

Youth Services Commission Bylaws

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ARTICLE I: NAME

The name of this organization shall be the Cape May County Youth Services Commission. (CMCYSC)

ARTICLE II: PURPOSE

New Jersey P.L. 1995, c.282 established county youth services commissions in accordance with regulations promulgated by the State Juvenile Justice Commission (JJC). These rules published in the New Jersey Register, Subchapter 2. County Youth Services Commissions (CYSC) 13:90-2.4 through 13:90-3.11, consolidate within a single county agency (CYSC), the planning, implementation, monitoring and evaluation of the juvenile justice service system. The CYSC will perform all the duties and responsibilities set forth in this subchapter in order to qualify for funds from the Partnership Program and/or other funds administered by the Juvenile Justice Commission, including submitting yearly applications and obtaining Juvenile Justice Commission approval of a comprehensive plan of sanctions and services for juveniles adjudicated or charged as delinquent and delinquency prevention programs that promote the goals of the Partnership Program and/or other funds administered by the Juvenile Justice Commission and that satisfy all additional requirements set forth in N.J.S.A. 52:17B-180(a)(2).

These by-laws are written to be in compliance with all New Jersey State statutes and JJC rules and regulations as currently known. In the event of changes or discrepancies between these by-laws and state rules, the Cape May County Youth Services Commission (CMCYSC) will conform to the state rules and regulations as they are enacted, until such time as amendments to these bylaws can be made. Reference to the "Commission" means the Cape May County Youth Services Commission. Reference to the "State Commission" or "JJC" means the state Juvenile Justice Commission.

ARTICLE III: DUTIES AND RESPONSIBILITIES

A. The Cape May County Youth Services Commission shall:

1. Prepare and submit the comprehensive triennial plan, out year updates and annual funding applications provided for in the N.J.A.C. 13:90-3.11, with respect to the totality of services and programs comprising the county's juvenile justice service system;
2. Make recommendations to coordinate and integrate existing sanction and services for juveniles adjudicated or charged as delinquent and delinquency prevention programs;

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3. Assess and prioritize the needs of youth adjudicated or charged delinquent;
4. Assess existing delinquency prevention programs to determine whether such programs meet the needs of youth, are effective in meeting program goals and in ensuring financial accountability;
5. Determine, through the collection and maintenance of data, the nature and scope of juvenile offenses and problems in the county and identify the geographical regions within the county where such offenses and problems are most prevalent;
6. Propose a system of sanctions and services for youth adjudicated or charged as delinquent, that includes identifying geographical regions within the county where existing programs do not satisfy the needs of such youth, and developing proposals for closing gaps in the delivery of such sanctions and services;
7. Review, evaluate and monitor through at least one site visit annually, existing sanctions and services under the jurisdiction, control or proposed by the Cape May County Youth Services Commission, for juveniles adjudicated or charged delinquent and existing delinquency prevention programs to determine effectiveness in meeting program goals and in ensuring financial accountability;
8. Recommend to the Cape May County Board of Chosen Freeholders, the approval or disapproval of contracts with providers seeking to participate in the Partnership/Family Court Programs.
9. Cooperate with other State, county, municipal agencies and other entities in the planning of ongoing efforts relating to the Cape May County's juvenile justice service system.
10. Inform the public of the scope of juvenile offenses, the needs of youth in the county and the availability of sanctions and services, and advocate for the needs of youth;
11. Serve as the advisory body of the county on issues relating to sanctions and services for juveniles adjudicated or charged as delinquent and delinquency prevention programs;
12. Coordinate the efforts of municipal and regional Youth Services Commissions and ensure their participation in the county planning process;
13. Appoint liaisons to participate in planning and related activities with appropriate county bodies, for example, the Human Services Advisory Council, the Mental Health Board, the

