
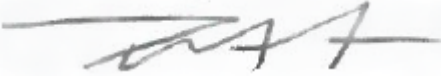


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POLICY NUMBER: 9.4		
CHAPTER 9: SUPERVISION AND CASE MANAGEMENT		
	STATE of MAINE DEPARTMENT OF CORRECTIONS Approved by Commissioner: 	PROFESSIONAL STANDARDS: See Section
EFFECTIVE DATE: March 5, 2019	LATEST REVISION	CHECK ONLY IF APA []

I. AUTHORITY:

The Commissioner of Corrections adopts this policy pursuant to the authority contained in Title 34-A M.R.S.A. Section 1403.

II. APPLICABILITY:

Juvenile Community Corrections

III. POLICY

It is the policy of the Department to allow an intra-state transfer of supervision of a juvenile community corrections client when a change in the juvenile's residence to a placement which is in another geographic area of Maine is in the best interests of the juvenile.

IV. DEFINITIONS

1. Courtesy notification - the notification from a Juvenile Community Corrections Officer (JCCO) who has been supervising a juvenile to a JCCO in the geographic area of a juvenile's new residence that the juvenile's residence has changed.
2. Courtesy supervision - the temporary transfer of supervision and delivery of case management services for a juvenile whose residence has changed to another geographic area to the JCCO for that area (the receiving JCCO), but with primary decision making authority retained by the JCCO requesting the courtesy supervision (the sending JCCO).
3. Full transfer of supervision – the permanent transfer of supervision, delivery of case management services, and decision making for a juvenile whose residence has changed to another geographic area to the JCCO for that area (the receiving JCCO).
4. Placement investigation - the gathering of information by the JCCO for the geographic area of a juvenile's new residence (the receiving JCCO) relating to

family, educational, living, social, and other relevant circumstances to assist the JCCO considering whether to request a transfer of supervision (the sending JCCO) and the Regional Correctional Administrator(s), or designee(s), in determining whether the change in residence is in the best interests of the juvenile.

5. Receiving Juvenile Community Corrections Officer (JCCO) – The JCCO to whom courtesy supervision or full supervision of a juvenile is requested to be transferred or to whom it has been transferred.
6. Sending Juvenile Community Corrections Officer (JCCO) – The JCCO from whom courtesy supervision or full supervision of a juvenile is requested to be transferred or from whom it has been transferred.

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- Procedure B: Courtesy Supervision Request and Approval Process
- Procedure C: Courtesy Supervision
- Procedure D: Full Transfer of Supervision Request and Approval Process
- Procedure E: Full Transfer of Supervision
- Procedure F: Other Transfers of Supervision

VI. ATTACHMENTS

- Attachment A: [Request for Transfer of Supervision](#)
- Attachment B: [Placement Investigation Report](#)

VII. PROCEDURES:

Procedure A: Courtesy Notification of Juvenile’s New Residence

1. A JCCO, upon learning that a juvenile under his or her supervision has changed residence, whether temporarily or permanently, to a placement which is in another geographic area, shall immediately notify the JCCO for the other area and the applicable Regional Correctional Administrator(s), or designee(s), of the change.
2. Notification shall be made by both email and telephone and shall be documented in CORIS.
3. If the change in residence was not already approved through one of the below procedures for transfer of supervision, the notification shall describe the circumstances relating to the change in residence including, when possible: the purpose of the change, a verifiable address and telephone number, the relationship of the person with whom the juvenile is living, and the approximate length of stay.

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4. In addition, if the change in residence was not already approved through one of the below procedures for transfer of supervision, the appropriate procedure shall be initiated as soon as possible.

