

Children's Justice Act Task Force Operating Principles

CHILDREN'S JUSTICE ACT TASK FORCE OPERATING PRINCIPLES Adopted November 2018

The Children's Justice Act (CJA) Task Force developed these operating principles to guide the role, function and actions of the CJA Task Force to carry out its purpose as defined below.

I. Statutory Basis

1. The CJA Task Force is established in accordance with the Child Abuse Prevention and Treatment Act (Section 107(a)) which authorizes grants to states to develop, establish, and operate programs designed to improve:
 - A. The assessment and investigation of suspected child abuse and neglect cases, including cases of suspected child sexual abuse and exploitation, in a manner which limits additional trauma to the child and the child's family;
 - B. The assessment and investigation of cases of suspected child abuse-related fatalities and suspected child neglect-related fatalities;
 - C. The investigation and prosecution of cases of child abuse and neglect, including child sexual abuse and exploitation; and
 - D. The assessment and investigation of cases involving children with disabilities or serious health related problems who are suspected victims of abuse or neglect.

Limitations. As per the Federal Program Instruction: Supporting child abuse prevention programs or treatment services are not appropriate uses of CJA funds.

2. CJA grants shall be used to implement CJA Task Force recommendations in the following three categories:
 - A. Handling of cases of child abuse and neglect. Investigative, administrative, and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation and cases involving children with disabilities or serious health-related problems, as well as cases involving suspected child- maltreatment-related fatalities and cases involving a potential combination of jurisdictions, such as interstate, federal-state, and state-tribal, in a manner which reduces the additional trauma to the child victim and the victim's family and which also ensures procedural fairness to the accused;
 - B. Innovative approaches. Experimental, model, and demonstration programs for testing innovative approaches and techniques which may improve the prompt and successful resolution of civil and criminal court proceedings or enhance the effectiveness of judicial and administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases and cases involving children with disabilities or serious health-related problems, including the enhancement of performance of court-appointed attorneys and guardians ad litem for children, and which also ensure procedural fairness to the accused; and
 - C. Process improvement. Reform of state laws, ordinances, regulations, protocols and procedures to provide comprehensive protection for children from abuse, particularly sexual abuse and exploitation and cases involving children with disabilities or serious health-related problems, while ensuring fairness to all affected persons.

II. Purpose

1. The purpose of the CJA Task Force is to oversee the appropriation of North Carolina CJA funds to support the improvement and strengthening of the front end, intake and investigative piece of child

abuse and neglect. This mission requires a spirit of collaboration and a positive working relationship between the Governor's Crime Commission and the CJA Task Force. As such, each party in the collaboration has a specific role to play. The respective roles are:

- A. The role of Governor's Crime Commission (GCC) is to:
 - 1. Administer the CJA Grant and assign the function of Grant Manager to a position within the GCC.
 - 2. Facilitate the appropriate business office process of grant funding allocation, based on recommendations it receives from the CJA Task Force.

- B. The Role of CJA Task Force members:
 - 1. Contribute to the review of applications for funding
 - 2. Contribute to the Three-Year Assessment review and evaluation process in his/her specific area of expertise.
 - 3. Adhere to state confidentiality requirements
 - 4. Regularly attend and fully participate in all scheduled meetings.

- C. The role of the State Coordinator/Grant Manager:
 - 1. Administer the CJA funds.
 - 2. Serve as grant administrator on CJA funded projects.
 - 3. Provide advice, guidance, technical assistance, and information regarding the expected role and function of the CJA Task Force as mandated by the requirements of the CJA Program Instruction.
 - 4. Attend all CJA Task Force meetings.
 - 5. Keep CJA Task Force members apprised of the meeting schedules and distribute minutes and other pertinent mailings necessary for CJA Task Force members to fulfill their responsibilities.
 - 6. Act as liaison between CJA Task Force and the Federal Administration for Children and Families to facilitate communication.
 - 7. Act as liaison between CJA Task Force and the GCC to facilitate communication.
 - 8. Present financial reports to CJA Task force members' status of CJA funds available for allocation to future projects.

III. Activities

1. The CJA Task Force's duties are as follows:

- A. Three Year Assessments. Every three years the CJA Task Force is required to create a set of training and policy Recommendations for systems improvements in the investigative, administrative, and judicial handling of child abuse, neglect, and exploitation cases, and child maltreatment-related fatalities.
 - 1. The CJA Task Force does so by reviewing the preceding Three-Year Recommendations and assessing the degree to which those Recommendations have been implemented and identifying and evaluating areas needing reform.

 - 2. In this process, the CJA Task Force may consider information obtained through a variety of sources, such as formal assessments, questionnaires, opinions of experts, and the professional experiences and judgment of CJA Task Force members. The CJA Task Force may also use qualitative and quantitative data gathered from funding grantees per the Request for Proposal (RFP) requirements.

