ASSEMBLY BILL NO. 472—COMMITTEE ON JUDICIARY
(ON BEHALF OF THE OFFICE OF THE GOVERNOR)
MARCH 27, 2017

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Referred to Committee on Judiciary

SUMMARY—Establishes policies for reducing recidivism rates and improving other outcomes for youth in the juvenile justice system. (BDR 5-918)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§§ 8, 12)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in bolded italics is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to juvenile justice; creating the Juvenile Justice Oversight Commission; prescribing the powers and duties of the Commission; imposing requirements related to juvenile justice on the Division of Child and Family Services of the Department of Health and Human Services and local departments of juvenile services; providing for the establishment of an evidence-based program resource center; requiring the juvenile court to conduct a risk assessment and a mental health screening before the disposition of a case involving a child who is adjudicated delinquent; revising provisions relating to mental health screenings of children referred to the system of juvenile justice; revising provisions concerning the release of certain information relating to a child subject to the jurisdiction of the juvenile court; requiring the Youth Parole Bureau to adopt policies and procedures relating to responses to a child’s violation of his or her terms and conditions of parole; revising provisions relating to revocation of a child’s parole; providing a penalty; and providing other matters properly relating thereto.
Legislative Counsel’s Digest:

Existing law provides generally for a system of juvenile justice in this State. (Title 5 of NRS) Federal law requires a state seeking grant money for the administration of a system of juvenile justice to have a state advisory group that oversees such a system. (42 U.S.C. § 5633(n)(3)) Section 4 of this bill creates the Juvenile Justice Oversight Commission and designates the Commission as the state advisory group for the purposes of federal law. Section 5 of this bill requires the Commission to: (1) establish a uniform procedure for the Division of Child and Family Services of the Department of Health and Human Services, the Youth Parole Bureau and each department of juvenile services in this State to follow when developing performance measures related to the juvenile justice system; (2) establish standard procedures for measuring outcomes for children subject to the jurisdiction of the juvenile court; (3) select a validated risk assessment tool and a validated mental health screening tool for the Division and each department of juvenile services to use when evaluating children subject to the jurisdiction of the juvenile court; and (4) contract with a qualified vendor or provider to provide technical assistance and training to employees of the juvenile justice system on the implementation and operation of such tools.

Section 6 of this bill requires the Commission to develop a 5-year strategic plan that establishes policies and procedures for the Division and each department of juvenile services relating to the use of evidence-based practices when providing services to children subject to the jurisdiction of the juvenile court. Section 7 of this bill requires the members of the Commission to conduct annual quality assurance reviews of each state and regional facility for the detention of children in this State. Section 7 requires such a quality assurance review to include a review of the facility’s: (1) service delivery; (2) case management procedures; (3) policies on supervision and behavior management; and (4) procedures relating to the release of children from the facility. Section 7 further requires the Commission to submit each review to the Governor and to the Legislature. Section 8 of this bill requires the Division and each department of juvenile services to, on or before July 1, 2018, implement the validated risk assessment tool and the validated mental health screening tool selected by the Commission for evaluation of children subject to the jurisdiction of the juvenile court. Section 8 also establishes the cost allocation for the expenses of implementing such tools, such that the responsibility for those expenses will shift from the State to each department of juvenile services over the next 3 fiscal years. Section 9 of this bill requires the Division and each department of juvenile services that receives money from the state, other than any money received from the State Plan for Medicaid, to use such money to develop, promote and coordinate evidence-based programs and services. Section 9 also requires any contract between the Division or a department of juvenile services and a treatment provider for the provision of juvenile services to require the treatment provider to comply with the evidence-based standards developed by the Commission.

Section 10 of this bill requires the Division to issue a request for proposals to establish an evidence-based program resource center. Section 10 requires the resource center to: (1) provide technical assistance to the Division, each department of juvenile services and treatment providers to support the implementation and operation of evidence-based programs and practices as set forth in the Commission’s 5-year strategic plan; (2) provide various types of training to persons employed in the juvenile justice system; (3) act as a resource clearinghouse on evidence-based programs and practices; and (4) facilitate collaboration among state and local agencies and treatment providers who serve the juvenile justice system.

