

Bill No. 4-00
Concerning: Juvenile Court Committee -
Functions
Revised: 3-21-00 Draft No. 3
Introduced: February 8, 2000
Enacted: April 4, 2000
Executive: April 14, 2000
Effective: July 14, 2000
Sunset Date: None
Ch. 7, Laws of Mont. Co. 2000

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President Subin and Councilmembers Praisner and Krahnke

AN ACT to:

- (1) revise the membership and functions of the Juvenile Court Committee, and change its name to the Commission on Juvenile Justice; and
- (2) generally update and amend the law governing the Juvenile Court Committee.

By amending

Montgomery County Code
Chapter 12, Courts
Article VI. Juvenile Court Committee
Sections 12-36 through 12-43

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

21 Board of Education, in each case appointed by the Executive,
22 subject to confirmation by the Council, after receiving a
23 recommendation from the person or office to be represented;

24 (3) the [[Montgomery]] County juvenile [court] division judges, who
25 are [[nonvoting,]] ex officio voting members of the
26 [[Committee]] Commission; and

27 (4) nonvoting members emeritus who are past members [[of the
28 Committee]] who have given outstanding service [[to the
29 Committee]] and possess special expertise in juvenile matters.

30 Members emeritus [are] may be appointed by the Executive,
31 subject to confirmation by the Council.

32 (b) The term of each [[voting]] member [[of the Committee]] [shall be for]
33 is 3 years[, except that the initial terms of voting members shall be for
34 one, 2 or 3 years, as prescribed by the County Executive at the time of
35 appointment, so as to provide for the vacating of the terms of one-third
36 of the members of the Committee annually]. Members serving in an
37 emeritus, representative or ex officio capacity [shall] continue to serve
38 so long as they retain that capacity.

39 (c) [Whenever] When a vacancy occurs among the [[voting]] members [[of
40 the Committee]], [a successor shall be promptly appointed by] the

41 [County] Executive must promptly appoint a successor, subject to
 42 confirmation by the [County] Council, to complete the unexpired term
 43 of the vacating member. A member appointed to fill a vacancy [shall
 44 be] is eligible for only one subsequent full term; [provided, however,]
 45 but if the appointment [to the vacancy] occurs during the last [[half]]
 46 year of the vacant member's term, the new member [shall be eligible to]
 47 may serve 2 [subsequent] full terms.

48 **12-37. Officers[[']; subcommittees.**

49 (a) The [[committee]] Commission [shall] must elect annually from among
 50 its voting members a [chairman, vice-chairman] chair, vice-chair,
 51 secretary-treasurer and [[such]] other officers as it deems appropriate.
 52 No [office may be held by the same] person may hold the same office
 53 for more than [two (2)] 2 consecutive years.

54 (b) The [[committee]] Commission may create subcommittees, [that] which
 55 may include persons who are not members of the [[committee]]
 56 Commission. The [chairman] chair of each subcommittee [shall] must
 57 be a voting member of the [[committee]] Commission.

58 **12-38. Meetings; notice; quorum.**

59 The [[committee]] Commission meets in public session on call by the
 60 [chairman a minimum of] chair at least 8 times a year, and at such additional times as

61 required to perform its duties. At least one [(1)] meeting [shall] must be held in 2
 62 separate months in each [annual] calendar quarter, and at least one meeting [shall]
 63 must be held within 60 days of the last [[committee]] meeting. A special meeting
 64 [[of the committee]] [may] must be convened at the request of two-thirds of the
 65 voting members. Reasonable notice must be given to [[the committee]] members
 66 and [[to]] the general public of all meetings [[of the committee]]. One-third of the
 67 voting members [[of the committee]] is a quorum for the transaction of business.

68 **12-39. Reports.**

69 (a) *Minutes.* The [[committee]] Commission [shall] must keep minutes of
 70 each meeting and provide copies to the [county] Executive, [county]
 71 Council, and all members of the [[committee]] Commission.

