

ORGANIZATION AND FINANCING OF
JUDICIAL SERVICES INVOLVING
JUVENILES



Bulletin No. 81-14

LEGISLATIVE COMMISSION
OF THE
LEGISLATIVE COUNSEL BUREAU
STATE OF NEVADA

October 1980

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Senate Concurrent Resolution No. 19—Committee on Government Affairs

FILE NUMBER.....138

SENATE CONCURRENT RESOLUTION—Directing the legislative commission to study alternatives for the organization and financing of judicial services involving juveniles.

WHEREAS, The district courts of this state currently sit as juvenile courts; and

WHEREAS, The counties must provide part of the money needed to support the courts' exercise of statutory powers regarding juveniles; and

WHEREAS, Responsibility for financing and managing the judicial services involving juveniles could be assigned by law to the counties, to the supreme court, or to the department of human resources; and

WHEREAS, The choice among these legislative alternatives may drastically affect the services and programs presently being provided for juveniles and their families; and

WHEREAS, There has never been a comprehensive examination of the system of juvenile justice in this state in an effort to determine the best means of organizing and financing the juvenile services; now, therefore, be it

Resolved by the Senate of the State of Nevada, the Assembly concurring, That the legislative commission is directed to study the various alternatives for organizing and financing the judicial services for juveniles, including the alternatives of assigning responsibility for these services to the counties, to the supreme court, or to the department of human resources, and determine the best alternatives; and be it further

Resolved, That the legislative commission include some supreme court justices, district court judges, county commissioners, probation officers and other persons who administer juvenile services, as well as legislators, in the membership of the subcommittee which will conduct the study; and be it further

Resolved, That the legislative commission report the results of the study, together with any recommendations for legislation, to the 61st session of the legislature.

19  79

REPORT OF THE LEGISLATIVE COMMISSION

TO THE MEMBERS OF THE 61ST SESSION OF THE NEVADA LEGISLATURE

This report is submitted in compliance with Senate Concurrent Resolution No. 19 of the 60th session of the Nevada legislature. SCR 19 directed the legislative commission to study alternatives for organization and financing of judicial services involving juveniles.

To conduct the study, the legislative commission appointed a subcommittee with the following members: Senator Jean Ford, chairman; Assemblyman Louis W. Bergevin, vice chairman; Senators Don W. Ashworth and M. H. Sloan and Assemblyman Steven A. Coulter. The subcommittee, acting pursuant to authority granted by the legislative commission, appointed as non-voting members of the subcommittee to aid it in its deliberations: Hon. John Mendoza district judge, 8th Judicial District; Mr. Frank Carmen, director of juvenile court services in Clark County and later assistant to the director of the department of human resources; Mr. Robert Edmondson, administrator of the youth services division of the department of human resources; Mr. John Gilman, juvenile master and chief probation officer, 5th Judicial District; and Mr. Bruce Spaulding, county manager of Clark County.

The subcommittee held five meetings and received comments from persons professionally qualified in all areas of judicial and welfare services to juveniles, and from concerned members of the public. The subcommittee also visited the juvenile detention facility and other facilities of Juvenile Court Services in Clark County.

An effort has been made to present the subcommittee's recommendations briefly and concisely in this report. The results of a survey conducted by the subcommittee with the aid of the Association of Chief Probation Officers are included. All supporting documents and minutes are on file in the legal division of the legislative counsel bureau.

Respectfully submitted,

Carson City, Nevada
October 1980

Legislative Commission
Legislative Counsel Bureau
State of Nevada

LEGISLATIVE COMMISSION

Senator Keith Ashworth, Chairman
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SUMMARY OF FINDINGS AND RECOMMENDATIONS

Findings:

1. The proper authority to be responsible for the administration of judicial services for juveniles is the juvenile court in each judicial district. The state has certain responsibilities for providing services.
2. The counties are required to pay the expenses of providing transportation for certain children under the interstate compact on juveniles. This responsibility falls most heavily on counties through which major interstate highways pass.
3. Judicial matters involving juveniles require special knowledge, training and sensitivity in addition to the qualities required of judges in other matters.
4. The state can assume some of its responsibilities by granting subsidies to local governments to enable those local governments to perform the duties which arise out of those responsibilities. The probation subsidy is an example of such a system.
5. The mental hygiene and mental retardation division of the department of human resources has not had sufficient money to carry out its responsibilities to provide services to mentally disturbed juvenile delinquents and dependent children, particularly for the placement of those children in institutions outside the state.
6. There is a need for additional facilities for the placement of juvenile offenders, and the youth services division of the department of human resources has begun preliminary work to acquire a facility for this purpose in northern Nevada.
7. The state has a legal responsibility to provide protection for all dependent, neglected, abandoned and abused children.
8. Data on the operations of juvenile courts are not being kept in any uniform, systematic manner. Useful information on those operations, including budgets, caseloads and other statistics cannot be obtained without great difficulty.

9. There has been insufficient attention given to recruiting parents for foster homes and to their training. Payments for foster homes do not reflect the cost of caring for a child.
10. The welfare division of the department of human resources must be made more responsive to the need for provisional licenses for shelter care. This can be best accomplished by permitting the division to delegate authority to grant provisional licenses.

