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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO DELINQUENT AND DEPENDENT CHILDREN - PROCEEDINGS IN
FAMILY COURT

Introduced By: Senator Michael J. McCaffrey

Date Introduced: February 13, 2013

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 14-1-33 of the General Laws in Chapter 14-1 entitled "Proceedings
2 in Family Court" is hereby amended to read as follows:

3 **14-1-33. Supervision of child placed on probation.** -- (a) Whenever the court places a
4 child on probation, the court may do so upon any terms and conditions, not inconsistent with law,
5 that the court may deem best for the welfare of the child, but unless otherwise ordered by the
6 court, a probation counselor may make any arrangements for the care of the child that he or she
7 may deem best for its welfare, and may release the child in the care of its parent, guardian, or
8 other lawful custodian, or in the care of any relative of the child. If a child has been placed on
9 probation as provided in this chapter, the probation counselor may at any time before the
10 discharge of the child take the child before the court without a warrant, or the court may issue a
11 warrant to bring the child before the family court. When the child is before the court, the court
12 may make any disposition of the case which it might have made before the child was placed on
13 probation, or may continue or extend the period of probation.

14 (b) At the end of the probation period of a child, the probation counselor shall make a
15 report to the court, in writing, as to the conduct of the child during that period.

16 (c) If, at any time during a child's probationary term, the child is charged with an
17 additional and subsequent delinquency offense, which if committed by an adult would be
18 considered a felony, the probation counselor shall file a petition in the family court alleging that

1 the child has violated probation.

2 (d) If, at any time during a child's probationary term the child is charged with an
3 additional and subsequent wayward/disobedient or status offense, the probation counselor may
4 file a petition in the family court alleging that the child has violated probation.

5 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

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1 This act would require a probation officer to file a petition in the family court if a
2 juvenile is charged with an additional delinquency offense during his/her probationary term, and
3 would permit, but not require, a probation officer to file a petition in the family court if a juvenile
4 is charged with an additional wayward/disobedient or status offense during his/her probationary
5 term.

6 This act would take effect upon passage.

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