personnel, administration, child care, daily living, programs, and training.

Policy and Procedures manual shall be made available to each new employee at time of employment. Each employee shall have a copy of the manual along with TJJD standards. Updates will be continually distributed to all employees, as they are available.

GENERAL RESPONSIBILITIES OF THE BOARD:

- ❖ The Juvenile Board of County shall be the statutory administrative authority and shall evaluate, monitor and when necessary recommend modification of all functions of the Juvenile Probation Department in accordance with the Texas Juvenile Justice Department's standards. The County Juvenile Board has established written personnel and department policies. (1-SJD-1A-02)

❖ The County Juvenile Board shall specify the responsibilities and functions of the County Juvenile Probation Department as well as the authority, responsibility and functions of the position of the Chief Probation Officer. TJJD 341.2(a)(1)(2) (1-SJD-1A-11)

ANNUAL INSPECTION OF FACILITIES AND CERTIFICATION:

The members of the Juvenile Board shall personally inspect the Department at least annually. The Board will review policies and make recommendations for acceptance and/or modifications to existing policies. TJJD 343.2(a) The Juvenile Board's current facility certification and TJJD's registration shall be posted within the facility in a public area. TJJD 343.2(b) (1-SJD-1A-02)

MONITORING: The Texas Juvenile Justice Department shall annually monitor and audit all aspects of County Juvenile Probation Department, all aspects of fiscal management, for compliance with standards promulgated by said agency. The County Juvenile Probation Department may at times request special visits by the TJJD auditors and monitors and request technical assistance in any aspect of its programs, services, and facilities. (1-SJD-1A-19)

The Juvenile Board shall be furnished with a report of the findings. Any aspects or areas found to be out of compliance shall be afforded a reasonable amount of time to correct deficiencies. In accordance with established procedures, if Juvenile Department fails to come into compliance after such time, state funding to the Juvenile Board may be suspended or reduced.

WAIVERS OF TJJD STANDARDS:

TJJD 349.2(a)
TJJD 341.4

Who May Request. Unless expressly prohibited by another standard, the juvenile board, or Chief of Juvenile Probation may make an application for waiver of any standard or standards adopted by TJJD. If the Chief of Juvenile Probation makes a request for waiver, the Chief shall in writing notify the juvenile board of the request simultaneous with the request's submission to TJJD.

TJJD 348.138

Contents of Request. The written request for waiver shall:

- (1) Explain why said standard or standards cannot be complied with immediately;
- (2) Explain the impact the waiver if granted, would have on other standards; and
- (3) Provide a plan to ensure compliance within a period not to exceed one year including where applicable how the health and safety of juveniles would be maintained during the duration of the waiver.

Length of Waiver. Waivers granted by TJJD staff under this section shall not exceed one year. The juvenile board may request one subsequent waiver.

Review of Request. In the event a request for waiver is denied, the juvenile board, or the Chief of Juvenile Probation may request a review by TJJD. The review of the waiver request shall occur at the next regularly scheduled TJJD meeting.

VARIANCE:

TJJD 349.2(b)

- (1) The TJJD Board may grant a permanent variance from a standard if the Board makes the following findings of fact:
 - (A) The juvenile board has shown by the substantial weight of the evidence that the health and safety of juveniles is maintained;
 - (B) The juvenile board has shown substantial compliance with the intent and purpose of the standard for which a variance is requested through alternative methods or means;
 - (C) The juvenile board has shown that compliance with the standard in question would be an undue hardship on the county; and
 - (D) The juvenile board has shown that issuing the variance would not put the juvenile board in violation of any state or federal law.
- (2) The juvenile board shall submit an application for a variance to the TJJD Board on a TJJD provided form.
- (3) TJJD shall grant or deny the variance at the next scheduled board meeting.

HANDLING OF COMPLAINTS AGAINST THE COUNTY JUVENILE BOARD

TJJD 349.37

If the Texas Juvenile Justice Department receives a complaint about the County Juvenile Board, TJJD shall review the circumstances surrounding the complaint to determine whether the Juvenile Board has violated the rules or standards of TJJD.

