

STATE OF MAINE
BYLAWS
OF THE
JUVENILE JUSTICE ADVISORY GROUP

ARTICLE I - NAME, AUTHORITY AND RESPONSIBILITIES

Section 1 Name

The name of the Advisory Group created in Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, (hereinafter designated as “Act”) and established by Executive Order 16 FY 81/82 shall be the “Juvenile Justice Advisory Group” (hereinafter designated as the “JJAG”).

Section 2 Authority and Responsibility

Section 223(a)(3) of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, requires each state to establish a State Advisory Group, appointed by the chief executive of the State. Maine’s advisory group, the JJAG, serves a supervisory role and has overall responsibility to develop and approve the State’s juvenile justice plan and to implement that plan.

In addition, the Juvenile Justice Advisory Group (JJAG) shall:

- A. Submit to the Governor and the Legislature, at least annually, recommendations with respect to matters related to its functions, including State compliance with the requirements of the Act;
- B. Review and approve or disapprove all juvenile justice and delinquency prevention subgrant applications submitted to the Juvenile Justice Advisory Group;
- C. Monitor State compliance with the requirements of the Act;
- D. Develop more effective education, training, research, prevention, diversion, treatment and rehabilitation programs in the area of juvenile delinquency and improvement of the juvenile justice system;
- E. Review the progress and accomplishments of juvenile justice and delinquency prevention projects funded under the State plan;
- F. Regularly seek comments and opinions from juveniles currently under the jurisdiction of the juvenile justice system;

- G. Develop programs and systems to facilitate the sharing of information about juvenile justice issues between organizations, agencies, and individuals, while recognizing and protecting the privacy rights of juveniles; and
- H. Provide education, advice, recommendations to, and advocacy before, organizations that impact the juvenile justice system.
- I. Develop, annually, the State Comprehensive Plan for Juvenile Justice and Delinquency Prevention
- J. Shall provide representation on other state-wide committees or boards to coordinate efforts with other agencies related to juvenile Justice and delinquency prevention.

ARTICLE II – MEMBERSHIP

Section 1 Composition

The JJAG membership (collectively sometimes referred to hereafter as the Board) shall consist of not less than fifteen (15) and not more than thirty-three (33) persons who have training, experience or special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice...

- A. The appointees to the JJAG shall include:
 - 1. Locally elected officials, representatives of units of local government, law enforcement and juvenile justice agencies such as: law enforcement, corrections or probation personnel, and juvenile court judges.
 - 2. Representatives of public agencies concerned with delinquency prevention or treatment such as welfare, social services, mental health, education or youth services departments;
 - 3. Representatives of private organizations concerned with delinquency prevention or treatment; concerned with neglected or dependent children; concerned with the quality of juvenile justice, education or social services for children;
 - 4. Representatives of public/private agencies that utilize volunteers to work with delinquents or potential delinquents;
 - 5. Representatives of community-based delinquency prevention or treatment programs;
 - 6. Representatives of business groups and businesses employing youth;
 - 7. Representatives of youth workers involved with alternative youth programs;
 - 8. Representatives with special experience and competency in addressing the problems of school violence and vandalism;

9. Representatives with special experience with the problems of learning disabilities;
10. The Commissioners of the Departments of Corrections, Education, Health and Human Services, and Public Safety, or their designee, shall be ex-officio, voting members of the Juvenile Justice Advisory Group.
 - a. Ex-officio members may, at their discretion, delegate their authority as members to a properly designated representative who shall have the same powers as that member. No designee other than the person so designated in writing shall have the power to vote; any designee may speak on an issue before the Board.
 - b. A proper delegation of authority to a representative of an ex-officio member shall identify that representative by name, in writing, and shall specify the period of the delegation.
11. At least one-fifth of the JJAG shall be under the age of 24 at the time of appointment and at least three (3) of the youth members shall have been or shall currently be under the jurisdiction of the juvenile justice system.
12. A majority of the members of the JJAG, including the chair and vice-chair, shall not be full-time employees of the Federal, State, or local government.

Section 2 Appointment, Terms, and Compensation

JJAG members shall be appointed by the Governor for terms of four years or until a successor is appointed and shall be eligible for reappointment at the discretion of the Governor. Members appointed to fill an unexpired term shall serve until the expiration date of that term or until a successor is appointed.

Members of the JJAG shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred in carrying out their duties.

Section 1 Officers

A. Chair

A Board Chair shall be elected by and from the membership of the JJAG. The Chair shall not be a full-time employee of the Federal, State, or local government. Elections shall be held at the regularly scheduled meeting in June, unless the members designate a different date, which date shall be no later than October of the year in which the election would otherwise have been held. The elective term of the Chair shall be for the duration of twenty-four calendar months. The Chair may serve for more than one term, subject only to the election process of the JJAG.