Recommendations:

1. The administration of judicial services involving juveniles should basically remain a responsibility and function of the courts; however, the state should provide for certain services for which it is legally responsible.
2. A contingency fund should be established in the youth services division of the department of human resources to reimburse the counties for their expenses in carrying out the interstate compact on juveniles. (BDR 16-109)
3. Each judge who hears any case involving a juvenile and each special master appointed to hear cases involving juveniles should attend the National College of Juvenile Justice. (BDR 5-110)
4. The probation subsidy from the state to each county should be increased by at least 10 percent for the 1981-82 fiscal year and by at least another 10 percent for the 1982-83 fiscal year.
5. The legislature should provide sufficient money to the mental hygiene and mental retardation division to permit needed services, including placement outside the state if services cannot be provided within the state, for mentally disturbed delinquent and dependent children.
6. The legislature should provide for the establishment of a ranch, forest camp or similar facility for juvenile offenders as an alternative to additional training centers similar to those at Elko and Caliente.

7. The legislature should appropriate sufficient money to the department of human resources to enable it to provide protective services to all dependent, neglected, abandoned and abused children in the state.
8. The legislature should provide by law for the reporting of data on the operations of juvenile courts and require compliance with regulations adopted by the youth services division of the department of human resources for that purpose. The youth services division should be required to disseminate those collected data to local governments, courts and others to whom it would be of use.
9. The legislature should provide sufficient support for the recruiting and training of parents for foster homes and shelter care, and for an increase in payments for foster and shelter care.
10. The legislature should enact legislation to permit the welfare division of the department of human resources to provide by regulation for delegation of its authority to grant provisional licenses for shelter care. (BDR 38-111)
11. The legislature should adopt a resolution calling upon the judges of the juvenile courts of the state to establish youth services commissions pursuant to NRS 422.300. (BDR 112)

REPORT TO THE LEGISLATIVE COMMISSION OF THE SUBCOMMITTEE TO
STUDY ALTERNATIVES FOR ORGANIZATION AND FINANCING
OF JUDICIAL SERVICES INVOLVING JUVENILES

I. INTRODUCTION

In 1979, the Nevada legislature adopted Senate Concurrent Resolution No. 19, which directed the legislative commission to conduct a study of alternatives for organization and financing of judicial services involving juveniles.

The subcommittee which conducted the study concluded that each of the branches and levels of government which is concerned with judicial services involving juveniles, the district courts, the counties and the state, should continue to contribute to the important pursuit of justice for juveniles. In its study the subcommittee considered judicial services in the following categories: Services to delinquents, to status offenders, and to children who are abandoned, abused, neglected or otherwise in need of protection assistance.

The subcommittee held five meetings, in Carson City, Las Vegas and Reno. Comments, information and recommendations have been gathered from representatives of the district courts, local governments and state agencies which have as duties the supervision of children or the providing of services for them. Many interested members of private organizations and other members of the general public attended the meetings of the subcommittee and provided written information and comments to aid the subcommittee in its work.

The subcommittee did not propose any major changes in the law. It did recognize that the relationship among the state, the courts and the counties, while not perfect, has much to recommend it. After the subcommittee heard the comments of the public and gathered its information, it concluded that the administration of judicial services involving juveniles belongs primarily with the juvenile courts, and the system which is currently in effect in Nevada is the best available among the possible alternatives. There are areas in which the system could be improved, and the recommendations of the subcommittee reflects some of those areas and suggests improvements.

II. JUDICIAL SERVICES INVOLVING JUVENILES

In Nevada, the district courts have been granted the power to act as juvenile courts, with exclusive jurisdiction over neglected children, children in need of supervision, delinquent children and children in need of commitment to an institution for the mentally retarded. (NRS 62.040)

The district judge, or the judge selected to serve as the juvenile judge for a judicial district, may appoint a master to hear cases for him, and appoints the director of juvenile services or the probation officers with the advice of the probation committee. The judge administers the probation system for the juveniles which come under his jurisdiction, including the detention of delinquent minors, probation, protective services for children other than delinquents, and other incidental services.

While the power and duty to administer these programs is placed with the district judge, the money required to carry them out must be appropriated by the boards of county commissioners. Unlike most agencies of government, the district judge has an inherent power to command the county commissioners to provide the money to carry out the programs which he considers necessary. This power is seldom used, but it is available to the judge.

In addition to the two branches of local government which must cooperate to carry on judicial services involving juveniles, several parts of the effort are provided by the state. The youth services division of the department of human resources administers the Nevada youth training center and the Nevada girls training center and the system of parole from those institutions. The welfare division of the department of human resources also administers programs of protective services, including the licensing of facilities for shelter care and foster care, and other services to juveniles.

Thus, each of the entities is responsible for some part of the financing of judicial services involving juveniles, and each has responsibilities for actually providing some services.

III. RESEARCH

The research carried out by the staff in support of the subcommittee included the circulation of a questionnaire to the chief probation officers and director of juvenile services of the judicial districts.

The questionnaire, which was prepared and circulated with the cooperation of Mr. William Lewis, Chief Juvenile Probation Officer for Carson City, requested information about the number of persons employed in providing judicial services involving juveniles, the number and types of cases which came to the attention of the court and of the probation department, and the amounts of money which were budgeted for providing those services.

