

635.080 Jurisdiction for second offenses -- Community services work program orders.

- (1) If a child who has not reached his eighteenth birthday commits a new offense while under the jurisdiction of the court or during the period of commitment, the court of the county where the new offense is committed shall have jurisdiction of the new offense for purposes of adjudication but may transfer the case for disposition to the court having jurisdiction of the prior offense.
- (2) If a child has been adjudicated a public offender, the court in its discretion may order participation in a community services work program. If the child is committed to the Department of Juvenile Justice on a previous offense, the child shall not be released from commitment if ordered to a work program until the completion of his commitment. If a child has entered into a diversion agreement pursuant to KRS 610.030, the diversion agreement may require participation in a community services work program. The work program shall be of a constructive nature designed to promote the rehabilitation of the child. The program shall be appropriate to the age level and physical ability of the child and shall be combined with counseling and supervision from a probation officer or other responsible person. The work program shall not be scheduled during such times that would interfere with educational, occupational, or religious obligations of the child. Assignment to a community services work program shall be made to a governmental or nonprofit community organization for a specified period of time, not to exceed one hundred twenty (120) hours. A child may be directed to participate in a community services work program as provided in this subsection for the purposes of restitution. Participation in community-services-related projects shall not be deemed employment for any purpose, and the child shall not be deemed an employee or agent of the entity for which he performs the community service work.

Effective: July 1, 2015

History: Amended 2014 Ky. Acts ch. 132, sec. 48, effective July 1, 2015. -- Amended 1996 Ky. Acts ch. 358, sec. 44, effective July 15, 1997. -- Amended 1988 Ky. Acts ch. 350, sec. 100, effective April 10, 1988. -- Created 1986 Ky. Acts ch. 423, sec. 131, effective July 1, 1987.

Legislative Research Commission Note (7/15/96). Under 1996 Ky. Acts ch. 358, sec. 67(1), the amendment of this statute by Section 44 of that Act becomes effective July 15, 1997.