

# VIRGINIA ACTS OF ASSEMBLY -- 2002 SESSION

## CHAPTER 700

*An Act to amend and reenact § 16.1-255 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 16.1-235.1, relating to juvenile court intake.*

[H 298]

Approved April 6, 2002

**Be it enacted by the General Assembly of Virginia:**

**1. That § 16.1-255 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding a section numbered 16.1-235.1 as follows:**

*§ 16.1-235.1. Provision of court services; replacement intake officers.*

*The chief judge may make arrangements for a replacement intake officer from another court service unit to ensure the capability of a prompt response in matters under § 16.1-255 or § 16.1-260 during hours the court is closed. The replacement intake officer shall have all the authority and power of an intake officer of that district when authorized in writing by the appointing authority and by the chief judge of that district. The arrangements shall conform to policy governing the use of replacement intake officers established by the State Board of Juvenile Justice.*

**§ 16.1-255. Limitation on issuance of detention orders for juveniles.**

No detention order shall be issued for any juvenile except when authorized by the judge or intake officer of a juvenile court or by a magistrate as provided in § 16.1-256.

In matters involving the issuance of detention orders each state or local court service unit shall ensure the capability of a prompt response by an intake officer who is either on duty or on call.

*A child may appear before an intake officer either (i) by personal appearance before the intake officer or (ii) by the use of two-way electronic video and audio communication. All communications and proceedings shall be conducted in the same manner and the intake officer shall have the same powers as if the appearance were in person. Any documents filed may be transmitted by facsimile and the facsimile and any signatures thereon shall serve, for all purposes, as an original document. Any two-way electronic video and audio communication system used shall comply with the provisions of subsection B of § 19.2-3.1.*