

610.012 Exclusive jurisdiction of District Court or family division of Circuit Court concerning temporary detention of suspected runaway.

- (1) The District Court or the family division of the Circuit Court shall have exclusive jurisdiction of proceedings under this section.
- (2) Proceedings to temporarily detain a child suspected of being a runaway by means of an emergency protective custody order, pending further appropriate court action, shall be initiated by filing a complaint with the court-designated worker.
- (3) Notwithstanding any other provision of law to the contrary, a child who is suspected of being a runaway may be detained in a nonsecure facility for a period of time not to exceed seventy-two (72) hours, exclusive of weekends and holidays, or, if the court makes a finding on the record that no less restrictive alternative is available, in a secure juvenile detention facility for a period of time not to exceed twenty-four (24) hours, exclusive of weekends and holidays, pursuant to an ex parte emergency protective order pending a court hearing to determine whether to return the child to his or her custodian or give custody of the child to the cabinet.
- (4) If, at the hearing held as provided for in subsection (3) of this section, the child is not released, the court shall issue an emergency custody order pursuant to KRS Chapter 620 and place the child with the cabinet and the cabinet shall file a dependency, neglect, or abuse action.
- (5) All hearings subsequent to the issuance of an emergency custody order shall be in accordance with KRS Chapter 620.
- (6) If the child is released, except to the cabinet pursuant to an emergency custody order, the court-designated worker shall initiate a status offense case.
- (7) The provisions of this section shall not apply to a child coming under the purview of KRS Chapter 615.

Effective: July 1, 2015

History: Created 2014 Ky. Acts ch. 132, sec. 34, effective July 1, 2015.