Procedure B: Courtesy Supervision Request and Approval Process

1. A temporary change in residence is one that is anticipated to be for a period of six (6) months or less.
2. If a request is made by a juvenile or by a juvenile’s primary legal custodian to his or her JCCO to allow the juvenile a temporary change of residence to a placement which is outside the home of the juvenile’s primary legal custodian or to allow the juvenile to move with the primary legal custodian to another residence, and the residence is in another geographic area, the JCCO shall review the request and evaluate whether the placement is in the best interests of the juvenile.
3. Even if there has been no request, if the JCCO learns that a temporary change in residence has already occurred, the JCCO shall evaluate whether the placement is in the best interests of the juvenile.
4. In evaluating whether the change in residence is in the best interests of the juvenile, the JCCO shall consider whether the placement is consistent with risk reduction strategies identified in the juvenile’s case plan or is an emergency placement to ensure the safety of the juvenile, other persons, or the community.
5. If the JCCO determines not to recommend approval of the change in residence, the JCCO shall inform the juvenile and the juvenile’s primary legal custodian of the denial. If the change in residence has already been made, the JCCO shall direct that the juvenile return to his or her prior residence or go to another appropriate placement.
6. If the JCCO determines to recommend approval of the change in residence, within five (5) working days of making the determination, the JCCO (sending JCCO) shall submit to his or her RCA, or designee, a completed Transfer of Supervision Request form (Attachment A) for courtesy supervision by the JCCO for the area of the new residence (receiving JCCO) and notify the receiving JCCO of the pending request.
7. Within five (5) working days of receiving the completed request form, the RCA, or designee, shall approve or deny the request for courtesy supervision and notify the sending JCCO and the receiving JCCO of the decision.
8. If the request is denied, the sending JCCO may resubmit the request with additional supporting information and justification.
9. If the sending JCCO decides not to resubmit a denied request or a resubmitted request is denied again, the JCCO shall inform the juvenile and the juvenile’s

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primary legal custodian of the denial and, if applicable, direct that the juvenile return to his or her prior residence or go to another appropriate placement.

10. If the request is approved and the residence is in the same community corrections region, the sending JCCO shall inform the juvenile and the juvenile's primary custodian of the approval, and the RCA, or designee, shall forward the approved request for courtesy supervision to the receiving JCCO.
11. If the request is approved and the residence is in a different community corrections region, the RCA, or designee, shall forward the request for courtesy supervision to that region's RCA, or designee.
12. The RCA, or designee, receiving the courtesy supervision request shall review the request within five (5) working days of its receipt and respond in writing to the sending JCCO and receiving JCCO whether it is approved or denied.
13. If the request is denied, the RCAs shall confer and attempt to come to an agreement. If the request is not resolved by agreement, the Associate Commissioner for Juvenile Services shall be contacted and shall make the final decision.
14. If the request is denied by both RCAs after they confer, or by the Associate Commissioner, the sending JCCO shall inform the juvenile and the juvenile's primary legal custodian of the denial and, if applicable, direct that the juvenile return to his or her prior residence or go to another appropriate placement.
15. If the request is approved by both RCAs, or designees, or by the Associate Commissioner, the sending JCCO shall inform the juvenile and the juvenile's primary legal custodian of the approval, and the RCA, or designee, for the geographic area of the juvenile's new residence shall forward the approved request to the receiving JCCO.
16. If, at any point in the approval process, the circumstances surrounding the change in residence require additional investigation, the sending JCCO, the applicable RCA, or designee, or the Associate Commissioner may request a Placement Investigation Report (Attachment B) be completed by the receiving JCCO in order to help determine if the request is in the best interests of the juvenile.
17. A Placement Investigation Report, if requested, shall be completed within fifteen (15) working days and returned to the person making the request for the report.
18. For a juvenile who has changed residence without approval and is directed to return to his or her prior residence or go to another appropriate placement, if the juvenile fails to follow the direction and it is a condition of supervision that the juvenile's residence or a change in residence be approved by the sending JCCO, the JCCO shall take appropriate action. This may include, as applicable, asking that a petition be filed against a juvenile on informal adjustment, ordering the detention of a juvenile on conditional release, asking that a motion to terminate

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be filed against a juvenile on deferred disposition, filing a motion to revoke against a juvenile on probation, or initiating the return to the facility of a juvenile on community reintegration status. If there is no such condition, the JCCO shall take the necessary steps to have the juvenile's conditions of supervision amended to add such a condition.

