
By: **Delegates Montague, Grosfeld, Gladden, Cole, Dembrow, Doory,
Dobson, Menes, Marriott, and Rawlings**

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Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 25, 2000

CHAPTER _____

1 AN ACT concerning

2 **State Commission on Juvenile Justice Disciplinary and Grievance Advisory**
3 **Commission**

4 ~~FOR the purpose of establishing a State Commission on Juvenile Justice independent~~
5 ~~from the Department of Juvenile Justice; directing the Department to adopt a~~
6 ~~certain policy; requiring certain persons to take certain steps to forward certain~~
7 ~~reports; requiring the Department to take certain actions to cooperate with the~~
8 ~~State Commission, Area Advocacy Boards, and certain employees of the State~~
9 ~~Commission; specifying the membership of the State Commission; providing for~~
10 ~~appointment of certain officers on the State Commission; providing for the~~
11 ~~terms of office of certain members of the State Commission; providing for a~~
12 ~~certain meeting schedule of the State Commission; prohibiting members of the~~
13 ~~State Commission from receiving certain compensation; authorizing members of~~
14 ~~the State Commission to receive reimbursement for certain expenses; requiring~~
15 ~~the State Commission to employ certain staff; establishing the duties of certain~~
16 ~~staff employed by the Commission; establishing the duties of the State~~
17 ~~Commission; providing the State Commission with certain authority;~~
18 ~~establishing Area Advocacy Boards within the State Commission; specifying the~~
19 ~~membership of the Advocacy Boards; requiring the appointment of certain~~
20 ~~officers to the Advocacy Boards; providing for the terms of office of members of~~
21 ~~the Advocacy Boards; prohibiting a member of an Advocacy Board from~~
22 ~~receiving compensation; authorizing members of the Advocacy Boards to receive~~
23 ~~reimbursement for certain expenses; providing for a certain meeting schedule of~~
24 ~~the Advocacy Boards; providing certain staff support for the Advocacy Boards;~~
25 ~~specifying the duties of the Advocacy Boards; requiring certain reports to be~~
26 ~~made by certain local adult correctional facilities; requiring certain reports to be~~
27 ~~made by the Inmate Grievance Office; defining certain terms; specifying the~~

1 terms of certain initial members of the State Commission; specifying the terms
 2 of the initial members of the Advocacy Boards; and generally relating to the
 3 State Commission on Juvenile Justice establishing the State Juvenile Justice
 4 Disciplinary and Grievance Advisory Commission to inform and advise the
 5 Secretary of Juvenile Justice on issues regarding the care and supervision of
 6 children under the jurisdiction of the Department of Juvenile Justice; requiring
 7 the Department to adopt a certain policy; requiring the Department to cooperate
 8 with the Commission and Area Advocacy Boards in a certain manner; specifying
 9 the membership of the Commission; providing for the terms of office of the
 10 members of the Commission; providing for the appointment of certain members
 11 of the Commission; providing for a certain meeting schedule for the Commission;
 12 establishing that a majority of the Commission constitutes a quorum for a
 13 certain purpose; prohibiting a member of the Commission from receiving
 14 compensation; authorizing a member of the Commission to receive
 15 reimbursement for certain expenses; establishing certain duties of the
 16 Commission; authorizing the Commission to take certain actions; requiring the
 17 Commission to employ certain staff; providing for certain salaries and expenses;
 18 requiring the Commission to set certain salaries, qualifications, and standards
 19 in a certain manner; establishing certain duties of a commission monitor;
 20 establishing Area Advocacy Boards within the Commission; specifying the
 21 membership of each Area Advocacy Board; providing for the appointment of a
 22 chairman of each Area Advocacy Board; providing for the terms of a member of
 23 an Area Advocacy Board; prohibiting a member of an Area Advocacy Board from
 24 receiving compensation; authorizing a member of an Area Advocacy Board to
 25 receive reimbursement for certain expenses; providing for a certain meeting
 26 schedule for an Area Advocacy Board; providing for staff support for an Area
 27 Advocacy Board; establishing the duties of an Area Advocacy Board; specifying
 28 the terms of the initial members of the Commission and Area Advocacy Boards;
 29 defining certain terms; and generally relating to the State Juvenile Justice
 30 Disciplinary and Grievance Advisory Commission.

31 BY repealing and reenacting, with amendments,
 32 Article 83C - Juvenile Justice
 33 Section 1-101 and 2-118
 34 Annotated Code of Maryland
 35 (1998 Replacement Volume and 1999 Supplement)

36 BY adding to
 37 Article 83C - Juvenile Justice
 38 Section 5-101 through ~~5-110~~ 5-107, inclusive, to be under the new title "Title 5.
 39 State ~~Commission on~~ Juvenile Justice Disciplinary and Grievance
 40 Advisory Commission"
 41 Annotated Code of Maryland
 42 (1998 Replacement Volume and 1999 Supplement)

43 ~~BY adding to~~
 44 ~~Article - Correctional Services~~

1 Section 7-806
 2 Annotated Code of Maryland
 3 (1999 Volume)

4 ~~BY~~ repealing and reenacting, with amendments,
 5 Article—Correctional Services
 6 Section 10-205
 7 Annotated Code of Maryland
 8 (1999 Volume)

9 SECTION 1. ~~BE IT ENACTED BY THE GENERAL ASSEMBLY OF~~
 10 MARYLAND, That the Laws of Maryland read as follows:

11 **Article 83C—Juvenile Justice**

12 ~~1-101.~~

13 (a) ~~In this article the following words have the meanings indicated.~~

14 (b) ~~"Department" means the Department of Juvenile Justice.~~

15 (c) ~~"County" means a county of this State and, unless expressly provided~~
 16 ~~otherwise, Baltimore City.~~

17 (D) ~~"DISCIPLINARY ACTION" INCLUDES ANY ALTERATION IN THE STATUS OR~~
 18 ~~PLACEMENT OF A JUVENILE THAT RESULTS IN MORE SECURITY, ADDITIONAL~~
 19 ~~OBLIGATIONS, OR LESS PERSONAL FREEDOM.~~

20 (E) ~~"GRIEVANCE" MEANS A COMPLAINT DUE TO A CIRCUMSTANCE OR ACTION~~
 21 ~~CONSIDERED TO BE UNJUST.~~

22 ~~{(d)}~~ (F) ~~"Secretary" means the Secretary of the Department of Juvenile~~
 23 ~~Justice.~~

24 ~~{(e)}~~ (G) ~~"Person" means an individual, receiver, trustee, guardian, personal~~
 25 ~~representative, fiduciary, or representative of any kind and any partnership, firm,~~
 26 ~~association, corporation, or other entity.~~

27 ~~{(f)}~~ (H) ~~"State" means:~~

28 (1) ~~A state, possession, or territory of the United States;~~

29 (2) ~~The District of Columbia; or~~

30 (3) ~~The Commonwealth of Puerto Rico.~~

31 ~~{(g)}~~ (I) ~~"State Advisory Board" means the State Advisory Board for Juvenile~~
 32 ~~Justice.~~

1 ~~2-118.~~

2 (a) Each facility provided for in § 2-117 of this article shall operate under the
3 control and general management of the Department.

