

REFERENCE TITLE: Adult Probation Officers

State of Arizona  
Senate  
Thirtieth Legislature  
Second Regular Session

S. B. 120

Introduced by

*Sandra Clamor*

AN ACT

RELATING TO COURTS AND CIVIL PROCEEDINGS; REVISING THE ADULT PROBATION OFFICER SYSTEM; PROVIDING FOR APPOINTMENT, QUALIFICATIONS, DUTIES AND TENURE OF ADULT PROBATION OFFICERS; REPEALING SECTION 12-251, ARIZONA REVISED STATUTES; AMENDING TITLE 12, CHAPTER 2, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING NEW SECTIONS 12-251 AND 12-254, AND AMENDING SECTION 12-252, ARIZONA REVISED STATUTES.

- 1 Be it enacted by the Legislature of the State of Arizona:
- 2 Section 1. Repeal
- 3 Section 12-251, Arizona Revised Statutes, is repealed.
- 4 Sec. 2. Title 12, chapter 2, article 6, Arizona Revised Statutes,
- 5 is amended by adding a new section 12-251, to read:
- 6 12-251. Adult probation officers; appointment; qualifications
- 7 A. THE PRESIDING JUDGE OF THE SUPERIOR COURT IN EACH COUNTY
- 8 HAVING A POPULATION OF THREE HUNDRED THOUSAND PERSONS OR MORE SHALL
- 9 APPOINT A CHIEF ADULT PROBATION OFFICER WHO SHALL SERVE AT THE PLEASURE
- 10 OF THE PRESIDING JUDGE. SUCH CHIEF ADULT PROBATION OFFICER, WITH THE
- 11 APPROVAL OF THE PRESIDING JUDGE OF THE SUPERIOR COURT, SHALL APPOINT SUCH
- 12 DEPUTY ADULT PROBATION OFFICERS AS ARE NECESSARY. SUCH DEPUTY ADULT
- 13 PROBATION OFFICERS SHALL HOLD OFFICE UNDER RULES AND PROCEDURES ESTAB-
- 14 LISHED BY THE SUPREME COURT.
- 15 B. IN A COUNTY HAVING A POPULATION OF LESS THAN THREE HUNDRED
- 16 THOUSAND PERSONS THE SUPERIOR COURT JUDGE OR JUDGES MAY, WITH APPROVAL
- 17 OF THE BOARD OF SUPERVISORS, APPOINT SUCH ADULT PROBATION OFFICERS AS

1 ARE NECESSARY AND SUCH OFFICERS SHALL HOLD OFFICE AT THE PLEASURE OF  
2 THE JUDGE OR JUDGES MAKING THE APPOINTMENTS. THE JUVENILE PROBATION  
3 OFFICER SHALL SERVE AS ADULT PROBATION OFFICER WITHOUT ADDITIONAL  
4 COMPENSATION IF SO DIRECTED BY THE APPOINTING JUDGE OR JUDGES.

5 C. EACH ADULT PROBATION OFFICER APPOINTED PURSUANT TO SUBSECTION  
6 A OR B SHALL GIVE BOND IN THE PRINCIPAL AMOUNT TO BE FIXED BY THE COURT  
7 AND APPROVED BY THE JUDGE MAKING THE APPOINTMENT, CONDITIONED UPON THE  
8 FAITHFUL PERFORMANCE BY SUCH OFFICER OF HIS OFFICIAL DUTIES AND THE  
9 PAYMENT OF ALL MONIES COMING INTO HIS POSSESSION AS SUCH OFFICER TO THE  
10 PERSON, OFFICER OR BODY ENTITLED TO RECEIVE THE FUNDS.

11 D. AN ADULT PROBATION OFFICER OF A COUNTY SHALL QUALIFY UNDER  
12 MINIMUM STANDARDS OF EXPERIENCE AND EDUCATION ESTABLISHED BY THE SUPREME  
13 COURT. SUCH STANDARDS MAY DIFFER FOR COUNTIES OF LESS THAN THREE HUNDRED  
14 THOUSAND PERSONS FROM COUNTIES WITH THREE HUNDRED THOUSAND PERSONS OR  
15 MORE.

16 Sec. 3. Section 12-252, Arizona Revised Statutes, is amended to  
17 read:

18 12-252. Salaries and expenses

19 A. The salary of the adult probation ~~officer-and-of-each-deputy~~  
20 ~~or-assistant~~ OFFICERS shall be fixed by the JUDGE OR PRESIDING judge  
21 ~~making-the-appointment~~, WHERE APPLICABLE, OF THE SUPERIOR COURT with  
22 the approval of the board of supervisors.

23 B. The actual expenses of ~~any-officer,~~ THE ADULT PROBATION  
24 ~~deputy,-or-assistant,~~ OFFICERS incurred in performance of his THEIR duty  
25 or in the execution of the orders of the court shall, when approved by  
26 the JUDGE OR PRESIDING judge ~~or-judges-of-the-criminal-division~~, WHERE  
27 APPLICABLE, of the superior court, be paid as other county charges.

28 Sec. 4. Title 12, chapter 2, article 6, Arizona Revised Statutes,  
29 is amended by adding section 12-254, to read:

30 12-254. Chief adult probation officer; duties;  
31 other officers' duties

32 A. IN EACH COUNTY HAVING A CHIEF ADULT PROBATION OFFICER, SUCH  
33 OFFICER WITH THE APPROVAL OF THE JUDGE OR PRESIDING JUDGE, WHERE

- 1 APPLICABLE, SHALL:  
2 1. ESTABLISH ORGANIZATIONAL AND OPERATIONAL PROCEDURES FOR THE  
3 DEPUTY ADULT PROBATION OFFICERS OF THE COUNTY.  
4 2. DIRECT THE WORK AND ACTIVITIES OF THE DEPUTY ADULT PROBATION  
5 OFFICERS OF THE COUNTY.  
6 3. SUPPLY SUCH INFORMATION AS MAY BE REQUESTED BY THE DEPARTMENT  
7 OF CORRECTIONS PURSUANT TO SECTION 41-1604, SUBSECTION A, PARAGRAPH 7.  
8 4. PERFORM OTHER DUTIES ASSIGNED BY THE PRESIDING JUDGE, WHICH  
9 DUTIES MAY INCLUDE SERVING AS A JUVENILE PROBATION OFFICER, IF SUCH  
10 OFFICER MEETS THE MINIMUM QUALIFICATION PRESCRIBED BY SECTION 8-203,  
11 SUBSECTION C.  
12 B. IN A COUNTY HAVING NO CHIEF PROBATION OFFICER THE ADULT  
13 PROBATION OFFICER SHALL SUPPLY THE INFORMATION REQUIRED BY SUBSECTION  
14 A, PARAGRAPH 3 OF THIS SECTION.