If TJJD determines the complaint is about the County Juvenile Probation Department under the discretion of the Juvenile Board, the complaint shall be referred to the Juvenile Board. The complainant shall be notified in writing of the referral by TJJD.

If TJJD determines the Juvenile Board has violated TJJD's rules or standards, the Juvenile Board shall be notified in writing of the violation. If, within 90 calendar days of the date on which the Juvenile Board received written notice of TJJD's determination, the Juvenile Board does not propose its own means of achieving compliance or the plan is not acceptable to TJJD, TJJD will attempt to negotiate a mutually agreeable solution.

Upon written notice of the violation, the Juvenile Board shall be given 90 calendar days to achieve compliance or propose a plan to achieve compliance acceptable to TJJD.

If TJJD and the Juvenile Board cannot reach an agreement, TJJD will give the Juvenile Board written notice of its intent to refuse, reduce, or suspend state aid, under authority of the Texas Human Resources Code, Sec. 141.085. Upon receipt of the above notice, the Juvenile Board shall have 15 calendar days to:

- (1) Notify in writing TJJD's Executive Director of the Juvenile Boards compliance;
- (2) Propose in writing an alternate solution; or
- (3) Provide a written appeal of TJJD's action(s) to the Executive Director.

The Juvenile Board's appeal must state specifically its differences of opinion with TJJD's staff concerning the facts in dispute and the solution necessary under the standards or rules of TJJD. The appeal shall state whether the Juvenile Board requests a hearing before TJJD's board.

TJJD shall set the appeal on the agenda for its next regularly scheduled meeting. If the Juvenile Board has requested a hearing, the Juvenile Board and TJJD's staff may appear and make oral presentations concerning the appeal. If the Juvenile Board does not request a hearing before TJJD, TJJD's board will make its decision based upon the record.

The complainant shall be notified in writing upon receipt of the complaint and upon resolution.

APPROVED BY:  CHIEF OF JUVENILE PROBATION

76th & 276th JUDICIAL DISTRICT
TITUS, CAMP, MARION & MORRIS
COUNTY JUVENILE PROBATION DEPARTMENT
ADMINISTRATIVE MANUALS

The undersigned, constituting the Juvenile Board and Juvenile Court Judge and for the County of Camp, Titus, Morris and Marion, State of Texas, approves the above named departmental manuals on policy and procedure for the Camp, Titus, Morris and Marion County Juvenile Probation Department.

8/14/12
Date

Thomas Cravey
Thomas Cravey-Chairperson, Juvenile Board
Camp County Judge

8/14/12
Date

Robert Rolston
Robert Rolston-Vice Chairperson-Juvenile Board
276th District Judge

Date

Danny Woodson-Juvenile Board Member
76th District Judge

8-14-12
Date

Lauren Parish
Lauren Parish -Juvenile Board Member
115th District Judge

8/14/12
Date

Phil A. Parker
Phil A. Parker-Juvenile Board Member
Marion County Judge

8-14-12
Date

Lynda Munkres
Lynda Munkres-Juvenile Board Member
Morris County Judge

8-14-12
Date

Brian Lee
Brian Lee -Juvenile Board Member
Titus County Judge

COUNTY JUVENILE PROBATION DEPARTMENT

| | |
|---|-------------------------------------|
| CHAPTER: FISCAL/DATA MANAGEMENT | POLICY NO: A2.3 Pages: 1 |
| SUBJECT: FISCAL MANAGEMENT SALARY SCALE AND BENEFITS | RELATED STANDARDS: |
| A2.3 (Edited 07/15/12) mc | TJJD: 341.3 (a)(1-2) |

POLICY:

It is the policy of the Juvenile Probation Department to have the juvenile board approve personnel policies in the form of a salary scale and benefits for the Department's personnel.

