

What If I Cannot Resolve the Problem Locally?

If you and the county juvenile board are unable to resolve the matter locally, you may then file a written complaint against the juvenile board with TJPC. Send your complaint to:



Texas Juvenile Probation Commission
Attention: Legal Division
Post Office Box 13547
Austin, TX 78711

What Information Will I Need to File a Complaint?

It is helpful to keep these guidelines in mind when filing a complaint with TJPC. In order to investigate your complaint, TJPC requires that the information you provide:

- Must be in writing and contain the name, address, and telephone number of the complainant.
- Must describe the facts, practice or adverse action complained of. Make sure to give the dates involved and the names of persons dealt with. Also include copies of letters to the CJPO or juvenile board, meeting agendas, and action taken.
- Must establish that attempts to resolve the problem locally have been unsuccessful.

What Will Happen Next?

After your complaint has been received, TJPC will acknowledge receipt of the complaint and mail an information packet to you. If your complaint to TJPC is premature (i.e., you have not given local officials a chance to respond), a pending file will be started while you make efforts to resolve the matter locally. No action will be taken during this time. If TJPC determines that the complaint is within the agency's jurisdiction, the facts will be reviewed and investigated. TJPC may also conduct on-site monitoring visits. If evidence exists to support a complaint, the juvenile board may be cited for failure to adhere to TJPC administrative standards. The results will be reported to the local juvenile board, juvenile probation department and to the complainant.

What TJPC Can Do...

TJPC's investigative authority allows the agency only to determine whether the policies, procedures and services provided by a juvenile probation department were done so in compliance with minimum standards created by TJPC. If a probation department and juvenile board are found to be operating outside of allowable standards, the probation department must then take corrective action or faces a potential loss of state funding from TJPC.

What TJPC Cannot Do...

As stated above, TJPC's investigative and enforcement authority is limited to the enforcement of standards compliance. TJPC has no legal authority to:

- Require that a child be provided any program or services not required by minimum state standards;
- Require that a probation department operate a particular program or provide a particular service to children under the jurisdiction of the probation department;
- Change or modify the conditions or terms of a juvenile court order of probation that may include placement outside the child's home or commitment to the Texas Youth Commission; or
- Address employment law issues for employees of a probation department.

What if TJPC Cannot Solve My Problem?

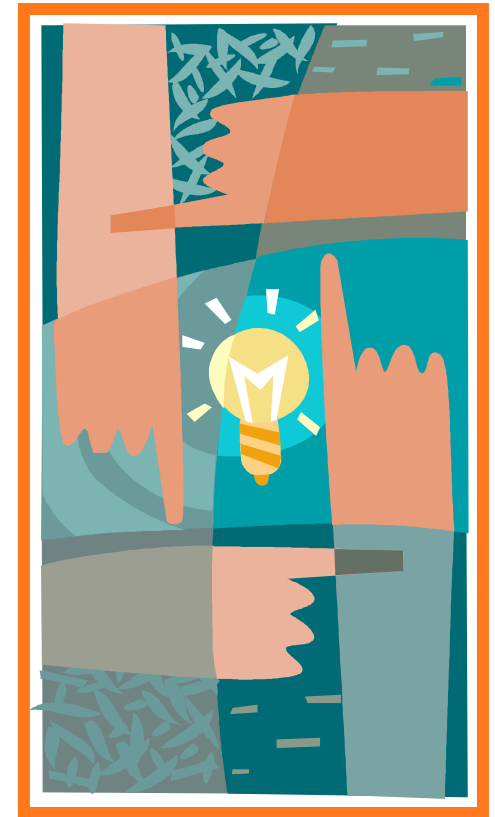
An administrative finding by TJPC does not affect your right to any other relief or remedy provided by law. If the TJPC investigation does not ultimately solve or remedy your problem to your satisfaction, you are free to pursue any other available legal remedies you may have.

Prepared by the
Texas Juvenile Probation Commission

4900 N. Lamar Boulevard
P.O. Box 13547, Austin, Texas 78711
Phone (512) 424-6700
www.tjpc.state.tx.us

Complaints Involving Juvenile Probation Programs and Services in Texas

A Guide to Filing a Complaint With the
Texas Juvenile Probation Commission



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Texas Juvenile Probation Commission
July 2002

What is the Function of TJPC?

