

635.515 Treatment time -- Treatment agreement -- Reports -- Reviews.

- (1) A child declared a juvenile sexual offender shall be committed to the custody of the Department of Juvenile Justice and shall receive sexual offender treatment for not more than three (3) years, except that this period of sexual offender treatment may be extended for one (1) additional year by the sentencing court upon motion of the Department of Juvenile Justice, and the juvenile sexual offender shall not remain in the care of the Department of Juvenile Justice after the age of twenty-one (21) years.
- (2) Based on the assessment and evaluation of the juvenile sexual offender and his family, the Department of Juvenile Justice shall utilize the treatment setting which provides the least restrictive alternative as defined in KRS 600.020.
- (3) The program shall develop a written treatment agreement upon the child's placement in a community setting, detailing the responsibilities of the juvenile sexual offender, his family, and the program to include but not be limited to: attendance; participation in education; participation in planning and completion of treatment goals; curfew; visit of appropriate staff to the home; participation in parenting groups and family counseling; continued contact with the program, schools, and courts; insurance of legal rights; and discharge criteria.
- (4) The written treatment agreement shall be presented to the court, and the court shall include the agreement as part of the order except for good cause shown.
- (5) The program shall be responsible for sending written reports every sixty (60) days to the juvenile court judge concerning the participation of the juvenile sexual offender and family in the treatment program. The written report shall include information about the treatment received by the juvenile sexual offender and family, an assessment of the sexual offender's current condition, and recommendations by the program staff.
- (6) The case may be called for review upon the recommendation of the program staff or by the juvenile court judge at any time during the course of treatment. The review may be called to consider documentation of noncompliance, absenteeism, or unwillingness to acknowledge responsibility for sexually inappropriate behavior which may be remedied through the contempt powers of the court.
- (7) A court review shall be requested by the program sixty (60) days prior to the recommended program release date. The juvenile court judge shall schedule a hearing to formally consider the recommendation of release from the program.

Effective: July 12, 2006

History: Amended 2006 Ky. Acts ch. 182, sec. 55, effective July 12, 2006. -- Amended 2002 Ky. Acts ch. 263, sec. 10, effective July 15, 2002. -- Amended 1998 Ky. Acts ch. 538, sec. 16, effective April 13, 1998. -- Amended 1996 Ky. Acts ch. 358, secs. 51 and 63, effective July 1, 1997. -- Created 1994 Ky. Acts ch. 94, sec. 8, effective July 15, 1994.

Legislative Research Commission Note (7/15/96). In 1996 Ky. Acts ch. 358, this statute was amended by both Sections 51 and 63 of that Act. Although the changes made in these two sections are almost identical, there is a minor difference between them, and Section 63 prevails, as the last section in order of position. See *Home Folks Mobile Homes, Inc. v. Revenue Cabinet*, Ky. App., 700 S.W. 2d 75 (1985).