Section 12 of this bill requires the Division and each department of juvenile services to develop and implement a family engagement plan to increase the
participation of the family of a child who is subject to the jurisdiction of the
juvenile court in the rehabilitation of the child.
Existing law establishes provisions governing the disposition by a juvenile
court of cases of children subject to the court’s jurisdiction. (Chapter 62E of NRS)
Section 15 of this bill requires the department of juvenile services, before the
disposition of a child’s case, to conduct a risk assessment and a mental health
screening on the child, using the validated tools selected by the Commission, and to
prepare a report based on the results of the assessment and screening as to the most
appropriate disposition of the case. Section 16 of this bill requires a department of
juvenile services to develop an individualized case plan for each child placed under
the supervision of the juvenile court, placed under the informal supervision of a
probation officer or committed to a regional facility for the detention of children.
Section 16 sets forth the information required to be included in each case plan.
Similarly, section 17 of this bill requires the Division to develop such a case plan
for each child committed to the Division for placement in a state facility for the
detention of children. If the juvenile court commits a child to the custody of either a
state facility for the detention of children or a facility in another state, section 18 of
this bill requires the juvenile court to make a record in the child’s file that either
less restrictive supervision or supervision within this State was not appropriate or
available for the child. Sections 20 and 21 of this bill revise the process for how
mental health screenings of children who are adjudicated delinquent and committed
to a state or regional facility for the detention of children are to be conducted.
Existing law requires the Division to: (1) establish a standardized system for
the reporting, collection, analysis, maintenance and retrieval of information
concerning juvenile justice in this State; and (2) adopt regulations that require
juvenile courts, local juvenile probation departments and the staff of the youth
correctional services to submit certain information to the Division. (NRS 62H.200)
Section 25 of this bill revises the types of juvenile justice information required to
be submitted to the Division. Section 22 of this bill requires the Division to analyze
such information and submit a report to the Governor and to the Legislature relating
to the trends that exist in the juvenile justice system and the effectiveness of the
system’s programs and services. Section 33 of this bill repeals a similar provision
that requires each local juvenile probation department to analyze such information
and submit a report to the Division.
Section 24 of this bill authorizes the Division to withhold money from a
juvenile court that does not comply with the regulations adopted by the Division
relating to the submittal of certain juvenile justice information.
Existing law authorizes a director of juvenile services and the Youth Parole
Bureau to release certain information concerning a child who is within the purview
of the juvenile court to certain other persons involved in the juvenile justice system.
(NRS 62H.025) Section 23 of this bill revises the list of persons to whom a director
of juvenile services and the Youth Parole Bureau may release information to
include: (1) the Chief Parole and Probation Officer; (2) the Director of the
Department of Corrections; (3) a law enforcement agency; or (4) the director of an
agency which provides mental health services.
Existing law provides for the suspension, modification or revocation of the
parole of a child. (NRS 63.770) Section 26 of this bill requires the Youth Parole
Bureau to establish policies and procedures to be used when determining the most
appropriate and least restrictive response to a violation of a child of the terms and
conditions of his or her parole. Section 26 requires, among other things, the Youth
Parole Bureau to create a sliding scale of offenses based on the severity of the
violation. Section 29 of this bill prohibits the Chief of the Youth Parole Bureau
from recommending to the juvenile court that a child’s parole be revoked unless:
(1) the child poses a risk to public safety; or (2) the other responses set forth in the
policies and procedures adopted by the Youth Parole Bureau pursuant to section 26 would not be appropriate for the child.

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

Section 1. Chapter 62A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 12, inclusive, of this act.

Sec. 2. “Commission” means the Juvenile Justice Oversight Commission established by section 4 of this act.

Sec. 3. “Department of juvenile services” means the entity designated pursuant to chapter 62G of NRS to administer the provision of services relating to the delinquency of children.

Sec. 4. 1. The Juvenile Justice Oversight Commission is hereby established. The Commission is hereby designated as the state advisory group on juvenile justice required to be established pursuant to 42 U.S.C. § 5633(a)(3).

2. The Commission consists of the Governor or his or her designee and 24 members appointed by the Governor. The Governor shall appoint to the Commission:
   (a) Two members who are members of the Senate, one of whom must be from the majority political party and one of whom must be from the minority political party.
   (b) Two members who are members of the Assembly, one of whom must be from the majority political party and one of whom must be from the minority political party.
   (c) Two members who are judges of a juvenile court.
   (d) The Administrator of the Division of Child and Family Services or his or her designee.
   (e) The Deputy Administrator of Juvenile Services of the Division of Child and Family Services or his or her designee.
   (f) Three members who are directors of juvenile services, one each of whom must represent a county whose population:
       (1) Is less than 100,000.
       (2) Is 100,000 or more but less than 700,000.
       (3) Is 700,000 or more.
   (g) Two members who are district attorneys.
   (h) Two members who are public defenders.
   (i) One member who is a representative of a law enforcement agency.
   (j) One member who is a representative of a nonprofit organization which provides programs to prevent juvenile delinquency.
(k) One member who is a volunteer who works with children who have been adjudicated delinquent.

(l) Six members who are under the age of 24 years at the time of appointment.

3. At least three of the persons appointed to the Commission pursuant to subsection 2 must be persons who are currently or were formerly subject to the jurisdiction of the juvenile court.

4. Each appointed member serves a term of 2 years. Members may be reappointed for additional terms of 2 years in the same manner as the original appointments. Any vacancy occurring in the membership of the Commission must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs. Nine of the initial members of the Commission who are appointed pursuant to subsection 2 must be appointed to an initial term of 1 year. Each member of the Commission continues in office until his or her successor is appointed.

5. The members of the Commission serve without compensation but are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

6. A majority of the members of the Commission constitutes a quorum for the transaction of business, and a majority of a quorum present at any meeting is sufficient for any official action taken by the Commission.

7. A member of the Commission who is an officer or employee of this State or a political subdivision of this State must be relieved from his or her duties without loss of regular compensation to prepare for and attend meetings of the Commission and perform any work necessary to carry out the duties of the Commission in the most timely manner practicable. A state agency or political subdivision of this State shall not require an officer or employee who is a member of the Commission to:

   (a) Make up the time he or she is absent from work to carry out his or her duties as a member of the Commission; or
   (b) Take annual leave or compensatory time for the absence.

8. At the first meeting of the Commission and annually thereafter:

   (a) The Governor shall appoint a Chair of the Commission;
   (b) The Commission shall elect a Secretary from among its members; and
   (c) The Commission shall adopt rules for its own management and government.

9. The Commission shall:
(a) Hold its first meeting within 60 days after all the initial appointments to the Commission are made pursuant to subsection 2; and
(b) Meet at least once every 4 months and may meet at such further times as deemed necessary by the Chair.