It is also the policy of the County to have the juvenile board adopt a salary scale for all juvenile Probation officer positions, benefits and allowance packages that are provided to any other County employee or the employees of the lead county in multi-county departments. The juvenile Board may elect to provide probation officers with benefits which exceed the county's package, but in no case shall a juvenile probation officer be denied a benefit which a county employee is eligible to receive. Benefits and allowances are not restricted to financial compensation but include related Insurance plans and coverage, including but not limited to health, dental, life, short/long term Disability and accidental death and dismemberment. Benefits also include traditional county Employee retirement plans (i.e., Texas County and District Retirement System) as well as any county coordinated ancillary retirement or investment plan (e.g., 401-K plans, 457 plans, etc) Cost of Living raises, sick leave, vacation, holiday allowances, longevity pay, etc., as well as access to any Employee assistance programs, are considered benefits.

It is also the policy that juvenile probation officer salaries should be commensurate with the salaries paid to their adult probation officer counterparts. The starting salary for entry-level juvenile probation officers should be no less than the entry-level salary for the jurisdiction's adult probation officers.

341.(a)(1)(2)

All other fiscal responsibilities shall be found in the Department's procedures for internal controls.



Texas Juvenile Probation Commission
**State Financial Assistance Contract
and General Grant Requirements**
2012 - 2013 Biennium

This is an agreement between the State of Texas, represented by and through the Texas Juvenile Probation Commission, hereinafter called the "Commission", and the juvenile board of *TITUS* County, hereinafter called the "Grantee". In consideration of the mutual agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Commission and the Grantee, for the consideration hereinafter detailed, make the following agreements.

I. **PURPOSE AND SCOPE OF CONTRACT.** The purpose of this State Financial Assistance Contract, hereinafter referred to as, the "Contract" between the Commission and the Grantee is to delineate the duties and responsibilities of both the Commission and the Grantee regarding the distribution, receipt and expenditure of state financial assistance funding under the applicable individual grants referenced herein.

II. **INCORPORATED DOCUMENTS.**

2.1. **Incorporated Documents.** The following documents are an integral and necessary part of this Contract and are hereto attached and incorporated herein by reference:

2.1.1. **Exhibits.**

2.1.1.1. Exhibit A. *General Grant Requirements for the Distribution and Expenditure of State Financial Assistance*

2.1.1.2. Exhibit B. *Juvenile Board Resolution*

2.1.1.3. Exhibit C. *Commitment Reduction Program Resolution (Acceptance)*

2.1.2. **Appendices.**

2.1.2.1. Appendix I. *Expenditure Guidelines*

2.2. **Documents Incorporated by Reference.** The following documents are incorporated by reference into this Contract and the provisions are binding on the Grantee.

2.2.1. **Texas Juvenile Probation Commission Compliance Resource Manual (CRM).** The Texas Juvenile Probation Commission *Compliance Resource Manual*, hereinafter referred to as the "*Compliance Resource Manual*" is a multi-chapter, two-volume resource document available online at the Commission website that details the expected outcomes, mandatory requirements and interpretations of all agency grant requirements and agency administrative law found in Title 37 Texas Administrative Code, Chapters 341 - 359 or successor provisions which may be amended or adopted during the term of this Contract. Volume 1 of the Compliance Resource Manual sets forth the standards, interpretations and compliance verification procedures of the Commission's administrative law. Volume 2 sets forth the general requirements applicable to the distribution and expenditure of state financial assistance funding and the specific grant requirements applicable to each individual grant. The Compliance Resource Manual also contains objective criteria and standard procedures for verifying compliance,

Grantee by the Commission shall be limited to no more than 180 days of operation during each regular school year for the current contract period.