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- Local Council on Alcohol and Drug Abuse, and the County Inter-Agency Coordinating Council (CIACC), as invited, to maximize efficient and effective use of Partnership funds;
14. Determine whether a need exists, and if so, sponsor the establishment of a multi-disciplinary team (MDT) to plan specific sanctions and services to individual youth;
 - a. The MDT shall plan specific sanctions and services as:
 - i. An alternative to detention for a juvenile charged as a delinquent;
 - ii. As a recommendation for a disposition option for a judge of the Family Court upon an adjudication of delinquency; and
 - iii. As a component of aftercare following the commitment of a juvenile to the Juvenile Justice Commission by a judge of the Family Court;
 15. Coordinate the planning of aftercare sanctions and services for juveniles returning to the community following commitment to the Juvenile Justice Commission by a judge of the Family Court;
 16. Use the Juvenile Justice Commission's web based Juvenile Automated Management System (JAMS) for purposes of periodic reporting to the Commission of programmatic, contract and contractor, fiscal monitoring, and all other information material to juveniles serviced by the Partnership/Family Court Program and any other programs administered by the Commission;
 17. Subject to review by the JJC Executive Director or designee, the CMCYSC will prepare and submit written monitoring reports and evaluations:
 - a. CMCYSC will monitor the operations of programs receiving Partnership/Family Court Program funds and/or other funds administered by the Juvenile Justice Commission for compliance with program requirements; and
 - b. Evaluate the impact of program on the targeted beneficiaries; and
 18. Encourage the involvement of youth and families in the planning of services and sanctions and program development;

ARTICLE IV: MEMBERSHIP

- A. The Cape May County Youth Services Commission shall consist of no fewer than 20 voting members and membership can include both voting and non-voting members.

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B. The commission shall be composed of voting members who have knowledge relevant to the county's population involved in, or at risk of involvement in the juvenile justice system. The membership of the Commission shall include:

1. The Presiding Judge of the Family Part of the Cape May County Superior Court within which the county is located, or, a Superior Court Family Part Judge who hears delinquency matters in the county, as his or her designee;
2. The Vicinage Family Division Manager or the Assistant Family Division Manager;
3. The Vicinage Chief Probation Officer;
4. The highest elected official of county government;
5. The county prosecutor;
6. The regional public defender;
7. One official from the State Agency responsible for issues of child abuse and neglect;
8. The county mental health administrator;
9. The county superintendent of schools;
10. The superintendent of the county vocational school;
11. The director of the county human services department or such other department of county government directly responsible for providing services to youth;
12. The director of the youth shelter located in the county;
13. The director of the detention center serving the county;
14. The director of the juvenile family crisis intervention unit established pursuant to N.J.S.A. 2A:4A-76;
15. The president of the juvenile officers association of the county or other law enforcement representative who works primarily with youth;
16. The county alcoholism and drug abuse director;
17. A representative of the regional Workforce Investment Board (WIB), established under Executive Order No. 36 (July 12, 1995); and
18. A representative of the business community in the county.
19. At least two (2), but no more than eleven (11) individuals in total, from the following groups who have demonstrated knowledge relevant to the county's population involved in, or at risk of involvement in, the juvenile justice system:

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- a. The education sector;
- b. Mental health, family counseling, child advocacy, domestic violence, and/or victims rights groups;
- c. Parents or parent organizations;
- d. Clergy;
- e. Family Law practitioners, as identified by the county bar association;
- f. The minority concerns vicinage advisory committee of the Administrative Office of the Courts;
- g. Civic organizations;
- h. Representatives of major urban areas within the county;
- i. Community youth;
- j. Municipal youth services commissions; and
- k. Other interested persons who deal with children.

C. In addition to the members identified in (B) above, the membership of the CMCYSC shall include as ex-officio members, a Juvenile Justice Commission Court Liaison. In addition, one representative of each of the following State agencies may sit on a youth services commission as non-voting ex-officio members:

- 1. The Department of Human Services;
- 2. The Departments of Labor and Workforce Development;
- 3. The Department of Education;
- 4. The Department of Health;
- 5. The Department of Community Affairs; and
- 6. The Department of Children and Families.

D. Each voting member identified in (B) 2 -19 above may be represented by a designee who is qualified by knowledge and/or experience to perform the duties of a member of a youth services commission. The names of the designees shall be submitted to the youth services commission chairpersons and YSC Administrator annually.