The members of the subcommittee made use of the results of the questionnaire to determine which counties and judicial districts were providing services at the expense of the counties, and what services and aid were being provided by the state and the federal government.

A copy of the report of the results obtained by the use of the questionnaire is attached as Appendix A.

IV. COMMENTS RECEIVED DURING HEARINGS

The subcommittee conducted its first meeting on September 21, 1979, in Las Vegas. In addition to comments by members of the subcommittee, the following persons offered information to the subcommittee:

1. Mr. Michael Katz, Deputy Administrator of the Youth Services Division of the Department of Human Resources.
2. Hon. Jack Butler, Juvenile Master, 8th Judicial District (Clark County).
3. Hon. Addeliar Guy, District Judge, 8th Judicial District (Clark County).
4. Rev. Ben Franzinelli, Chairman, Clark County Probation Committee.
5. Mr. James H. Estabrook, Chief Juvenile Probation Officer, Douglas County.
6. Mr. William Lewis, Chief Juvenile Probation Officer, Carson City.
7. David Small, Esq., District Attorney, Carson City.
8. Mr. James Carmany of the Human Resources Development Corporation.

During its first meeting, the subcommittee heard information on:

1. The court budget and how it affects the county budget;
2. Personnel matters and how they fit with the county personnel system, and the question of whether juvenile probation personnel should be part of the county personnel system;
3. A controverted issue: Who should have the final control over administration of programs after judicial orders have been made; and

within each of the above areas, the various combinations of factors including court personnel, detention facilities and related programs and protective services and related programs.

At its meeting in Reno on November 28, 1979, the subcommittee heard:

Hon. Roy L. Torvinen, District Judge, 2nd Judicial District (Washoe County).

Norman Herring, Esq., State Public Defender.

Mr. Alex Forbes, Facilities Specialist, Rehabilitation Division, Department of Human Resources, and a former Assistant Superintendent of the Nevada Girls Training Center.

Mr. Frank Sullivan, Chief Juvenile Probation Officer, Washoe County.

Each of these gentlemen gave his views and useful information on a part of the system of judicial services involving juveniles. The meeting continued on November 29, 1979, and the subcommittee heard:

Dean Lewis W. McHardy of the National College of Juvenile Justice.

Mr. Hunter Hurst of the National Center for Juvenile Justice in Pittsburgh, Pennsylvania.

Mr. Joseph White of the Academy for Contemporary Problems in Columbus, Ohio.

Dean McHardy and Mr. Hurst provided information about current trends in the provision of judicial service involving juveniles, and acquainted the subcommittee with some of the systems used in other states. Mr. White made comments on a study of judicial services involving juveniles which his organization is conducting, and for which one of the states chosen was Nevada.

The next meeting of the subcommittee was conducted in Las Vegas on April 9, 1980, and included an opportunity for the members of the subcommittee to tour the juvenile court service center, including the detention facilities and the new facilities which were under construction at that time.

At that meeting, the subcommittee heard:

Mr. Frank Sullivan, Chief Juvenile Probation Officer, Washoe County, who delivered a statement on behalf of the Honorable William P. Beko, District Judge, 5th Judicial District (Esmeralda, Mineral and Nye counties).

Camille Bowman of the Advocacy Committee of the Junior League of Las Vegas, who reported on the work of her committee in the fields of representation for minors in courts and in foster care.

Mr. James Estabrook, Chief Juvenile Probation Officer, Douglas County.

On June 23, 1980, the subcommittee met in Carson City to review its work and hear comments from several agencies of the state relative to recommendations which the subcommittee had received at its hearings.

Mrs. Gloria Handley of the welfare division of the department of human resources gave the position of her division and department on recommendations which were of interest to them.

Mr. Ben Cowan and Mr. Ed Greer of the Clark County School District and Mr. Doug Sever of the Nevada department of education responded to several recommendations which dealt with the responsibilities of schools in counseling, truancy and crime prevention.

V. FINDINGS AND RECOMMENDATIONS

Findings:

1. The proper authority to be responsible for the administration of judicial services for juveniles is the juvenile court in each judicial district. The state has certain responsibilities for providing services.
2. The counties are required to pay the expenses of providing transportation for certain children under the interstate compact on juveniles. This responsibility falls most heavily on counties through which major interstate highways pass.
3. Judicial matters involving juveniles require special knowledge, training and sensitivity in addition to the qualities required of judges in other matters.
4. The state can assume some of its responsibilities by granting subsidies to local governments to enable those local governments to perform the duties which arise out of those responsibilities. The probation subsidy is an example of such a system.
5. The mental hygiene and mental retardation division of the department of human resources has not had sufficient money to carry out its responsibilities to provide services to mentally disturbed juvenile delinquents and dependent children, particularly for the placement of those children in institutions outside the state.
6. There is a need for additional facilities for the placement of juvenile offenders, and the youth services division of the department of human resources has begun preliminary work to acquire a facility for this purpose in northern Nevada.
7. The state has a legal responsibility to provide protection for all dependent, neglected, abandoned and abused children.
8. Data on the operations of juvenile courts are not being kept in any uniform, systematic manner. Useful information on those operations, including budgets, caseloads and other statistics cannot be obtained without great difficulty.

