

## Policy for Revocation of Probation Officer certification:

Probation officers serve an important role in the administration of justice by Indiana courts. As public servants and judicial employees, probation officers are expected to perform their duties toward colleagues and justice-involved individuals in a professional and ethical manner. Unethical behavior by probation officers harms the community and diminishes public perception of the courts. The Probation Officer Code of Conduct and relevant sections of the Judicial Code of Conduct outline expected behaviors for probation officers, but a code of conduct does not guarantee ethical behavior. The supervising judge of the probation department may investigate suspected or alleged unethical behavior by a probation officer or request that the Office of Judicial Administration investigate the suspected or alleged unethical behavior.

To protect the community and the court, a supervising judge must report the following alleged or confirmed conduct to the Office of Judicial Administration:

- (1) misrepresented or false information on the Application for Probation Officer Examination or materials supporting the application;
- (2) noncompliance with the required annual continuing education hours; or
- (3) any of the following contact, whether consensual or forced, with a person under supervision: sexual activities, sexual communication using technology or in person, sexual conduct, or sexual exploitation.

To protect the community and the court, a supervising judge may report the following alleged or confirmed conduct to the Office of Judicial Administration:

- (1) unethical conduct that results in the probation officer's termination from employment,
- (2) unethical conduct under investigation at the time of the probation officer's resignation that would have resulted in termination from employment, or
- (3) unethical conduct discovered after the probation officer's resignation that would have been subject to termination from employment.

The Office of Judicial Administration will investigate the reported probation officer conduct and provide a report to the Judicial Conference of Indiana's Probation Committee for review of the probation officer's certification for possible revocation.

The Probation Committee shall notify a probation officer of a pending certification review and the opportunity to appear before the Committee to be heard. The Committee shall review the available facts, may request additional information relevant to this pending review, and shall determine whether the person's certification should be revoked.

If the Probation Committee determines that the certification should be revoked, the probation officer and the supervising judge shall be informed in writing of this decision, the opportunity to

appeal this determination to the Judicial Conference Board of Directors, and the opportunity to appear before the Board to be heard.

If the probation officer wishes to appeal this determination, the officer shall submit written notification of appeal to the Board of Directors within 20 days after the date of the Committee's written notice of revocation.

Adopted September 2006

Amended November 2023