4 (b) Subject to the provisions of Title 3, Subtitle 8 of the Courts Article, the
5 Department shall:

6 (1) Adopt rules and regulations that set:

7 (i) Policies for admission, transfer, discharge, and aftercare
8 supervision; and

9 (ii) Standards of care, including provisions to administer any early,
10 periodic screening diagnosis and treatment program that the Department approves
11 for establishment under Title 42, § 1396d(a)(4)(B) of the United States Code and to
12 treat appropriately any condition that the screening reveals; and

13 (2) Order any needed changes in the policy, conduct, or management of a
14 facility to provide adequate care for the children and adequate services to the courts.

15 (c) The Department shall adopt regulations applicable to residential facilities
16 it operates that:

17 (1) Prohibit the use of locked door seclusion and restraints as
18 punishment, and describe the circumstances under which locked door seclusion and
19 restraints may be used; and

20 (2) Prohibit abuse of a child.

21 (D) THE DEPARTMENT SHALL ADOPT THE FOLLOWING POLICY FOR
22 ADDRESSING DISCIPLINARY ACTIONS AND GRIEVANCES WITHIN FACILITIES:

23 (1) RESIDENTIAL STAFF MAY ASSESS DISCIPLINARY ACTION AND
24 SANCTION RESIDENTS FOR PETTY AND MINOR OFFENSES;

25 (2) RESIDENTIAL STAFF SHALL PREPARE A REPORT OF ANY
26 DISCIPLINARY ACTIONS TAKEN OR GRIEVANCES BROUGHT TO THEIR ATTENTION BY
27 YOUTH, STAFF, PARENTS, OR GUARDIANS AND SHALL FORWARD THE REPORT TO
28 SUPERVISORY STAFF;

29 (3) THE SUPERVISOR OF EACH FACILITY SHALL REVIEW ANY
30 DISCIPLINARY ACTIONS TAKEN BY THE RESIDENTIAL STAFF AND SHALL REVIEW ALL
31 GRIEVANCES BROUGHT BY YOUTH, STAFF, PARENTS, OR GUARDIANS; AND

32 (4) THE SUPERVISOR OF EACH FACILITY SHALL FORWARD A DAILY
33 REPORT OF ALL DISCIPLINARY ACTIONS AND GRIEVANCES TO THE INDEPENDENT
34 MONITOR ASSIGNED TO THE FACILITY IN ACCORDANCE WITH TITLE 5 OF THIS
35 ARTICLE.

1 ~~[(d)]~~ (E) The Department shall develop within each facility special programs
2 that are designed to meet the particular needs of its population.

3 ~~[(e)]~~ (F) The Department shall develop and provide within each facility:

4 (1) Educational programs that are designed to meet the particular needs
5 of its population;

6 (2) Alcohol abuse and drug abuse assessment services; and

7 (3) Either alcohol abuse and drug abuse referral services or an alcohol
8 abuse and drug abuse treatment program that has been certified in accordance with
9 the requirements of Title 8 of the Health—General Article.

10 (G) ~~THE DEPARTMENT SHALL COOPERATE WITH THE STATE COMMISSION ON~~
11 ~~JUVENILE JUSTICE AND AREA ADVOCACY BOARDS ESTABLISHED IN TITLE 5 OF THIS~~
12 ~~ARTICLE, INCLUDING:~~

13 (1) ~~PROVIDING INDEPENDENT MONITORS ACCESS TO ALL REPORTS AND~~
14 ~~RECORDS NECESSARY FOR THE MONITORING OF ACTIVITIES IN ACCORDANCE WITH~~
15 ~~TITLE 5 OF THIS ARTICLE;~~

16 (2) ~~PROVIDING THE STATE COMMISSION, ADVOCACY BOARDS, AND~~
17 ~~INDEPENDENT MONITORS ACCESS TO ALL FACILITIES TO CONDUCT ON-SITE~~
18 ~~INSPECTIONS;~~

19 (3) ~~PROVIDING REPRESENTATION, WHEN REQUESTED, AT ANY HEARING~~
20 ~~CONDUCTED BY THE STATE COMMISSION; AND~~

21 (4) ~~COMPLYING WITH A DIRECTIVE OF THE STATE COMMISSION~~
22 ~~REGARDING ANY IDENTIFIED PROBLEM IN THE FACILITIES UNDER THE~~
23 ~~JURISDICTION OF THE DEPARTMENT.~~

24 ~~TITLE 5. STATE COMMISSION ON JUVENILE JUSTICE.~~

25 ~~5-101.~~

26 (A) ~~IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

27 (B) ~~"AREA" MEANS THE DEPARTMENT'S DESIGNATED DIVISION WITHIN THE~~
28 ~~STATE FOR THE PURPOSE OF ADMINISTERING INTAKE, PROBATION, AND AFTERCARE~~
29 ~~FOR DELINQUENT YOUTH.~~

30 (C) ~~"FACILITY" MEANS:~~

31 (1) ~~RESIDENTIAL AND NONRESIDENTIAL FACILITIES OPERATED BY THE~~
32 ~~DEPARTMENT;~~

33 (2) ~~LOCKED RESIDENTIAL FACILITIES OPERATED BY PRIVATE ENTITIES~~
34 ~~UNDER CONTRACT WITH THE DEPARTMENT; AND~~

1 (3) ~~ADULT STATE AND LOCAL CORRECTIONAL FACILITIES IN WHICH A~~
2 ~~MINOR IS CONFINED.~~

3 (D) ~~"INDEPENDENT MONITOR" MEANS AN INDIVIDUAL WHO WORKS FOR THE~~
4 ~~STATE COMMISSION ON JUVENILE JUSTICE ON BEHALF OF CHILDREN UNDER~~
5 ~~DEPARTMENT JURISDICTION TO SEE THAT THE CHILDREN'S NEEDS ARE BEING MET,~~
6 ~~THAT THEIR RIGHTS ARE BEING UPHELD, AND THAT THEY ARE NOT BEING ABUSED.~~
7 ~~5-102.~~