Sec. 5. In addition to the duties set forth in sections 6 and 7 of this act, the Commission shall:
1. On or before July 1, 2018, establish a uniform procedure for the Division of Child and Family Services, the Youth Parole Bureau and each department of juvenile services to use for developing performance measures to determine the effectiveness of the juvenile justice system, including, without limitation, performance measures for juvenile court referrals and dispositions, supervision of a child subject to the jurisdiction of the juvenile court, services provided by agencies which provide child welfare services and rates of recidivism.
2. On or before July 1, 2018, establish standard procedures for measuring outcomes for a child subject to the jurisdiction of the juvenile court, including, without limitation, standard procedures for measuring and reporting rates of recidivism in accordance with NRS 62H.200.
3. On or before January 1, 2018, select:
   (a) A validated risk assessment tool that uses a currently accepted standard of assessment to determine the appropriate actions to take for each child subject to the jurisdiction of the juvenile court; and
   (b) A validated mental health screening tool that uses a currently accepted standard of assessment to determine the appropriate actions to take for each child in need of supervision pursuant to this title.
4. Contract with a qualified vendor or provider of technical assistance to assist the Division of Child and Family Services and each department of juvenile services with the implementation of the validated risk assessment tool. Such assistance must include, without limitation, employee training, policy development and the establishment of quality assurance protocols.

Sec. 6. 1. The Commission shall develop a 5-year strategic plan that establishes policies and procedures for the Division of Child and Family Services and each department of juvenile services relating to the use of evidence-based practices in providing services to children subject to the jurisdiction of the juvenile court. The plan must include, without limitation:
   (a) Uniform standards that an evidence-based practice or program must follow, including, without limitation, model programs, staffing requirements and quality assurance protocols;
(b) Strategies, including, without limitation, measurable goals, timelines and responsible parties, to enhance the capacity of the Division of Child and Family Services and each department of juvenile services to:

(1) Comply with the evidence-based standards developed by the Commission; and

(2) Partner with treatment providers that offer evidence-based programs for the treatment of children subject to the jurisdiction of the juvenile court;

(c) A requirement for the collection and reporting of data to the Commission by each department of juvenile services relating to the programs offered and services rendered by each department; and

(d) Protocols for improvement and corrective action for:

(1) A department of juvenile services that does not comply with the reporting requirements established pursuant to paragraph (c); and

(2) A treatment provider that does not comply with the evidence-based standards established by the Commission.

2. The Division of Child and Family Services shall adopt regulations to implement the provisions of the strategic plan developed pursuant to subsection 1.

3. On or before July 1, 2018, and every 5 years thereafter, the Commission shall submit the strategic plan developed pursuant to subsection 1 to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature.

Sec. 7. 1. The members of the Commission shall conduct an annual quality assurance review of each state facility for the detention of children and regional facility for the detention of children. Each review must use a validated service assessment tool, selected by the Commission, which includes, without limitation:

(a) An analysis of the facility’s service delivery;

(b) A review of the facility’s case management procedures;

(c) A review of the facility’s policies on supervision and behavior management of children placed in the facility; and

(d) An analysis of the facility’s procedures relating to the release of children from the jurisdiction of the juvenile court.

2. Before conducting a review pursuant to subsection 1, a member of the Commission must receive training on the use of the validated service assessment tool selected by the Commission pursuant to subsection 1.

3. The member or members of the Commission who conduct a review pursuant to subsection 1 shall develop a facility improvement plan based on the results of the review. The
Commission shall submit each facility improvement plan developed pursuant to this subsection to the facility and the Division of Child and Family Services.

4. A facility that receives a facility improvement plan pursuant to subsection 3 shall develop a corrective action plan to address any issues raised in the improvement plan. Not more than 60 days after receiving a facility improvement plan pursuant to subsection 3, the facility shall submit the facility improvement plan and a corrective action plan to the Commission, to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature.

Sec. 8. 1. On or before July 1, 2018, the Division of Child and Family Services and each department of juvenile services shall:

(a) Implement the validated risk assessment tool and the validated mental health screening tool selected by the Commission pursuant to subsection 3 of section 5 of this act; and

(b) Comply with the policies and quality assurance protocols set forth by the qualified vendor or other provider selected to provide technical assistance for the validated risk assessment tool pursuant to subsection 4 of section 5 of this act.

2. The costs of implementing and operating the validated risk assessment tool and the validated mental health screening tool pursuant to subsection 1 must be allocated in the following manner:

(a) In Fiscal Year 2017-2018 and 2018-2019, the Division of Child and Family Services pays 100 percent of the costs incurred by each department of juvenile services associated with the validated risk assessment tool and the validated mental health screening tool.

(b) In Fiscal Year 2019-2020, the Division of Child and Family Services pays 50 percent of the costs incurred by each department of juvenile services associated with the validated risk assessment tool and the validated mental health screening tool.

(c) In Fiscal Year 2020-2021 and in every subsequent fiscal year, each department of juvenile services is responsible for 100 percent of the costs that the department incurs associated with the validated risk assessment tool and the validated mental health screening tool.

Sec. 9. 1. Except as otherwise provided in subsection 2 and subject to the provisions of subsection 4, the Division of Child and Family Services and each department of juvenile services that receives money from the State, except money received from the State Plan for Medicaid as a benefit for a child subject to the
jurisdiction of a juvenile court, must use such money to develop,
promote and coordinate evidence-based programs and practices.

