

# **Uniform Practice and Procedure Regarding the Appointment of Court Investigators**

**01-2012**

***Effective: 7/1/2012***

***Revised: 02/20/2013***

## **I. INTRODUCTION**

This uniform practice and procedure sets forth the application process and qualifications for appointment of court investigators in the Juvenile Court. This practice is effective on July 1, 2012.

## **II. COURT INVESTIGATOR QUALIFICATIONS**

### **A. Qualifications for Appointment**

1. Applicant shall be a licensed social worker with 3 years experience in child welfare protective cases, or a person with a Masters degree or higher in counseling psychology or clinical psychology with at least 1 year experience in child welfare protective cases, or a person with an undergraduate degree and knowledge of child welfare protective cases with demonstrable competence and at least 3 years experience in conducting investigations, or an attorney or retired judge with at least 3 years experience in child welfare protective cases.

2. Applicant shall have a business or residential address in the county where they are an applicant for appointment or in a county contiguous to the county of their business location or residence. If the applicant wishes to have his/her residential address remain confidential, he/she may use a post office box for mailing purposes.

### **B. Continuing Legal Education Requirements for Court Investigators**

Any person qualified by the Administrative Office of the Juvenile Court (AOJC) to be appointed as a court investigator shall participate in six hours of continuing legal education per year. The AOJC shall approve all continuing legal education programs. The AOJC reserves the right to identify certain programs as mandatory. Any person eligible for appointment as a court investigator is responsible for providing certification of completed legal education hours to the AOJC no later than June 30 of each year. Failure to provide certification will result in the person being ineligible to receive further appointments.

## **III. GUIDELINES**

Every court investigator shall comply with the Juvenile Court Guidelines on Court Investigator Reports promulgated by the AOJC.

#### **IV. APPLICATION PROCESS**

##### **A. Application Submissions**

Anyone seeking to be eligible for appointment as a court investigator shall submit the following to the AOJC:

1. A letter of interest addressing their qualifications
2. Application for Appointment, on a form approved by the Chief Justice of the Juvenile Court, noting counties in which they seek to accept appointments
3. Current resume, listing relevant educational training or classes attended or taught
4. Three references from persons who can speak to the applicant's qualifications
5. Consent to Criminal Record Check

##### **B. Applicants Who Received Previous Appointments**

The First Justices of all divisions in which the applicant previously accepted appointments as a court investigator will be consulted during the application process regarding the past performance and quality of written reports. An applicant who has met the qualifications for appointment but has submitted unsatisfactory reports in the past may be placed on a probationary status by the First Justice in accordance with section IV(D) of this Uniform Practice and Procedure.

##### **C. Length of Appointment**

Applicants who are qualified by the AOJC to serve as a court investigator shall be eligible to receive appointments in a county for a five year period, commencing on the date on which he/she receives approval by the AOJC. At the end of the five year period, anyone wishing to continue to receive appointments as a court investigator shall re-apply under the same application process.

##### **D. Probationary Period**

All court investigators are subject to being placed on probation during their five year appointment for failure to comply with the Juvenile Court Guidelines for Court Investigator Reports. Upon submission of an investigatory report, determined unsatisfactory by one or more judges in a division, the court investigator may be placed

on probation by the First Justice. The First Justice shall identify the deficiencies in the report to the court investigator. A court investigator who is placed on probation will be so notified by the First Justice and shall be required to participate in remedial training as determined by the First Justice and the AOJC. The First Justice shall notify the AOJC when a person is placed on probation. If placed on probation, the court investigator shall submit all reports completed during the probationary period to the First Justice for review. The First Justice shall notify AOJC when the person has successfully completed the probationary period.

Pursuant to Supreme Judicial Court Rule 1.07, failure to correct deficiencies in the reports or continued noncompliance with Juvenile Court Guidelines may result in the First Justice reporting the investigator to the AOJC, requesting removal from the list of court investigators qualified for appointment. Nothing within this Uniform Practice and Procedure precludes a First Justice from requesting removal of an investigator from the list without placing the investigator on probation.

## **V. REVIEW AND APPROVAL OF APPLICATIONS**

Applications submitted in accordance with this procedure will be reviewed within 60 days.<sup>1</sup> Each application shall be reviewed and a determination made as to whether the person qualifies for inclusion on the list. Each person shall be notified of the results of the review.

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<sup>1</sup>This provision is effective on October 1, 2012.