9. There has been insufficient attention given to recruiting parents for foster homes and to their training. Payments for foster homes do not reflect the cost of caring for a child.
10. The welfare division of the department of human resources must be made more responsive to the need for provisional licenses for shelter care. This can be best accomplished by permitting the division to delegate authority to grant provisional licenses.

Recommendations:

1. The administration of judicial services involving juveniles should basically remain a responsibility and function of the courts; however, the state should provide for certain services for which it is legally responsible.

Discussion:

Of the alternatives specified in the resolution which ordered this study, the one based on centering the responsibility for administration of judicial services involving juveniles in the courts was found to be the best. It is the basis of the present system, and should be continued. The state should appropriate the necessary money to carry out its responsibilities under the law, regarding services for dependent and neglected children.

2. A contingency fund should be established in the youth services division of the department of human resources to reimburse the counties for their expenses in carrying out the interstate compact on juveniles. (BDR 16-109)

Discussion:

The interstate compact on juveniles provides for the return of runaways, absconders and other juveniles to their home states. While the compact requires that the home state pay the expenses of this return, the fact is that in many cases, the county in which the child is found bears the burden. The counties through which interstate highways pass are most affected by this involuntary expense. It is because of the compact that the counties

pay for this transportation, and the state should reimburse them for it, by making money available for that purpose in the office of the compact administrator.

3. Each judge who hears any case involving a juvenile and each special master appointed to hear cases involving juveniles should attend the National College of Juvenile Justice.
(BDR 5-110)

Discussion:

Judicial matters which involve juveniles require additional training, ability and sensitivity to the usual rigorous requirements of judges. A judge or master who adjudicates a case involving a child has an opportunity to influence the life of the child in a positive or negative manner, and the influence felt in the court, together with the resulting treatment or punishment, can set the course of life for a human being. Attendance at the National College of Juvenile Justice for each juvenile judge and special master would be helpful, as it would serve to acquaint the new judge or master with the problems and opportunities of his assignment.

4. The probation subsidy from the state to each county should be increased by at least 10 percent for the 1981-82 fiscal year and by at least another 10 percent for the 1982-83 fiscal year.

Discussion:

Many facets of the administration of services to juveniles can best be conducted on the local level, close to the problems of the community and of the child. It is in the interest of the state to assist local governments in providing alternatives to incarceration in state institutions; alternatives which are less expensive and more effective than incarceration. An example of a successful alternative is the probation subsidy to the juvenile courts. This subsidy has not kept up with inflation and the increased cost of services, and should be increased.

5. The legislature should provide sufficient money to the mental hygiene and mental retardation division to permit needed services, including placement outside the state if services cannot be provided within the state, for mentally disturbed delinquent and dependent children.

Discussion:

The mental hygiene and mental retardation division of the department of human resources has not been providing adequate services for mentally disturbed delinquents and dependent children. The cost of these services is high, particularly if a placement outside the state is required. Even though cost is large, the money is well spent if the treatment provided can help to prepare the delinquent or dependent child to function as a useful member of society, and can save much more money which will have to be spent if the disturbance continues as the child reaches adulthood.

6. The legislature should provide for the establishment of a ranch, forest camp or similar facility for juvenile offenders as an alternative to additional training centers similar to those at Elko and Caliente.

Discussion:

Since 1961, while the population of the state has grown rapidly, no new facility has been provided by the state for the detention of juvenile offenders. The youth services division of the department of human resources has begun the process of acquiring a suitable facility in northern Nevada for conversion into a facility for juvenile offenders. This acquisition will provide an additional facility with the least possible expenditure of money, and will provide it more quickly than building from the beginning.

7. The legislature should appropriate sufficient money to the department of human resources to enable it to provide protective services to all dependent, neglected, abandoned and abused children in the state.

Discussion:

The state has a legal and moral duty to provide for the protection of its children. This duty is carried out by state agencies in some counties, at state expense, and in other counties by the county. This results in differences in the services available to some children in the state, and also places varying burdens on taxpayers in various parts of the state. The department of human resources should ensure that equal services are available to all children

by providing money in places where the services can be obtained by contract, and by providing the services through its own employees in places where there is no other entity capable of providing the services.

8. The legislature should provide by law for the reporting of data on the operations of juvenile courts and require compliance with regulations adopted by the youth services division of the department of human resources for that purpose. The youth services division should be required to disseminate those collected data to local governments, courts and others to whom it would be of use.

Discussion:

Data relating to the operation of juvenile courts are difficult to obtain. The legislative commission's subcommittee to study juvenile crime and alcohol abuse by juveniles has submitted proposed legislation which would require the youth services division to adopt regulations for the collection of data from police and sheriff's departments and juvenile courts and would require those agencies to provide the data in the form specified in the regulations. The subcommittee supports that legislation.

9. The legislature should provide sufficient support for the recruiting and training of parents for foster homes, and for an increase in payments for foster and shelter care.

Discussion:

There is a constant shortage of qualified foster parents to take children for extended periods, and of homes in which children can be placed for shelter care for shorter lengths of time. Much of this problem can be traced to a lack of a comprehensive program of recruitment and training, and to inadequate compensation of the parents who provide foster and shelter care. If qualified persons can be acquainted with the program, given proper training, and then be given compensation which approximates the cost of caring for a child, the state should have more available places for the care of its dependent, neglected, abandoned and abused children.