2. A department of juvenile services in a county whose
population is less than 100,000 must be evaluated for compliance
with the requirement set forth in subsection 1 based on the
amount of money received from the State, other limitations on
resources and the availability of treatment providers in the county.

3. A contract or provider agreement between the Division of
Child and Family Services or a department of juvenile services
and a treatment provider for the provision of any juvenile services
that uses money from the State must require the treatment
provider to comply with the evidence-based standards developed by
the Commission pursuant to section 6 of this act.

4. The Division of Child and Family Services and each
department of juvenile services shall use the following percentages
of money received from the State as described in subsection 1 to
develop, promote and coordinate evidence-based programs and
practices:
   (a) In Fiscal Year 2018-2019, 25 percent.
   (b) In Fiscal Year 2019-2020, 50 percent.
   (c) In Fiscal Year 2020-2021, 75 percent.
   (d) In Fiscal Year 2021-2022 and each subsequent fiscal year,
      100 percent.

Sec. 10. 1. On or before September 1, 2017, the Division of
Child and Family Services shall issue a request for proposals to
establish an evidence-based program resource center.

2. The evidence-based program resource center shall:
   (a) Provide technical assistance to the Division of Child and
       Family Services, each department of juvenile services and
       treatment providers to support the implementation and operation
       of evidence-based programs and practices as set forth in the
       strategic plan developed by the Commission pursuant to section 6
       of this act;
   (b) Provide on a statewide basis to persons employed in the
       juvenile justice system training relating to:
       (1) The use of evidence-based programs and practices; and
       (2) The analysis of quality assurance protocols to ensure
           such programs meet the evidence-based standards developed by
           the Commission pursuant to section 6 of this act;
   (c) Act as a clearinghouse for information and statewide
       resources on evidence-based programs and practices for children
       subject to the jurisdiction of the juvenile court;
   (d) Facilitate collaboration among state and local agencies
       and treatment providers to increase access to such providers; and
(e) Provide support for the assessment of the implementation of evidence-based standards by such state and local agencies.

Sec. 11. On or before July 1, 2019, and on or before July 1 of every year thereafter, the Division of Child and Family Services shall submit to the Governor, to the Commission and to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature, a report detailing the Division’s compliance with the evidence-based standards developed by the Commission pursuant to section 6 of this act and an analysis of the data collected based on the performance measures adopted by the Division pursuant to NRS 62H.200.

Sec. 12. The Division of Child and Family Services and each department of juvenile services shall develop and implement a family engagement plan to enhance family engagement in the juvenile justice system. The plan must include strategies for:

1. Increasing the family’s contact with a child subject to the jurisdiction of the juvenile court;
2. Engaging family members in the case plan of a child and in planning meetings for the release of the child from the jurisdiction of the juvenile court;
3. Involving family members in the child’s treatment; and
4. Soliciting the feedback of family members relating to improvements to the services rendered to children subject to the jurisdiction of the juvenile court.

Sec. 13. NRS 62A.010 is hereby amended to read as follows:

62A.010 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 62A.020 to 62A.350, inclusive, and sections 2 and 3 of this act have the meanings ascribed to them in those sections.

Sec. 14. Chapter 62E of NRS is hereby amended by adding thereto the provisions set forth as sections 15, 16 and 17 of this act.

Sec. 15. 1. Beginning on the date selected by the Commission for implementation of the requirement for use of the validated risk assessment tool and the validated mental health screening tool selected pursuant to section 5 of this act, before the disposition of a case involving a child who is adjudicated delinquent, the department of juvenile services shall conduct a validated risk assessment and validated mental health screening on the child, using the tools selected by the Commission. After conducting the mental health screening, if the child appears to be in need of mental health services, the department of juvenile services shall, to the extent money is available, provide for a full mental health assessment of the child.

2. The department of juvenile services shall prepare a report on the results of the risk assessment and mental health screening
conducted pursuant to subsection 1. The report must be included in the child’s file and provided to all parties to the case. The report must identify the child’s risk to reoffend and provide a recommendation for the type of supervision and services that the child needs.

3. The juvenile court shall use the report created pursuant to subsection 2 to assist the juvenile court in determining the disposition of the child’s case.

Sec. 16. 1. The department of juvenile services shall develop a written individualized case plan for each child placed under the supervision of the juvenile court pursuant to a supervision and consent decree, placed under the informal supervision of a probation officer pursuant to NRS 62C.200 or committed to a regional facility for the detention of children. In developing such a case plan, the department of juvenile services must use, without limitation:

(a) The results of the risk assessment and mental health screening conducted pursuant to section 15 of this act;
(b) The trauma, if any, experienced by the child;
(c) The education level of the child;
(d) The seriousness of the offense committed by the child; and
(e) Any relevant information provided by the family of the child.

2. A case plan developed pursuant to subsection 1 must:
(a) Address the risks the child presents and the service needs of the child based on the results of the risk assessment and mental health screening conducted pursuant to section 15 of this act;
(b) Specify the level of supervision and intensity of services that the child needs;
(c) Provide referrals to treatment providers that may address the child’s risks and needs;
(d) Be developed in consultation with the child’s family or guardian, as appropriate;
(e) Specify the responsibilities of each person or agency involved with the child; and
(f) Provide for the full reentry of the child into the community.