This assessment leads to new Recommendations for improvements to the current system. Once the new Recommendations have been approved by the CJA Task

Force, they are presented to the Juvenile Justice (JJ) Committee for review and approval. The JJ Committee then presents the Recommendations to the full GCC.

- B. **Monitoring Recommendations.** At each meeting, the CJA Task Force is responsible for reviewing the current Recommendations and sharing updates on any progress made toward the Recommendations.
- C. **Grant Proposal Review.** Each year, the CJA Task Force assesses grant proposals to determine which proposals best meet the CJA Task Force Recommendations. The CJA Task Force provides this information and funding recommendations to the JJ Committee. The JJ Committee's funding recommendations are forwarded to the GCC who then vote on the recommendations and approve the funding of the grants.
- D. **Annual Application.** Each year, GCC staff, with the input of the CJA Task Force, submits a CJA funding application.
- E. **Legislation and Public Policy.** The CJA Task Force may submit proposed statutory improvements consistent with its mission or recommendations, or express opinions on other state policy issues. In order to make a recommendation on a legislative or policy issue, the matter must be presented to and approved by the CJA Task Force. Thereafter, the recommendation will be forwarded to the JJ Committee for consideration and if approved, forwarded to the GCC for consideration. If approved, GCC staff will ensure distribution to the appropriate persons or agencies.

IV. Membership

1. The CJA Task Force shall be composed of individuals with knowledge and experience relating to the criminal justice system and issues of child physical abuse, child neglect, child sexual abuse and exploitation, and child maltreatment related fatalities. In accordance with the federal program instructions, the CJA Task Force shall include members representing the following disciplines:
 - A. Law Enforcement Community
 - B. Criminal Court Judge
 - C. Civil Court Judge
 - D. Civil/Criminal Defense Attorney experienced in cases related to child abuse and neglect
 - E. Prosecution Attorney experienced in cases related to child abuse and neglect
 - F. Child Advocate(s) (Attorney(s) for children)
 - G. Court Appointed Special Advocate Representative(s)
 - H. Health Professional(s)
 - I. Mental Health Professional(s)
 - J. Child Protective Service Agencies
 - K. Individual(s) experienced in working with children with disabilities
 - L. Parents and Representative of Parents' Groups
 - M. Adult former victims of child abuse and or neglect
 - N. Individual experienced in working with homeless children and youth
2. Task force members can represent only one professional category in the task force, though they may have experience in multiple categories. For example, if a prospective member represents a parents' group and works with children with disabilities, the member can either represent the parents' group or the group working with children with disabilities, but not both.

3. The CJA Task Force should strive to attain members who bring diverse perspectives and reflect the varied ethnic, gender, and geographic communities located in North Carolina.
4. CJA Task Force members will make nominations and assist in recruiting from relevant federal, state and county associations, coalitions, or professional organizations. A prior Task Force member is eligible for nomination so long as he or she has not been a member for at least one year prior to being nominated. Nominations must be seconded and require a majority vote to pass. The CJA Task Force Chair will make initial contact requesting interest of a nominee to serve on the CJA Task Force. The nominee will be provided the following information:
 - A. Operating Principles
 - B. Current Three-Year Assessment and Recommendations
 - C. Task Force Membership List

Nominees interested in serving will send a brief biography and statement of interest to the Chair. The resulting list of candidates and their information will be sent to the CJA Task Force and the chair of the JJ Committee by the CJA Chair. At the next scheduled CJA meeting, the CJA will vote on the candidates.

5. Terms begin on July 1 and end on June 30. Members serve a two-year staggered term and may be re-elected for a second and third terms if they express interest in continuing to serve. Members must have attended at least 60% of scheduled CJA Task Force meetings during their current term in order to be eligible for re-election.
6. Each member is expected to attend all CJA Task Force meetings. In-person attendance is preferred but virtual attendance is permitted. Members are encouraged to find a representative if the member is unable to attend a meeting. If member does not attend two (2) consecutive, regularly scheduled meetings of the CJA Task Force, the Chair, or individual designated by the Chair, will contact the member to discuss the absences, and determine whether or not to recommend that the CJA Task Force remove the member and fill the resulting vacancy.
7. Vacancies in membership shall be filled as soon as practical. If a vacancy is filled mid-term, the new member will serve the rest of the prior member's term and be eligible for two terms thereafter.
8. The CJA Task Force shall have between fourteen (14) and twenty-five (25) members.

v. Officers

1. Officers of the CJA Task Force shall consist of a Chair and Vice-Chair.
2. The Duties of the Chair include:
 - A. Guiding and leading the CJA Task Force toward its goals;
 - B. Presiding at CJA Task Force meetings;
 - C. Appointing committees as needed;
 - D. Overseeing federally required assessments; and
 - E. Preparing a written agenda for meetings of the CJA Task Force.
3. The Vice-Chair shall preside at meetings in the absence of the Chair and perform other duties as may be assigned by the Chair or be necessary in the absence of the Chair.

Appendix E. Children's Justice Act Task Force Operating Principles

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