

IDAHO JUVENILE JUSTICE COMMISSION

BYLAWS (Revised December 2019)

ARTICLE I – NAME

The name of the Commission is the Idaho Juvenile Justice Commission.

ARTICLE II – AUTHORITY

- A. The Commission was originally established by Governor’s Executive Order 81-4 dated March 5, 1981, and continues to date by virtue of subsequent executive orders.
- B. The Commission shall operate as one of the component advisory groups within the organizational structure of the Idaho Department of Juvenile Corrections (Department).

ARTICLE III – PURPOSE

- A. The Commission shall function as the State advisory group referenced in Title 42, Section 5633(a)(3), United States Code, part of the Juvenile Justice Delinquency Prevention Act (JJDP A).
- B. The Commission shall perform the following functions:
 - 1. Advise the Department on juvenile justice and delinquency prevention issues.
 - 2. Participate in the development and review of Idaho's plan under the JJDP A.
 - 3. Be afforded an opportunity to review and comment on all grant applications under the JJDP A submitted to the Department.
 - 4. Such other duties that the JJDP A requires to be performed by the advisory group referenced in Title 42, Section 5633(a)(3), United States Code, including but not limited to:
 - a. Submit to the Department Director and the legislature of the state at least every 2 years a report and necessary recommendations regarding State compliance with the core requirements.
 - b. Contact and seek regular input from juveniles currently under the jurisdiction of the juvenile justice system.
 - c. Provide for the active consultation with and participation of units of general local government or combinations thereof, in the development of a state plan which adequately takes into account the needs and requests of local governments.

5. Such other duties that the JJDPa requires to be performed by the supervisory board referenced in Title 42, Section 5671(c)(1), United States Code, and Title 28, Section 31.102(b), Code of Federal Regulations, until such time as the director of the Department may establish another committee, commission, or board within the Department to perform those duties.
6. Such other duties as requested by the Department, which may include submitting reports to the director of the Department and making decisions on grant applications under the JJDPa submitted to the Department.

ARTICLE IV – MEMBERSHIP

- A. **Appointing Authority:** All Commission members shall be appointed by the Governor and serve at the pleasure of the Governor.
- B. **Composition:** The composition of the Commission shall consist of not less than fifteen (15) and not more than thirty-three (33) members to include:
 1. Chairs from the seven District Councils and Tribal Council;
 2. At least one (1) locally elected official representing general purpose local government;
 3. Representatives of law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers;
 4. Representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, child and adolescent mental health, education, child and adolescent substance abuse, special education, services for youth with disabilities, recreation, and youth services;
 5. Representatives of private nonprofit organizations, including persons with a special focus on preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency prevention and treatment, neglected or dependent children, the quality of juvenile justice, education, and social services for children;
 6. Volunteers who work with delinquent youth or youth at risk of delinquency;
 7. Representatives of programs that are alternatives to incarceration, including programs providing organized recreation activities;
 8. Persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion;
 9. Persons, licensed or certified by the applicable State, with expertise and competence in preventing and addressing mental health and substance abuse needs in delinquent youth and youth at risk of delinquency; and
 10. Representatives of victim or witness advocacy groups, including at least one individual with expertise in addressing the challenges of sexual abuse and exploitation and trauma, particularly the needs of youth who experience disproportionate levels of sexual abuse, exploitation, and trauma before entering the juvenile justice system.

A majority of members (including the Chair) shall not be full-time employees of the Federal, State, or local government. At least one-fifth of the members shall be under the age of twenty-eight (28) at the time of initial appointment. At least three (3) members shall have been or currently be under the jurisdiction of the juvenile

justice system or, if not feasible and in appropriate circumstances, shall be the parent or guardian of someone who has been or is currently under the jurisdiction of the juvenile justice system.

- C. **Terms of Membership:** Members shall serve a term of three (3) years.
- D. **Vacancies:** Vacancies shall be filled by appointment by the Governor for the balance of the unexpired term.
- E. **Compensation:** Members shall be reimbursed for travel and per diem expense incurred by them in carrying out their duties at the rate established by the State of Idaho in compliance with IDJC travel policies. Additionally, youth members will be entitled to honorariums pursuant to Idaho Code §59-509 and subject to the limitations provided in Idaho Code §67-2008, as follows:
 - 1. Commission Meetings
 - a. Youth members who are present for 50-74% of the meeting are eligible for an honorarium in the sum of twenty-five dollars (\$25) per day.
 - b. Youth members who are present for 75-100% of the scheduled meeting time are eligible for an honorarium in the sum of fifty dollars (\$50) per day.
 - c. Youth members who are present for less than 50% of a Commission meeting may only receive reimbursement for actual and necessary expenses.
 - 2. Youth Committee Meetings
 - a. Youth members present for 100% of a youth committee meeting shall receive the sum of fifteen dollars (\$15) per day.