3. In addition to the requirements of subsection 2, if a child is committed to a regional facility for the detention of children, the child’s case plan must:
(a) Include a comprehensive plan for complete reentry of the child into the community; and
(b) Be reviewed at least once every 3 months by the department of juvenile services.

4. A reentry plan developed pursuant to subsection 3 must include, without limitation:
(a) A detailed description of the education, counseling and treatment provided to the child;
(b) A proposed plan for the continued education, counseling and treatment of the child upon his or her release;
(c) A proposed plan for the provision of any supervision or services necessary for the transition of the child; and
(d) A proposed plan for any engagement of the child’s family or guardian.

5. The department of juvenile services must update a child’s case plan at least once every 6 months, or when significant changes in the child’s treatment occur, by conducting another risk assessment and mental health screening using the tools selected by the Commission pursuant to section 5 of this act.

6. A reentry planning meeting must be held at least 30 days before a child’s scheduled release from a regional facility for the detention of children. As appropriate, based on the child’s case plan, the meeting should be attended by:

   (a) The child;
   (b) A family member or the guardian of the child;
   (c) The child’s probation officer;
   (d) Members of the staff of the regional facility for the detention of children; and
   (e) Any treatment providers of the child.

Sec. 17. 1. The Division of Child and Family Services shall develop a length of stay matrix and establish release criteria for a state facility for the detention of children that are based on a child’s risk of reoffending, as determined by the risk assessment for the child, the seriousness of the act for which the child was adjudicated delinquent and the child’s progress in meeting treatment goals. In making release and discharge decisions, the Division shall use the matrix and release criteria developed pursuant to this subsection.

2. The Division of Child and Family Services shall develop a written individualized case plan for each child committed to the custody of the Division pursuant to NRS 62E.520. In developing such a case plan, the Division must use, without limitation:

   (a) The results of the risk assessment and mental health screening conducted pursuant to section 15 of this act;
   (b) The trauma, if any, experienced by the child;
   (c) The education level of the child;
   (d) The seriousness of the offense committed by the child;
   (e) The child’s progress in meeting treatment goals; and
   (f) Any relevant information provided by the family of the child.

3. A case plan developed pursuant to subsection 2 must:
(a) Address the risks the child presents and the service needs of the child based on the results of the risk assessment and mental health screening conducted pursuant to section 15 of this act;

(b) Specify the level of supervision and services that the child needs;

(c) Provide referrals to treatment providers that may address the child’s risks and needs;

(d) Be developed in consultation with the child’s family or guardian, as appropriate;

(e) Specify the responsibilities of each person or agency involved with the child; and

(f) Provide for the full reentry of the child into the community.

4. In addition to the requirements of subsection 3, if a child is committed to a state facility for the detention of children, the child’s case plan must:

(a) Include a comprehensive plan for complete reentry of the child into the community; and

(b) Be reviewed at least once every 3 months by the Division of Child and Family Services.

5. A reentry plan developed pursuant to subsection 4 must include, without limitation:

(a) A detailed description of the education, counseling and treatment provided to the child;

(b) A proposed plan for the continued education, counseling and treatment of the child upon his or her release;

(c) A proposed plan for the provision of any supervision or services necessary for the transition of the child; and

(d) A proposed plan for any engagement of the child’s family or guardian.

6. The Division of Child and Family Services must update a child’s case plan at least once every 6 months, or when significant changes in the child’s treatment occur, by conducting another risk assessment and mental health screening using the tools selected by the Commission pursuant to section 5 of this act.

7. A reentry planning meeting must be held at least 30 days before a child’s scheduled release from a state facility for the detention of children. As appropriate, based on the child’s case plan, the meeting should be attended by:

(a) The child;

(b) A family member or the guardian of the child;

(c) The child’s probation officer;

(d) The superintendent of the state facility for the detention of children; and

(e) Any treatment providers of the child.
Sec. 18. NRS 62E.110 is hereby amended to read as follows:

62E.110 1. Except as otherwise provided in this chapter, the juvenile court may:
   (a) Place a child in the custody of a suitable person for supervision in the child’s own home or in another home; or
   (b) Commit the child to the custody of a public or private institution or agency authorized to care for children.

2. If the juvenile court places the child under supervision in a home:
   (a) The juvenile court may impose such conditions as the juvenile court deems proper; and
   (b) The program of supervision in the home may include electronic surveillance of the child.

3. If the juvenile court commits the child to the custody of a public or private institution or agency, the juvenile court shall select one that is required to be licensed by:
   (a) The Department of Health and Human Services to care for such children; or
   (b) If the institution or agency is in another state, the analogous department of that state.

4. If the juvenile court commits the child to the custody of either a state facility for the detention of children or a public or private institution or agency in another state, the court must make a record in the child’s court file that:
   (a) No public or private institution or agency in this State met the needs of the child or that such an institution or agency had previously attempted to meet such needs and proved unsuccessful; and
   (b) Reasonable efforts had been made to consult with public or private institutions and agencies in this State to place or commit the child in this State, and that those efforts had failed.

Sec. 19. NRS 62E.500 is hereby amended to read as follows:

62E.500 1. The provisions of NRS 62E.500 to 62E.730, inclusive, and sections 15, 16 and 17 of this act:
   (a) Apply to the disposition of a case involving a child who is adjudicated delinquent.
   (b) Except as otherwise provided in NRS 62E.700 and 62E.705, do not apply to the disposition of a case involving a child who is found to have committed a minor traffic offense.

