

LEGISLATIVE BILL 625

Approved by the Governor March 6, 1978

Introduced by Judiciary Committee, Barnett, 26, Chmn.;
Reutzel, 15; Stoney, 4; Carsten, 2; Venditte,
7

AN ACT to amend sections 29-2249, 29-2250, and 29-2252, Reissue Revised Statutes of Nebraska, 1943, relating to criminal procedures; to create the Nebraska Probation System Committee; to provide duties; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. The Nebraska Probation System Committee is hereby created which shall consist of nine members to be chosen as provided in sections 2 to 4 of this act.

Sec. 2. The Nebraska District Court Judges Association created pursuant to section 29-2247 shall, at the first meeting of the association held after passage of this act, select five members of the association to serve on the Nebraska Probation System Committee.

Sec. 3. The county judges of the State of Nebraska shall meet within ninety days of the passage of this act and select two members to serve on the Nebraska Probation System Committee.

Sec. 4. The members of the Field Probation Service created pursuant to section 29-2257 shall meet within ninety days of the passage of this act and select two probation officers to serve on the Nebraska Probation System Committee.

Sec. 5. The Nebraska Probation System Committee members shall serve for two-year terms. Successors shall be selected in the same way the original members were selected.

Sec. 6. The Nebraska Probation System Committee shall assist the Office of Probation Administration and the probation administrator in developing policies and standards for the Field Probation Service.

Sec. 7. That section 29-2249, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

29-2249. The Office of Probation Administration is hereby created within the judicial branch of government and directly responsible to the association with the concurrence of the Nebraska Probation System Committee. The office shall consist of the probation administrator, the Field Probation Service, and such other employees as may be necessary to carry out its functions.

Sec. 8. That section 29-2250, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

29-2250. The office shall:

- (1) Supervise and administer the service;
- (2) Establish probation policies and standards for the service, with the concurrence of the association; ~~probation policies and standards for the service and the Nebraska Probation System Committee~~; and
- (3) Supervise offenders placed on probation in another state who are within the state pursuant to the provisions of section 29-2637.

Sec. 9. That section 29-2252, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

29-2252. The administrator shall:

- (1) Supervise and administer the office;
- (2) Establish and maintain policies, standards, and procedures for the service, with the concurrence of the association; ~~policies, standards, and procedures for the service and the Nebraska Probation System Committee~~;
- (3) Prescribe and furnish such forms for records and reports for the service as shall be deemed necessary for uniformity, efficiency, and statistical accuracy;
- (4) Establish minimum qualifications for employment as a probation officer in this state and establish and maintain such additional qualifications as he deems appropriate for appointment to the service. An ex-offender released from a penal complex or a county jail may be appointed to a position of deputy probation or parole officer. Such ex-offender shall maintain a record free of arrests, except for minor traffic violations, for one year immediately preceding his appointment;

(5) Establish and maintain advanced periodic in-service training requirements for the service;

(6) Cooperate with all agencies, public or private, which are concerned with treatment or welfare of persons on probation;

(7) Organize and conduct training programs for probation officers;

(8) Collect, develop, and maintain statistical information concerning probationers, probation practices, and the operation of the probation system;

(9) Interpret the probation program to the public with a view toward developing a broad base of public support;

(10) Conduct research for the purpose of evaluating and improving the effectiveness of the probation system;

(11) Adopt such rules and regulations as may be necessary or proper for the operation of the office or service;

(12) Appoint an advisory committee of county court judges, juvenile court judges, and other appropriate officials to advise him and the association on matters relating to probation in county and juvenile courts;

(13) Transmit annually to the association and the advisory committee a report of the operation of the office for the preceding calendar year, which report shall be transmitted by the association to the Governor and the Legislature; and

(14) Exercise all powers and perform all duties necessary and proper to carry out his responsibilities.

Sec. 10. That original sections 29-2249, 29-2250, and 29-2252, Reissue Revised Statutes of Nebraska, 1943, are repealed.