8 (A) ~~THERE IS A STATE COMMISSION ON JUVENILE JUSTICE INDEPENDENT~~
9 ~~FROM THE DEPARTMENT.~~

10 (B) ~~THE STATE COMMISSION SHALL CONSIST OF 10 MEMBERS APPOINTED BY~~
11 ~~THE GOVERNOR AS FOLLOWS:~~

12 (1) ~~ONE REPRESENTATIVE FROM THE GENERAL PUBLIC WHO IS~~
13 ~~KNOWLEDGEABLE AND EXPERIENCED IN JUVENILE JUSTICE ISSUES;~~

14 (2) ~~ONE REPRESENTATIVE FROM THE DEPARTMENT;~~

15 (3) ~~ONE REPRESENTATIVE OF A COMMUNITY BASED ADVOCACY GROUP~~
16 ~~WHO IS KNOWLEDGEABLE AND EXPERIENCED IN JUVENILE JUSTICE ISSUES~~
17 ~~RECOMMENDED BY ADVOCATES FOR CHILDREN AND YOUTH;~~

18 (4) ~~TWO REPRESENTATIVES OF THE STATE JUDICIARY WHO ARE~~
19 ~~KNOWLEDGEABLE AND EXPERIENCED IN JUVENILE JUSTICE ISSUES;~~

20 (5) ~~ONE REPRESENTATIVE OF THE ATTORNEY GENERAL'S OFFICE WHO~~
21 ~~IS KNOWLEDGEABLE AND EXPERIENCED IN JUVENILE JUSTICE ISSUES;~~

22 (6) ~~ONE REPRESENTATIVE OF THE PUBLIC DEFENDER'S OFFICE WHO IS~~
23 ~~KNOWLEDGEABLE AND EXPERIENCED IN JUVENILE JUSTICE ISSUES;~~

24 (7) ~~ONE MEMBER OF THE SENATE OF MARYLAND, RECOMMENDED BY~~
25 ~~THE PRESIDENT OF THE SENATE;~~

26 (8) ~~ONE MEMBER OF THE HOUSE OF DELEGATES, RECOMMENDED BY~~
27 ~~THE SPEAKER OF THE HOUSE; AND~~

28 (9) ~~ONE REPRESENTATIVE OF A PRIVATE SECTOR JUVENILE JUSTICE~~
29 ~~PROVIDER WITH WHOM THE DEPARTMENT CONTRACTS, RECOMMENDED BY THE~~
30 ~~MARYLAND ASSOCIATION OF RESOURCES FOR FAMILIES AND YOUTH.~~

31 (C) ~~THE CHAIRMAN OF EACH AREA ADVOCACY BOARD ESTABLISHED IN~~
32 ~~ACCORDANCE WITH § 5-108 OF THIS TITLE SHALL SERVE AS AN EX OFFICIO~~
33 ~~NONVOTING MEMBER OF THE STATE COMMISSION.~~

34 (D) (1) ~~THE TERM OF A VOTING MEMBER OF THE STATE COMMISSION IS 3~~
35 ~~YEARS.~~

1 (2) ~~THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE~~
2 ~~TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON OCTOBER 1, 2000.~~

3 (3) ~~AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A~~
4 ~~SUCCESSOR IS APPOINTED AND QUALIFIES.~~

5 (4) ~~A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES~~
6 ~~ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND~~
7 ~~QUALIFIES.~~

8 ~~5-103.~~

9 (A) ~~FROM AMONG THE MEMBERS OF THE STATE COMMISSION, THE~~
10 ~~GOVERNOR SHALL APPOINT A CHAIRMAN.~~

11 (B) (1) ~~FROM AMONG THE MEMBERS OF THE STATE COMMISSION, THE~~
12 ~~COMMISSION CHAIRMAN SHALL APPOINT A COMMISSION SECRETARY.~~

13 (2) ~~THE COMMISSION SECRETARY SHALL KEEP FULL AND ACCURATE~~
14 ~~MINUTES OF EACH COMMISSION MEETING.~~

15 ~~5-104.~~

16 (A) ~~THE STATE COMMISSION SHALL MEET REGULARLY AT LEAST ONCE PER~~
17 ~~MONTH ON THE CALL OF ITS CHAIRMAN.~~

18 (B) ~~A MEMBER OF THE STATE COMMISSION:~~

19 (1) ~~MAY NOT RECEIVE COMPENSATION; BUT~~

20 (2) ~~IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE~~
21 ~~STANDARD STATE TRAVEL REGULATIONS AS PROVIDED IN THE STATE BUDGET.~~

22 ~~5-105.~~

23 (A) ~~THE COMMISSION SHALL EMPLOY A FULL TIME EXECUTIVE DIRECTOR~~
24 ~~WHOSE MINIMUM DUTIES SHALL BE TO CARRY OUT THE WORK OF THE COMMISSION.~~

25 (B) ~~THE COMMISSION SHALL EMPLOY THREE ADMINISTRATIVE ASSISTANTS~~
26 ~~TO CARRY OUT THE WORK OF THE COMMISSION.~~

27 (C) ~~THE COMMISSION SHALL EMPLOY FOUR INDEPENDENT MONITORS TO~~
28 ~~SERVE FACILITIES IN THE STATE.~~

29 ~~5-106.~~

30 (A) ~~EACH INDEPENDENT MONITOR SHALL BE ASSIGNED TO OVERSEE~~
31 ~~SPECIFIC FACILITIES.~~

32 (B) ~~AN INDEPENDENT MONITOR SHALL:~~

1 (1) RECEIVE REPORTS FROM EACH FACILITY TO WHICH THE MONITOR
2 IS ASSIGNED DETAILING ALL DISCIPLINARY ACTIONS TAKEN AND GRIEVANCES
3 INITIATED BY YOUTH, STAFF, PARENTS, OR GUARDIANS;

4 (2) REVIEW ALL REPORTS RECEIVED FROM THE FACILITIES TO WHICH
5 THE MONITOR IS ASSIGNED;

6 (3) INITIATE ACTIONS WITH APPROPRIATE AUTHORITIES TO REMEDY
7 ANY IMMEDIATE THREAT TO A JUVENILE; AND

8 (4) REPORT QUARTERLY TO THE AREA ADVOCACY BOARDS FOR THE
9 AREAS IN WHICH THE FACILITIES TO WHICH THE INDEPENDENT MONITOR IS
10 ASSIGNED ARE LOCATED:

11 (I) ALL GRIEVANCES INITIATED BY YOUTH, STAFF, PARENTS, OR
12 GUARDIANS, REGARDLESS OF THE RESOLUTION OF THOSE GRIEVANCES; AND

13 (II) ALL DISCIPLINARY ACTIONS TAKEN, WHETHER APPEALED OR
14 NOT.

