

2014

**Statutory Responses to Domestic
Minor Sex Trafficking Victims**

Alabama



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Identification

Initial Custody

Process Following Initial Custody

Dependent

→ Authority for Initial Custody:

A child can be taken into custody:

- Pursuant to a juvenile court order
- By law enforcement if the child is ill, injured, in immediate danger, or ran away

Placement:

- Release to parents, guardian or legal custodian
- Shelter or other care

→ Where is child referred after initial custody?

Notice is given to the juvenile court intake officer, the parent, guardian, or legal custodian, and the Department

When and how does court assume jurisdiction?

A petition may be filed by any person

Child in Need of Supervision

→ Authority for Initial Custody:

A child can be taken into custody:

- Pursuant to a juvenile court order
- By law enforcement if the child is ill, injured, in immediate danger, or ran away

Placement:

- Release to parents, guardian or legal custodian
- Shelter or other care
- Placement designated by the court

→ Where is child referred after initial custody?

Notice is given to the juvenile court intake officer, the parent, guardian, or legal custodian, and the Department

When and how does court assume jurisdiction?

A petition may be filed by any person

Delinquent

→ Authority for Initial Custody:

A child can be taken into custody:

- Pursuant to a juvenile court order
- By law enforcement under laws of arrest, or if the child is in immediate danger

Placement:

- Detention
- Shelter or other care

→ Where is child referred after initial custody?

To a juvenile court intake officer

When and how does court assume jurisdiction?

A petition may be filed by any person

Trafficking Victims in Alabama

Placement Process Pending Adjudication/ Investigation

When must placement hearing be held after initial custody?

Within 72 hours

What are the placement options?

- Release to parents, guardian or legal custodian
- Shelter or other care

Adjudication or Referral to Alternate Process

Adjudication:

The allegations of the petition must be proven by clear and convincing evidence

Or Alternate Process

N/A

Placement Following Adjudication

Dispositional Outcomes

- Return home with conditions
- Transfer custody to Department, a public or private agency, or a relative
- Any other orders court finds appropriate

Dispositional Outcomes

N/A

When must placement hearing be held after initial custody?

Within 72 hours

What are the placement options?

- Release to parents, guardian or legal custodian
- Shelter or other care
- No secure confinement unless the child has violated a valid court order

Adjudication:

Allegations must be proved beyond a reasonable doubt

Or Alternate Process

Proceedings may be suspended pursuant to a consent decree, which may be entered anytime after the filing of the petition and before entry of an adjudication order

Dispositional Outcomes

- Return home with conditions
- Probation
- Temporary custody to Department or to a relative

Dispositional Outcomes

- Supervision for 6 months to 1 year
- If child gets another charge or fails to fulfill the terms of the degree, the proceedings may be reinstated

When must placement hearing be held after initial custody?

Within 72 hours

What are the placement options?

- Continued secure detention
- Continued shelter care

Adjudication:

Allegations must be proved beyond a reasonable doubt

Or Alternate Process

Proceedings may be suspended pursuant to a consent decree, which may be entered anytime after the filing of the petition and before entry of an adjudication order

Dispositional Outcomes

- Return home with conditions
- Probation
- Temporary custody to Department of Youth Services or Human Resources, or to a relative

Dispositional Outcomes

- Supervision for 6 months to 1 year
- If child gets another charge or fails to fulfill the terms of the degree, the proceedings may be reinstated