10. The legislature should enact legislation to permit the welfare division of the department of human resources to provide by regulation for delegation of its authority to grant provisional licenses for shelter care. (BDR 38-111)

Discussion:

In many areas of the state, when shelter care is needed in an emergency, the welfare division cannot be apprised of the need at the time it arises. The chief probation officer or other person in whose custody the child is found is unable to properly provide shelter in a licensed home. Certain persons in the state should be granted the authority to issue these provisional licenses after determining that the home is fit. The inspection to make the license permanent, if the parents desire that it be so, could then be made.

11. The legislature should adopt a resolution calling upon the judges of the juvenile courts of the state to establish youth services commissions pursuant to NRS 422.300. (BDR 112)

Discussion:

NRS 422.300 provides an opportunity to judges of juvenile courts to appoint five persons to a youth services commission in each county for the purpose of initiating and encouraging programs for the prevention of juvenile delinquency. Such a commission could provide valuable services to the court and the community through the duties provided in that section, which include coordination among the agencies which provide judicial services involving juveniles, and the seeking and securing of money and resources for its purposes.

Appendix A

I

TOTAL REFERRALS

	<u>Population</u>		<u>(INCLUDES RECIDIVISTS)</u>				
	<u>Total County</u>	<u>Under 18 yrs.</u>	<u>School Age</u>	<u>Traffic</u>	<u>Status</u>	<u>Delinquency</u>	<u>Abandoned, Neglected Abused & Neglected</u>
JUDICIAL DISTRICTS							
1st: Carson City	34,667	12,083	6,192	1,363	850	600	18
Storey	1,219	372	195	10	21	14	-0-
2nd: Washoe	216,500	68,751	N/A	5,356	2,518	3,110	N/A
3rd: Churchill	16,000	3,200	2,960	356	N/A	299	
Eureka	1,076	342	150	13	5	6	3
Lander	5,017	1,408	956	72	141	39	29
4th Elko	18,020	7,000	3,600	446	97	312	-0-
5th: Esmeralda	862	150	N/A	Included in Figures for Nye County			
Mineral	6,800	Unk.	1,384	80	333	210	10
Nye	7,994	2,274	N/A	72	40	30	15
6th: Humboldt	9,000	3,160	2,310	256	50	205	61
Pershing	2,920 (est)	695 (est)	595	82	209	72	13
7th: Lincoln	3,500	1,000	922	43	8	28	1
White Pine	9,500	3,500	1,773	82	157	89	26
8th: Clark	459,000	Not Avail.	87,358	905	2,088	5,660	2,544
9th: Douglas	12,239	7,304	3,500	745	190	499	25
Lyon	15,000	3,100	2,500	372	154	399	125

Notes

Approximately 90% of investigations and reports done by state welfare in 1st judicial district

Referrals shows number of offenses charged to 8,229 juveniles

DISPOSITIONS*

	<u>TRAFFIC</u>		<u>STATUS</u>		<u>DELINQUENT</u>		<u>ABANDONED/NEGLECTED</u>	
	<u>INFORMAL</u>	<u>FORMAL</u>	<u>INFORMAL</u>	<u>FORMAL</u>	<u>INFORMAL</u>	<u>FORMAL</u>	<u>INFORMAL</u>	<u>FORMAL</u>
JUDICIAL DISTRICTS								
1st: Carson City	1,312	51	834	16	565	123	-0-	-0-
Storey	18	-0-	21	-0-	12**	2	18	-0-
2nd: Washoe	4,913	N/A	→ 783		←		N/A	N/A
3rd: Churchill	—	356	N/A	—	***	***	N/A	12
Eureka	13	-0-	-0-	5	-0-	6	1	2
Lander	72	-0-	19	122	-0-	39	18	11
4th: Elko	422	24	76	21	163	149	-0-	-0-
5th: Esmeralda	INCLUDED IN FIGURES FOR NYE COUNTY							
Mineral	75	5	209	124	129	81	4	6
Nye	—	72	40	—	10	20	—	15
6th: Humboldt	254	2	28	22	174	31	52	9
Pershing	80	2	200	9	51	21	8	5
7th Lincoln	—	43	7	1	—	28	1	—
White Pine	—	82	149	8	76	13	1	25
8th: Clark	1,328	16	1,941	517	3,102	2,974	3,187	397
9th Douglas	740	5	131	59	378	121	10	15
Lyon	68	304	79	75	257	142	74	51