V. GENERAL DUTIES AND RESPONSIBILITIES OF GRANTEE.

- 5.1. **General.** The general duties, obligations and responsibilities of the Grantee are delineated and set forth in this document, in the provisions of the State Financial Assistance Contract, which includes the General Grant Requirements and the individual grant provisions made part of the Compliance Resource Manual governing any grant awarded or distributed under this Contract.
- 5.2. **Compliance Resource Manual.** The Grantee shall be bound by all administrative law promulgated by the Commission (i.e., standards) as codified in Title 37 Texas Administrative Code Chapters 341- 359 or any successor provisions which may be amended or adopted during the term of this Contract. The Commission may provide a Compliance Resource Manual (CRM) to the Grantee as a reference document to detail the monitoring policies, practices, procedures and requirements of the Commission. The CRM shall govern all monitoring policies, procedures and methodologies to be implemented by the Commission.
- 5.3. **Compliance Systems.** The Grantee shall implement and use the required compliance systems as well as adhere to the policies, procedures and requirements relating to the following formalized or automated systems designed to track and enforce administrative law:
 - 5.3.1. **Compliance Monitoring, Enforcement and Tracking System.** The Compliance Monitoring, Enforcement and Tracking System (COMETS) is an automated internal system developed by the Commission that consists of an extensive database to track, among other things, non-compliances, monitoring reports, citations, corrective actions and sanctions imposed by the Commission. Grantee shall use COMETS to respond to any citation of non-compliance.
- 5.4. **Notice of Suit.** The Grantee shall notify the Commission within five (5) calendar days if the Grantee, the Grantee's county (or counties for judicial districts), the juvenile probation department, juvenile probation services, and/or its employees, contractors or service providers are named as party in a civil or criminal law suit, where the law suit relates to the operation of a juvenile probation department, juvenile justice program, secure juvenile pre-adjudication detention facility, short-term detention facility (i.e., holdover), secure post-adjudication correctional facility or other facility operated by or under the authority of the Grantee.
- 5.5. **Privatization of Juvenile Probation Services, Juvenile Justice Programs and Facilities.** If the Grantee chooses to enter into any subcontract with any public or private person or entity for the provision of administration or programmatic services in juvenile justice programs and facilities, the Grantee shall ensure that the qualifications of the subcontractor are adequate to ensure the subcontractor shall perform and meet the terms of this Contract and the provisions contained herein in their entirety. All subcontracts entered into by the Grantee shall be in writing and shall be subject to all applicable requirements contained in this Contract with the Commission and any requirements in Texas law applicable to said contracts. The Grantee shall be solely responsible to the Commission for the performance of any subcontractor under this Contract.
- 5.6. **Health and Safety of Youth.** Grantee shall provide juvenile probation programs and services to serve the youth under the jurisdiction of the juvenile court or courts within the Grantee's jurisdiction and shall ensure all programs, services and facilities provide adequate health and safety protections, procedures, and policies for all youth being served. The Commission may issue a Non-Compliance Citation Report (NCCR), cease or suspend funding or impose any other sanctions available under administrative rules or other applicable laws for failure to protect the health and safety of youth.

VI. ACCOUNTING, REPORTING, AUDITING REQUIREMENTS AND FINANCIAL ASSURANCES FOR GRANT FUNDS.

- 6.1. The Grantee shall follow the accounting, reporting, auditing and financial assurance requirements contained in the provisions of the State Financial Assistance Contract, which includes the General Grant Requirements and the individual

TEXAS JUVENILE PROBATION COMMISSION

Mailing Address:
P.O. Box 13547
Austin, Texas 78711
Attention: Chief Financial Officer

Physical Address:
4900 N. Lamar
Austin, Texas 78751

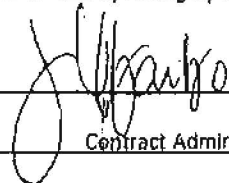
The notice shall be effective on the date of delivery.

