

SENATE JOINT RESOLUTION NO. 31
INTRODUCED BY B. TASH

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THAT THE LEGISLATIVE COUNCIL DESIGNATE AN APPROPRIATE INTERIM COMMITTEE OR DIRECT STAFF RESOURCES TO STUDY ELEMENTS OF MONTANA'S JUVENILE JUSTICE SYSTEM REGARDING JUVENILE PROBATION AND TO DETERMINE WHETHER ANY CHANGES IN ITS ADMINISTRATION ARE APPROPRIATE.

WHEREAS, the Department of Corrections is responsible for administering elements of the juvenile justice system that include juvenile correctional facilities, juvenile parole officers and programs, licensure of juvenile detention facilities, and juvenile placement funds; and

WHEREAS, the Supreme Court is responsible for administering elements of the juvenile justice system that include Youth Courts and juvenile probation officers and programs; and

WHEREAS, the juvenile probation system is fragmented and operates differently in each of the 22 judicial districts with a certain degree of autonomy and without uniform policies and procedures; and

WHEREAS, the juvenile probation system may be able to operate more efficiently and effectively if it were unified under a single administrative body with responsibility to develop and administer uniform policies and procedures; and

WHEREAS, other state and local agencies, such as the Departments of Justice and Public Health and Human Services, schools, and local governments, provide funding and services for juveniles and interact with juvenile probation and with other elements of the juvenile justice system in the Department of Corrections; and

WHEREAS, a study of the juvenile justice system is necessary to determine whether the appropriate administration of juvenile probation officers and programs within the juvenile justice system is in the Department of Corrections or the Supreme Court.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to review the juvenile justice system regarding juvenile probation to determine whether changes may be appropriate. The study must include:

(1) an examination of the various elements of the juvenile justice system and how it operates, including the different administrative bodies within the Executive and Judicial Branches of government and their respective roles within the system;

(2) an examination of the operation of the juvenile justice system in other states;

(3) an examination specifically of juvenile probation programs and the appropriate body to administer juvenile probation programs and provide management and oversight of juvenile probation officers and a determination of the advisability of creating uniform policies and procedures within juvenile probation; and

(4) any other aspect of the administration of juvenile justice in Montana that is determined to be appropriate.

BE IT FURTHER RESOLVED, that the study committee or staff be directed to request information and staff assistance from the Legislative Fiscal Division and the Executive and Judicial Branches of government.

BE IT FURTHER RESOLVED, that the committee or staff be directed to develop a specific list of options for consideration, including an option of no action, to be considered for recommendation to the 59th Legislature.

BE IT FURTHER RESOLVED, that, if the study is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2004.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 59th Legislature.

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