

CHAPTER 487

PROBATION DEPARTMENTS

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487.01 HENNEPIN COUNTY PROBATION AND INVESTIGATION DEPARTMENT, CREATION. There is hereby established in all counties of this state now or hereafter having a population of more than 415,000, and constituting a single judicial district, a probation and investigation department in connection with the district court of any such county in charge of an officer to be known as director of court service.

[1929 c 326 s 1; 1955 c 504 s 1] (208-1)

487.02 DIRECTOR OF COURT SERVICES; OTHER EMPLOYEES. Such department shall consist of one director of court services and such assistants, deputies, probation officers, case workers, investigators, clerical help and other employees as the judges of said court shall from time to time appoint.

Such director of court services, assistants, deputies, officers, case workers, investigators, clerical help, and other employees shall be appointed and removed by the judges of the district court in any such county. They may be appointed either for a definite period of time or for an indeterminate period, in the discretion of the court. The salaries of all such persons shall be fixed by the judges of said court.

The judges may by order determine the necessary qualifications of applicants for positions in the department and may, in their discretion, provide that applicants shall undergo certain tests as to their qualifications.

The director of court services shall have general supervision of such department, subject to the direction of the judges of the court. The court may divide the duties of the department into branches or divisions, and appoint from such probation officers, investigators or other employees the heads of such branches or divisions. A juvenile division may be established distinct from all other divisions of such department.

[1929 c 326 s 2; 1939 c 183 s 1; 1955 c 504 s 2] (208-2)

487.03 DUTIES OF DEPARTMENT. The duties of such department shall be:

(1) To undertake the supervision of all persons placed on probation or parole by any of the judges of said court, to keep accurate records of such supervision, and to report to the court as to such probation or parole as directed by any of the judges of the court;

(2) To be present when court is in session and so directed by any one of said judges;

(3) To perform the duties required of probation officers by chapter 521;

(4) To assist in administering the law providing for all allowances to mothers of dependent children, and to perform the duties of investigation and supervision, as found in Mason's Minnesota Statutes of 1927, Sections 8671 to 8689;

(5) To provide for mental and physical examination of persons coming under the juvenile court law, and to provide for necessary mental, dental, surgical, and nursing care for such persons;

(6) To make such investigation as the court may direct concerning the circumstances of the offense, criminal record and social history of any person convicted of crime, and when deemed appropriate to obtain a physical and mental examination of such defendant and report thereon;

(7) To make collections of support money in divorce actions when ordered by a judge of the court for the benefit of children or indigent mothers and children jointly; to collect money ordered to be paid in desertion and abandonment cases; and to make collections of money or property when ordered to be paid as restitution or reimbursement, and to turn over such money or property to the person or persons entitled thereto;

(8) To make investigations in divorce cases of children and home conditions when directed by a judge of said court, and also to exercise supervision over children in such divorce cases as the court may direct;

(9) When directed by a judge of the court and when the person having custody of children is indigent, to take such steps as may be necessary to compel persons ordered to pay money for the support of children when in default; to take such steps as may be necessary to compel persons to make reimbursement to comply with the order of court when in default; to institute, if necessary, contempt proceedings in behalf of such person or persons to whom money or property is ordered to be paid or delivered. It shall be the duty of the county attorney to conduct such contempt proceedings when directed by one of the judges of the court;

(10) To perform such other duties for the protection of children and indigent mothers and children as may be directed by the court, including the exclusive operation, control and administration of any juvenile detention facility provided by such county for the temporary custody of delinquent children.

[1929 c 326 s 3; 1955 c 504 s 3] (208-3)

487.04 OFFICES, SUPPLIES, EXPENSES. The county commissioners of such county shall provide the department with suitably furnished office rooms, record books, stationery, postage, expenses of investigation and transportation which shall include payment to any probation officer and employee of the department as compensation or reimbursement for the use by such officer or employee of his own automobile in the performance of his duties mileage at a rate per mile not exceeding the maximum rate fixed by law plus a reasonable allowance, not exceeding \$10 per month, to defray cost of parking fees incidental to such use, and such other actual expenses as are required for the proper execution of the purposes of this section.

[1929 c 326 s 4; 1953 c 385 s 1] (208-4)

487.05 POWERS OF PROBATION OFFICERS. Probation officers shall have the power of peace officers in the execution of their duties. Each probation officer, before entering on the duties of his office, shall take an oath of office to be administered by one of the judges making the appointment. Each probation officer or employee who collects or has the custody of money shall execute a bond, with appropriate sureties, in a penal sum to be fixed by the judges, at the expense of the county, conditioned for the true accounting of all money received by him as probation officer.

[1929 c. 326 s. 5] (208-5)

487.06 RECORDS; LIMITED INSPECTION. The records of all cases in said office may be withheld from indiscriminate public inspection at the discretion of the judges of the court.

[1929 c. 326 s. 6] (208-6)

487.07 ACTION BY MAJORITY OF JUDGES. Any act, order, or thing required or permitted to be done by the judges of the court by the provisions hereof may be done by a majority of the judges.

[1929 c. 326 s. 7] (208-7)

487.08 CERTAIN MUNICIPAL COURT DUTIES NOT AFFECTED. In counties in which there is a separate municipal court probation officer, the probation department established by this chapter is hereby relieved of any of the duties specified in sections 636.02 to 636.04, with reference to attendance in municipal courts and with reference to representing the interests of minors in municipal courts.

[1929 c. 326 s. 9] (208-9)