15 5-107.

16 (A) ALL SALARIES AND EXPENSES FOR STAFF, RENT, STATIONERY, POSTAGE,
17 AND MISCELLANEOUS OFFICE MATERIALS NECESSARY FOR THE WORK OF THE
18 STATE COMMISSION, EXECUTIVE DIRECTOR, AND STAFF SHALL BE PROVIDED IN THE
19 STATE BUDGET.

20 (B) IN COOPERATION WITH THE SECRETARY OF BUDGET AND MANAGEMENT,
21 THE STATE COMMISSION SHALL SET MINIMUM SALARIES, QUALIFICATIONS, AND
22 STANDARDS OF TRAINING AND EXPERIENCE FOR POSITIONS WITH THE COMMISSION.
23 5-108.

24 (A) THE STATE COMMISSION SHALL:

25 (1) MONITOR ALL ASPECTS OF YOUTH INVOLVEMENT IN THE JUVENILE
26 JUSTICE SYSTEM AND YOUTH UNDER THE AGE OF 18 INVOLVED IN THE ADULT
27 JUSTICE SYSTEM, INCLUDING RECEIVING INFORMATION FROM AREA ADVOCACY
28 BOARDS CONCERNING THE BOARDS' MONITORING ACTIVITIES;

29 (2) INVESTIGATE TO GATHER INFORMATION ON THE JUVENILE JUSTICE
30 SYSTEM FROM VARIOUS SOURCES, INCLUDING:

31 (I) MEMBERS OF THE PUBLIC;

32 (II) JUVENILE JUSTICE SYSTEM PERSONNEL;

33 (III) JUVENILE JUSTICE SYSTEM ADVOCATES; AND

34 (IV) FAMILIES AND YOUTH INVOLVED IN THE JUVENILE JUSTICE
35 SYSTEM;

1 (3) ~~PREPARE RECOMMENDATIONS FOR CHANGES IN LEGISLATION,~~
2 ~~REGULATIONS, POLICIES, AND PRACTICES RELATING TO THE JUVENILE JUSTICE~~
3 ~~SYSTEM;~~

4 (4) ~~PUBLISH REGULAR AND PERIODIC REPORTS ON ITS FINDINGS IN ALL~~
5 ~~APPROPRIATE MEDIA;~~

6 (5) ~~OVERSEE THE ACTIVITIES OF THE AREA ADVOCACY BOARDS;~~

7 (6) ~~REVIEW REPORTS OF THE AREA ADVOCACY BOARDS; AND~~

8 (7) ~~REPORT ITS FINDINGS ON THE STATE OF THE JUVENILE JUSTICE~~
9 ~~SYSTEM ON OR BEFORE OCTOBER 1 OF EACH YEAR IN ACCORDANCE WITH § 2-1246 OF~~
10 ~~THE STATE GOVERNMENT ARTICLE TO THE GENERAL ASSEMBLY, THE GOVERNOR,~~
11 ~~AND THE CHIEF JUDGE OF THE COURT OF APPEALS.~~

12 (B) ~~THE STATE COMMISSION MAY PERFORM ANY ACTS NECESSARY TO CARRY~~
13 ~~OUT THE POWERS AND DUTIES SET FORTH IN SUBSECTION (A) OF THIS SECTION,~~
14 ~~INCLUDING:~~

15 (1) ~~GAINING ACCESS TO ANY APPROPRIATE INFORMATION CONCERNING~~
16 ~~RECORDS, STAFF, AND YOUTHS UNDER THE JURISDICTION OF AN AGENCY IN THE~~
17 ~~JUVENILE JUSTICE SYSTEM AND MINORS UNDER THE JURISDICTION OF AN ADULT~~
18 ~~CORRECTIONAL FACILITY;~~

19 (2) ~~INVESTIGATING ANY ASPECT OF THE JUVENILE JUSTICE SYSTEM,~~
20 ~~INCLUDING:~~

21 (I) ~~CONDUCTING HEARINGS; AND~~

22 (II) ~~PERFORMING ON-SITE INSPECTIONS OF FACILITIES; AND~~

23 (3) ~~REQUIRING AN AGENCY RESPONSIBLE FOR AN IDENTIFIED~~
24 ~~PROBLEM IN THE JUVENILE JUSTICE SYSTEM TO TAKE STEPS TO REMEDY THE~~
25 ~~PROBLEM.~~

26 5-109.

27 (A) ~~THERE IS ESTABLISHED WITHIN THE STATE COMMISSION ON JUVENILE~~
28 ~~JUSTICE AN AREA ADVOCACY BOARD FOR EACH AREA ESTABLISHED BY THE~~
29 ~~DEPARTMENT IN THE STATE.~~

30 (B) ~~THE ADVOCACY BOARDS SHALL CONSIST OF FIVE MEMBERS APPOINTED~~
31 ~~BY THE STATE COMMISSION ON JUVENILE JUSTICE AS FOLLOWS:~~

32 (1) ~~ONE REPRESENTATIVE OF THE DEPARTMENT;~~

33 (2) ~~ONE REPRESENTATIVE OF THE AREA'S LOCAL GOVERNMENT WITH~~
34 ~~KNOWLEDGE AND EXPERIENCE IN JUVENILE JUSTICE ISSUES;~~

