

**CHILDREN'S JUSTICE CENTER**

**AMENDMENTS**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Lorie D. Fowlke**

Senate Sponsor: Curtis S. Bramble

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**LONG TITLE**

**General Description:**

This bill changes the appointing authority for some members of the Advisory Board on Children's Justice, adds a health professional, and removes the chairs of local advisory boards from the statewide Advisory Board.

**Highlighted Provisions:**

This bill:

- ▶ changes the appointing authority from the governor to the attorney general for six members of the Advisory Board on Children's Justice;
- ▶ adds a licensed health professional to the board; and
- ▶ removes the chairs of local Children's Justice Center boards from the board.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**67-5b-106**, as last amended by Laws of Utah 2005, Chapters 38 and 71

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*Be it enacted by the Legislature of the state of Utah:*



28 Section 1. Section **67-5b-106** is amended to read:

29 **67-5b-106. Advisory Board on Children's Justice -- Membership -- Terms --**

30 **Duties -- Authority.**

31 (1) The attorney general shall create [~~the~~] an Advisory Board on Children's Justice to  
32 advise him about the Children's Justice Center Program.

33 (2) The board shall be composed of:

34 (a) the director of each Children's Justice Center;

35 [~~(b) the chair of each local advisory board established under Section 67-5b-105;~~]

36 [~~(c)~~] (b) the attorney general or the attorney general's designee;

37 [~~(d)~~] (c) a representative of the Utah Sheriffs Association, appointed by the [~~governor~~]  
38 attorney general;

39 [~~(e)~~] (d) a chief of police, appointed by the [~~governor~~] attorney general;

40 [~~(f)~~] (e) one juvenile court judge and one district court judge, appointed by the chief  
41 justice;

42 [~~(g)~~] (f) [~~a~~] one representative of the [~~court appointed~~] guardians ad litem and one  
43 representative of the Court Appointed Special Advocates, appointed by the chief justice;

44 [~~(h)~~] (g) a designated representative of the Division of Child and Family Services  
45 within the Department of Human Services, appointed by the director of that division;

46 [~~(i)~~] (h) a licensed mental health professional, appointed by the [~~governor~~] attorney  
47 general;

48 [~~(j)~~] (i) a person experienced in working with children with disabilities, appointed by  
49 the [~~governor~~] attorney general;

50 [~~(k)~~] (j) one criminal defense attorney, licensed by the Utah State Bar and in good  
51 standing, appointed by the Utah Bar Commission;

52 [~~(l)~~] (k) one criminal prosecutor, licensed by the Utah State Bar and in good standing,  
53 appointed by the Prosecution Council;

54 [~~(m)~~] (l) a member of the governor's staff, appointed by the governor;

55 [~~(n)~~] (m) a member from the public, appointed by the [~~governor~~] attorney general, who  
56 exhibits sensitivity to the concerns of parents; [~~and~~]

57 (n) a licensed nurse practitioner or physician, appointed by the attorney general; and

58 (o) additional members appointed as needed by the attorney general.

59 (3) (a) Except as required by Subsection (3)(b), as terms of current board members  
60 expire, the appointing authority shall appoint each new member or reappointed member to a  
61 four-year term.

62 (b) Notwithstanding the requirements of Subsection (3)(a), the appointing authority  
63 shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the  
64 terms of board members are staggered so that approximately half of the board is appointed  
65 every two years.

66 (4) The Advisory Board on Children's Justice shall:

67 (a) coordinate and support the statewide purpose of the program;

68 (b) recommend statewide guidelines for the administration of the program;

69 [~~(c)~~] ~~advise the contracting entities of each Children's Justice Center;~~

70 [~~(d)~~] (c) recommend training and improvements in training;

71 [~~(e)~~] (d) review, evaluate, and make recommendations concerning state investigative,  
72 administrative, and judicial handling in both civil and criminal cases of child abuse, child  
73 sexual abuse, neglect, and other crimes involving children where the child is a primary victim  
74 or a critical witness, such as in drug-related child endangerment cases;

75 [~~(f)~~] (e) recommend programs to improve the prompt and fair resolution of civil and  
76 criminal court proceedings; and

77 [~~(g)~~] (f) recommend changes to state laws and procedures to provide comprehensive  
78 protection for children from abuse, child sexual abuse, neglect, and other crimes involving  
79 children where the child is a primary victim or a critical witness, such as in drug-related child  
80 endangerment cases.

81 (5) The Advisory Board on Children's Justice may not supersede the authority of [~~the~~]  
82 contracting public [~~agency~~] agencies to oversee [~~the accountability~~] operation of the [~~center~~]  
83 centers, including the budget, costs, personnel, and management pursuant to Section 67-5b-104  
84 and Title 51, Chapter 2a, Accounting Reports from Political Subdivisions, Interlocal  
85 Organizations, and Other Local Entities Act.

**Legislative Review Note**  
as of 1-5-09 1:52 PM

**Office of Legislative Research and General Counsel**

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**H.B. 72 - Children's Justice Center Amendments**

**Fiscal Note**

2009 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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