

COMMISSIONER BYLAWS

Robert's Rules of Order identifies Bylaws as a "document that contains all other rules of an organization that are too important to be changed without giving prior notice to all members about the proposed change."

The Nevada Juvenile Justice Commission Bylaws were revised in 2005, approved in 2006 and contain thirteen articles. These Bylaws may be amended at a regular meeting of the Commission by a two-thirds vote, provided that the amendment has been submitted in writing at the previous quarterly meeting.

**AMENDED AND RESTATED BYLAWS
OF
NEVADA JUVENILE JUSTICE COMMISSION**

**Article I
Name/Name Change**

Section 1.1. Name.

The Juvenile Justice Advisory Group is established pursuant to the Governor's Executive Order of 1988.

Section 1.2. Name Change.

The Governor's Executive Order of 1994 renamed the Juvenile Justice Advisory Group the Juvenile Justice Commission hereinafter referred to as the "Commission."

**Article II
Mission/Duties and Powers/ Role/ Organizational Support
Place of Business**

Section 2.1. Mission.

The Commission provides a forum that will examine the laws, policies and programs affecting children, youth and families and encourage the public to advocate for effective services throughout the State.

Section 2.2. Powers.

The Commission shall have the power to perform any and all acts necessary and proper and convenient to accomplish the purposes of the Juvenile Justice and Delinquency Prevention Act of 1974 as amended and any other powers applicable to the Commission and as authorized or directed by the Governor of the State of Nevada.

The Commission shall manage its property and business and exercise all powers permitted under Federal, State law and Executive Order.

Section 2.3. Role.

The Commission shall operate as the advisory board for all planning, administrative and funding functions of the Juvenile Justice and Delinquency Prevention Act of 1974 as amended hereinafter referred to as the "Act," and shall make sub-grants for planning or for the improvement of the juvenile justice system consistent with the intent of applicable Federal and State legislation.

The Commission serves as an official advisor of the Governor regarding matters of significance relating to juvenile justice at the State level.

Section 2.4. Organization Support.

The State of Nevada through the Division of Child and Family Services hereinafter referred to as "DCFS" is designated to ensure that sufficient staff is provided pursuant to the requirements of the Act and to carry out the purposes of Executive Orders of 1988 and 1994.

- (A) DCFS shall supervise the preparations and administration of the State Plan submitted pursuant to the Act.
- (B) DCFS shall serve as fiscal agent of the Commission.

Section 2.5. Place of Business.

The Commission may have such place or places of business as the purposes of the Commission might require, and as Commissioners may, from time to time, appoint.

Article III
Responsibilities/Nevada Juvenile Justice Administration

Section 3.1. Responsibilities.

Commission responsibilities include the following:

- (A) The Commission shall perform all duties imposed on it by Federal, State law and by Executive Order of the Governor of Nevada.
- (B) Overall responsibility to develop and approve the State's three-year juvenile justice plan and to implement the plan.
- (C) Primary advisory State planning group for matters pertaining to juvenile justice in the State.
- (D) On a regular basis provide information and recommendations to the Governor and the Legislature.
 - (1) Submit to the Governor and the Legislature, at least annually, recommendations with respect to matters related to the Commission's functions, including State compliance with requirements of the Act;
 - (2) Review and approve or disapprove all Juvenile Justice and Delinquency Prevention sub-grants;
 - (3) Develop effective education, training, research, prevention, diversion, treatment and rehabilitation programs in the areas of juvenile delinquency and improvement of the juvenile justice system;
 - (4) Review the progress and the accomplishments of the Juvenile Justice and Delinquency Prevention projects funded under the State Plan and
 - (5) Seek regularly comments and opinions from juveniles currently under the jurisdiction of the juvenile justice system.

Section 3.2. Nevada Juvenile Justice Administration.

Nevada juvenile justice administration is a shared responsibility between state and county agencies. The Commission is committed to assisting the agencies in their respective roles to ensure maximum cooperation and effectiveness.

The Commission is comprised of individuals with the experience to understand what roles should be performed by what agencies for maximum cooperation and effectiveness to occur.

Article IV

**Membership/Appointment-Vacancies/Term of Office/
Resignation/Compensation/Conflict of Interest**

Section 4.1. Membership.

The Commission shall consist of not less than 15 and not more than 33 members appointed by the chief executive officer of the State who have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency, the administration of juvenile justice, or the reduction of juvenile delinquency.