NOTES

* "FORMAL" MEANS PETITION FILED

** MISDEMEANORS
ONLY*** 248 BEFORE MASTER
51 BEFORE JUDGE

111

COURT HEARINGS

INSTITUTION

	<u>DETENTION</u>	<u>PLEA</u>	<u>CONTESTED</u>	<u>REPORT & DISPOSITION</u>	<u>PROTECTIVE CUSTODY</u>	<u>CHINS</u>	<u>ALL REVIEWS</u>	<u>TOTAL HEARINGS*</u>	<u>TOTAL BOOKED</u>	<u>TOTAL DETAINED**</u>	<u>TRANSIENTS DETAINED</u>	<u>PROTECTIVE CUSTODY</u>
JUDICIAL DISTRICTS												
1st: Carson City	156	55	19	150	18	16	10	—	745	470	96	-0-
Storey	-0-	-0-	-0-	6	-0-	-0-	-0-	—	—	INCLUDED IN CARSON CITY		
2nd: Washoe	1,135	820	N/A	786	30	N/A	80	—	4,281	2,648	1,080	N/A
3rd: Churchill	—	—	—	—	—	—	—	375	104	unk	15	—
Eureka	—	—	—	—	—	—	—	37	7	7	4	—
Lander	—	—	—	—	—	—	—	191	46	42	26	—
4th: Elko	78	302	10	24	-0-	21	—	—	278	154	76	—
5th: Esmeralda	INCLUDED IN FIGURES FOR NYE COUNTY											
Mineral	—	—	—	—	—	—	—	48	232	205	1	—
Nye	320	—	6	—	—	40	35 PROTECTIVE SERVICE HEARINGS	—	320	112	90	22
6th: Humboldt	—	—	—	—	—	—	—	64	268	232	109	—
Pershing	60	8	2	46	9	17	"7"	—	60	60	29	7
7th: Lincoln	-0-	28	-0-	38	2	8	38	—	15	15	9	2
White Pine	123	13	1	158	13	8	158	—	123	123	44	8
8th: Clark	2,305	9,086	1,852	2,873	1,519	562	5,055	—	8,229	2,132	992	1,530
9th: Douglas	—	—	—	—	—	—	—	195	282	NO STATISTICS KEPT BEFORE NOVEMBER, 1979		
Lyon	—	142	68	268	24	18	—	—	128	296	207	—

* IF BREAKDOWN NOT AVAILABLE

** INCLUDES TRANSIENTS ENTERED IN COLUMN TO RIGHT

15.

IV

DISTRICT COURT PERSONNEL

	DISTRICT JUDGE		REFEREES & MASTERS		BAILIFFS		LAW CLERK		CLERICAL	
	FULL TIME	PART TIME	FULL TIME	PART TIME	FULL TIME	PART TIME	FULL TIME	PART TIME	FULL TIME	PART TIME
JUDICIAL DISTRICTS										
1st: Carson City	1	—	1	—	-0-	—	—	—	—	1/2
Storey	INCLUDED IN FIGURES FOR CARSON CITY									
2nd: Washoe	1	—	1	4						
3rd: Churchill	1		1	—	*	—	*	—	1	—
Eureka	—	—	—	—	—	—	—	—	—	—
Lander	—	—	—	—	—	—	—	—	—	—
4th: Elko	—	—	1	—	—	—	—	—	1	—
5th: Esmeralda	INCLUDED IN FIGURES FOR NYE COUNTY									
Mineral	—	1	—	1	—	1	1	—	1	—
Nye	1	—	2	—	—	—	—	—	3	—
6th: Humboldt	1	—	—	1	—	—	—	—	1	—
Pershing	1	—	-0-	—	1	—	-0-	—	1	—
7th: Lincoln	—	1	—	2	—	1**	—	1**	—	1
White Pine	—	1	—	2	—	1**	—	1**	—	1
8th: Clark	1	—	2	—	2	—	1	—	4	—
9th: Douglas	1	—	—	—	—	—	—	—	—	—
Lyon	—	1	—	1	—	1	—	1	1	—

NOTES

* 1 Full-Time
Bailiff-law
clerk

V

JUVENILE COURT SERVICES PERSONNEL

	ADMINISTRATION		DETENTION		PROBATION		PROBATION SUBSIDY		PROTECTIVE SERVICES	
	FULL TIME	PART TIME	FULL TIME	PART TIME	FULL TIME	PART TIME	FULL TIME	PART TIME	FULL TIME	PART TIME
JUDICIAL DISTRICTS										
1st: Carson City	1	—	11	—	3	—	2	—	—	—
Storey			INCLUDED IN FIGURES FOR CARSON CITY							
2nd: Washoe	3	—	30	3	29	2	5	—	—	—
3rd: Churchill	1	—	—	—	1	—	*	—	—	—
Eureka	1	—	—	—	—	—	2	—	—	—
Lander	1	—	—	—	—	—	2	—	—	—
4th: Elko	1	—	—	—	2	—	—	—	—	—
5th: Esmeralda			INCLUDED IN FIGURES FOR NYE COUNTY							
Mineral	2	—	—	1	—	—	—	3	—	1
Nye	—	—	—	—	2	—	—	—	—	—
6th: Humboldt	1	—	7	—	—	—	1	—	—	—
Pershing	1	—	—	—	—	1	—	—	—	—
7th: Lincoln	1	—	-0-	—	1	—	1	—	—	—
White Pine	1	—	—	4	1	—	1	—	—	—
8th: Clark	62	—	42	—	53	—	13	—	34	—
9th: Douglas	1	—	—	—	3	—	1	—	—	—
Lyon	1	—	—	—	—	—	1	—	—	—

NOTES

* SECRETARY PERFORMS DUTIES

45 FULL-TIME IN CHILD HAUGN
 54 FULL-TIME SPRING MOUNTAIN Y.C.

17.