1 (3) ~~ONE REPRESENTATIVE OF AN AREA NONPROFIT GROUP WITH~~
2 ~~KNOWLEDGE AND EXPERIENCE IN JUVENILE JUSTICE ISSUES;~~

3 (4) ~~ONE REPRESENTATIVE OF AN AREA EDUCATION OR MENTAL~~
4 ~~HEALTH AGENCY WITH KNOWLEDGE AND EXPERIENCE IN JUVENILE JUSTICE~~
5 ~~ISSUES; AND~~

6 (5) ~~ONE REPRESENTATIVE OF AN AREA BAR ASSOCIATION.~~

7 (C) ~~THE STATE COMMISSION SHALL APPOINT A CHAIRMAN OF EACH AREA~~
8 ~~ADVOCACY BOARD.~~

9 (D) (1) ~~THE TERM OF A MEMBER OF AN AREA ADVOCACY BOARD IS 3 YEARS.~~

10 (2) ~~THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE~~
11 ~~TERMS PROVIDED FOR MEMBERS OF THE BOARDS ON OCTOBER 1, 2000.~~

12 (3) ~~AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A~~
13 ~~SUCCESSOR IS APPOINTED AND QUALIFIES.~~

14 (4) ~~A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES~~
15 ~~ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND~~
16 ~~QUALIFIES.~~

17 (E) ~~A MEMBER OF AN ADVOCACY BOARD MAY NOT RECEIVE COMPENSATION,~~
18 ~~BUT IS ENTITLED TO REIMBURSEMENT UNDER THE STANDARD STATE TRAVEL~~
19 ~~REGULATIONS AS PROVIDED IN THE STATE BUDGET.~~

20 (F) ~~THE ADVOCACY BOARDS SHALL MEET AT LEAST QUARTERLY, BUT MORE~~
21 ~~OFTEN IF DETERMINED NECESSARY BY THE STATE COMMISSION ON JUVENILE~~
22 ~~JUSTICE.~~

23 (G) ~~THE ADVOCACY BOARDS SHALL RECEIVE STAFF SUPPORT FROM THE~~
24 ~~STATE COMMISSION ON JUVENILE JUSTICE.~~

25 5-110.

26 (A) ~~THE ADVOCACY BOARDS SHALL:~~

27 (1) ~~REVIEW THE QUARTERLY REPORTS OF THE INDEPENDENT~~
28 ~~MONITORS TO DETERMINE WHETHER THERE IS A PATTERN OF ABUSE, NEGLECT,~~
29 ~~FAILURE TO FOLLOW PROCEDURES, OR OTHER SYSTEMIC FAILINGS WITHIN THE~~
30 ~~FACILITIES OR PROGRAMMING, OR AMONG ONE OR MORE RESIDENTIAL STAFF; AND~~

31 (2) ~~EXAMINE THE QUARTERLY REPORT TO DETERMINE IF THERE ARE~~
32 ~~INCIDENTS OF INAPPROPRIATE PLACEMENT OF A YOUTH AS A RESULT OF A~~
33 ~~DISCIPLINARY ACTION.~~

34 (B) ~~THE ADVOCACY BOARD SHALL FORWARD A COPY OF THE QUARTERLY~~
35 ~~REPORT OF THE INDEPENDENT MONITORS WITH A REPORT OF THE ADVOCACY~~
36 ~~BOARD'S FINDINGS TO THE EXECUTIVE DIRECTOR OF THE STATE COMMISSION ON~~

~~1 JUVENILE JUSTICE AND TO THE SECRETARY OF THE DEPARTMENT OF JUVENILE
2 JUSTICE OR THE SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY AND
3 CORRECTIONAL SERVICES IN THE CASE OF YOUTH HOUSED IN ADULT STATE AND
4 LOCAL CORRECTIONAL FACILITIES.~~

5 **Article—Correctional Services**

6 ~~7-806.~~

~~7 ANY INMATE GRIEVANCE RECEIVED CONCERNING A MINOR CONFINED IN AN
8 ADULT LOCAL CORRECTIONAL FACILITY SHALL BE FORWARDED, BY THE END OF THE
9 DAY ON WHICH IT WAS RECEIVED, TO AN INDEPENDENT MONITOR ASSIGNED TO THE
10 FACILITY FROM WHICH THE COMPLAINT ISSUED IN ACCORDANCE WITH ARTICLE
11 83C, TITLE 5 OF THE CODE.~~

12 ~~10-205.~~

13 (a) ~~The Office shall keep a record of all complaints submitted to the Office
14 under this subtitle and the disposition of each complaint.~~

15 (b) ~~The record shall be open to public inspection during regular business
16 hours.~~

17 (c) ~~ANY COMPLAINTS SUBMITTED CONCERNING A MINOR CONFINED IN AN
18 ADULT CORRECTIONAL FACILITY SHALL BE FORWARDED, BY THE END OF THE DAY
19 ON WHICH THE COMPLAINT WAS RECEIVED, TO AN INDEPENDENT MONITOR
20 ASSIGNED TO THE FACILITY FROM WHICH THE COMPLAINT ISSUED IN ACCORDANCE
21 WITH ARTICLE 83C, TITLE 5 OF THE CODE.~~

22 ~~SECTION 2. AND BE IT FURTHER ENACTED, That the initial terms of the
23 members of the State Commission on Juvenile Justice shall expire as follows:~~

24 (1) ~~three members in 2001;~~

25 (2) ~~four members in 2002; and~~

26 (3) ~~three members in 2003.~~

27 ~~SECTION 3. AND BE IT FURTHER ENACTED, That the initial terms of the
28 members of the Area Advocacy Boards shall expire as follows:~~

29 (1) ~~two members in 2001;~~

30 (2) ~~one member in 2002; and~~

31 (3) ~~two members in 2003.~~

32 ~~SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2000.~~

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 Article 83C - Juvenile Justice

4 1-101.

5 (a) In this article the following words have the meanings indicated.

6 (b) "Department" means the Department of Juvenile Justice.

7 (c) "County" means a county of this State and, unless expressly provided
8 otherwise, Baltimore City.

9 (D) "DISCIPLINARY ACTION" MEANS ANY PUNITIVE ACTION OR ALTERATION
10 IN THE STATUS OR PLACEMENT OF A CHILD THAT RESULTS IN MORE SECURITY,
11 ADDITIONAL OBLIGATIONS, OR LESS PERSONAL FREEDOM.

