EXHIBIT 10
DATE 3/16/07
SB 146

OVERVIEW OF SENATE BILL NO. 146

Generally Revising the Juvenile Delinquency Intervention Act
By Request of the Department of Corrections and the Supreme Court
March 16, 2007

This overview outlines the major provisions of Senate Bill No. 146 relating to the Juvenile Delinquency Intervention Program (JDIP).

The following components of the program would remain unchanged under SB 146:

- The Legislature would appropriate all juvenile placement funds to the Department of Corrections (DOC).
- The DOC would determine the amount of money (at least $1 million) to be allocated to the Cost Containment Pool. The Cost Containment Review Panel (CCRP) would recommend an amount to the DOC.
- The CCRP would establish a formula for allocating juvenile placement funds to the judicial district.
- The DOC would monitor expenditures from the judicial district allocations.
- The CCRP would make disbursements from the Cost Containment Pool to those judicial districts that overspend their allocations.
- The DOC would transfer unexpended judicial district allocation money to the Office of Court Administrator (OCA) for prevention and intervention programs and services.

The following components of the program would change under SB 146:

General Provisions

- The DOC would be required to consult with the OCA when developing its budget request for juvenile placement funds for submission to the budget director.
- Each year, the DOC would transfer $25,000 from the juvenile placement appropriation to the OCA to be used to evaluate the effectiveness of placements, programs, and services.
    - The CCRP would provide recommendations to the OCA on placements, programs, and services to be evaluated and on the scope of the evaluation.
- After allocating money to the Cost Containment Pool and transferring $25,000 to the OCA for evaluations, the DOC each year would allocate 11% of the juvenile placement appropriation to the DOC for juvenile parole placements, programs, and services.

- All judicial districts would be required to participate in JDIP.

- JDIP funds (both annual allocation and intervention and prevention money) could not be used to:

    - pay salaries, benefits, or training costs of federal, state, or county employees;
    - purchase items for a federal, state, or county agency that the agency would normally provide for its employees; or
    - construct or remodel a physical structure.

- Judicial districts would be required to comply with state procurement laws when expending JDIP funds.

Annual Allocation to Judicial Districts

- In general, a judicial district would need to reserve 80% of its annual allocation for out-of-home placements and 20% for programs and services.

    - A district could reserve up to 50% of its annual allocation for programs and services if:

        - the programs and services, based on demonstrated outcomes, had reduced the number of placements in secure correctional facilities or higher cost residential placements; and
        - the district would not require funding from the Cost Containment Pool.

- A judicial district that intends to expend funds from its annual allocation for a placement, program, or service for a person who is 18 years of age or older would be required to submit to the CCRP a plan describing how the funds would be used.

    - The CCRP could approve or disapprove the plan.

Cost Containment Pool

- The membership on the CCRP would be reduced from nine to seven members as follows:

    - three members would be appointed by the DOC Director;
    - three members would be appointed by the Chief Justice of the Supreme Court; and
    - one member, who must be a professional working in the field of children's mental health, would be appointed by the Director of the Department of Public Health and Human Services.

- At the end of each fiscal year, the DOC could request that the CCRP reimburse the department from the Cost Containment Pool for the cost of residential mental health treatment for a youth removed from Pine Hills or Riverside.

    - A DOC request for funding would be subject to approval of the CCRP.

- Any unexpended Cost Containment money would be transferred to the Youth Court Intervention and Prevention Account to be administered by the OCA.

Youth Court Intervention and Prevention Account

- The Youth Court Intervention and Prevention Account would consist of:
    - any unexpended funds from the judicial districts' annual allocations;
    - any unexpended Cost Containment money; and
    - $25,000 each year for evaluations of placement, programs, and services.
- For each judicial district, the OCA would allocate an amount equal to the district's unexpended annual allocation.
- In addition, the OCA would allocate for each judicial district a portion of the unexpended Cost Containment money.
    - The unexpended Cost Containment money would be allocated to the districts according to the same formula used to determine the annual allocation.
- A judicial district would submit a plan to the OCA to expend its allocations for one or more of the following purposes:
    - to establish or expand community prevention and intervention programs and services;
    - to provide an alternative method for funding out-of-home placements; and
    - to provide matching funds for federal money for intervention and prevention programs.
- Two or more judicial districts could jointly submit a plan to expend funds on a regional or statewide basis.
- The CCRP would review each plan and recommend to the OCA whether the plan should be approved.
- The District Court Council would adopt administrative policies and procedures, subject to Supreme Court review, for administering the Youth Court Intervention and Prevention Account.

The effective date of the bill is June 30, 2007.