

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

House Bill 186
Judiciary

(Delegate Waldstreicher)

Juvenile Services - State Board of Juvenile Services - Established

This bill establishes the State Board of Juvenile Services and transfers the duties, powers, assets, and responsibilities of the Department of Juvenile Services (DJS) to the board. The bill removes DJS as a principal department of the Executive Branch of State government and repeals the Governor's authority to appoint the Secretary of Juvenile Services. Instead, the State Board of Juvenile Services must appoint a Superintendent of Juvenile Services, who serves for a five-year term. The superintendent is responsible for the operation of the board and may serve an unlimited number of terms.

Fiscal Summary

State Effect: Minimal. Removing DJS as a principal department of the Executive Branch of State government and altering the appointment process for the head of Juvenile Services will not directly affect State finances. Minimal annual increase in general fund expenditures for expense reimbursements to State board members.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The State Board of Juvenile Services consists of seven members who are appointed by the Governor with the advice and consent of the Senate. Each member serves a five-year term and until a qualified successor is appointed. A member may be reappointed, but may not serve for more than two full five-year terms. The Governor may remove a board member for immorality, misconduct in office, incompetency, or

willful neglect of duty. A member serves without compensation, but is entitled to reimbursement for expenses.

Current Law: DJS is a principal department of the Executive Branch of State government. The Governor appoints the department Secretary, who is the head of DJS.

Background: The State has changed the structural organization for juvenile services many times. In 1965, the Special Legislative Committee on Juvenile Courts recommended that the State establish a single agency to administer all juvenile services ranging from delinquency proceedings to aftercare. Chapter 126 of 1966 established DJS as the central coordinating agency for juvenile investigation, probation, and aftercare services and for State juvenile, diagnostic, training, detention, and rehabilitation institutions. Chapter 77 of 1969 placed DJS under the Department of Health and Mental Hygiene (DHMH) and renamed it the Juvenile Services Administration (JSA). A task force in the late 1980s recommended that JSA be removed from DHMH and reconstituted as a department directly under the Governor. Chapter 290 of 1987 reorganized JSA into an independent unit but did not change the internal management or structure of the former administration. Chapter 539 of 1989 reorganized JSA as the Department of Juvenile Services, a principal department of State government. The name of the department was changed to the Department of Juvenile Justice by Chapter 8, Laws of 1995. The department was renamed the Department of Juvenile Services by Chapter 53, Laws of 2003.

DJS currently administers Maryland's juvenile programs. DJS utilizes State-operated, private, and out-of-state facilities to provide pre- and post-adjudication services. To facilitate the delivery of services, Maryland is divided into five geographic areas or regions.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Budget and Management, Department of Juvenile Services, Department of Legislative Services

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mpc/kdm

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