7.6. Sanctions and Penalties.


- 7.6.1. **Withholding of Payments.** Notwithstanding anything to the contrary herein, the Grantee acknowledges that payments due under this Contract may be withheld or permanently suspended, in whole or in part, in the event of non-compliance with any federal or state law, administrative rule, or regulation applicable to the services provided herein, or if the duties and responsibilities herein have not been performed in accordance with the terms and conditions of this Contract.
- 7.6.2. **Withholding of Future Payments.** If the Grantee fails to reimburse the Commission for discovered unallowable expenditures, the Commission may withhold future payments under any grant received pursuant to this Contract until the unallowable costs have been completely reimbursed.
- 7.6.2.1. **Notice and Hearing.** The Commission shall provide reasonable notice and conduct a hearing before the Commission Board prior to permanently suspending payment due under this Contract. The administrative determination rendered by the Commission Board is final.
- 7.6.3. **Ineligibility for Future Grants.** The Grantee may become ineligible for future grants of any kind from the Commission under the following circumstances:
- 7.6.3.1. The Grantee, its staff, employees, designees or contractors are found by the Commission to have intentionally or knowingly falsified any documents, reports or records related to grant funds received under this Contract, or intentionally or knowingly gave false statements to any Commission employee or designee related to the expenditure of grant funds or the provision of juvenile probation services and juvenile justice programs.
- 7.6.3.2. The Grantee, its staff, employees, designees or contractors are found by the Commission to have intentionally or knowingly violated any provision of this Contract.
- 7.6.4. **Debarment, Suspension or Ineligibility.** By execution of this Contract, the Grantee certifies that it is not otherwise presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by any federal or state department or agency from participation in the State Financial Assistance Contract or any individual grant authorized hereunder.
- 7.6.5. **Force Majeure.** The Commission may grant relief from performance of the Contract if the Grantee is prevented from performance by act of war, order of legal authority, Act of God, or other unavoidable cause not attributable to fault or negligence of the Grantee. The burden of proof for the need of such relief shall rest upon Grantee. To obtain release based on force majeure, the Grantee shall file a written request with the Commission.

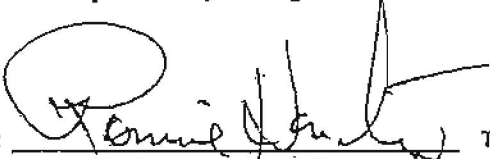
For the faithful performance of the terms of this Contract, the parties hereto in their capacities as stated, execute this Contract, affix their signatures and bind themselves.

THE STATE OF TEXAS, Acting By and Through the Texas Juvenile Probation Commission

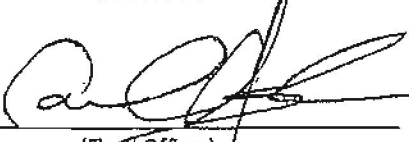
By:  Typed Name: Judy Garza-Ybarbo
Title: Contract Administrator Date: AUG 24 2011

GRANTEE, The Juvenile Board of TITUS County

By:  Typed Name: Thomas Cravey
(Juvenile Board Chairperson)
Title: Camp County Judge Date: August 22, 2011

By:  Typed Name: Ronnie Hardin
(Chief Administrative Officer)

Title: Chief Juvenile Probation Officer Date: August 22, 2011

By:  Typed Name: Carl Johnson, Jr.
(Fiscal Officer)

Title: Titus County Auditor Date: August 22, 2011

EXHIBIT "B"
JUVENILE BOARD RESOLUTION

STATE OF TEXAS

Know All Men By These Present

COUNTY OF TITUS

On this the 22nd day of August, 2011, a duly called and lawfully convened meeting of the Juvenile Board of Titus County/Judicial District was held in the City of Ore City, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

(Insert Names of Juvenile Board Members Present)

| | |
|---------------------|----------------------|
| Judge Thomas Cravey | Judge Robert Rolston |
| Judge Lauren Parish | Judge Danny Woodson |
| Judge Phil Parker | Judge Lynda Munkres |
| Judge Brian Lee | |
| | |

where, among other matters, came up for consideration and adoption the following Resolution:

Whereas, the Texas Juvenile Probation Commission has made available and offered state financial assistance monies to assist local juvenile boards in the provision of juvenile probation services or the operation of a secure pre-adjudication detention facility, a short-term detention facility (i.e., holdover), a secure post-adjudication correctional facility, a non-secure residential treatment facility or a juvenile justice alternative education program or a juvenile justice program as defined in Texas Family Code Section 261.405; and

Whereas, the Juvenile Board of TITUS County/Judicial District voluntarily wishes to participate in the aforementioned state financial assistance grants and agrees to the binding terms in this Contract, and all documents which have which has been incorporated into this Contract by reference; and

Whereas, the Juvenile Board believes that execution of the State Financial Assistance Contract for the 2012-2013 state biennium will further the interests of juvenile justice in this county and are in support of this resolution; and

