

Opinion Request #458 answered  
By Letter.

#56(1963)

January 3, 1963



Honorable L. F. Cottey  
Judge of the  
First Judicial Circuit  
Lancaster, Missouri

Dear Judge Cottey:

This is to acknowledge receipt of your letter of December 27, 1962, concerning the appointment of a juvenile officer for the First Judicial Circuit. You enclose a letter addressed to you dated December 27, 1962, from Edgar C. Padgett stating his qualifications for the position as juvenile officer, and you request advice from this office concerning these qualifications under Section 211.361, RSMo 1959.

Under Section 211.351 RSMo 1959, the circuit judge in circuits comprised of third and fourth class counties may appoint a juvenile officer to serve the judicial circuit. The qualifications of the person to be appointed as juvenile officer are as prescribed in Section 211.361, RSMo 1959. Under these statutory provisions, it is the responsibility of the circuit judge to determine whether an applicant meets the qualifications required by statute.

We think it is completely within the sound discretion of the court to determine whether an applicant, in lieu of certain academic training, "has had four years or more experience in social work with juveniles in probation or allied services." Thus, if a judge feels that an applicant has had four years experience in an "allied service," it would then be within his discretionary authority to make an appointment. In last analysis, the judge who is in a position to personally evaluate and analyze the applicant's background can best determine applicant's experience in "allied service."

Yours very truly,

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THOMAS F. EAGLETON  
Attorney General