1. The Chair shall preside at all meetings of the JJAG and of the Executive Committee and shall serve as an ex-officio member of all other committees.

2. The Chair shall appoint all committees and their Chairs and Vice-Chairs with the approval of the JJAG.

B. Vice-Chair

A Vice-Chair of the Board shall be elected by and from the membership of the JJAG to serve in the absence, inability, or resignation of the Chair. The Vice-Chair shall not be a full-time employee of Federal, State, or local government. Elections shall be held at the regularly scheduled meeting in June unless the members designate a different date, which date shall be no later than October of the year in which the election would otherwise have been held. The elective term of the Vice-Chair shall be for the duration of twenty-four calendar months. The Vice-Chair may serve more than one term, subject only to the elective process of the JJAG.

C. Secretary

The Secretary shall be appointed by the Chair for a term of 24 months. The Secretary shall be responsible for ensuring that minutes are kept of the meetings of the JJAG regular and Executive Committee meetings and ensuring that those minutes are made available to the Board. Staff shall be responsible for taking minutes. The staff shall forward the minutes of the meeting to JJAG members no later than seven days prior to the next JJAG meeting, which requirement may be waived by the membership of the JJAG at a subsequent meeting. The minutes shall be submitted to the JJAG membership for approval at the next meeting. Copies of the minutes shall be promptly sent to anyone who requests them after they have been approved by the JJAG.

D. Other Officers

The Chair, with the consent of JJAG membership, may appoint any other officers or assistants as may be needed.

Section 2 Committee Structure

A. Standing Committees

The JJAG shall maintain the following Standing Committees:

1. Systems Improvement

To assess the systems within the child-serving agencies, both within and outside of government, and support changes which will improve the quality of services available to children who are currently involved, or likely to be involved in the juvenile justice system.

2. Legislative

To review legislation proposed by members of the Legislature, provide information to the JJAG about that legislation, and to provide education and support to members of the legislature with regard to any such legislation.

3. Marketing and Outreach

To steward the JJAG brand and image, assuring that the JJAG has internal and external marketing and communication initiatives that target specific stakeholders and that our goals are consistent with clearly defined objectives to enhance the reputation and recognition of JJDPA and to educate stakeholders such as legislators, Judges, other government agencies, public organizations, law enforcement, juveniles at risk and parents to bolster public support for and engagement with our mission of service to young people at risk.

4. Training and Education

To develop a message on the importance of delinquency prevention with a focus on law enforcement, assessments, and promising practices and to establish training opportunities like a youth summit or state conferences on topics such as adolescent brain development and positive youth development.

5. Youth Engagement

To identify and increase youth participation, develop strategies to keep youth engaged and involved on the JJAG, and to develop solutions to barriers that may inhibit youth retention. The committee shall make every effort to include members under the age of 24 years.

6. Disproportionate Minority Contact

To monitor the interaction between the components of the juvenile justice system and juveniles of color, and to design, support programs and initiatives that will reduce the level of contact between juveniles of color and the juvenile justice system, particularly where there appears to be disproportionate contact.

7. Nominating Committee

To review JJAG membership to ensure compliance with the Act and Bylaws of the JJAG.

To recruit, screen and recommend appropriate candidates for the Board.

To recruit and recommend to the Board the JJAG Chair, Vice Chair and at-large seats on the Executive Committee.

To provide orientation and training to new board members.

B. Appointment

The members of each Standing Committee shall be designated annually by the Chair. The Committee Chair and committee Vice Chair of each committee shall be appointed by the Chair of the JJAG with the consent of the JJAG membership.

C. Membership

1. Each JJAG member shall be assigned to at least one Standing Committee.

2. Each JJAG members shall participate in an Orientation as established by the Juvenile Justice Specialist, in consultation with the JJAG.

D. Responsibilities

1. The Standing Committees shall be responsible for the initial duties and work of the JJAG as set out in Section 2 of Article I, herein.
2. The Chair of a committee shall be responsible for the scheduling of regular meetings of the committee, and shall preside over the committee meetings.
3. The Committee Chair and Vice Chair may invite qualified experts and other interested parties to provide input to and participate in the Committee work, but any such persons will not be voting members and will serve at the pleasure of the Committee Chair.
4. The Committee Chair shall be responsible for the taking of meeting minutes, which responsibility may be delegated. The minutes of each committee meeting shall be provided to members of the committee prior to the next meeting of the committee, at which time they shall be considered for approval.
5. Minutes of the Committee meetings shall be provided to the Juvenile Justice Specialist and JJAG Chair.
6. Minutes of the committee meetings will be ratified by the full body of the JJAG before being made available to the public. Electronic minutes of the meeting will be available to the full JJAG after review by the Committee.

