

15.760 Staff of Commonwealth's attorneys -- County's duty to provide grand jury and witness rooms -- Victim advocate.

- (1) Each Commonwealth's attorney shall, during the calendar year 1977 and through June 30, 1978, be entitled to at least the number of assistant Commonwealth's attorney positions, stenographic, secretarial, and clerical staff positions, and investigative and other personnel positions, which he had or was entitled to at the number and salary level in effect on December 1, 1976.
- (2) The number of assistant Commonwealth's attorney positions, stenographic, secretarial, and clerical staff positions, and investigative and other personnel positions, shall be based on real need to be determined with the advice and consent of the Prosecutors Advisory Council.
- (3) All assistant Commonwealth's attorneys shall be licensed practicing attorneys. The full-time assistant Commonwealth's attorneys shall not be allowed to engage in the private practice of law.
- (4) All salaries paid to personnel appointed hereunder shall be paid from the State Treasury. The salaries shall be commensurate with the appointee's education, experience, training, and responsibility, and be based upon the guidelines established by the Prosecutors Advisory Council, which guidelines shall be comparable with the classification and compensation plan for comparable positions maintained by the state Personnel Cabinet, pursuant to KRS 64.640.
- (5) The fiscal court, consolidated local government, or urban-county government in the county or counties that comprise the judicial circuit shall be responsible for providing the office of the Commonwealth's attorney with an adequate grand jury room and witness rooms.
- (6)
 - (a) Each Commonwealth's attorney shall be authorized to employ individually or jointly with one (1) or more other Commonwealth's attorneys at least one (1) victim advocate to counsel and assist crime victims as defined in KRS 421.500.
 - (b) An individual employed as a victim advocate shall be a person who by a combination of education, professional qualification, training, and experience is qualified to perform the duties of this position. The victim advocate shall be an individual at least eighteen (18) years of age, of good moral character, with at least two (2) years of experience working in the human services field or court system in a position requiring professional contact with children or adults, who has:
 1. Received a baccalaureate degree in social work, sociology, psychology, guidance and counseling, education, religion, criminal justice, or other human service field; or
 2. Received a high school diploma or equivalency certificate, and, in addition to the experience required in this subsection, has at least four (4) years' experience working in the human services field or court system.

- (c) Each Commonwealth's attorney who employs an individual to serve as a victim advocate shall develop a written job description which describes the duties of the position and shall ensure the victim advocate completes training relating to the appropriate intervention with crime victims, including victims of domestic violence and victims of elder abuse, neglect, or exploitation or other crimes against the elderly. Each victim advocate shall perform those duties necessary to insure compliance with the crime victim's bill of rights contained in KRS 421.500 to 421.530. No victim advocate shall engage in political activities while in the course of performing his duties as victim advocate or the practice of law as defined in KRS 524.130. The creation and funding of any new personnel position shall be reviewed and approved by the Prosecutors Advisory Council.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 132, sec. 12, effective June 20, 2005. -- Amended 2002 Ky. Acts ch. 346, sec. 7, effective July 15, 2002. -- Amended 1998 Ky. Acts ch. 154, sec. 6, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 189, sec. 1, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 264, sec. 1, effective July 15, 1994. -- Created 1976 (1st Extra. Sess.) Ky. Acts ch. 17, sec. 13.