2. If a child is adjudicated delinquent:
   (a) The juvenile court may issue any orders or take any actions set forth in NRS 62E.500 to 62E.730, inclusive, and sections 15, 16 and 17 of this act that the juvenile court deems proper for the disposition of the case; and
(b) If required by a specific statute, the juvenile court shall issue
the appropriate orders or take the appropriate actions set forth in the
statute.

Sec. 20. NRS 62E.513 is hereby amended to read as follows:

62E.513 1. Each child who is adjudicated delinquent and committed by the juvenile court to a regional facility for the detention of children or state facility for the detention of children or ordered by the juvenile court to be placed in a facility for the detention of children pursuant to NRS 62E.710 must be screened to determine whether the child is in need of mental health services or is an abuser of alcohol or drugs [*once every 6 months or when significant changes to the child’s case plan developed pursuant to section 16 or 17 of this act, as applicable, are made.*]

2. The facility to which the child is committed or in which the child is placed shall cause the screening required pursuant to subsection 1 to be conducted as soon as practicable after the child has been committed to or placed in the facility.

3. The method for conducting the screening required pursuant to subsection 1 must satisfy the requirements of NRS 62E.516.

Sec. 21. NRS 62E.516 is hereby amended to read as follows:

62E.516 1. Each local facility for the detention of children [and regional facility for the detention of children] shall conduct the screening required pursuant to NRS 62C.035 [and 62E.513] using a method that has been approved by the Division of Child and Family Services. The Division shall approve a method upon determining that the method is:

(a) Based on research; and

(b) Reliable and valid for identifying a child who is in need of mental health services or who is an abuser of alcohol or other drugs.

2. Each local facility for the detention of children [and regional facility for the detention of children] shall submit its method for conducting the screening required pursuant to NRS 62C.035 [and 62E.513] to the Division of Child and Family Services for approval on or before July 1 of each fifth year after the date on which the method was initially approved by the Division. Before a local facility for the detention of children [or regional facility for the detention of children] may begin using a new method for conducting the screening required pursuant to NRS 62C.035 [and 62E.513], the facility must obtain approval of the method from the Division pursuant to subsection 1.

3. If the Division of Child and Family Services does not approve a method for conducting the screening required pursuant to NRS 62C.035 [and 62E.513] that is submitted by a local facility for the detention of children [or a regional facility for the detention of children] and the facility does not submit a new method for
conducting the screening for approval within 90 days after the 
denial, the Division of Child and Family Services shall notify the 
appropriate board of county commissioners or other governing body 
which administers the facility and the chief judge of the appropriate 
judicial district that the facility has not received approval of its 
method for conducting the screening as required by this section. 
4. Upon receiving the notice required by subsection 3, the 
appropriate board of county commissioners or governing body and 
the chief judge shall take appropriate action to ensure that the 
facility complies with the requirements of this section and NRS 
62C.035, [and 62E.513].
5. Each regional facility for the detention of children shall 
conduct the screening required pursuant to NRS 62E.513 using 
the assessment tool that has been approved by the Commission 
pursuant to section 5 of this act.
6. Each state facility for the detention of children shall use [a 
method] the assessment tool for conducting the screening required 
pursuant to NRS 62E.513 [that satisfies] selected by the 
requirements of paragraphs (a) and (b) Commission pursuant to 
section 5 of [subsection 1. The Division of Child and Family 
Services shall review the method used by each state facility for the 
detention of children at least once every 5 years to ensure the 
method used by the facility continues to satisfy the requirements of 
paragraphs (a) and (b) of subsection 1. 
7. The Division of Child and Family Services shall adopt such 
regulations as are necessary to carry out the provisions of this 
section and NRS 62C.035 and 62E.513, including, without 
limitation, regulations prescribing the requirements for:
(a) Transmitting information obtained from the screening 
conducted pursuant to NRS 62C.035 and 62E.513; and 
(b) Protecting the confidentiality of information obtained from 
such screening.
Sec. 22. Chapter 62H of NRS is hereby amended by adding 
thereto a new section to read as follows:
1. The Division of Child and Family Services shall annually 
analyze the information submitted to the Division pursuant to 
NRS 62H.210 to determine:
(a) Juvenile justice system trends, including, without 
limitation, referrals to the juvenile justice system, diversion and 
disposition of cases, levels of supervision provided to children, 
placement of children and programs and services offered to children;
(b) Whether children of racial or ethnic minorities or children from economically disadvantaged backgrounds are receiving disparate treatment in the juvenile justice system;
(c) The effectiveness of the different levels of supervision in the juvenile justice system;
(d) The effectiveness of services provided by the juvenile justice system, including, without limitation, the effectiveness of the evidence-based standards developed by the Commission pursuant to section 6 of this act; and
(e) The rates of recidivism for children either supervised by local juvenile probation departments or committed to the Division.
2. On or before January 31 of each year, the Division shall submit to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report detailing the information compiled pursuant to subsection 1.

Sec. 23. NRS 62H.025 is hereby amended to read as follows:

62H.025 1. Juvenile justice information is confidential and may only be released in accordance with the provisions of this section or as expressly authorized by other federal or state law.