E. Meetings

1. Committee meetings shall be scheduled and held no less than four times annually.
2. Members may participate in meetings in person or by telephone or other electronic media, provided that each member who participates must be able to hear each other member when (s)he speaks.
3. At the direction of the Committee Chair, votes may be held by electronic means in accord with the provisions of Article IV, Section 4, hereinbelow.
4. Committee meetings are open to all members of the JJAG, but only members of the committee may vote on committee business.

F. Cancelations due to weather

Meetings will be cancelled if the Portland and/or Augusta schools are closed or if State offices in Augusta are closed. Notice shall be posted on WSCH television, and such other media as the Chair shall designate.

G. Stipends and Reimbursements

1. Stipends may be offered for attending a meeting, training or program if (s)he is:
 - i. JJAG youth member,
 - ii. A JJAG Committee Member who is under age 24 and who is not a JJAG member but who, at the request of the Chair of the JJAG or a Committee Chair has participated in a meeting, training or program. Any such recommendation must be approved by the Executive Committee and would only be offered in an amount approved for actual participation. Prior to any payment for a non-JJAG committee member, written certification of participation by the Committee Chair must be forwarded to and received by the Juvenile Justice Specialist.
2. After a formal vote, a committee may recommend to the Executive Committee the expenditure of funds for the reimbursement of fees and expenses for mileage, travel registration and other costs directly related to trainings and programs directly related to the mission of the JJAG. Reimbursement may be approved for members of the JJAG and individuals who are not formal members of the JJAG, but who are active, contributing members of a JJAG committee. The Executive Committee shall review the recommendation and may approve or reject any part or all of the recommendation; no funds shall be expended without the approval of the Executive Committee.

H. Executive Committee

1. The Executive Committee of the JJAG shall consist of the Chair and Vice-Chair of the JJAG; the Immediate Past Board Chair, the Chair of each committee; and two other at-large members elected by the JJAG.
2. Elections for the at-large members shall be held bi-annually at the meeting in which the Chair and Vice-Chair are elected.
3. The term of the Executive Committee membership shall be twenty-four calendar months. An Executive Committee member may serve for more than one term, subject to the elective process of the JJAG.
4. If a member of the Executive Committee is unable or unwilling to serve on the Executive Committee, upon the written request of that member, the Chair shall remove the member from the Executive Committee and the Chair shall appoint a new member to serve the balance of the term.
5. Five members of the Executive Committee shall constitute a quorum.
6. Except when the Chair determines that immediate action is required, the JJAG membership shall be notified of the scheduling of an Executive Committee meeting no less than seven days prior to the meeting. When the Chair determines that said notice is not feasible, the JJAG membership shall be notified of the meeting as soon as is practicable, and shall be provided with a summary of the actions taken and matters discussed by the committee, if the meeting has already been held.

I. The Executive Committee shall:

1. Develop policies, goals, and objectives for the JJAG relying in part on research in the field of juvenile justice. Goals, policies and objectives shall be submitted to the JJAG membership for review and approval.
2. Advise the JJAG on matters of policy and procedure and shall perform such other duties as the JJAG assigns to it.
3. Advise the JJAG on matters of policy and procedure and shall perform such other duties as the JJAG assigns to it.
4. Meet at such times and places as the Chair shall determine. If the Chair and Vice-Chair are absent from the meeting, the Chair shall appoint one of the members to preside at that meeting.
5. Meet after each regular JJAG meeting and on the 4th Friday of each month, or as designated by the Chair. In order to satisfy the monthly meeting needs the Executive Committee may choose to use ITV, conference calls, Skype or some other form of technology in addition to or in place of a face to face meeting.
6. Any member may request an emergency meeting at any time. There is an obligation to inform the JJAG of any such meetings seven days in advance.
7. Have the power to act for the JJAG between meetings. However, any such action shall be subject to ratification by the JJAG at the next regularly scheduled meeting.
8. Be responsible for the annual calendar of activities.
9. Act in an advisory capacity to the Specialist on JJAG finances.
10. Work directly with the Commissioner of Corrections or designee in providing guidance and direction for JJAG related staff needs as provided by the Juvenile Justice Specialist and staff.
11. Evaluate jointly with the Commissioner of Corrections or designee the performance of the Juvenile Justice Specialist. The overall reviewer will be the Commissioner of Corrections or, in that person's absence, the designee.
12. Advise the Department of Corrections of the filling of any vacancy in the Juvenile Justice Specialist position. The process will involve usual Department of Corrections policies and procedures as well as those of the Department of Administrative and Financial Services Bureau of Human Resources.
13. Attend conferences and other trainings to keep current on contemporary matters relating to the JJAG responsibilities and goals.