12 (E) "GRIEVANCE" MEANS A COMPLAINT MADE BY A CHILD OR ON BEHALF OF A
13 CHILD BY A PARENT, GUARDIAN, OR ATTORNEY FOR THE CHILD DUE TO A
14 CIRCUMSTANCE OR ACTION CONSIDERED TO BE UNJUST.

15 [(d)] (F) "Secretary" means the Secretary of the Department of Juvenile
16 Justice.

17 [(e)] (G) "Person" means an individual, receiver, trustee, guardian, personal
18 representative, fiduciary, or representative of any kind and any partnership, firm,
19 association, corporation, or other entity.

20 [(f)] (H) "State" means:

21 (1) A state, possession, or territory of the United States;

22 (2) The District of Columbia; or

23 (3) The Commonwealth of Puerto Rico.

24 [(g)] (I) "State Advisory Board" means the State Advisory Board for Juvenile
25 Justice.

26 2-118.

27 (a) Each facility provided for in § 2-117 of this article shall operate under the
28 control and general management of the Department.

29 (b) Subject to the provisions of Title 3, Subtitle 8 of the Courts Article, the
30 Department shall:

31 (1) Adopt rules and regulations that set:

1 (i) Policies for admission, transfer, discharge, and aftercare
2 supervision; and

3 (ii) Standards of care, including provisions to administer any early,
4 periodic screening diagnosis and treatment program that the Department approves
5 for establishment under Title 42, § 1396d(a)(4)(B) of the United States Code and to
6 treat appropriately any condition that the screening reveals; and

7 (2) Order any needed changes in the policy, conduct, or management of a
8 facility to provide adequate care for the children and adequate services to the courts.

9 (c) The Department shall adopt regulations applicable to residential facilities
10 it operates that:

11 (1) Prohibit the use of locked door seclusion and restraints as
12 punishment, and describe the circumstances under which locked door seclusion and
13 restraints may be used; and

14 (2) Prohibit abuse of a child.

15 (D) (1) THE DEPARTMENT SHALL ADOPT A POLICY FOR ADDRESSING
16 DISCIPLINARY ACTIONS AND GRIEVANCES WITHIN ITS FACILITIES.

17 (2) THE POLICY SHALL:

18 (I) REQUIRE PREPARATION OF A WRITTEN REPORT OF ANY
19 DISCIPLINARY ACTION TAKEN AGAINST A CHILD OR ANY GRIEVANCE, WHICH SHALL
20 BE FORWARDED TO THE ADMINISTRATIVE HEAD OF THE FACILITY;

21 (II) REQUIRE THE ADMINISTRATIVE HEAD OF EACH FACILITY TO
22 REVIEW ALL REPORTS OF DISCIPLINARY ACTIONS AND GRIEVANCES; AND

23 (III) REQUIRE THE DEPARTMENT TO FORWARD IN A TIMELY
24 MANNER ALL REPORTS OF DISCIPLINARY ACTIONS, GRIEVANCES, AND GRIEVANCE
25 DISPOSITIONS FROM EACH FACILITY TO THE COMMISSION MONITOR ASSIGNED TO
26 THE FACILITY IN ACCORDANCE WITH TITLE 5 OF THIS ARTICLE.

27 [(d)] (E) The Department shall develop within each facility special programs
28 that are designed to meet the particular needs of its population.

29 [(e)] (F) The Department shall develop and provide within each facility:

30 (1) Educational programs that are designed to meet the particular needs
31 of its population;

32 (2) Alcohol abuse and drug abuse assessment services; and

33 (3) Either alcohol abuse and drug abuse referral services or an alcohol
34 abuse and drug abuse treatment program that has been certified in accordance with
35 the requirements of Title 8 of the Health - General Article.

1 (G) THE DEPARTMENT SHALL COOPERATE WITH THE STATE JUVENILE
2 JUSTICE DISCIPLINARY AND GRIEVANCE ADVISORY COMMISSION AND AREA
3 ADVOCACY BOARDS ESTABLISHED IN TITLE 5 OF THIS ARTICLE BY:

4 (1) PROVIDING TO THE COMMISSION, COMMISSION MONITORS, AND
5 AREA ADVOCACY BOARDS ACCESS TO ALL FACILITIES, REPORTS, AND RECORDS
6 NECESSARY FOR THE MONITORING OF FACILITIES AND PROGRAMS IN ACCORDANCE
7 WITH TITLE 5 OF THIS ARTICLE;

8 (2) PROVIDING A REPRESENTATIVE, WHEN REQUESTED, AT ANY
9 MEETING CONDUCTED BY THE COMMISSION OR AN AREA ADVOCACY BOARD; AND

10 (3) REPORTING TO THE COMMISSION ACTIONS TAKEN BY THE
11 DEPARTMENT IN RESPONSE TO ANY PROBLEM IDENTIFIED BY THE COMMISSION
12 REGARDING THE CARE AND SUPERVISION OF CHILDREN UNDER THE JURISDICTION
13 OF THE DEPARTMENT.

14 TITLE 5. STATE JUVENILE JUSTICE DISCIPLINARY AND GRIEVANCE ADVISORY
15 COMMISSION.

16 5-101.

17 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

18 (B) "AREA" MEANS THE DEPARTMENT'S DESIGNATED GEOGRAPHIC DIVISION
19 WITHIN THE STATE FOR THE PURPOSE OF ADMINISTERING INTAKE, DETENTION,
20 PROBATION, AND AFTERCARE FOR DELINQUENT CHILDREN.

21 (C) "COMMISSION" MEANS THE STATE JUVENILE JUSTICE DISCIPLINARY AND
22 GRIEVANCE ADVISORY COMMISSION.

23 (D) "FACILITY" MEANS:

24 (1) RESIDENTIAL AND NONRESIDENTIAL FACILITIES OPERATED BY THE
25 DEPARTMENT; AND

26 (2) SECURE RESIDENTIAL FACILITIES OPERATED BY PRIVATE ENTITIES
27 UNDER CONTRACT WITH THE DEPARTMENT.

28 (E) "COMMISSION MONITOR" MEANS AN INDIVIDUAL EMPLOYED BY THE
29 COMMISSION TO DETERMINE WHETHER THE NEEDS OF CHILDREN UNDER THE
30 JURISDICTION OF THE DEPARTMENT ARE BEING MET IN COMPLIANCE WITH STATE
31 LAW, THAT THEIR RIGHTS ARE BEING UPHELD, AND THAT THEY ARE NOT BEING
32 ABUSED.