(A) The Commission shall include the following:

- (1) At least 1 locally elected official representing general purpose local government;
- (2) representatives of law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers;
- (3) Representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, mental health, education, special education, recreation and youth services;
- (4) Representatives of private nonprofit organizations, including persons with a special focus on preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency prevention and treatment, neglected or dependent children, the quality of juvenile justice, education, and social services for children;
- (5) Volunteers who work with delinquents or potential delinquents;
- (6) Youth workers involved with programs that are alternatives to incarceration, including programs providing organized recreation activities;
- (7) Persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion; and

- (8) Persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence.
- (B) A majority of which members (including the Chairperson) shall not be full-time employees of the Federal, State, or local government.
- (C) At least one-fifth of which Commissioners shall be under the age of 24 at the time of appointment.
- (D) At least 3 Commissioners who have been or are currently under the jurisdiction of the juvenile justice system.

Section 4.2. Appointment-Vacancies.

Persons appointed to the Commission may appear before the Governor or his/her authorized representative(s) and shall qualify by taking an oath of office to faithfully perform the duties of a member of the Commission.

In case of a vacancy on the Commission through death, resignation, disqualification, removal, or other cause, the Governor with the advice of the Commission shall be requested to fill the vacancy.

Section 4.3. Term of Office.

Commissioners shall be appointed for a term of 4 years, or until a successor is appointed and shall be eligible for reappointment at the discretion of the Governor. Commissioners appointed to fill an unexpired term shall serve until the expiration date of that term or until a successor is appointed. Commissioners shall hold office at the pleasure of the Governor.

Section 4.4. Resignation.

All Commissioners shall have the right to resign from the Commission. All such resignations, giving thirty days notice, shall be addressed to and forwarded to the Governor with a copy to the Chairperson of the Commission.

Section 4.5. Compensation.

Commissioner shall not be entitled to compensation for their services, but they shall be reimbursed for mileage, per diem and subsistence authorized for boards, committees, and commissions by the State of Nevada.

Prior approval from the Chairperson of the Commission is required for travel and per diem expenses for those attending training events, meetings on behalf of the Commission. This includes but is not limited to those asked or elected to serve on

national committees, regional committees and other state committees requiring expenses and/or per diem. All travel requests require pre-approval from the Chairperson, prior to making travel plans.

Section 4.6. Conflict of Interest.

Commissioners shall comply with the appropriate sections of Nevada's Conflict of Interest Law as amended. Commissioners shall not participate in the approval, disapproval or recommendation of any application, grant, contract, or any other matter in which they have a financial or other beneficial interest. Commissioners shall avoid any action, which might adversely affect the confidence of the public in the integrity of the Commission or the Commission's programs.

Article V

**Meetings/Definition/Quorum/Regular/Special/Attendance/
Business/Minutes/Voting**

Section 5.1. Definition.

All public bodies including the Commission exist to aid in the people's business. It is the intent that Commission actions and deliberations be taken openly in compliance with Nevada's Open Meeting Law as amended.

- (A) A meeting is defined as a gathering of members of a public body at which a quorum is present to deliberate toward a decision or to take action on any matter over which the public body has supervision, control, jurisdiction or advisory power.
- (B) A quorum for any business where Commissioner votes are to be cast is defined as a simple majority of the constituent membership of the Commission.

Section 5.2. Regular Meetings.

The Commission shall meet quarterly at such places as may be determined by the Commission. All Commissioners shall be given written notice no less than ten (10) days prior to such meeting and said notice shall state the time and place of the meeting and the agenda all in accordance with the Nevada Open Meeting Law as amended.

Section 5.3. Special Meetings.

Special meetings of the Commission shall be held whenever called by the Chairperson of the Commission or by ten (10) or more Commissioners upon their written request. The purpose of the meeting shall be stated in the call. The Nevada Open Meeting Law as amended shall govern such special meetings.

Commissioners shall be given notice of each special meeting of the Commission by mail, by telephone, by fax, or by other electronic means ten (10) days prior.

Section 5.4. Attendance.

Commissioners who are absent without prior permission of the Chairperson for two consecutive Commission meetings or who miss three or more Commission meetings in a single year regardless of cause shall be in violation of this attendance policy. Following the first unauthorized absence, the Chair shall advise the Commissioner in writing of the attendance policy, an attempt to resolve any difficulties that the Commissioner may be experiencing with attendance, prior to the next scheduled meeting. In the event a Commissioner misses a second consecutive meeting without authorization, or is absent for three consecutive meetings within one year for any cause, the Chairperson may request the Governor remove a Commissioner for non-attendance. The request for removal shall include a request that the Governor appoint a replacement to the Commission.