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- E. Members selected from (B) 17-19, as listed above, shall be made in such a way as to fulfill the objective that membership of Cape May County Youth Services Commission is reflective of the racial, ethnic and cultural demographic make-up of the county and the youth served by the sanctions, services and delinquency prevention programs planned, implemented, monitored and evaluated by the CMCYSC.

ARTICLE V: CONFLICT OF INTEREST

- A. The following Conflict of Interest Policy has been submitted to the JJC with a written statement by County Counsel that the policy is in compliance with applicable law:
1. Youth Service Commission members and officials have an obligation to avoid actual potential conflicts of interest in conducting Youth Services related business.
 2. A conflict of interest occurs when an employee or official is in a position to influence a decision that may result in personal gain for that member or official, for an immediate family member, or for a business in which the employee or official or an immediate family member has a personal interest. For the purpose of this policy, immediate family includes a spouse or dependent child residing in the employee's or official's household.
 3. No presumption of guilt is created by the mere existence of a relationship with outside firms. However, if a member or official has any actual or potential or personal conflict of interest, it is imperative that he or she disclose them to the Youth Services Commission Chairperson immediately. This notification applies but is not limited to; transactions involving purchases, contracts, or leases, whereas to prevent potential conflict of interest so that measures can be employed to protect all parties involved.
 4. Personal gain may result not only in cases where a member or official or relative of an employee or official has a significant ownership in a firm with which the Youth Services Commission does business but also when an employee or member or relative of an employee or official receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the Youth Services Commission funding.

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5. Each Youth Service Commission members and officials shall attest that they understand the conflict of interest policy and will abide by its requirements.

ARTICLE VI: CHAIRPERSONS

- A. The officers of the Commission shall be two (2) co-chairpersons and a vice chairperson. The Superior Court Family Part Judge who hears delinquency matters in the County and a Freeholder or designee shall serves as co-chairs of the Commission. The vice chairperson shall be selected by the co-chairpersons.
- B. The Chairperson shall:
1. Preside at all CMCYSC meetings and decide all points of order or procedure in accordance with "Roberts Rules of Order."
 2. Vote on motions only in the event of a tie or when necessary to attain a quorum or minimum requirement of statute or state policy.
 3. Set meeting schedules and agendas.
 4. Call special, non-regularly scheduled meetings.
 5. Serve as official spokesperson for the CMCYSC.
 6. Establish committees that may be found necessary.
 7. Appoint chairpersons of all standing and ad-hoc committees.
 8. Delegate responsibilities or tasks to committees and commission members and staff with the advice and consent of the CMCYSC.
 9. Appoint a Nominating Committee in September to present a slate of officers in November for election by the Youth Services Commission in December.
- C. In the absence of the Chair, the Vice-Chair or a designee shall perform all of the above functions necessary to conduct a specific meeting.
- D. Officers shall be ex-officio members of all committees.

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ARTICLE VII: COMMITTEES

- A. Committees, subcommittees and ad-hoc committees shall be designated by the CMCYSC chairperson. The chairperson(s) of each committee shall be appointed by the chairperson of the CMCYSC from among the voting members of the CMCYSC. Committee membership may include non-voting members and any interested person with expertise in the area under study, including non-commission members. Committees shall report to the CMCYSC at meetings unless otherwise directed by the chairperson of the CMCYSC with consent of the full commission.
- B. The CMCYSC shall have the following standing committees to consider the issues set forth in the JJC's regulations for CYSCs:
1. **A Monitoring & Proposal Review Committee**, which shall:
 - a. Monitor and evaluate all contracted services;
 - b. Make recommendations for renewing such contracts to the CMCYSC.
 - c. Review proposals from agencies seeking to provide contractible services through the Competitive Contracting procedures;
 - d. Select provider agencies and make recommendations of the same to the CMCYSC and the Board of Chosen Freeholders for the awarding of contracts.
 2. **Planning/ Program Development Committee**, which shall:
 - a. Develop the Comprehensive County Youth Services Plan that includes a needs assessment of sanctions and services for juveniles adjudicated or charged as delinquent, and of delinquency prevention programs. Submit the Plan to the CMCYSC for approval;
 - b. Analyze all relevant data pertinent to the target populations of youth which shall include education, training and community awareness and develop recommendations to enhance the service delivery system for these populations of youth and their families.
 - c. Review and analyze annual data for Plan Updates and Applications; make recommendations as needed.
 - d. Hold an annual needs assessment roundtable to bring forth any service gaps or enhancement needs that should be met by the design of a future program blueprint;
 - e. Explore alternative funding sources for programs and services.

