

THE THIRTY-FIRST LEGISLATURE OF AMERICAN SAMOA

Third Regular Session

Begun and held at Fagatogo, Tutuila, American Samoa
on Monday, January eleventh
two thousand and ten

AN ACT PROVIDING FOR THE APPOINTMENT AND COMPENSATION OF PROBATION OFFICERS AND AUTHORIZING FEES FOR SUCH SERVICES TO BE DEPOSITED IN THE ASG GENERAL FUND; AMENDING SECTION 46.2201 A.S.C.A.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. 46.2201 is amended to read:

“46.2201 Probation officers--Appointment, compensation, and removal, and fees.

(a) The Chief Justice of the High Court of American Samoa, pursuant to ASCA 3.0205, may appoint 1 or more suitable persons to serve as probation officers within the jurisdiction and under the direction of the court.


(b) ~~All probation officers serve without compensation, except that in case it appears to the court that the needs of the service requires salaried probation officers, the court may appoint them. The Chief Justice may designate existing court employees to serve as probation officers in addition to their current court duties, or appoint full or part time compensated probation officers, pursuant to ASCA 3.0205, or both.~~

(c) The appointment of a probation officer shall be in writing and entered on the records of the court.

(d) The Chief Justice ~~court~~, in his discretion, may remove a probation officer.

(e) Whenever the Chief Justice ~~court~~ has appointed more than 1 probation officer, 1 may be designated chief probation officer and he shall direct the work of all probation officers.

(f) Costs of probationary services including but not limited to supervision of probationers, alcohol and other drug random testing, and education, training and counseling programs shall be assessed upon and collected from each person placed on probation. The Chief Justice may by order or rule issue and periodically revise a fee schedule for such costs and services, the proceeds from which shall be deposited in the General Fund of the American Samoa Government."


GAOTEOTE PALAIE TOFAU
President of the Senate


SAVALI TALAVOU ALE
Speaker, House of Representatives


Hereby Approved this 15th day of March 2010
Governor Of American Samoa

NOFOAIGA TOLUSEFULU-TASI FONOFAITULAFONO A AMERIKA SAMOA

Fono Tele Lona Tolu

Nofoia ma usuia i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, Ianuari sefulutasi
lua afe ma le sefulu

O SE TULAFONO E AIAIA AI LE TOFIA O OFISA FAANOFOVAAVAIA MA O LATOU TOTOGI/TAUI MA FAATAGA AI LE TOTOGI MO IA AUAUNAGA INA IA TUUINA I TOTONU O LE TEUGATUPE TELE A LE MALO O AMERIKA SAMOA; SUIA AI MAGA 46.2201 T.T.A.S.”

IA FAATULAFONOINA E LE FONOFAITULAFONO A AMERIKA SAMOA:

Maga 1. 46.2201 ua suia e faitauina faapea:

“46.2201 Ofisa faanofovaavaaia—Tofiga, taui ma le aveesea, ma tupe totogi.

(a) O le Faamasino Sili o le Faamasinoga Maualuga a Amerika Samoa, ina ia tusa ai ma le TTAS 3.0205, e mafai ona ia tofia se tagata agavaa e toatasi poo le sili atu foi e avea ma ofisa faanofovaavaaia mai totonu lava ma e i lalo foi o le vaaiga a le faamasinoga.


(e) ~~O ofisa faanofovaavaaia uma e tautua e aunoa ma se taui, sei vagana ai ua manatu le faamasinoga o manaoga o lea auaunaga e moomia ai ofisa faanofovaavaaia o loo galulue mo totogi, ona tofia lea o latou ia. E mafai e le Faamasino Sili ona ia tofia o tagata faigaluega a le faamasinoga o loo i ai e avea ma ofisa faanofovaavaaia e faaopopo atu i o latou tiute o loo galulue ai, pe tofia foi ni ofisa faanofovaavaaia totogi e galulue na o se taimi poo le taimi atoa foi lava e tusa ai ma le 3.0205 TTAS, poo mea uma foi e lua.~~


(i) O le tofiga o se ofisa faanofovaavaaia e tataua ona tusitusia ma tuu i totonu o talafaamaumau a le faamasinoga.

(o) I le faitalia o le Faamasino Sili, faamasinoga e mafai ai ona ia aveesea o se ofisa faanofovaavaaia.

(u) Soo se taimi lava e tofia ai e le Faamasino Sili faamasinoga e silia i le toatasi ni ofisa faanofovaavaaia, e mafai ona filifilia le toatasi e avea ma ofisasili faanofovaavaaia ma o ia lea na te faatonutonusia galuega a ofisa faanofovaavaaia uma.

(f) O le totogi o auauunaga faanofovaavaaia e aofia ai ae le gata ai, i le vaaia o e o loo nofovaavaaia, o le faia o su'ega tau le 'avamalosi ma isi vaila'au faasaina, o a'oga, o toleni ma isi porokalama faufautua o le a totogiina le tau e tagata taitoatasi uma o loo nofovaavaaia. E mafai e le Faamasino Sili e ala i se faatonuga poo se faai'uga foi, ona tuuina mai ma toe iloilo ina foi mai lea taimi i lea taimi se faatulagaga o totogi o ia auauunaga, ma o ia tupe o le a tuuina i totonu o le Teugatupe Tele a le Malo o Amerika Samoa."


GAOTEOTE PALAIE TOFAU
Peresetene, Maota Mau'aluga


SAVALI TALAVOU ALE
Fofoga Fetalai, Maota o Sui


Hereby approved this 15th day of March 2010
Governor of American Samoa