Whereas, the Texas Juvenile Probation Commission has made available and offered state financial aid monies to assist local juvenile boards in the implementation of the Progressive Sanctions Model; and

Whereas, the 81st Texas Legislature has appropriated state financial aid monies for community-based diversionary placements, programs and services for juvenile offenders in order to reduce commitments to the Texas Youth Commission; and

Therefore, Be It Resolved that the Juvenile Board of TITUS County/Judicial District does hereby formally authorize and approve execution of the State Financial Assistance Contract for the 2012-2013 biennium.

Further Be It Resolved that the current Juvenile Board Chairman, Thomas Cravey be, and is hereby, authorized to sign this Resolution and any amendments pertaining to the State Financial Assistance Contract that may be subsequently ratified as the act and deed of the Juvenile Board of TITUS County/Judicial District.

The foregoing Resolution was lawfully moved by Judge Parish, duly seconded by Judge Rolston, and duly adopted by the Juvenile Board on a vote of 7 members for the motion and 0 opposed.

Thomas Cravey

Printed Name of Juvenile Board Chair



Signature of Juvenile Board Chair

August 22, 2011

Date Signed

EXHIBIT "C"
JUVENILE BOARD RESOLUTION
 Commitment Reduction Program Acceptance

STATE OF TEXAS

Know All Men By These Present

COUNTY OF TITUS

On this the 22nd day of August, 2011, a duly called and lawfully convened meeting of the Juvenile Board of Titus County/Judicial District was held in the City of Ore City, Texas, pursuant to the Texas Open Meetings Act. A quorum of the Members was present, to wit:

(Insert Names of Juvenile Board Members Present)

| | |
|---------------------|----------------------|
| Judge Thomas Cravey | Judge Robert Rolston |
| Judge Lauren Parish | Judge Danny Woodson |
| Judge Phil Parker | Judge Lynda Munkres |
| Judge Brian Lee | |
| | |

where, among other matters, came up for consideration and adoption the following Resolution:

Whereas, the Texas Juvenile Probation Commission has made available and offered state financial assistance monies to assist local juvenile boards in the provision of juvenile probation services or the operation of a secure pre-adjudication detention facility, a short-term detention facility (i.e., holdover), a secure post-adjudication correctional facility, a non-secure residential treatment facility or a juvenile justice alternative education program or a juvenile justice program as defined in Texas Family Code Section 261.405; and

Whereas, the Juvenile Board of TITUS County/Judicial District voluntarily wishes to participate in the aforementioned state financial assistance grants and agrees to the binding terms in this Contract, and all documents which have been incorporated into this Contract by reference; and

Whereas, the Juvenile Board believes that execution of the State Financial Assistance Contract for the 2012-2013 state biennium will further the interests of juvenile justice in this county and are in support of this resolution; and

Whereas, the Texas Juvenile Probation Commission has made available and offered state financial aid monies to assist local juvenile boards in the implementation of the Progressive Sanctions Model; and

Whereas, the 82nd Texas Legislature has appropriated state financial aid monies for community-based diversionary placements, programs and services for juvenile offenders in order to reduce commitments to the Texas Youth Commission; and

Therefore, Be It Resolved that the Juvenile Board of TITUS County/Judicial District does hereby formally authorize and approve execution of the State Financial Assistance Contract for the 2010-2013 state biennium with the Texas Juvenile Probation Commission.

Further Be It Resolved that the current Juvenile Board Chairman, Thomas Cravey, be, and is hereby, authorized to sign this Resolution and any amendments pertaining to the State Financial Assistance Contract that may be subsequently ratified as the act and deed of the Juvenile Board of TITUS County/Judicial District.

The foregoing Resolution was lawfully moved by Judge Parish, duly seconded by Judge Rolston, and duly adopted by the Juvenile Board on a vote of 7 members for the motion and 0 opposed.

Thomas Cravey

Printed Name of Juvenile Board Chair



Signature of Juvenile Board Chair

August 22, 2011

Date Signed