Section 5.5. Business.

Unless otherwise indicated in the notice thereof, any and all business may be transacted at any quarterly or special meeting of the Commission. Nevada Open Meeting Law as amended governs the preparation and content of all Commission agendas. Failure to adhere to agenda requirements will result in an Open Meeting Law violation.

Section 5.6. Minutes.

Nevada Public Records Law as amended requires written minutes be kept by the Commission of each meeting held regardless of whether the meeting was open or closed to the public. Nevada Public Records Law as amended governs the preparation and content of all minutes.

Section 5.7. Voting.

Each Commissioner shall be entitled to one vote in any matter of general business before the Commission.

- (A) Proxy voting is not permitted as it is incompatible with the essential characteristics of a deliberative body.
- (B) Secret ballots defeat the accountability of Commissioners; they are not permitted under the Open Meeting Law as amended. The Open Meeting Law as amended is satisfied if a vote is by roll call, show of hands, or any other method whereby the way a Commissioner voted is made known to the public.
- (C) A majority vote is required to adopt a motion or to elect to office.

Article VI

Officers' Duties/Nomination-Election/Ballot-Term/ Limitations/Absence-Inability-Removal-Filling Vacancies/ Appointments/Chairperson/Vice-Chairperson-North and South/ Secretary/Treasurer

Section 6.1. Officers' Duties.

The officers of the Commission shall be a chairperson, vice-chairpersons north and south, secretary and treasurer. These officers shall perform the duties prescribed by these Bylaws and by the parliamentary authority.

Section 6.2. Nomination and Election.

At the last quarterly meeting of the fiscal year of an odd-numbered year, a Nominating Committee of five Commissioners shall be appointed by the Chairperson of the Commission. It shall be the duty of this committee to nominate candidates for the offices to be filled at the fall quarterly meeting. The Nominating Committee shall report a slate of candidates to the Commission by mail, by email or by fax a month prior to the election at the second quarterly meeting of the Commission in an even-numbered year. Each nominee must consent to be a candidate for office. Nominations from the floor shall be permitted.

Section 6.3. Ballot and Term of Office.

Officers shall be elected by ballot in accordance with Nevada's Open Meeting Law as amended for a two-year term each even-numbered year until their successors are elected. Term of office begins at the start of the fiscal year in which the election occurred.

Section 6.4. Office Holding and Limitations.

No Commissioner shall hold more than one office at a time, and no Commissioner shall be eligible to serve more than two consecutive terms in the same office.

Section 6.5. Absence, Inability, Removal and Filling Vacancies.

In the event of absence or inability of any officer to act, the Commission may delegate the powers or duties of such officer to any other member of the Commission in accordance with Nevada's Open Meeting Law as amended.

(A) The Commission may remove any officer, agent or employee whenever, in its judgment, the best interests of the Commission shall be thereby served.

- (B) A special election to fill any vacancy in such offices shall be held by the Commission at its next quarterly meeting after the vacancy occurs. Any officer elected to fill a vacancy shall serve until the regularly scheduled election of officers.

Section 6.6. Appointments.

The Commission may appoint such additional officers, agents and employees, as it deems necessary, who shall hold their offices for such terms and shall exercise such powers and perform such duties as shall be determined from time to time by the Commission.

Section 6.7. Chairperson.

The Chairperson shall not be a full-time employee of the Federal, State or local government. The duties of the Chairperson include the following:

- (A) Serves as the principal spokesperson for the Commission; this responsibility may be delegated.
- (B) Performs other such duties as assigned by the Commission as well as prescribed by these Bylaws, parliamentary authority and Nevada's Open Meeting Law as amended.
- (C) Sees that all orders and resolutions of the Commission are carried into effect.
- (D) Sets the agenda and appoints committee chairs and members as well as serving as an ex-officio member of all committees except the Nominating Committee.
- (E) Preside at the quarterly and special meetings and shall exercise such powers and perform such duties as prescribed by these Bylaws.

Section 6.8. Vice-Chairperson-North and South.

