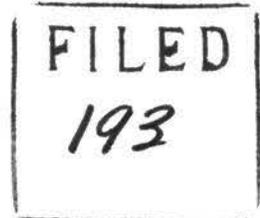


September 10, 1975

OPINION LETTER NO. 193  
Answer by Letter - Klaffenbach



Mr. Lawrence L. Graham  
Director, Department of  
Social Services  
Broadway State Office Building  
Jefferson City, Missouri 65101

Dear Mr. Graham:

This letter is in answer to your questions stated as follows:

- "1. Are volunteers participating in programs conducted by the Division of Probation and Parole entitled to Workmen's Compensation coverage while performing their volunteer duties?
- "2. Are volunteers participating in programs conducted by the Division of Youth Services entitled to Workmen's Compensation coverage while performing their volunteer duties? Are volunteers working directly with juveniles under the supervision of Division of Youth Services staff personally liable for any injury to that juvenile which occurs while the juvenile is with the volunteer?
- "3. Are volunteers participating in programs conducted by the Division of Corrections entitled to Workmen's Compensation coverage while performing their volunteer duties? Are volunteers covered by the tort defense fund under Section 105.710 RSMo. while they are performing their volunteer duties?"

Mr. Lawrence L. Graham

In answer to your questions asking whether volunteers participating in programs conducted by the Division of Probation and Parole or the Divisions of Youth Services or Corrections are entitled to Workmen's Compensation coverage while performing their volunteer duties, we are enclosing Opinion No. 136 issued in 1973, which we believe answers your questions.

In answer to your question asking whether volunteers working directly with juveniles under the supervision of Division of Youth Services staff are personally liable for any injury to that juvenile which occurs while the juvenile is with the volunteer, we believe that the question is too broad to be answered properly and must therefore decline to answer such question.

In answer to your question asking whether volunteers of the Division of Corrections are covered by the tort defense fund under § 105.710, RSMo while they are performing their volunteer duties, we believe that your question is answered by Opinion No. 136 in 1973, and that, generally speaking, such volunteers would be covered.

Very truly yours,

JOHN C. DANFORTH  
Attorney General

Enclosure: Op. No. 136  
4/4/73, Shulimson