

ALABAMA RULES OF JUVENILE PROCEDURE

Rule 9.

Designation of detention or shelter care facility.

(A) The presiding juvenile court judge for each county shall, by written order, designate the detention or shelter-care facility or facilities that are licensed pursuant to law by the appropriate agencies and to which children shall be delivered when taken into custody. In counties where shelter-care facilities are unavailable for alleged or adjudicated dependent children, the orders shall specify that these children shall be brought to the county Department of Human Resources for placement in licensed or approved foster homes.

(B) Copies of orders issued pursuant to subsection (A) shall be made available to all law-enforcement agencies within the territorial jurisdiction of the juvenile courts making such designation.

[Amended eff. 5-1-94; Amended 7-14-2011, eff. 10-1-2011.]

Comment

See Ala.Code 1975, §§ 12-15-56 through 12-15-59, in regard to circumstances under which a child may be taken into custody and detained. This rule should provide a means for anyone taking a child into custody to deliver such child to an appropriate detention or shelter facility without undue delay.

[Comment amended eff. 5-1-94.]

Comment to Amendment to Rule 9 Effective October 1, 2011

Subsection (A) was amended to provide that the detention or shelter-care facilities that are designated by written order of the presiding juvenile court judge shall be those facilities licensed pursuant to law by the appropriate agencies, specifically the Department of Youth Services for detention facilities (§ 44-1-27, Ala. Code 1975) and the Department of Human Resources for shelter-care facilities.

Note from the reporter of decisions: The order amending effective October 1, 2011, Rule 1, Rule 2, Rule 3, Rule 5, Rule 6, Rule 8, Rule 9, Rule 12, Rule 13, Rule 14, Rule 15, Rule 15.1, Rule 17, Rule 18, Rule 20, Rule 23, Rule 24, Rule 25, Rule 26, Rule 28, and Rule 31 and adopting effective October 1, 2011, Rule 8.1 and the Comment to Amendment to Rule 1 Effective October 1, 2011; the Comment to Amendment to Rule 2 Effective October 1, 2011; the

Comment to Amendment to Rule 3 Effective October 1, 2011; the Comment to Amendment to Rule 5 Effective October 1, 2011; the Comment to Amendment to Rule 6 Effective October 1, 2011; the Comment to Amendment to Rule 8 Effective October 1, 2011; the Comment to Adoption of Rule 8.1 Effective October 1, 2011; the Comment to Amendment to Rule 9 Effective October 1, 2011; the Comment to Amendment to Rule 12 Effective October 1, 2011; the Comment to Amendment to Rule 13 Effective October 1, 2011; the Comment to Amendment to Rule 14 Effective October 1, 2011; the Comment to Amendment to Rule 15 Effective October 1, 2011; the Comment to Amendment to Rule 15.1 Effective October 1, 2011; the Comment to Amendment to Rule 17 Effective October 1, 2011; the Comment to Amendment to Rule 18 Effective October 1, 2011; the Comment to Amendment to Rule 20 Effective October 1, 2011; the Comment to Amendment to Rule 23 Effective October 1, 2011; the Comment to Amendment to Rule 24 Effective October 1, 2011; the Comment to Amendment to Rule 25 Effective October 1, 2011; the Comment to Amendment to Rule 26 Effective October 1, 2011; the Comment to Amendment to Rule 28 Effective October 1, 2011; and the Comment to Amendment to Rule 31 Effective October 1, 2011, is published in that volume of *Alabama Reporter* that contains Alabama cases from ____ So. 3d.