There shall be two Vice-Chairpersons representing northern and southern Nevada. The duties of the Vice-Chairpersons North and South include the following:

- (A) Serves in the absence or inability of the Chairperson dependent upon the geographical meeting location and availability and
- (B) In the case of resignation or death of the Chairperson, the Vice-Chairperson who represents the geographical area in which the Chairperson resides automatically becomes the Chairperson for the unexpired term provided he or she is not a full-time employee of the Federal, State or local government.

Section 6.9. Secretary.

The Secretary is the recording officer of the Commission and the custodian of its records, except those specifically assigned to others, such as the Treasurer's records. The duties of the Secretary include the following:

- (A) Keep a record of all proceedings of the Commission—usually the minutes;
- (B) Keep on file all committee reports;
- (C) Keep the Commissioner's official membership roll and to call the roll when it is required;

- (D) Make the minutes and records available to Commissioners and others in accordance with Nevada's Open Meeting Law as amended and public records;
- (E) Notify officers, committee members and delegates of their election or appointment, to furnish committees with whatever documents are required for the performance of their duties and to have on hand at each meeting a list of all existing committees and their members;
- (F) Sign all certified copies of acts of the Commission, unless otherwise specified in the Bylaws;
- (G) Maintain record book(s) in which the Bylaws, special rules of order, standing rules and minutes are entered, with any amendments to these documents properly recorded and to have the current record book(s) on hand at every meeting;
- (H) Send out to Commissioners a notice of each meeting and to conduct the general correspondence that is not a function proper to other officers or to committees and
- (I) In the absence of the Chairperson and the Vice-Chairpersons—North and South, call the meeting to order and to preside.

Section 6.10. **Treasurer.**

The Commission's Treasurer shall make interim reports at each Commission quarterly meeting. The Treasurer of the State of Nevada shall hold budgeted monies of the Commission in the manner prescribed by law and shall be drawn through the Administrator of DCFS.

Article VII

Committees/Definition/Standing-Composition/Duties

Meetings/Work Study Group

Section 7.1. **Definition.**

There are two types of committees—standing and special.

- (A) Standing committees have continuing existence.
- (B) Special committees go out of existence as soon as they have completed a special task.

Section 7.2. **Standing, Special Committees, Appointment and Composition.**

The Chairperson shall appoint Commissioners to standing and special committees.

- (A) Standing committee appointees shall be no less than three (3) Commissioners and no more than nine (9) Commissioners and the Chairperson shall appoint a committee chairperson. The committee members shall select a secretary.
- (B) Special committee appointees shall be no less than three (3) Commissioners and no more than five (5) Commissioners and the Chairperson shall appoint a committee chairperson. The committee members shall select a secretary.
- (C) Standing committee members serve a term corresponding to that of the officers or until their successors have been selected.

- (D) Standing and special committee chairpersons or the Commission Chairperson may call meetings in accordance with Nevada's Open Meeting Law as amended.
- (E) Standing Committees are as follows:
 - (1) Grant Review
 - (2) Minority/Gender
 - (3) Nominating
 - (4) Planning, Development and Public Information
 - (5) Policy and Legislation
 - (6) Youth

Section 7.3. **Duties.**

- (A) **Grant Review** shall guide the development and implementation of requests for proposal, review all grant proposals and recommend funding to the Commission and monitor, evaluate and report the performance of funded programs.
- (B) **Minority/Gender** shall be responsible for overseeing the Commission's ongoing efforts to address minority overrepresentation and disproportionate minority contact by keeping the diversity of color and ethnicity of youth in the Nevada juvenile justice system foremost in the minds of Commissioners. The Commission should develop and implement juvenile justice changes that effectively generate culturally sensitive policies and services to reduce the overrepresentation of minority in Nevada's juvenile justice system. The Committee shall act as an advisor to the Commission on ethnic and cultural issues.
- (C) **Nominating** shall make recommendations to the Commission nominations for Commission officers and shall make recommendations to the Commission for new member names to be submitted to the Governor.
- (D) **Planning, Development and Public Education** shall guide, review, and comment for subsequent approval by the Commission of the three-year plan and its annual updates, the annual report to the Governor and the Legislature. Shall make recommendations to the Commission regarding a strategic plan for the Commission's operations and board development activities, assist with planning and organizing training to meet the needs of Commissioners and juvenile justice professionals statewide, and serve as finance committee to assist the Commission's Treasurer with developing and monitoring the annual budget. Lastly, shall be responsible for the Commission's public affairs activities.
- (E) **Policy and Legislation** shall formulate recommendations for the Commission's position on issues to be addressed by the Federal government, by the Governor, by the Legislature and by DCFS and keep informed of issues affecting juvenile justice in the State.
- (F) **Youth** shall ensure the Commission is aware of the needs of youth in Nevada's juvenile justice system, and that the Commission is actively utilizing youth members in the State's juvenile justice plan. The Committee shall act as an advisor to the Commission on youth matters. Lastly, the Committee shall address issues of concern to the Commission youth members and shall design programs to actively include youth as participants and facilitators.