72 (b) *Annual report.* By [[September 30]] October 31 of each year, the
 73 [[committee]] Commission [shall] must prepare an annual report for the
 74 juvenile division of the District Court, [county] Council, and [county]
 75 Executive, including [but not limited to the following] its:

- 76 (1) activities, accomplishments, problem areas, and
 77 recommendations [of the committee]; [and]
 78 (2) goals and objectives [of the committee] for the [upcoming] next
 79 calendar year; and
 80 (3) annual evaluation of programs and services for juveniles

81 provided or funded by the County, [[and]] the state Department
82 of Juvenile Justice, and the federal government.

83 (c) Workplan. By June 30 of each year, the Commission must prepare and
84 submit to the Council, Executive, and juvenile division of the District
85 Court a workplan for the next fiscal year. The Commission may amend
86 the workplan at any time during the fiscal year. The workplan should
87 describe how the Commission will monitor and evaluate the programs
88 under its jurisdiction.

89 **12-40. Reserved.**

90 **12-41. Functions [and responsibilities].**

91 [It shall be the function and responsibility of the committee to] The
92 [[Committee]] Commission must:

93 (a) Advise the juvenile division of the District Court, [county] Council, and
94 [county] Executive on the needs and requirements of juveniles under the
95 Court's jurisdiction [of the juvenile court].

96 (b) Inform state legislators of juvenile needs and requirements.

97 (c) Study and submit recommendations, procedures, programs, or
98 legislation concerning juvenile affairs, prevention and control of
99 juvenile delinquency, and neglect or abuse, in order to promote the
100 general welfare of juveniles under the Court's jurisdiction [of the court].

- 101 (d) Study and make recommendations to the [county] Executive and
102 [county] Council on those segments of the County budget that affect
103 juvenile justice programs.
- 104 (e) Make periodic visits to facilities in the state servicing county juveniles.
- 105 (f) Promote understanding and knowledge in the community regarding
106 juvenile needs and programs.
- 107 (g) Independently evaluate, in coordination with other advisory bodies such
108 as the Collaboration Council for Children, Youth, and Families and the
109 Criminal Justice Coordinating Commission, programs and services
110 provided or funded by the state Department of Juvenile Justice for
111 County youth. The evaluation should include intake, assessment,
112 informal adjustments, probation, aftercare, shelter care, detention, and
113 residential treatment programs. The evaluation should address whether
114 capacity in these areas is adequate to serve the County and assess the
115 effectiveness of these programs and services. If sufficient information
116 on the effectiveness of any program is not available, the [[Committee]]
117 Commission should note that fact.
- 118 (h) Independently evaluate County-funded programs and services,
119 including those from the Family Division of the Police Department, the
120 State's Attorney, and the Department of Health and Human Services.

121 The evaluation should address whether capacity in these areas is
 122 adequate and assess the effectiveness of these programs and services. If
 123 sufficient information on the effectiveness of any program is not
 124 available, the [[Committee]] Commission should note that fact.

125 **12-42. Staff support.**

126 The [Montgomery County] Department of Health and Human Services must
 127 provide reasonable [secretarial] professional and administrative support to the
 128 [[committee]] Commission [in order] to facilitate [[the]] the Commission's work [[of
 129 the committee]].

130 **12-43. Bylaws.**

131 The [[committee]] Commission may adopt [such] bylaws and rules of
 132 [conduct as are] procedure not inconsistent with the County Charter or law.

133 **Sec. 2. Transition.** The members of the Juvenile Court Committee on the
 134 effective date of this Act are members of the Commission on Juvenile Justice until
 135 the term for which each was appointed to the Committee expires.

136 *Approved:*

137 /S/

4/6/00

Michael L. Subin, President, County Council

Date

138 *Approved:*

139 /S/ 4/14/00

Douglas M. Duncan, County Executive Date

140 *This is a correct copy of Council action.*

141 /S/ 4/17/00

Mary A. Edgar, CMC, Clerk of the Council Date