

House Bill 1052
Senate Judiciary Committee
Testimony Presented by Sara Behrens
February 9, 2021

Good morning Chair Larson, members of the committee. My name is Sara Behrens and I am a staff attorney with the State Court Administrator's Office. I am here today in support of House Bill 1052. This bill amends section 27-20-61. This section authorizes juvenile services agreements among the Department of Corrections and Rehabilitation (Division of Juvenile Services), the Supreme Court (Juvenile Court), the Indian Affairs Commission and tribal government of a federally recognized Indian tribe in the state. Currently, this section is effective only through July 31, 2021. This bill would extend that date to July 31, 2023 to allow a longer period of time to work on expanding the number of agreements and obtaining data. This bill also adds the Department of Corrections and Rehabilitation to sections 1 a., 1 b., 1 c., and 1 d. because they are one of the vital partner agencies in providing services.

Currently, there is one memorandum of understanding (MOU) in place with Spirit Lake Tribal Court. The MOU was developed in the fall of 2019, was signed in January 2020 and was up and running in February of 2020. A report was provided to Legislative Management during the interim. At that time, there were 6 juveniles being served. The total number of youth served as of the date of this report is 12 juveniles.

Unfortunately, with the COVID pandemic, the team was no longer able to meet in person. The team quickly adjusted, much like everyone else, and now is meeting at least monthly to staff cases via Zoom. The meetings are among a multi-disciplinary team consisting of the Spirit Lake Tribal Court, Spirit Lake Tribal Social Services, the Division of Juvenile Services, and the

Juvenile Court. Additional meetings are held when an urgent issue arises with a juvenile. Spirit Lake now has a juvenile intake officer who brings cases to the team to staff. These typically are juveniles solely under the jurisdiction of tribal court. Sometimes, juveniles do have cases in both State district court and Tribal Court and they are discussed as well.

Because this collaboration has been in place for only about a year, more time is needed to collect outcome data and determine the true success of the program. All entities involved feel that the program is worthwhile and would like to see it continue. Therefore, we are asking to extend the effective date for another biennium. The hope is that positive outcome data from this pilot project may lead to other tribal courts entering into MOUs with the state agencies also. Thank you for your consideration and we urge a do pass.