Section 7.4. Committee Meetings.

Standing and special committee meetings will be open and public with proper notice given and in accordance with Nevada's Open Meeting Law as amended.

Section 7.5. Work Study Group.

The Work Study Group (WSG) is a creation and special project of the Commission created as a research component and think tank on behalf of the Commission. Duties include the following:

- (A) Reshape and improve the coordination of services for children and families throughout Nevada and undertake a comprehensive examination of Nevada's juvenile justice system.
- (B) Be responsive to people's needs to be safe from serious and violent youth crimes.
- (C) Be flexible enough to accommodate changes in the population and the social and legal issues that such changes bring.
- (D) Be assigned special projects or requests for research assistance by the Commission, Governor's Office, Legislature and others.
- (E) Determine its own membership with oversight provided by the Commission. Key stakeholders include but are not limited to the Governor's Office, Legislature, family court judges, Nevada Association of Counties (NACO) and leaders from state and county juvenile justice and child welfare agencies.
- (F) Arrive at conclusion(s) or recommendation(s) based upon consensus decision making model.
- (G) Establish own ground rules in accordance with Nevada law and Open Meeting Law as amended.

Article VIII

Parliamentary Authority

Section 8.1. Parliamentary Authority.

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with these Bylaws, Nevada Open Meeting Law as amended and any special rules of order the Commission may adopt.

Article IX
Amendment of Bylaws

Section 9.1. **Amendment of Bylaws.**

These Bylaws may be amended at any regular meeting of the Commission by a two-thirds vote, provided that the amendment has been submitted in writing at the previous quarterly meeting.

Article X
Dissolution

Section 10.1. **Dissolution.**

Upon dissolution of the Commission, Commissioners shall, after paying or making provision for the payment of all of the liabilities of the Commission, transfer and convey all of the assets of the Commission to DCFS.

Article XI
Savings Clause

Section 11.1. **Savings Clause.**

Should any provision contained in these Bylaws, or any amendments thereafter, be found to be unlawful or contrary to public policy by any court of competent jurisdiction, or in any way in irreconcilable conflict with Public Law 93-415 (or any rule or regulation incidental thereto having the effect of law), or any authority having jurisdiction in such matters, said decision or ruling shall in no way be construed so as to affect any of the remaining provisions of these Bylaws or any amendments thereto.

Article XII
Nondiscriminatory Policy

Section 12.1. **Membership and Officers.**

The Commission does not discriminate on the basis of race, color, religion, sex, age, national origin, physical disability or sexual orientation with respect to membership or election to the position of officers of the Commission.

12.2. Admission.

The Commission does not discriminate on the basis of race, color, religion, sex, age, national origin, physical disability or sexual orientation with respect to admission to the Commission's services.

12.3. Equal Opportunity Employer.

The Commission is an equal opportunity employer and does not discriminate on the basis race, color, religion, sex, age, national origin, physical disability or sexual orientation with respect to employment.

Article XIII
Miscellaneous

Section 13.1. Fiscal Year.

The fiscal year of the Commission shall be from July 1 through June 30.

Section 13.2. Seal.

The Commission shall adopt the seal of the State of Nevada to be used in all places in its matters as seals are generally used.

By These Present:

The Undersigned, the Secretary of the Nevada Juvenile Justice Commission, organized and existing under the laws of the State of Nevada, does hereby certify that the foregoing amended and restated Bylaws, consisting of thirteen (13) articles, were duly adopted as the Bylaws of said Commission by appropriate resolution of the Commissioners of the Nevada Juvenile Justice Commission on this 17th day of November, in the year 2005.

Secretary

Nevada Juvenile Justice Commission

ADOPTED AND APPROVED this 17th day of November 2005.

Chairman
and Nevada Juvenile Justice Commission

Administrator, Division of Child
Family Services