

## IN THE SUPREME COURT OF THE STATE OF KANSAS

FILED

ORDER

JUN 26 2014

## GENERAL AND ADMINISTRATIVE

HEATHER L. SMITH  
CLERK OF APPELLATE COURTS

Rule 110B is hereby adopted to implement the use of the Level of Service Inventory-Revised (LSI-R) by Kansas Judicial Branch personnel and judicial officers as the risk and needs assessment tool to determine presumptive supervision levels of adult offenders in Kansas, effective the date of this Order.

**Rule 110B**

## COURT SERVICES OFFICER ASSESSMENT OF ADULT OFFENDERS

- (a) **Level of Service Inventory-Revised Assessment Instrument – Generally.** The Level of Service Inventory-Revised (LSI-R) is the standardized risk and needs assessment tool specified by the Kansas sentencing commission in accordance with K.S.A. 75-5291(a)(2) to determine placement under supervision in Kansas. Nothing in this rule is intended to prevent a court from ordering a risk and needs assessment in other circumstances.
- (b) **Use of LSI-R; Exceptions.**
- (1) **Felony Conviction.** Except as described in paragraph (b)(3), all judicial branch court services officers must use the LSI-R to conduct a risk and needs assessment of an adult offender who is convicted of a felony on or after July 1, 2014.
  - (2) **Misdemeanor Conviction.** Except as described in paragraph (b)(3), all judicial branch court services officers must use the LSI-R — or, unless otherwise provided by law, the LSI-R: Screening Version (LSI-R:SV) — to conduct a risk and needs assessment of an adult offender who is convicted of a misdemeanor on or after the later of:
    - (A) January 1, 2015; or
    - (B) 60 days after the judicial administrator has advised chief court services officers that an electronic version of the LSI-R is available statewide.
  - (3) **Exceptions.** A court services officer is not required to use the LSI-R to assess an offender assigned to court services for supervision if:
    - (A) the offender is placed on probation for six months or less; or
    - (B) the crime severity level and offender criminal history establish a presumptive prison sentence under Kansas sentencing guidelines unless probation is ordered in lieu of prison.
- (c) **Timing of Assessment.** A court services officer must complete the assessment required under subsection (b):

- (1) as a component of the presentence investigation; or
- (2) no later than 45 days after the offender is placed on probation.

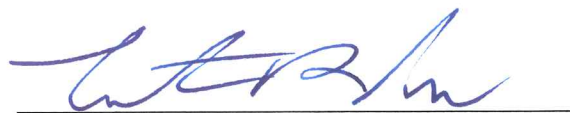
(d) **Training and Educational Requirements; Record.**

- (1) Subject to the policies and procedures adopted by the judicial administrator under subsection (e), a court services officer must successfully complete:
  - (A) initial training on the use of the LSI-R before using the LSI-R or LSI-R:SV to assess an adult offender;
  - (B) six hours of continuing LSI-R educational training annually after initial training has been successfully completed; and
  - (C) refresher LSI-R training before using the LSI-R or LSI-R:SV to assess an adult offender if the court services officer has not completed an LSI-R or LSI-R:SV assessment within the last six months.
- (2) The judicial administrator may waive or extend the time for a court services officer to complete continuing education credits or refresher training due to hardship, disability, or other good cause.
- (3) The judicial administrator must maintain a record of training and education credits completed by judicial branch court services officers.

(e) **Policies and Procedures.** The judicial administrator is authorized to adopt policies and procedures consistent with this rule for judicial branch employees who use the LSI-R or LSI-R:SV to assess the risk and needs of adult offenders.

- (1) **Training.** The policies and procedures must:
  - (A) specify initial and refresher training requirements; and
  - (B) establish a procedure for review and approval of continuing education credits for training programs.
- (2) **Implementation.** The policies and procedures may include any provisions the judicial administrator deems necessary to implement this rule.

BY ORDER OF THE COURT this 26 day of June, 2014.



Lawton R. Nuss  
Chief Justice