

# **MISSOURI JUVENILE OFFICER PERFORMANCE STANDARDS (2017)**

## **STANDARD 1.6 FORMAL COMPLAINT PROCESS**

*The state courts administrator shall establish a centralized complaint process. All meritorious complaints shall be referred to the appropriate presiding circuit judge for review and resolution including disciplinary measures up to and including removal of the juvenile officer from office.*

## **FORMAL COMPLAINT PROCESS STANDARD 1.6**

### **I. THE COMPLAINT REVIEW COMMITTEE**

The Office of State Courts Administrator shall appoint a committee known as the “Complaint Review Committee” which shall be composed of not fewer than three members and which shall include the following: a representative of the Office of State Courts Administrator, the chairperson of the Juvenile Officer Performance Standards Workgroup (JOPS) or a judicial officer serving on the JOPS workgroup, and the vice-chairperson of the Juvenile Officer Performance Standards Workgroup or a chief juvenile officer serving on the JOPS workgroup. In addition, the State Courts Administrator shall appoint additional members of JOPS to serve as alternates in the event of a conflict of interest. Said appointments may be time limited or complaint specific but will be appointed as needed to ensure a judicial officer and chief juvenile officer are represented in each complaint review process.

The members and alternates of the Complaint Review Committee shall serve without compensation, but their reasonable and necessary expenses may be reimbursed.

The members and alternates of the Complaint Review Committee shall be appointed to a term as determined by the State Courts Administrator and may be reappointed at the expiration of their term.

## **II. QUORUM**

Any action undertaken by the Complaint Review Committee shall be concurred in by a majority of the appointed members.

## **III. ASSISTANCE**

The Complaint Review Committee may be provided assistance by general counsel and the human resource manager of the Missouri Office of State Courts Administrator for guidance and clarification of rules governing the Missouri Court Personnel System and other applicable federal or state statutes or regulations.

## **IV. COMPLAINT FORM**

The Missouri Office of State Courts Administrator shall create a Juvenile Officer Complaint Form which shall be made readily available to individuals wishing to make a complaint pursuant to Standard 1.6.

## **V. FILING COMPLAINTS**

The approved Juvenile Officer Complaint Form will be made accessible by posting a link on the Missouri Office of State Court Administrator's website. The link will direct users to the complaint form and provide instructions for the completion and submission of the form. Individuals may also contact OSCA by telephone and request a Juvenile Officer Complaint Form be provided by mail.

The Missouri Office of State Courts Administrator shall create and maintain an email address dedicated solely to receiving complaints pursuant to Standard 1.6. Access to documents received and maintained at this email address shall be restricted to only those persons granted authorization by the State Courts Administrator.

## **VI. REVIEW OF COMPLAINTS**

All complaints electronically filed pursuant to this process shall be retrieved by the Review Committee representative from the Office of State Courts Administrator or designee. Within three (3) business days of receipt of the original complaint, the OSCA representative or designee will forward the complaint to each member of the Complaint Review Committee or, in the event of a conflict, to an alternate member.

Members of the Complaint Review Committee shall respond to the OSCA representative or designee within five (5) business days, and shall designate the complaint as either "meritorious", "lacking merit", or "inappropriate for review".

Additional response time may be granted if the complaint involves exigent circumstances but not to extend beyond a period of thirty (30) days absent approval by the State Courts Administrator.

Pursuant to Subsection II, any action undertaken by the Complaint Review Committee shall be concurred in by a majority of the appointed members reviewing the complaint.

After receiving the responses from members of the Complaint Review Committee, the OSCA representative or designee will communicate the outcome of the review to the complainant. Such communication shall be in writing and provided within three (3) business days following receipt of the reviews by members of the committee.

If the complaint has been determined “meritorious”, the OSCA representative will, within three (3) business days following receipt of the reviews by members of the committee, forward the complaint to the appropriate presiding circuit judge for review and resolution.

If information in the original complaint includes allegations of child abuse or neglect, any member of the Complaint Review Committee who is designated as a “mandated reporter” pursuant to Section 210.115, RSMo shall cause a report to be made to the Central Registry.

If information in the original complaint includes an allegation that a crime has been committed, the Complaint Review Committee may cause a report to be made to a law enforcement agency or forward the information to the Presiding Judge.