19. If at any time the JCCO becomes aware that the change in residence presents a danger to the juvenile's wellbeing, the JCCO shall file the mandated child abuse/ child neglect report with the Department of Health and Human Services.
20. Any request from the juvenile or the juvenile's primary legal custodian for a temporary change in residence, the JCCO's evaluation, recommendation, and reason(s) for the recommendation, any placement investigation report, and the decision(s) of denial or approval, as well as the results of those decisions, including any transfer of responsibilities, shall be documented in CORIS

Procedure C: Courtesy Supervision

1. Within five (5) working days after receiving an approved courtesy supervision request, the receiving JCCO shall make initial contact with the juvenile and begin courtesy supervision.
2. That receiving JCCO shall be responsible to provide to the juvenile appropriate supervision and case management services.
3. The sending JCCO shall retain primary decision making authority for the duration of courtesy supervision, and the receiving JCCO shall gather and provide any information necessary for decision making and any other relevant information requested by the sending JCCO.
4. A periodic review of the juvenile's progress and the continued appropriateness of courtesy supervision shall be conducted by both JCCOs every ninety (90) days after transfer of courtesy supervision or at the case plan review date, whichever comes first.
5. Each JCCO shall immediately notify the other JCCO of any newly discovered violation by the juvenile of a supervision condition, as well as of court proceedings related to a pending or newly discovered violation or otherwise related to the juvenile.
5. A courtesy supervision may be revoked at any time by the sending JCCO if newly discovered or newly occurring circumstances lead to a determination that the new residence is not or is no longer in the best interests of the juvenile.
6. If it becomes apparent the change in residence will likely last more than six (6) months, the sending JCCO shall initiate the below procedure for full transfer of supervision.

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Procedure D: Full Transfer of Supervision Request and Approval Process

1. A permanent change in residence is one that is anticipated to be for a period of more than six (6) months.
2. If a request is made by a juvenile or by a juvenile's primary legal custodian to his or her JCCO to allow the juvenile a permanent change of residence to a placement which is outside the home of the juvenile's primary legal custodian or to allow the juvenile to move with the primary legal custodian to another residence, and the residence is in another geographic area, the JCCO shall review the request and evaluate whether the placement is in the best interests of the juvenile.
3. Even if there has been no request, if the JCCO learns that a permanent change in residence has already occurred or it becomes apparent that an approved temporary change in residence will likely last more than six (6) months, the JCCO shall evaluate whether the placement is in the best interests of the juvenile.
4. In evaluating whether the change in residence is in the best interests of the juvenile, the JCCO shall consider whether the placement is consistent with risk reduction strategies identified in the juvenile's case plan or is an emergency placement to ensure the safety of the juvenile, other persons, or the community.
5. If the JCCO determines not to recommend approval of the change in residence, the JCCO shall inform the juvenile and the juvenile's primary legal custodian of the denial. If the change in residence has already been made, the JCCO shall direct that the juvenile return to his or her prior residence or go to another appropriate placement.
6. If the JCCO determines to recommend approval of the change in residence, within five (5) working days of making the determination, the JCCO (sending JCCO) shall submit to his or her RCA, or designee, a completed Transfer of Supervision Request form (Attachment A) for a full transfer of supervision by the JCCO for the area of the new residence (receiving JCCO).
7. The sending JCCO shall attach to the request the juvenile's original paper record. The JCCO shall also ensure that the juvenile's electronic record is current and complete to the extent possible. This includes contact information, assessments, case planning and notes.
8. Within five (5) working days of receiving the completed request form, the RCA, or designee, shall approve or deny the request for full transfer of supervision and notify the sending JCCO of the decision.
9. If the request is denied, the sending JCCO may resubmit the request with additional supporting information and justification.
10. If the sending JCCO decides not to resubmit a denied request or a resubmitted request is denied again, the JCCO shall inform the juvenile and the juvenile's

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primary legal custodian of the denial and, if applicable, direct that the juvenile return to his or her prior residence or go to another appropriate placement.

