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THIRD JUDICIAL DISTRICT
ADMINISTRATIVE ORDER 2017-106

KANSAS DETENTION ASSESSMENT INSTRUMENT OVERRIDE PROTOCOL

WHEREAS, K.S.A. 75-7023 (f) (3) states,

The detention risk assessment tool includes an override function that may be approved by the court for use under certain circumstances. If approved by the court, the juvenile intake and assessment worker or the court may override the detention risk assessment tool score in order to direct placement in a short-term shelter facility, a community-based alternative to detention or, subject to K.S.A. 2016 Supp. 38-2331, and amendments thereto, a juvenile detention facility. Such override must be documented, include a written explanation and receive approval from the director of the intake and assessment center or the court.

WHEREAS, Kansas Department of Corrections – Juvenile Services, Juvenile Intake and Assessment System Standard, JIAS-04-114, requires a local order or other written guidance from the Administrative Judge of the Judicial District regarding cases, situations, or circumstances in which the court will approve an override.

IT IS THEREFORE ORDERED THAT the Juvenile Intake and Assessment Center Supervisor or designee is hereby granted authority to override the Kansas Detention Assessment Instrument upon making the probable cause findings set forth in K.S.A. 38-2331 – more specifically, that there is probable cause to establish:

- Community-based alternatives to detention are insufficient to :
 - Secure the presence of the juvenile at the next hearing as evidenced by a demonstrable record of recent failures to appear at juvenile court proceedings and an exhaustion of detention alternatives; or
 - Protect the physical safety of another person or property from serious threat if the juvenile is not detained.

Furthermore, approval of the Kansas Detention Assessment Instrument override must be documented, to include an explanation of the basis for probable cause and must be approved in writing by the Supervisor of the Juvenile Intake and Assessment Center (or the Supervisor's designee).

BY ORDER OF THE CHIEF JUDGE OF THE THIRD JUDICIAL DISTRICT OF KANSAS

on this 19 day of July, 2017.


Evelyn J. K. Ross
Chief Judge
Third Judicial District