The Texas Juvenile Probation Commission (TJPC) is the state agency that provides funding and oversight to all juvenile probation departments in the state of Texas. TJPC works in partnership with local juvenile boards and probation departments to ensure effective and appropriate juvenile probation services are provided in every Texas County. TJPC monitors and sets minimum standards for the operation of probation departments, detention facilities, corrections facilities, juvenile justice alternative education programs and other programs operated by probation departments.

Who May File a Complaint?

Anyone may file a complaint against a juvenile probation department or juvenile board in Texas. As a parent, guardian, custodian or relative of a child being served by a juvenile probation department, you may have a concern or issue about the services provided to your child, the treatment of your child, or the health and safety of your child. Citizens in the community may also have occasion to be concerned about particular issues involving the services, programs or activities of local juvenile probation departments.



What Kinds of Complaints are Investigated?

TJPC is responsible for investigating general complaints against county juvenile boards relating to the provision of juvenile services around the state pursuant to Section 141.049 of the Texas Human Resources Code.

These complaints may involve alleged violations of state standards in programs operated by juvenile probation departments or issues related to the treatment of juvenile offenders under the supervision of a juvenile probation department.

Who May be the Subject of a Complaint?

In all Texas counties, juvenile probation services are provided to youth by local juvenile probation departments. Probation officers handle caseloads and supervise juvenile offenders. Detention and corrections officers supervise offenders in residential detention or correctional facilities in the county.

Probation, detention and correction officers are under the authority of a Chief Juvenile Probation Officer who oversees the daily operation of the juvenile probation department. The Chief Probation Officer directly reports to the local juvenile board that functions as the policy-making authority for the juvenile probation department. Juvenile boards are created by statute and typically include the district court judges, the county judge, and the judges of the juvenile courts. Any of these entities may be the subject of a complaint.

Should I File a Complaint with TJPC?

Before you decide to file a complaint, please read this brochure in its entirety. Whether or not you should file a complaint really depends on the particular circumstances in your case and whether efforts to resolve the problem or issue at the local level have been successful. Local juvenile probation departments and their governing juvenile boards are committed to providing high quality services to juveniles needing rehabilitation and intervention. These entities are open and receptive to hearing your concerns and will normally make every effort to resolve your issues locally.

What if the Complaint Involves Child Abuse or Neglect?

Complaints involving allegations of child abuse or neglect are treated special under Texas law. If your complaint involves the alleged physical, sexual or emotional abuse of a child that occurred in any juvenile justice program or facility, you should take one of the following steps immediately:

- Call the child abuse hotline at (800) 252-5400;
- Call TJPC at (512) 424-6700;
- Call the Texas Youth Commission (TYC) at (512) 424-6130 if the child is in a TYC facility; or
- Call your local police or sheriff's department.



How to File a Complaint?

TJPC has prepared this brochure to describe the process for filing a complaint and to offer guidance to complainants and parents of juvenile offenders who are under the supervision of a juvenile probation department or who are receiving court ordered programmatic, detention, or correctional services. Please read the following information carefully before you begin the process of filing a complaint.

Where Do I Start?

Before writing or calling the TJPC, every complainant should first attempt to resolve the problem locally by allowing appropriate county officials to address the issues. TJPC suggests that you first bring your concerns or complaint to the attention of the Chief Juvenile Probation Officer (CJPO) in writing. This complaint should provide clear, concise and complete details of what the complaint is about, who is involved, and your requested resolution of the problem.

If the CJPO is unable to resolve the matter to your satisfaction or if the complaint involves the CJPO personally, you should allow the juvenile board an opportunity to address the issue since they are the governing entity over the probation department and CJPO. You may make a request to the Chairman of the county juvenile board to be heard in person at the next regularly scheduled board meeting or you may put your concerns and issues in writing to the juvenile board chairperson. Your oral presentation to the juvenile board or your written letter to the board chairperson should detail the problem or issue and any and all steps you have previously taken to try to resolve the issue with the probation department.

Requirement to Provide Notice to Clients of Juvenile Services

Section 341.113 of Title 37 of the Texas Administrative Code requires each juvenile board to post a sign that informs the public about the complaint process and provides contact information for submission of the complaint. These signs must be prominently displayed in a public area of a juvenile probation department and any detention or correction facility operated by the juvenile board, or operated by a private entity through contract with the juvenile board.