VI

JUVENILE COURT SERVICES PERSONNEL (CONTINUED)

	TITLE XX		VOLUNTEERS (UNPAID)		CLERICAL		OTHER	
	FULL TIME	PART TIME	FULL TIME	PART TIME	FULL TIME	PART TIME	FULL TIME	PART TIME
JUDICIAL DISTRICTS								
1st: Carson City	—	—	4	—	2	1/2	—	1*
Storey	INCLUDED IN FIGURES FOR CARSON CITY							
2nd: Washoe	—	—	—	—	9	—	—	—
3rd: Churchill	—	—	—	—	1	—	—	—
Eureka	—	—	—	—	1	—	—	—
Lander	—	—	—	—	1	—	—	—
4th: Elko	—	—	—	—	1	—	—	—
5th: Esmeralda	INCLUDED IN FIGURES FOR NYE COUNTY							
Mineral	—	—	—	—	1	1	—	—
Nye	—	—	—	—	—	—	—	—
6th: Humboldt	1	—	—	—	—	—	—	—
Pershing	—	—	—	—	1	—	—	—
7th: Lincoln	N/A	—	-0-	—	-0-	—	—	—
White Pine	—	—	-0-	—	—	1	—	—
8th: Clark	18	—	106	—	—	—	—	—
9th: Douglas	—	—	—	—	2	—	—	—
Lyon	—	—	—	—	1	—	—	—

NOTES

* Restitution coordinator-
16 hrs/wk.

18.

VII

JUVENILE JUSTICE BUDGET (FY79)

	COUNTY	STATE	FEDERAL	MAJOR CAPITAL
JUDICIAL DISTRICTS				
1st: Carson City	\$ 402,899	\$ 36,231	\$ 15,800	\$963,000 Federal
Storey	Contributed \$ 80,000 to Carson City for Participation in Detention Services			
2nd: Washoe	Juvenile Probation \$80,233 Work Program \$36,961 Wittenberg Hall \$786,522	Probation subsidy \$127,255	Restitution \$131,504	
3rd: Churchill	\$ 41,338	Probation subsidy 14,662		
Eureka	\$ 1,700			
Lander	\$ 31,610.68	\$ 14,500.00		
4th: Elko	\$ 62,486	Probation subsidy \$ 24,134		
5th: Esmeralda	INCLUDED IN FIGURES FOR NYE COUNTY			
Mineral	\$ 43,000			
Nye	\$ 33,000	\$ 26,000	\$ 22,000	
6th: Humboldt	\$ 114,277	\$ 18,607	\$ 12,000	\$120,000 County
Pershing	\$ 29,127			
7th: Lincoln	\$ 14,600	\$ 20,269	\$ 7,390	
White Pine	\$ 28,000			
8th: Clark	\$7,344,341	\$600,000	\$925,189	\$5 Million Bond issue for new Detention Facility
9th: Douglas				\$80,000 to Car- son City for Detention Center
Lyon	\$ 44,332.00	\$ 13,762.66		

19.

Appendix B

SUMMARY--Creates fund for interstate compact on juveniles and appropriates money to compact administrator. (BDR 16-109)
Fiscal Note: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Contains Appropriation.

AN ACT relating to the interstate compact on juveniles; providing for a fund for the repayment of county expenses resulting from the compact; making an appropriation; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 214.040 is hereby amended to read as follows:

214.040 [All claims which arise under the provisions of this chapter shall be paid from the reserve for statutory contingency fund upon approval by the compact administrator.]

1. There is hereby created in the state treasury the fund for the interstate compact on juveniles as a trust fund.

2. The administrator of the compact may disburse the money in the fund to repay any expenses incurred by a local government or a juvenile court in providing transportation for a juvenile to his home outside the state, including expenses of communicating with the parents or other persons responsible for the juvenile.

Sec. 2. NRS 353.264 is hereby amended to read as follows:

353.264 1. The reserve for statutory contingency fund is hereby created as a trust fund.

2. The reserve for statutory contingency fund shall be administered by the state board of examiners, and the money in the fund may be expended only for:

(a) The payment of claims which are obligations of the state under NRS 41.03435, 41.0347, 41.0349, 41.037, 176.485, 179.310, 212.040, 212.050, 212.070, [214.040,] 282.290, 282.315, 293.253, 293.405, 298.155, 353.120, 353.262, 412.154, and 475.240; and

(b) The payment of claims which are obligations of the state under NRS 7.125, 176.223, 177.345, 179.225, 213.153 and subsection 4 of NRS 361.055, but such claims must be approved for the respective purposes listed in this paragraph only when the money otherwise appropriated for those purposes has been exhausted.

Sec. 3. There is hereby appropriated from the state general fund to the fund for the interstate compact on juveniles the sum of \$38,000 for the purposes set forth in NRS 214.040.

SUMMARY--Requires juvenile judges and masters to attend National College of Juvenile Justice. (BDR 5-110)

Fiscal Note: Effect on Local Government: Yes.

Effect on the State or on Industrial Insurance: No.