ARTICLE V – ORGANIZATION

- A. **Officers:** The Commission officers shall consist of Chair and Vice Chair. The Chair and Vice Chair shall be appointed by the Governor to serve for a term of three years. The Immediate Past Chair may serve as an officer of the Commission, in the office entitled Immediate Past Chair.
- B. **Duties of Officers:**
 - 1. **Chair:** The Chair shall convene all meetings of the Commission and preside over such meetings. The Chair is prohibited from making or seconding any motion before the Commission. The Chair shall coordinate the activities and affairs of the Commission and its committees, may serve as Ex-Officio member of each committee, and shall appoint all committee members. The Chair will report to the Governor as directed.
 - 2. **Vice Chair:** In the absence of the Chair, the Vice Chair shall perform all the duties of the Chair.
- C. **Committees:**
 - 1. **General:** Membership of committees shall be determined and appointed by the Chair.
 - a. Committee meetings shall be called as deemed necessary by the Commission Chair and the Committee Chair.

- b. Committee meetings shall be open to the public and to all Commission members but only Committee members shall be allowed to vote and be reimbursed for expenses.
- 2. **Executive Committee:** Shall be composed of the Commission Chair, Vice Chair, and Chairs of the four (4) standing committees and the immediate Past Chair, if such person remains a member of the Commission. This committee is empowered to hear and decide appeals for grant funds.
- 3. **Standing Committee:** Shall be composed of Commission members and shall be designated as:
 - a. **Grants Application Committee:** Whose purpose shall be to review grant applications which have been submitted to the Commission for funding consideration. The Grants Committee will evaluate grant proposals for compliance with the established criteria and guidelines which govern the grants application process. The Committee will prioritize grants for funding and will present their recommendations to the Commission for final consideration.
 - b. **Legislative Committee:** Whose purpose shall be, at the direction of the Commission, to become involved in legislative activities which are considered necessary to the fulfillment of the stated goals and objectives of the Commission?
 - c. **Program Committee:** Whose purpose shall be to review the various program activities being conducted by the Commission, to determine the effectiveness of these programs, to initiate a planning process to determine what future program activities are necessary and desirable, to facilitate coordination among the various program activities, and to advise and make recommendations to the Commission with respect to all of the above.
 - d. **Youth Committee:** Whose purpose shall be to focus on the perspective of the youth members and enhance the active participation of youth members on the Commission, Councils, and otherwise.
- 4. **Ad Hoc Committees:** The Commission and/or Chair may establish ad hoc committees to serve a particular function for a particular time period. Such committees shall be chaired by a Commission member but may include non-members. Committee members and the Committee Chair shall be appointed by the Commission Chair. The ad hoc Committee Chair shall not serve on the Executive Committee. However, the Committee Chair shall be available to report to the Executive Committee on the status of the committee's assignments.

ARTICLE VI – MEETINGS

- A. Commission meetings shall be subject to the Idaho Open Meeting Law, Idaho Code §§74-201 through 74-208.
- B. For all regular meetings, no less than a five (5) calendar day meeting notice and a forty-eight (48) hour agenda notice shall be given unless otherwise provided by statute. The public notice requirement for meetings and agendas shall be satisfied by posting such notices and agendas in a prominent place at the principal office of the Department. The notice for meetings and agendas shall also be posted electronically on the Idaho Juvenile Justice Commission website. No special meeting shall be held without giving notice of the meeting and agenda at least twenty-four (24) hours in advance, unless an emergency exists.
- C. A consent agenda may be presented by the Chair at the beginning of a meeting. Items may be removed from the consent agenda on the request of any one member. Items not removed may be adopted by

general consent without debate. Removed items may be taken up either immediately after the consent agenda or placed later on the agenda at the discretion of the Commission.

- D. Minutes of meetings shall be kept by a designated secretary and distributed to Commission members in advance of the following meeting.
- E. Meetings shall be held at least three times per calendar year. Special meetings may be called by the Chair if there is determined a need.
- F. Attendance: Any member of the Commission who misses three (3) consecutive meetings or who attends less than 50% of the Commission's regular meetings in any calendar year shall have their name submitted to the Governor for recommended replacement, unless excused by the Chair for good cause.
- G. Quorum: For the purpose of conducting official Commission business, a necessary quorum shall be defined as a simple majority of the Commission membership, excluding youth members.
- H. Voting: The privilege of introducing motions, debate and voting shall be limited to appointed members. Proxy voting and absentee voting by mail or electronic mail will not be allowed. Consensus may be used as a means of reaching decisions, as stated in Robert's Rules of Orders, Newly Revised.

ARTICLE VII – CONFLICT OF INTEREST/ETHICS

All members shall adhere to Title 74 of the Idaho Code, “TRANSPARENT AND ETHICAL GOVERNMENT”, including all amendments and revisions; the Commission Code of Ethical Conduct; and all other applicable laws. Any violations of applicable ethical rules shall be a basis for recommendation by the Executive Committee to the Governor for removal. Commission members are also subject to §18-1301 et seq., Bribery and Corruption, Idaho Code.

ARTICLE VII - STAFF

The Department shall assist the Idaho Juvenile Justice Commission in carrying out its responsibilities. The Department shall report to the Governor or such persons as he might designate any and all information he might request. The Department shall provide a full-time staff person to administer the JJDP Act.

ARTICLE IX – AMENDMENTS

These bylaws may be amended at any regular or special meeting of the Commission. Any proposed amendments shall be presented to the members in writing at least fifteen (15) days prior to the meeting at which the amendment is to be voted upon. A simple majority vote of the members in attendance (a quorum being present) shall be required for such bylaw changes.

ARTICLE X – PARLIAMENTARY PROCEDURE

Robert's Rules of Order, Newly Revised, shall govern the conduct of business at all meetings of the Commission.