

## 9-28-208. Order of commitment.

(a)(1) An order of commitment to the Division of Youth Services of the Department of Health and Human Services shall state that the juvenile is found to be delinquent and shall state information regarding the underlying facts of the adjudication.

(2) No circuit court may commit a juvenile found solely in criminal contempt to the division.

(3) All health care providers shall transmit to the division all medical and health information on the committed juvenile within three (3) days from the request of the division, including individually identifiable health information needed for the division to assume the role of caretaker for the committed juvenile.

(4) The committed juvenile's school or current educational setting shall transmit the education record, as defined by rule of the Department of Education, to the division within ten (10) school days from the request from the division.

(b)(1) Upon entry of an order of detention and commitment to a youth services center pursuant to § [9-27-330](#) or § [9-27-509](#), a court shall transmit to the division:

(A) A copy of the commitment order;

(B) A copy of the risk assessment instrument; and

(C) Records or information pertaining to the juvenile compiled by the intake officer or juvenile probation officer that shall include:

(i) Information on the juvenile's background, history, behavioral tendencies, and family status;

(ii) The reasons for the juvenile's commitment;

(iii) The name of the school in which the juvenile is currently or was last enrolled;

(iv) The juvenile's offense history;

(v) The juvenile's placement history;

(vi) A copy of all psychological or psychiatric evaluations or examinations performed on the juvenile admitted into evidence or ordered by the court while under the jurisdiction of the court or the supervision of the court staff;

(vii) A comprehensive list of all current medications taken by the juvenile; and

(viii) A comprehensive list of all medical treatment currently being provided to the juvenile.

(2) The records or information specified in subdivision (b)(1) of this section shall be delivered to the division prior to or at the time the juvenile is transported to a youth services center.

(3) Information relating to the committing offense is exclusively for the benefit of the division and shall not be disclosed by division officials or employees without written authorization of the committing

court, except for data and statistical compilations as otherwise provided by law.

(c) Except when an extended juvenile jurisdiction offender is committed to the division, an order of commitment shall remain in effect for an indeterminate period not exceeding two (2) years, subject to extension by the committing court for additional periods of one (1) year if the court finds an extension is necessary to safeguard the welfare of the juvenile or the interest of the public.

(d) Commitment shall not exceed the twenty-first birthday of a juvenile.

(e) When an order of commitment includes recommendations for a specific type of placement, the division shall consider those recommendations in making a placement.

**History.** Acts 1995, No. 1261, § 8; 1999, No. 1192, § 22; 2005, No. 192, § 2; 2005, No. 1820, § 1.