

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

House Bill 187
Judiciary

(Delegate Waldstreicher)

Juvenile Services - Juvenile Services Administration - Established

This bill removes the Department of Juvenile Services (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 bill establishes the Juvenile Services Administration (JSA) within the Department of Human Resources (DHR) and transfers the duties, powers, assets, and responsibilities of DJS to JSA, subject to the authority of the Secretary of Human Resources. The Secretary of Human Resources, with the approval of the Governor, appoints the executive director of JSA, who serves at the pleasure of the Secretary. The bill specifies that the executive director must submit budget estimates for JSA to the Secretary of Human Resources.

Fiscal Summary

State Effect: Transferring responsibility and funding from DJS to JSA will not materially affect State finances. The proposed FY 2011 State budget includes \$277.4 million in funding for DJS. Funds remaining with the DJS entity as of the bill's effective date will be transferred to JSA within DHR.

Local Effect: None.

Small Business Effect: None.

Analysis

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. 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. Chapter 8 of 1995 changed the name of the department to the Department of Juvenile Justice. The name reverted back to the Department of Juvenile Services in 2003 by enactment of Chapter 53 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 Human Resources, Department of Juvenile Services, Department of Legislative Services

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ncs/kdm

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