33 5-102.

34 (A) THERE IS A STATE JUVENILE JUSTICE DISCIPLINARY AND GRIEVANCE
35 ADVISORY COMMISSION, INDEPENDENT FROM THE DEPARTMENT, THAT SHALL

1 INFORM AND ADVISE THE SECRETARY ON ISSUES REGARDING THE CARE AND
2 SUPERVISION OF CHILDREN UNDER THE JURISDICTION OF THE DEPARTMENT.

3 (B) THE COMMISSION SHALL CONSIST OF:

4 (1) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

5 (I) ONE MEMBER OF THE SENATE OF MARYLAND, RECOMMENDED
6 BY THE PRESIDENT OF THE SENATE;

7 (II) ONE MEMBER OF THE HOUSE OF DELEGATES, RECOMMENDED
8 BY THE SPEAKER OF THE HOUSE;

9 (III) ONE REPRESENTATIVE OF THE STATE JUDICIARY WHO IS
10 KNOWLEDGEABLE AND EXPERIENCED IN JUVENILE JUSTICE ISSUES;

11 (IV) ONE REPRESENTATIVE OF A COMMUNITY BASED ADVOCACY
12 GROUP WHO IS KNOWLEDGEABLE AND EXPERIENCED IN JUVENILE JUSTICE ISSUES,
13 RECOMMENDED BY ADVOCATES FOR CHILDREN AND YOUTH;

14 (V) ONE REPRESENTATIVE OF THE PUBLIC DEFENDER'S OFFICE
15 WHO IS KNOWLEDGEABLE AND EXPERIENCED IN JUVENILE JUSTICE ISSUES;

16 (VI) ONE REPRESENTATIVE OF A LAW ENFORCEMENT AGENCY WHO
17 IS KNOWLEDGEABLE AND EXPERIENCED IN JUVENILE JUSTICE ISSUES ON A
18 STATEWIDE BASIS; AND

19 (VII) ONE REPRESENTATIVE FROM THE GENERAL PUBLIC WHO IS
20 KNOWLEDGEABLE AND EXPERIENCED IN JUVENILE JUSTICE ISSUES; AND

21 (2) THE CHAIRMAN OF EACH AREA ADVOCACY BOARD ESTABLISHED IN
22 ACCORDANCE WITH § 5-106 OF THIS TITLE.

23 (C) (1) THE TERM OF A MEMBER OF THE COMMISSION IS 3 YEARS.

24 (2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE
25 TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON OCTOBER 1, 2000.

26 (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A
27 SUCCESSOR IS APPOINTED AND QUALIFIES.

28 (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES
29 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND
30 QUALIFIES.

31 (D) (1) FROM AMONG THE MEMBERS OF THE COMMISSION, THE GOVERNOR
32 SHALL APPOINT A CHAIRMAN.

33 (2) FROM AMONG THE MEMBERS OF THE COMMISSION, THE
34 COMMISSION CHAIRMAN SHALL APPOINT A COMMISSION SECRETARY.

1 (3) THE COMMISSION SECRETARY SHALL KEEP FULL AND ACCURATE
2 MINUTES OF EACH COMMISSION MEETING.

3 (E) (1) THE COMMISSION SHALL MEET REGULARLY AT LEAST ONCE PER
4 MONTH ON THE CALL OF ITS CHAIRMAN.

5 (2) A MAJORITY OF THE COMMISSION SHALL CONSTITUTE A QUORUM
6 FOR THE PURPOSE OF HOLDING A MEETING.

7 (F) A MEMBER OF THE COMMISSION MAY NOT RECEIVE COMPENSATION, BUT
8 IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE
9 TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

10 5-103.

11 (A) THE COMMISSION SHALL:

12 (1) MONITOR FACILITIES AND PROGRAMS OPERATED BY THE
13 DEPARTMENT ON ISSUES REGARDING THE CARE AND SUPERVISION OF CHILDREN
14 UNDER THE JURISDICTION OF THE DEPARTMENT;

15 (2) RECEIVE INFORMATION FROM COMMISSION MONITORS AND AREA
16 ADVOCACY BOARDS AS PROVIDED IN THIS SUBTITLE;

17 (3) GATHER INFORMATION ON ISSUES REGARDING THE CARE AND
18 SUPERVISION OF CHILDREN UNDER THE JURISDICTION OF THE DEPARTMENT FROM
19 VARIOUS SOURCES, INCLUDING:

20 (I) MEMBERS OF THE PUBLIC;

21 (II) JUVENILE JUSTICE SYSTEM PERSONNEL;

22 (III) ADVOCATES; AND

23 (IV) FAMILIES AND CHILDREN INVOLVED IN THE JUVENILE
24 JUSTICE SYSTEM;

25 (4) PUBLISH REGULAR AND PERIODIC REPORTS ON ITS FINDINGS;

26 (5) OVERSEE THE ACTIVITIES OF AND REVIEW REPORTS FROM THE
27 AREA ADVOCACY BOARDS; AND

28 (6) ON OR BEFORE OCTOBER 1 OF EACH YEAR, REPORT ITS FINDINGS
29 AND RECOMMENDATIONS TO:

30 (I) THE GOVERNOR;

31 (II) THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF
32 THE STATE GOVERNMENT ARTICLE;

33 (III) THE CHIEF JUDGE OF THE COURT OF APPEALS; AND

1 (IV) THE SECRETARY.

2 (B) IN PERFORMING ITS DUTIES UNDER SUBSECTION (A) OF THIS SECTION,
3 THE COMMISSION MAY:

4 (1) ACCESS APPROPRIATE INFORMATION CONCERNING CHILDREN
5 UNDER THE JURISDICTION OF THE DEPARTMENT;

6 (2) CONDUCT PUBLIC HEARINGS;

7 (3) PERFORM SITE VISITS AND ON-SITE INSPECTIONS OF FACILITIES;
8 AND

9 (4) REPORT TO THE SECRETARY KNOWLEDGE OF ANY PROBLEM
10 REGARDING THE CARE AND SUPERVISION OF CHILDREN UNDER THE JURISDICTION
11 OF THE DEPARTMENT.

12 5-104.

13 (A) THE COMMISSION SHALL EMPLOY A FULL-TIME EXECUTIVE DIRECTOR,
14 TWO ADMINISTRATIVE ASSISTANTS, AND THREE COMMISSION MONITORS TO CARRY
15 OUT THE WORK OF THE COMMISSION.

