

 **Sec. 12-36. Commission on juvenile justice; composition; appointment; terms; vacancy.**

(a) The Commission on Juvenile Justice consists of the following 3 classes of members:

(1) 22 voting members appointed by the County Executive, subject to confirmation by the County Council;

(2) 12 voting members, representing each of the following: the Council, the Executive, the State's Attorney, the Family Division of the Circuit Court, the Police Department, the state Department of Juvenile Justice, the County Office of the Public Defender, the Court Appointed Special Advocate, the Department of Health and Human Services (2 members, one representing child welfare services and one representing community-based services for at-risk youth), the Board of Education, and the Montgomery County Collaboration Council for Children, Youth and Families, in each case appointed by the Executive, subject to confirmation by the Council, after receiving a recommendation from the person or office to be represented; and

(3) nonvoting members emeritus who are past members who have given outstanding service and possess special expertise in juvenile matters. Members emeritus may be appointed by the Executive, subject to confirmation by the Council.

(b) The term of each member is 3 years. Members serving in an emeritus, representative or ex officio capacity continue to serve so long as they retain that capacity.

(c) When a vacancy occurs among the members, the Executive must promptly appoint a successor, subject to confirmation by the Council, to complete the unexpired term of the vacating member. A member appointed to fill a vacancy is eligible for only one subsequent full term; but if the appointment occurs during the last year of the vacant member's term, the new member may serve 2 full terms. (1981 L.M.C., ch. 36, § 1; 1996 L.M.C., ch. 26, § 1; [2000 L.M.C., ch. 7, § 1](#); [2005 L.M.C., ch. 24, § 1](#); [2012 L.M.C., ch. 9, § 1](#).)

**Editor's note**—2000 L.M.C., ch. 7, § 2, states: The members of the Juvenile Court Committee on the effective date of this Act [July 14, 2000] are members of the Commission on Juvenile Justice until the term for which each was appointed to the Committee expires.

 **Sec. 12-37. Officers; subcommittees.**

(a) The Commission must elect annually from among its voting members a chair, vice-chair, secretary-treasurer and other officers as it deems appropriate. No person may hold the same office for more than 2 consecutive years.

(b) The Commission may create subcommittees, which may include persons who are not members of the Commission. The chair of each subcommittee must be a voting member of the Commission. (1981 L.M.C., ch. 36, § 1; [2000 L.M.C., ch. 7, § 1](#).)

 **Sec. 12-38. Meetings; notice; quorum.**

The Commission meets in public session on call by the chair at least 8 times a year, and at such additional times as required to perform its duties. At least one meeting must be held in 2 separate months in each calendar quarter, and at least one meeting must be held within 60 days of the last meeting. A special meeting must be convened at the request of two-thirds of the voting members. Reasonable notice must be given to members and the general public of all meetings. One-third of the voting members is a quorum for the transaction of business. (1981 L.M.C., ch. 36, § 1; FY 1991 L.M.C., ch. 9, § 1; [2000 L.M.C., ch. 7, § 1.](#))

 **Sec. 12-39. Reports.**

(a) *Minutes.* The Commission must keep minutes of each meeting and provide copies to the Executive, Council, and all members of the Commission.

(b) *Annual report.* By October 31 of each year, the Commission must prepare an annual report for the Circuit Court, Council, and Executive, including its:

(1) activities, accomplishments, problem areas, and recommendations;

(2) goals and objectives for the next calendar year; and

(3) evaluation of programs and services for juveniles provided or funded by the County, the state Department of Juvenile Justice, and the federal government.

(c) *Workplan.* By June 30 of each year, the Commission must prepare and submit to the Council, Executive, and Circuit Court Administrative Judge a workplan for the next fiscal year. The Commission may amend the workplan at any time during the fiscal year. The workplan should describe how the Commission will monitor and evaluate the programs under its jurisdiction. (1981 L.M.C., ch. 36, § 1; [2000 L.M.C., ch. 7, § 1](#); [2005 L.M.C., ch. 24, § 1.](#))

 **Sec. 12-40. Reserved.**

**Editor's note**—Section 12-40, relating to compensation of members of the juvenile court committee, derived from 1981 L.M.C., ch. 36, § 1, was repealed by FY 1991 L.M.C., ch. 9, § 1. See § 2-145.

 **Sec. 12-41. Functions.**

The Commission must:

(a) Advise the Circuit Court, Council, and Executive on the needs and requirements of juveniles under the Court's jurisdiction.

- (b) Inform state legislators of juvenile needs and requirements.
- (c) Study and submit recommendations, procedures, programs, or legislation concerning juvenile affairs, prevention and control of juvenile delinquency, and neglect or abuse, in order to promote the general welfare of juveniles under the Court's jurisdiction.
- (d) Study and make recommendations to the Executive and Council on those segments of the County budget that affect juvenile justice programs.
- (e) Make periodic visits to facilities in the state servicing county juveniles.
- (f) Promote understanding and knowledge in the community regarding juvenile needs and programs.
- (g) Independently evaluate, in coordination with other advisory bodies such as the Collaboration Council for Children, Youth, and Families and the Criminal Justice Coordinating Commission, programs and services provided or funded by the state Department of Juvenile Justice for County youth. The evaluation should include intake, assessment, informal adjustments, probation, aftercare, shelter care, detention, and residential treatment programs. The evaluation should address whether capacity in these areas is adequate to serve the County and assess the effectiveness of these programs and services. If sufficient information on the effectiveness of any program is not available, the Commission should note that fact.
- (h) Independently evaluate County-funded juvenile justice programs and services, including those from the Police Department, the State's Attorney, and the Department of Health and Human Services. The evaluation should address whether capacity in these areas is adequate and assess the effectiveness of these programs and services. If sufficient information on the effectiveness of any program is not available, the Commission should note that fact. (1981 L.M.C., ch. 36, § 1; [2000 L.M.C., ch. 7, § 1](#); [2005 L.M.C., ch. 24, § 1](#).)

 **Sec. 12-42. Staff support.**

The Department of Health and Human Services must provide reasonable professional and administrative support to the Commission to facilitate the Commission's work. (1981 L.M.C., ch. 36, § 1; 1995 L.M.C., ch. 13, § 1; [2000 L.M.C., ch. 7, § 1](#).)

**Editor's note**—Section 5 of 1995 L.M.C., ch. 13, reads as follows: "Sec. 5. A regulation that implements a function assigned to the Department of Health and Human Services by 1995 L.M.C., ch. 13, continues in effect but is amended to the extent necessary to provide that the regulation is administered by the Director of the Department of Health and Human Services."

 **Sec. 12-43. Bylaws.**

The Commission may adopt bylaws and rules of procedure not inconsistent with the County Charter or law. (1981 L.M.C. ch. 36, § 1; [2000 L.M.C., ch. 7, § 1.](#))

Notes

[\[Note\]](#) \***Cross references**-State's attorney and assistants, § [2-123A](#) et seq.; detention centers and rehabilitation facilities, [ch. 13](#).

[\[Note\]](#) \***State law reference**-Circuit courts generally, Ann. Code of Md., Art. Courts and Judicial Proceedings, §§ 1-501 et seq., 2-501 et seq.

[\[Note\]](#) \***State law reference**-Bail generally, Ann. Code of Md., Art. 27, § 6, 6 ½ .

[\[Note\]](#) \***Cross reference** -Boards and commissions generally, § [2-141](#) et seq.

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