14. Shall address imminent and urgent matters requiring immediate action. The JJAG will be informed of such decisions.

J. Special Committees

1. Appointment

The JJAG or the Chair may, from time to time, create special committees and the Chair shall appoint a chair of any such committee or task force, subject to the consent of the JJAG membership.

2. Responsibilities

Any such committee or task force shall exercise the powers delegated to it by the JJAG and these Bylaws. Any such committee or task force shall also have such other powers and duties as delegated to it by the Chair. Committee reports and recommendations shall be submitted to the Chair within the time prescribed, and they shall be advisory only.

K. Conflict of Interest

- A. A member of the JJAG shall reveal his/her interest in and shall abstain from voting upon any proposal or project involving grant-in-aid funds where, to his/her knowledge, he/she or a related person directly or indirectly may derive a monetary benefit from such proposal.
- B. When a proposal is before the JJAG that would grant money or confer benefits upon an organization or agency, public or voluntary, that employs a member of the JJAG, that member shall not participate in the discussion thereon, and shall not vote to approve or deny the proposal.
- C. When a proposal is before the JJAG that would grant money or confer benefits upon an organization or department, public or voluntary, that has an officer or director of its governing board who is a member of the JJAG, that member shall not participate in the discussion thereon, and shall not vote to approve or deny that proposal.

ARTICLE IV – MEETINGS OF THE BOARD

Section 1 Regular Meetings

- A. The membership of the JJAG shall meet no fewer than four times each calendar year. Meetings of the JJAG Board shall be held at a location and time to be determined by the Chair and approved by the membership. The Chair shall have the discretion to cancel or reschedule any regular meeting by written notice within a reasonable time prior to the meeting. JJAG members shall be notified of the time and place of all such meetings at least seven days prior to the meeting date.

- B. The Chair shall be responsible for the preparation and distribution of the agenda for all JJAG meetings. The agenda shall be provided to JJAG members not less than seven days in advance of scheduled meetings, and shall be posted on the JJAG website.
- C. Minutes shall be kept of all regular and special JJAG meetings. The minutes shall indicate the items discussed and any action taken. The JJAG minutes shall be sent to all JJAG members by surface or electronic mail or in such other format as is agreed upon by the membership of the JJAG. Those minutes shall be provided to JJAG members prior to the next JJAG meeting, at which time they shall be considered for approval.

Section 2 Special Meetings

Special meetings of the JJAG may be called at the discretion of the Chair or by a written request of at least five JJAG members. An agenda, together with a notice of the time and place of any such meeting, must be provided the JJAG members at least seven days in advance. Only matters contained in the agenda shall be voted on at any special meeting. The Chair shall have the discretion to cancel any special meeting, provided that such meetings called by the members of the JJAG, be canceled only with their consent.

At the discretion of the Chair, Any special meeting may be held using ITV, conference calls, Skype or some other form of technology in addition or in place of a face to face meeting, provided that each member who participates must be able to hear each other member when (s)he speaks.

The Chair shall assure that the minutes of any special meeting are made available to the Board as soon as is practicable, following the meeting.

Section 3 Quorum

One-third of the JJAG members shall constitute a quorum at meetings of the full JJAG.

- A. No business shall be transacted at a meeting of the Group unless a quorum is present, except that discussions of pending matters may take place provided that no action is taken thereon.
- B. A member may be represented at a meeting by a personal representative. Such personal representative may speak on behalf of the member but may not vote on behalf of the member and shall not be counted in the determination of a quorum.

Section 4 Actions by the JJAG

After a quorum is announced, a majority of those members voting (defined as to those who cast “yes” or “no” votes) on a motion shall be sufficient to pass the motion and make it the official act of the JJAG. At the request of any member the Chair shall hold a roll call vote on any motion. The votes on any motion to approve, deny, or postpone consideration of a proposal for

grant funds shall require a roll call vote. The minutes shall reflect the results of each roll call vote.