2. For the purpose of ensuring the safety, permanent placement, rehabilitation, educational success and well-being of a child or the safety of the public, a juvenile justice agency may release juvenile justice information to:
   (a) A director of juvenile services or his or her designee;
   (b) The Chief of the Youth Parole Bureau or his or her designee;
   (c) The Chief Parole and Probation Officer or his or her designee;
   (d) The Director of the Department of Corrections or his or her designee;
   (e) A district attorney or his or her designee;
   (f) An attorney representing the child;
   (g) The director, chief or sheriff of a state or local law enforcement agency or his or her designee;
   (h) The director of a state or local agency which administers juvenile justice or his or her designee;
   (i) A director of a state, regional or local facility for the detention of children or his or her designee;
   (j) The director of an agency which provides child welfare services or his or her designee;
   (k) The director of an agency which provides mental health services or his or her designee;
   (l) A guardian ad litem or court appointed special advocate who represents the child;
   (m) A parent or guardian of the child;
The child to whom the juvenile justice information pertains if the child has reached the age of majority, or a person who presents a release that is signed by the child who has reached the age of majority and which specifies the juvenile justice information to be released and the purpose for the release;

(o) A school district, if the juvenile justice agency and the school district have entered into a written agreement to share juvenile justice information for a purpose consistent with the purposes of this section;

(p) A person or organization who has entered into a written agreement with the juvenile justice agency to provide assessments or juvenile justice services;

(q) A person engaged in bona fide research that may be used to improve juvenile justice services or secure additional funding for juvenile justice services if the juvenile justice information is provided in the aggregate and without any personal identifying information; or

(r) A person who is authorized by a court order to receive the juvenile justice information, if the juvenile justice agency was provided with notice and opportunity to be heard before the issuance of the order.

3. A juvenile justice agency may deny a request for juvenile justice information if:

(a) The request does not, in accordance with the purposes of this section, demonstrate good cause for the release of the information; or

(b) The release of the information would cause material harm to the child or would prejudice any court proceeding to which the child is subject.

A denial pursuant to this subsection must be made in writing to the person requesting the information not later than 5 business days after receipt of the request.

4. Any juvenile justice information provided pursuant to this section may not be used to deny a child access to any service for which the child would otherwise be eligible, including, without limitation:

(a) Educational services;

(b) Social services;

(c) Mental health services;

(d) Medical services; or

(e) Legal services.

5. Except as otherwise provided in this subsection, any person who is provided with juvenile justice information pursuant to this section and who further disseminates the information or makes the
information public is guilty of a gross misdemeanor. This subsection
does not apply to:
   (a) A district attorney who uses the information solely for the
       purpose of initiating legal proceedings; or
   (b) A person or organization described in subsection 2 who
       provides a report concerning juvenile justice information to a court
       or other party pursuant to this title or chapter 432B of NRS.
6. As used in this section:
   (a) “Juvenile justice agency” means the Youth Parole Bureau or
       a director of juvenile services.
   (b) “Juvenile justice information” means any information which
       is directly related to a child in need of supervision, a delinquent
       child or any other child who is otherwise subject to the jurisdiction
       of the juvenile court.
Sec. 24. NRS 62H.200 is hereby amended to read as follows:
62H.200 1. The Division of Child and Family Services shall:
   (a) Establish a standardized system for the reporting, collection,
       analysis, maintenance and retrieval of information concerning
       juvenile justice in this State.
   (b) Be responsible for the retrieval and analysis of the categories
       of information contained in the standardized system and the
       development of any reports from that information.
   (c) Adopt such regulations as are necessary to carry out the
       provisions of this section, including requirements for the transmittal
       of information to the standardized system from the juvenile courts,
       local juvenile probation departments and the staff of the youth
       correctional services, as directed by the Department of Health and
       Human Services.
   (d) Adopt such regulations as are necessary to implement the
       performance measures and evidence-based standards developed by
       the Commission pursuant to sections 5 and 6 of this act.
2. Each juvenile court and local juvenile probation department
   and the staff of the youth correctional services, as directed by the
   Department of Health and Human Services, shall comply with the
   regulations adopted pursuant to this section.
3. The Division of Child and Family Services may withhold
   state money from a juvenile court or department of juvenile
   services that does not comply with the regulations adopted
   pursuant to this section. If money is withheld, the Division shall:
   (a) Notify the department of juvenile services of the specific
       provisions of the regulations adopted pursuant to this section with
       which the department is not in compliance; and
   (b) Require the department of juvenile services to submit a
       corrective action plan to the Division within 60 days after
       receiving such a notice of noncompliance.
Sec. 25. NRS 62H.210 is hereby amended to read as follows:

62H.210 1. Except as otherwise provided in subsection 3, the standardized system established pursuant to NRS 62H.200 must collect, categorize and maintain the following information from the juvenile courts, local juvenile probation departments, the staff of regional facilities for the detention of children and the staff of the youth correctional services, as directed by the Department of Health and Human Services, regarding each child referred to the system of juvenile justice in this State:

(a) [A unique number] Any unique identifying information assigned to the child; [for identification;]
(b) Basic demographic information regarding the child, including, but not limited to:
   (1) The age, sex and race or other ethnic background of the child;
   (2) The composition of the household in which the child resides; and
   (3) The economic and educational background of the child;
(c) The charges for which the child is referred, including, without limitation, any charges of violations of probation or parole;
(d) The dates of any detention of the child;
(e) The nature of the disposition of each referral of the child, and the charges set forth in those petitions; [and]
(g) The disposition of any petitions filed regarding the child, including any applicable findings;
(h) The assessed risks and needs of the child;
(i) The supervision of the child, including, without limitation, whether the child was placed in a residential facility; and
(j) Any programs and services provided to the child.

