

TESTIMONY OF REP. LAWRENCE R. KLEMIN
HOUSE BILL NO. 1036
HOUSE JUDICIARY COMMITTEE
JANUARY 6, 2021

Members of the House Judiciary Committee, I am Lawrence R. Klemin, Representative from District 47 in Bismarck. I am here to testify in support of House Bill No. 1036, which requests Legislative Management to consider studying the juvenile justice process and to collaborate with the North Dakota Commission on Juvenile Justice.

HB 1036 is a continuation of a study of the juvenile justice process conducted during the 2017-2018 interim pursuant to Senate Concurrent Resolution No. 4003, and during the 2019-2020 interim pursuant to House Concurrent Resolution No. 3031. As a result of the recent study, the interim Judiciary Committee, in collaboration with the Commission on Juvenile Justice, drafted HB 1035, a bill that will come before this committee, to revise and update the Juvenile Court Act contained in Chapter 27-20 of the North Dakota Century Code. Chapter 27-20 is based on the Uniform Juvenile Court Act of 1968, which was enacted in North Dakota in 1969. Although there have been some amendments to this chapter over time, it is basically the same as originally introduced in 1969 and needed to be updated.

HB 1035 is a lengthy bill that includes several delayed effective dates in order to allow the schools, the Department of Human Services, the juvenile courts, and other interested entities time to plan and implement best practices in working with the juvenile justice process in this State. The delayed effective dates will assist the Commission and the Legislature to continue the revision and implementation of the Juvenile Court Act.

The Commission on Juvenile Justice was created in Section 50-06-43.2 of the North Dakota Century Code during in the 2019 Session with a six-year duration to review all facets of juvenile justice and child welfare in North Dakota and is comprised of members from numerous agencies of state and local government, as well as six members of the Legislature who were appointed from the House and Senate Judiciary Committees. One of the primary duties of the Commission is to review the Juvenile Court Act. You will hear more from Commission members when we have the hearing on HB 1035, the revised Juvenile Court Act.

The Legislature and the Commission on Juvenile Justice have worked well together over the past two years in a partnership to revise and update the Juvenile Court Act. There is much left to do and we need to continue that partnership.

I am also attaching a technical amendment to HB 1035. The bill erroneously refers to the next interim as the "2020-21" interim on line 5. The bill should be amended to read the "2021-2022" interim.

I urge you to amend the bill and then to recommend passage of HB 1036 to the House.

PROPOSED AMENDMENT TO HOUSE BILL NO. 1036

Page 1, line 5, replace "2020-21" with "2021-22"

Renumber accordingly