11. If the request is approved and the residence is in the same community corrections region, the sending JCCO shall inform the juvenile and the juvenile's primary custodian of the approval, and the RCA, or designee, shall forward the request for courtesy supervision to the receiving JCCO.
12. If the request is approved and the residence is in a different community corrections region, the RCA, or designee, shall forward the request for courtesy supervision to that region's RCA, or designee.
13. The RCA, or designee, receiving the courtesy supervision request shall review the request within five (5) working days of its receipt and respond in writing to the sending JCCO whether it is approved or denied.
14. If the request is denied, the RCAs shall confer and attempt to come to an agreement. If the request is not resolved by agreement, the Associate Commissioner for Juvenile Services shall be contacted and shall make the final decision.
15. If the request is denied by both RCAs after they confer, or by the Associate Commissioner, the sending JCCO shall inform the juvenile and the juvenile's primary legal custodian of the denial and, if applicable, direct that the juvenile return to his or her prior residence or go to another appropriate placement.
16. If the request is approved by both RCAs, or designees, or by the Associate Commissioner, the sending JCCO shall inform the juvenile and the juvenile's primary legal custodian of the approval, and the RCA, or designee, for the geographic area of the juvenile's new residence shall forward the request to the receiving JCCO.
17. If, at any point in the approval process, the circumstances surrounding the change in residence require additional investigation, the sending JCCO, the applicable RCA, or designee, or the Associate Commissioner may request a Placement Investigation Report (Attachment B) be completed by the receiving JCCO in order to help determine if the request is in the best interests of the juvenile.
18. A Placement Investigation Report, if requested, shall be completed within fifteen (15) working days and returned to the person making the request for the report.
19. For a juvenile who has changed residence without approval and is directed to return to his or her prior residence or go to another appropriate placement, if the juvenile fails to follow the direction and it is a condition of supervision that the juvenile's residence or a change in residence be approved by the sending JCCO, the JCCO shall take appropriate action. This may include, as applicable, asking that a petition be filed against a juvenile on informal adjustment, ordering the detention of a juvenile on conditional release, asking that a motion to terminate

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be filed against a juvenile on deferred disposition, filing a motion to revoke against a juvenile on probation, or initiating the return to the facility of a juvenile on community reintegration status. If there is no such condition, the JCCO shall take the necessary steps to have the juvenile's conditions of supervision amended to add such a condition.

20. If at any time the JCCO becomes aware that the change in residence presents a danger to the juvenile's wellbeing, the JCCO shall file the mandated child abuse/ child neglect report with the Department of Health and Human Services.
21. Any request from the juvenile or the juvenile's primary legal custodian for a permanent change in residence, the JCCO's evaluation, recommendation, and reason(s) for the recommendation, any placement investigation report, and the decision(s) of denial or approval, as well as the results of those decisions, including any transfer of responsibilities, shall be documented in CORIS

Procedure E: Full Transfer of Supervision

1. Within five (5) working days after receiving an approved full transfer of supervision request, the receiving JCCO shall make initial contact with the juvenile and begin full supervision.
2. The receiving JCCO shall be responsible to provide to the juvenile appropriate supervision and case management services.
3. The receiving JCCO shall acquire primary decision making authority, and the sending JCCO shall gather and provide any information necessary for decision making and any other relevant information requested by the receiving JCCO.
4. The sending JCCO shall immediately notify the receiving JCCO of any newly discovered violation by the juvenile of a supervision condition, as well as of court proceedings related to a pending or newly discovered violation or otherwise related to the juvenile.
5. The management of any pending violations and any pending court proceedings shall be determined by the appropriate RCA(s). Supervision by the receiving JCCO shall be considered courtesy until all pending court proceedings are resolved.

Procedure F: Other Transfers of Supervision

1. If the Department of Health and Human Services has the legal custody of a juvenile and notifies the JCCO supervising the juvenile that the juvenile's residence will be changing or has changed to another geographic area, the JCCO shall immediately notify the JCCO for the other area and the applicable Regional Correctional Administrator(s), or designee(s), of the change.
2. Notification shall be made by both email and telephone and shall be documented in CORIS.

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3. The notification shall describe the circumstances relating to the change in residence including, when possible: the purpose of the change, a verifiable address and telephone number, and the approximate length of stay.
4. Within five (5) working days after receiving the notification, the receiving JCCO shall make initial contact with the juvenile and begin either courtesy or full supervision as set out above. The decision as to which type of supervision to provide shall be made based on the expected duration of the change in residence, the purpose of the change (e.g., family reunification), and any other relevant factors.
5. The reasons for the decision as to which type of supervision is to be provided, as well as the transfer of responsibilities, shall be documented in CORIS.
6. Transfers of supervision to another state shall be in accordance with the applicable Interstate Compact.

VIII. Professional Standards:

None

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