2. In addition to the information required pursuant to subsection 1 and except as otherwise provided in subsection 3, the Department of Health and Human Services shall require the staff of regional facilities for the detention of children and the staff of the youth correctional services to collect and transmit the following information to the standardized system regarding each child committed to or otherwise placed in the custody of the Division of Child and Family Services:
(a) A record of each placement of the child, including, but not limited to, the location and period of each placement and the programs and services provided to the child during each placement;
(b) Any disciplinary action taken against the child during the child’s placement;
(c) Any education or vocational training provided to the child during the child’s placement and the educational and employment status of the child after release of the child on parole;
(d) The dates of each release of the child, including any release of the child on parole;
(e) If the child is released on parole, the period of each release and the services provided to the child during each release; and
(f) The nature or reason for each discharge of the child from the custody of the regional facility for the detention of children or the Division of Child and Family Services.

3. The information maintained in the standardized system must not include the name or address of any person.

Sec. 26. Chapter 63 of NRS is hereby amended by adding thereto a new section to read as follows:

The Youth Parole Bureau shall establish policies and procedures to be used by parole officers and juvenile courts in determining the most appropriate response to a child’s violation of the terms and conditions of his or her parole. The policies and procedures must:

1. Establish a sliding scale based on the severity of the violation to determine the appropriate response to the child;
2. Require that a response to a child’s violation of the terms and conditions of his or her parole timely take into consideration:
   (a) The risk of the child to reoffend, as determined by the results of a risk and needs assessment;
   (b) The previous history of violations of the child;
   (c) The severity of the current violation of the child;
   (d) The child’s case plan; and
   (e) The previous responses by the child to past violations; and
3. Include incentives that encourage compliance with the terms and conditions of a child’s parole.

Sec. 27. NRS 63.715 is hereby amended to read as follows:

63.715 1. A county that receives approval to carry out the provisions of NRS 63.700 to 63.780, inclusive, and section 26 of this act and an exemption from the assessment imposed pursuant to NRS 62B.165 shall:
(a) Carry out the provisions of NRS 63.700 to 63.780, inclusive, and section 26 of this act; and
(b) Appoint a person to act in the place of the Chief of the Youth Parole Bureau in carrying out those provisions.
2. When a person is appointed by the county to act in the place of the Chief of the Youth Parole Bureau pursuant to subsection 1, the person so appointed shall be deemed to be the Chief of the
Youth Parole Bureau for the purposes of NRS 63.700 to 63.780, inclusive, and section 26 of this act.

Sec. 28. NRS 63.770 is hereby amended to read as follows:

1. A petition may be filed with the juvenile court to request that the parole of a child be suspended, modified or revoked.
2. Pending a hearing, the juvenile court may order that the child be held in the local or regional facility for the detention of children.
3. If the child is held in a local or regional facility for the detention of children pending a hearing, the Youth Parole Bureau may pay all actual and reasonably necessary costs for the confinement of the child in the local or regional facility to the extent that money is available for that purpose.
4. If requested, the juvenile court shall allow the child reasonable time to prepare for the hearing.
5. The juvenile court shall render a decision within 10 days after the conclusion of the hearing.
6. The juvenile court shall adhere to the policies and procedures adopted by the Youth Parole Bureau pursuant to section 26 of this act when rendering a decision pursuant to this section.

Sec. 29. NRS 63.780 is hereby amended to read as follows:

1. The Chief of the Youth Parole Bureau may recommend to the juvenile court that a child’s parole be revoked and that the child be committed to a facility only if the Chief or his or her designee has determined that:
   (a) The child poses a risk to public safety, and the policies and procedures adopted by the Youth Parole Bureau pursuant to section 26 of this act recommend such a revocation; or
   (b) The other responses set forth in such policies and procedures would not be appropriate for the child.
2. The Chief of the Youth Parole Bureau may not recommend to the juvenile court that a child’s parole be revoked and that the child be committed to a facility unless the superintendent of the facility determines that:
   (a) There is not adequate room or resources in the facility to provide the necessary care;
   (b) There is not adequate money available for the support of the facility; or
   (c) The child is not suitable for admission to the facility.

Sec. 30. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.
Sec. 31. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 32. The Governor shall appoint the members of the Juvenile Justice Oversight Commission on or before September 1, 2017.

Sec. 33. NRS 62H.230 is hereby repealed.

Sec. 34. 1. This section and sections 1 to 32, inclusive, of this act become effective on July 1, 2017.

2. Section 33 of this act becomes effective on July 1, 2018.

TEXT OF REPEALED SECTION

62H.230 Probation departments to analyze information submitted to standardized system annually and compile reports concerning disparate treatment of children; Division of Child and Family Services to publish reports annually.
1. On or before January 31 of each year, each local juvenile probation department shall:
   (a) Analyze the information it submitted to the standardized system during the previous year pursuant to NRS 62H.210 to determine whether children of racial or ethnic minorities and children from economically disadvantaged homes are receiving disparate treatment in the system of juvenile justice in comparison to the general population;
   (b) As necessary, develop appropriate recommendations to address any disparate treatment; and
   (c) Prepare and submit to the Division of Child and Family Services a report which includes:
       (1) The results of the analysis it conducted pursuant to paragraph (a); and
       (2) Any recommendations it developed pursuant to paragraph (b).
2. The Division of Child and Family Services shall annually:
   (a) Compile the reports it receives pursuant to subsection 1; and
   (b) Publish a document which includes a compilation of the reports.