AN ACT relating to juvenile courts; requiring that district judges who hear cases involving juveniles and masters attend the National College of Juvenile Justice; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 62 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. 1. Each district judge who is first elected or appointed after July 1, 1981, in a judicial district which has one judge, and each other district judge who is first assigned after July 1, 1981, to be the judge of the juvenile court in his judicial district, shall attend instruction at the National College of Juvenile Justice in Reno, Nevada, or elsewhere in a course designed for the training of new judges of juvenile courts.

2. Each judge to whom this section applies shall attend the instruction provided when it is offered for the first time after his election, appointment or assignment, unless he is excused by written order of the chief judge of his judicial district, or if the judicial district has but one judge, by a justice of the supreme court.

Sec. 3. The court administrator shall arrange for the giving of appropriate instruction to judges and masters of the juvenile courts as required by this chapter. Each county shall pay to the supreme court for this purpose the county's pro rata share of the cost of this instruction.

Sec. 4. NRS 62.090 is hereby amended to read as follows:

62.090 1. The judge, in his discretion, may appoint any person qualified by previous experience, training and demonstrated interest in youth welfare as master. The master, upon the order of the judge in proceedings arising under the provisions of this chapter, may swear witnesses and take evidence.

2. Each master who is first appointed after July 1, 1981, shall attend instruction at the National College of Juvenile Justice in Reno, Nevada, or elsewhere as the judge who appoints him may direct, in a course designed for the training of new juvenile court judges on the first occasion when such instruction is offered after he is appointed, unless excused by written order of the judge who appointed him or his successor, which order must be filed with the court administrator. The order is final for all purposes.

3. The compensation of a master in juvenile sessions [shall] may not be taxed against the parties, but when fixed by the judge [shall] must be paid out of appropriations made for the expenses of the district court.

[3.] 4. The judge may direct that the facts in any juvenile court proceeding, from the inception of the matter, be found by [such] the master in the same manner as in the district court. Within 10 days after the evidence before him is closed, the master shall file with the judge all papers relating to the case, written findings of fact and recommendations.

[4.] 5. Notice in writing of the master's findings and recommendations, together with the notice of right of appeal as provided [herein, shall] in this section, must be given by the master, or someone designated by him to the parent, guardian or custodian, if any, of the child, or to any other person concerned. A hearing by the court [shall] must be allowed upon the filing with the court by such person of a request for [such hearing, provided that] a hearing if the request is filed within 5 days after the giving of the notice. [In case] If no hearing by the court is requested, the findings and recommendations of the master, when confirmed or modified by an order of the court, become a decree of the court.

SUMMARY--Authorizes welfare division of department of human resources to delegate authority to issue provisional licenses for foster care. (BDR 38-111)

Fiscal Note: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

AN ACT relating to foster homes; providing for delegation by the welfare division of the department of human resources of the authority to issue provisional licenses for foster homes in emergencies; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 424 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. The welfare division of the department of human resources may provide by regulation for the delegation of its authority to issue provisional licenses to foster homes if the situation requires the issuance of a provisional license immediately.

2. In the regulations adopted pursuant to this section, the welfare division shall specify:

(a) The classes of persons to whom the authority will be delegated;

(b) The procedure for applying for authority to issue provisional licenses;

(c) The conditions under which a provisional license may be issued by a person to whom authority has been delegated pursuant to this section; and

(d) Procedures which the person who has issued a provisional license must follow after doing so.

SUMMARY--Encourages juvenile court judges to appoint youth services commissions. (BDR 112)

CONCURRENT RESOLUTION--Encouraging judges of juvenile courts to appoint youth services commissions pursuant to NRS 422.300.

WHEREAS, The administration of judicial services involving juveniles in a difficult, exacting and highly important task, which has a material effect upon the future of Nevada and of her citizens; and

WHEREAS, The legislature has provided a mechanism which permits judges of juvenile courts to appoint five-member youth services commissions in counties; and

WHEREAS, The youth services commission in a county has as its duties the promotion of cooperation among the agencies which provide services to children and the development of new programs for their care and rehabilitation; and

WHEREAS, The commission is meant to serve as an advisory body to the welfare division of the department of human resources, the governing bodies of each city and the county, the judge of the juvenile court, the governor and the legislature; and

WHEREAS, A youth services commission can provide material support to the judge of the juvenile court in performing his duties; now, therefore, be it

RESOLVED, BY THE OF THE STATE OF NEVADA, THE
CONCURRING, That the district judges of the state who sit as juvenile
court judges are encouraged to appoint youth services commissions
in the counties which they serve in order to promote cooperation,
develop special programs and projects, and to seek and secure aid
in carrying out the programs of the court and of the commission;
and be it further

RESOLVED, That the legislative counsel transmit a copy of this
resolution to each district judge whose duties include the hearing
of cases involving judicial services to juveniles.

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WHEREAS, The legislature has provided a mechanism which permits judges of juvenile courts to appoint five-member youth services commissions in counties; and

WHEREAS, The youth services commission in a county has as its duties the promotion of cooperation among the agencies which provide services to children and the development of programs for the prevention of delinquency; and

WHEREAS, The commission is meant to serve as an advisory body to the welfare division of the department of human resources, the governing bodies of each city and the county, the judge of the juvenile court, the governor and the legislature; and

WHEREAS, A youth services commission can provide material support to the judge of the juvenile court in performing his duties; now, therefore, be it

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