

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE
Revised

House Bill 880

(Delegate Zirkin)

Judiciary

Judicial Proceedings

Juvenile Justice Monitoring Unit - Expansion of Jurisdiction

This bill expands the jurisdiction of the Juvenile Justice Monitoring Unit (JJMU) of the Office of the Attorney General (OAG) to include the monitoring of any facility licensed by the Department of Juvenile Services (DJS). The bill authorizes the Governor to transfer five vacant regular positions and \$271,000 for those positions from the Department of Juvenile Services (DJS) to JJMU, effective June 1, 2006. The expansion of JJMU's jurisdiction takes effect on October 1, 2006, contingent on the transfer of positions and funds in the budget. If the positions and funds are not transferred, the bill's provisions are null and void. JJMU must notify the Department of Legislative Services within five days of receiving a transfer of funds and positions.

Fiscal Summary

State Effect: General fund expenditures would not be affected since the bill transfers positions and funds from DJS to JJMU. The fiscal 2007 budget includes language deleting the five vacant positions and \$271,000 from DJS's budget if this bill, or other legislation expanding JJMU's jurisdiction, fails.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: JJMU was established pursuant to Chapter 12 of 2006. The main function of JJMU is to investigate and determine whether the needs of the children under

the jurisdiction of DJS are being met in compliance with State law, that their rights are being upheld, and they are not being abused.

JJMU's duties include: (1) evaluating at each facility owned or operated by DJS, the child advocacy grievance process, the DJS monitoring process, the treatment of and services to youth, the facility's physical conditions, and the adequacy of staffing; (2) reviewing all reports of disciplinary actions, grievances, and grievance dispositions received from each facility and alterations in the status or placement of a child that result in more security, additional obligations, or less personal freedom; (3) performing unannounced site visits and on-site inspections of facilities; and (4) receiving and reviewing all incident reports submitted to DJS from facilities.

Background: Chapter 12 of 2006 transferred all the duties of the Office of the Independent Juvenile Justice Monitor from the Office for Children, Youth, and Families (OCYF) to OAG. OCYF was terminated in 2005.

The DJS Office of Professional Responsibility and Accountability Monitoring Unit is responsible for licensing out-of-home placement providers. DJS advises that it currently has licensed 20 residential facilities. JJMU advises that it currently monitors approximately 20 facilities.

Additional Information

Prior Introductions: HB 1343 of 2005, a similar but more limited bill, passed in the House of Delegates.

Cross File: None.

Information Source(s): Department of Juvenile Services, Office of the Attorney General, Department of Legislative Services

Fiscal Note History: First Reader - March 1, 2006
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