If the Chair determines that action by the JJAG is required, which action for good cause cannot be postponed to the next meeting of the JJAG, the Chair may authorize the Specialist to conduct a vote by email or fax and such a final vote shall be binding, provided that a quorum of members participates by registering a vote. This process may not be used in connection with any action related to funding programs or funding JJAG operations. Unless otherwise provided, electronic/fax voting responses will be “Yes”, “No”, or “Abstain”, and shall have a set number of days, no less than 5, beyond which the response will not be counted. If a member fails to respond, that member’s vote shall be recorded as “No Response”. The proposed action shall be adopted if a majority of the members participating vote “Yes”.

Section 5 Public Meetings

Meetings and records of the JJAG shall be open to the public. Meetings which are required to be open to the general public shall be preceded by a listing in the Legislative Calendar (1) one week prior to the meeting specifying the time and place of the meeting in accordance with MRS Title1: §403.

Section 6 Attendance

A member who is absent from a meeting shall be responsible for notifying the Chair or the Juvenile Justice Specialist of the reason for that absence. The Chair shall determine in his or her own discretion, whether the reason constitutes good cause for the absence. The Chair may recommend to the Governor the replacement of any member who is absent without good cause, for three (3) consecutive regularly scheduled meetings (including meetings of a committee of which (s)he is a member), or who attends less than 50% of the regularly scheduled meetings in a (12) twelve month period.

Section 7 Rules of Order

All matters of procedure not covered by these Bylaws or by resolution of the JJAG shall be governed by Robert’s Rules of Order, newly revised.

Section 8 Member Notification

Each member of the JJAG shall provide the Chair and Specialist with a valid electronic mail address and mailing address which can be used to provide notice to that member. Each member shall be responsible to notify the Chair and the Specialist with updated information if there is a change in said addresses.

Section 9 Travel

The JJAG must adhere to the State Administrative & Accounting Manual, Chapter 10 – Travel Management Requirements and Restrictions.

A. JJAG Meetings

Members will be reimbursed for mileage, tolls and parking pursuant to policies in effect for State of Maine employees.

B. Conferences and JJAG Related Meetings

With the approval of the Executive Committee, the Chair may designate members of the JJAG to travel to and attend conferences and trainings, when the conference/training goals are consistent with federal, state and specific JJAG topical emphasis. The following persons will be given priorities consideration for travel:(1) JJAG members with regular attendance, participation in meetings, and sharing the required workload; (2) Committee Chairs and Vice Chairs; (3) members recommended by JJAG Chair and Committee Chairs.

Travel allocations will be filled in the following sequence: (1) JJAG Chair, (2) Executive Board, (3) Committee Chairs and Seconds (4) Committee Chairs' recommendations,(5) JJAG members noteworthy for good attendance, participation and for sharing the workload.

1. Members travelling are generally expected to use personal funds with expense for travel reimbursement from JJAG to be received after expense form is submitted to JJAG Specialist within 30 days following travel. Members should use the most expeditious mode of travel and accommodations and in all circumstances comply with State of Maine travel guidelines. These guidelines are located in the JJAG procedures manual, refer to meal, mileage and accommodations allowances.
2. The professional staff of JJAG should attend regional and national meetings as requested by OJDP and JJAG Chair and as approved by JJAG Executive Committee.
3. Following out-of-state conference/training sessions, a written standardized report will be forwarded to the JJAG Chair.
4. Frequency of travel by individual JJAG members will have no influence in the selection process where available slots for travel are not filled by other interested JJAG members.

ARTICLE V - STAFF

Section 1 Juvenile Justice Specialist

The Juvenile Justice Specialist shall be responsible for juvenile justice and delinquency prevention planning and shall perform such other duties as assigned by the JJAG and the Department of Corrections.

Section 2 Other Designated Staff

The Department of Corrections may appoint other staff members and specify their duties and responsibilities.

ARTICLE IV - AMENDMENT OF BYLAWS

These Bylaws may be amended or revised at any regular or special meeting by a majority vote of the members present, provided that notice of any proposed amendment or revision shall be provided members of the JJAG by the mailing address and electronic mail address provided to the JJAG pursuant to Article IV, Section 8. Said notice shall be provided at least twenty-one calendar days prior to the meeting at which the vote is taken.

ARTICLE V – FREEDOM OF INFORMATION

Pursuant to and under the terms of the Federal Freedom of Information Act (5 U.S.C. 552), the Juvenile & Delinquency Prevention Act of 1974, as amended, and MRS Title1: §402 subject only to authorized exceptions and matters subject to laws governing confidentiality, all identifiable plans, all applications, grant or contract awards, reports, books, papers, meeting minutes to include a listing of those JJAG members present, representatives present and a record of the votes on final action, or other documents maintained by the Juvenile Justice Advisory Group shall be made available to funding authorities, the public and public media.