16 (B) ALL SALARIES FOR THE EXECUTIVE DIRECTOR AND STAFF AND EXPENSES
17 FOR RENT, STATIONERY, POSTAGE, AND MISCELLANEOUS OFFICE MATERIALS
18 NECESSARY FOR THE WORK OF THE COMMISSION SHALL BE AS PROVIDED IN THE
19 STATE BUDGET.

20 (C) IN COOPERATION WITH THE SECRETARY OF BUDGET AND MANAGEMENT,
21 THE COMMISSION SHALL SET MINIMUM SALARIES, QUALIFICATIONS, AND
22 STANDARDS OF TRAINING AND EXPERIENCE FOR POSITIONS WITH THE COMMISSION.
23 5-105.

24 (A) EACH COMMISSION MONITOR SHALL BE ASSIGNED TO SPECIFIC
25 FACILITIES AND PROGRAMS OPERATED BY THE DEPARTMENT.

26 (B) A COMMISSION MONITOR SHALL:

27 (1) RECEIVE FROM THE DEPARTMENT FOR EACH FACILITY TO WHICH
28 THE MONITOR IS ASSIGNED REPORTS OF ALL DISCIPLINARY ACTIONS AND
29 GRIEVANCES;

30 (2) REVIEW ALL REPORTS RECEIVED UNDER PARAGRAPH (1) OF THIS
31 SUBSECTION;

32 (3) INFORM THE SECRETARY WHEN THERE IS A NEED TO INITIATE
33 ACTIONS WITH APPROPRIATE AUTHORITIES TO REMEDY ANY IMMEDIATE THREAT TO
34 A CHILD;

1 (4) REPORT MONTHLY TO THE COMMISSION ON ALL MONITORING
2 ACTIVITIES; AND

3 (5) REPORT QUARTERLY ON ALL MONITORING ACTIVITIES TO THE AREA
4 ADVOCACY BOARDS FOR THE AREAS IN WHICH THE FACILITIES TO WHICH THE
5 COMMISSION MONITOR IS ASSIGNED ARE LOCATED.

6 5-106.

7 (A) THERE IS ESTABLISHED WITHIN THE COMMISSION AN AREA ADVOCACY
8 BOARD FOR EACH AREA IN THE STATE.

9 (B) EACH AREA ADVOCACY BOARD SHALL CONSIST OF FIVE MEMBERS
10 APPOINTED BY THE CHAIRMAN OF THE COMMISSION, SUBJECT TO CONFIRMATION
11 BY THE COMMISSION, AS FOLLOWS:

12 (1) ONE REPRESENTATIVE OF A COMMUNITY-BASED ADVOCACY GROUP
13 WITH KNOWLEDGE AND EXPERIENCE IN JUVENILE JUSTICE ISSUES;

14 (2) ONE REPRESENTATIVE OF THE AREA'S LOCAL GOVERNMENT WITH
15 KNOWLEDGE AND EXPERIENCE IN JUVENILE JUSTICE ISSUES;

16 (3) ONE REPRESENTATIVE OF AN AREA NONPROFIT GROUP WITH
17 KNOWLEDGE AND EXPERIENCE IN JUVENILE JUSTICE ISSUES;

18 (4) ONE REPRESENTATIVE OF AN AREA EDUCATION OR MENTAL
19 HEALTH AGENCY WITH KNOWLEDGE AND EXPERIENCE IN JUVENILE JUSTICE
20 ISSUES; AND

21 (5) ONE REPRESENTATIVE OF AN AREA BAR ASSOCIATION.

22 (C) FROM AMONG THE MEMBERS, THE CHAIRMAN OF THE COMMISSION
23 SHALL APPOINT A CHAIRMAN OF EACH AREA ADVOCACY BOARD.

24 (D) (1) THE TERM OF A MEMBER OF AN AREA ADVOCACY BOARD IS 3 YEARS.

25 (2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE
26 TERMS PROVIDED FOR MEMBERS OF THE BOARDS ON OCTOBER 1, 2000.

27 (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A
28 SUCCESSOR IS APPOINTED AND QUALIFIES.

29 (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES
30 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND
31 QUALIFIES.

32 (E) A MEMBER OF AN AREA ADVOCACY BOARD MAY NOT RECEIVE
33 COMPENSATION, BUT IS ENTITLED TO REIMBURSEMENT UNDER THE STANDARD
34 STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

1 (F) THE AREA ADVOCACY BOARDS SHALL MEET AT LEAST QUARTERLY, BUT
2 MORE OFTEN IF DETERMINED NECESSARY BY THE COMMISSION.

3 (G) THE AREA ADVOCACY BOARDS SHALL RECEIVE STAFF SUPPORT FROM
4 THE COMMISSION.

5 5-107.

6 (A) THE AREA ADVOCACY BOARDS SHALL REVIEW THE QUARTERLY REPORTS
7 OF THE COMMISSION MONITORS TO DETERMINE WHETHER THERE IS A PATTERN OF
8 ABUSE, NEGLIGENCE, FAILURE TO FOLLOW PROCEDURES, INAPPROPRIATE
9 DISCIPLINARY ACTION, OR OTHER SYSTEMIC FAILINGS WITHIN THE FACILITIES OR
10 PROGRAMMING OF THE DEPARTMENT OR AMONG ONE OR MORE RESIDENTIAL
11 STAFF.

12 (B) EACH AREA ADVOCACY BOARD SHALL FORWARD IN A TIMELY MANNER A
13 COPY OF THE QUARTERLY REPORT OF THE COMMISSION MONITORS WITH A REPORT
14 OF THE AREA ADVOCACY BOARD'S FINDINGS TO THE CHAIRMAN OF THE
15 COMMISSION AND TO THE SECRETARY OF THE DEPARTMENT.

16 SECTION 2. AND BE IT FURTHER ENACTED, That the initial terms of the
17 members of the State Commission on Juvenile Justice shall expire as follows:

18 (1) five members in 2001;

19 (2) four members in 2002; and

20 (3) five members in 2003.

21 SECTION 3. AND BE IT FURTHER ENACTED, That the initial terms of the
22 members of each Area Advocacy Board shall expire as follows:

23 (1) two members in 2001;

24 (2) one member in 2002; and

25 (3) two members in 2003.

26 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2000.