

**Department of Corrections' Administrative Rules Establishing Guidelines and Qualifications  
for Sex Offender Evaluators and Treatment Providers**

[ARM 20.7.301 through ARM 20.7.304](#)

**20.7.301 SEX OFFENDER EVALUATION AND TREATMENT PROVIDER GUIDELINES AND QUALIFICATIONS**

(1) The purpose of sex offender evaluation and treatment provider guidelines and qualifications is to ensure that evaluation and treatment plans which are utilized in pre-sentence investigations are conducted by qualified individuals who are specially trained in sex offender treatment needs.

History: Sec. 53-1-203 MCA; IMP, Sec. 46-18-111 MCA; NEW, 1995 MAR p. 284, Eff. 2/24/95.

**20.7.302 DEFINITIONS**

As used in this sub-chapter, the following definitions apply:

(1) "District court" is the district unit of the Montana judicial system, presided over by district court judges.

(2) "Probation officer" is an employee of the probation and parole bureau of the department of corrections and human services who supervises clients placed under department jurisdiction by the district court or the board of pardons. Probation officers are responsible for preparing and presenting pre-sentence reports for the district court.

(3) "Sex offender" is an individual convicted of a felony offense under 45-5-502(3) , 45-5-503, 45-5-505, 45-5-507, MCA (unless the act occurred between two consenting persons 16 years of age or older) , or 45-5-625, MCA.

History: Sec. 53-1-203 MCA; IMP, Sec. 46-18-111 MCA; NEW, 1995 MAR p. 284, Eff. 2/24/95.

**20.7.303 GUIDELINES**

(1) A person is deemed qualified to complete an evaluation and recommendation of treatment for sex offenders under department of corrections and human services guidelines when the treatment provider either meets the qualifications set forth herein, or works under the direct supervision of a qualified treatment provider.

History: Sec. 53-1-203 MCA; IMP, Sec. 46-18-111 MCA; NEW, 1995 MAR p. 284, Eff. 2/24/95.

**20.7.304 QUALIFICATIONS**

(1) The individual must have received specialized documentable training in evaluation and treatment approaches from a nationally recognized program or provider specializing in working with sex offenders;

(2) Received formal education in the area of normal and abnormal sexual functioning;

(3) Received at least six hours of documentable annual continuing education in sex offender therapy or human sexuality;

(4) Spent the first year of their specialized clinical practice having at least monthly consultation and peer reviews of cases with a specialized sex offender clinician who practices in accordance with established national standards; and

(5) Possess one of the following combinations of degree and experience:

- (a) Relevant bachelor's degree and 4,000 hours of specific sex offender treatment experience;
- (b) Relevant master's degree, licensing and 2,000 hours of specific sex offender treatment experience;
- (c) Relevant doctoral degree, licensing and 2,000 hours of specific sex offender treatment experience; or
- (d) Medical degree and 2,000 hours of specific sex offender treatment experience; and
- (e) Is a full or clinical member of at least one relevant national organization which has ethics of practice to which they adhere.

History: 53-1-203, MCA; IMP, 46-18-111, MCA; NEW, 1995 MAR p. 284, Eff. 2/24/95.

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