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ARTICLE VIII: MEETINGS

- A. The Cape May County Youth Services Commission shall schedule and hold regular meetings in accordance with the provisions of the Senator Byron M. Baer Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.
- B. The CMCYSC shall meet no less frequently than six (6) times annually, provided that no more than nine weeks shall elapse between meetings and at such other times as deemed necessary by the chair, or by the Executive Director or Designee. No meeting shall be held unless presided over either by the chairperson or by a co-chairperson of the youth services commission.
- C. The time, date and location for the CMCYSC meetings shall be held at such times and in such locations as to encourage maximum public attendance, will be established annually at the last meeting of the preceding year, published in the local newspaper and on the County website.
- D. All Commission meetings shall be open to the public. Members of the public shall be permitted to ask questions or make comments at such times as the Chairperson deems appropriate. Comments and questions on agenda items can be made during discussion of the motion. Non-agenda comments and information can be given during the “Announcement” portion.
- E. The order of business at CMCYSC meetings shall include but not be limited to the following:
 - 1. Call to Order and Round Table Introductions
 - 2. Approval of Minutes
 - 3. Administrator’s Report
 - 4. JJC Report
 - 5. JDAI update
 - 6. Innovations Program Reports
 - 7. Old Business
 - 8. New Business
 - 9. Announcements/Public Response
 - 10. Adjournment

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- F. YSC staff shall keep minutes of all meetings of the CMCYSC Commission, showing the time and place, the members present, the subject considered, the actions taken, the vote of each member, the names of the members addressing the board, the names of persons appearing by attorney, and the findings made by the Commission and reasons, therefore. A draft of the minutes shall be provided to Commission members prior to the next meeting.
- G. The minutes of the CMCYSC Commission shall be available for public inspection during normal business hours at the office of the Commission located at Cape May County Administration Building, 4 Moore Road, Cape May Court House, New Jersey 08210. A copy of the minutes of each meeting shall be provided to anyone requesting it.

ARTICLE IX: CONTRACTING & APPEALS PROCESS

- A. All contracts for services will be awarded according to N.J. State Law and County of Cape May procedures, commonly known as Competitive Contracting. Included in the process is the requirement for an appeals process.
- B. A description of this process will be included in the “Request for Competitive Contract Proposals.”
 - 1. Proposals will be reviewed within 30 days of receipt. All proposers will be notified by the appropriate committee as soon as the review is completed and approved through the local process.
 - 2. An appeal relating to a non-funding decision or recommendation of the Commission must be filed in writing and submitted to the Director of the Division of Community and Mental Health within five (5) working days of the announcement of the decision or recommendation. Appeals must be made in writing and must be based on the following:
 - a. Responsiveness of the selected proposal: Appellant has the burden to prove by clear and convincing evidence that the selected agency was not responsive to the RFP.
 - b. New Information: Information discovered by the appellant after the budget submission and or presentation. Appellant has the burden to prove by clear and convincing evidence that such information was not discoverable before submission.
 - c. Process: Appellant has burden to prove by clear and convincing evidence that the Committee selection proves was not in accord with stated process.

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- C. The final recommendation of the Division of Community and Mental Health will be forwarded to the County Administrator or Counsel or designee who will prepare a report to the Board of Chosen Freeholders. It is the Board of Chosen Freeholders responsibility to determine the final action.

ARTICLE X: AMENDMENTS

- A. The CMCYSC shall vote to recommend amendments, which shall be submitted to the JJC for its review to assure compliance with applicable rules. Amendments shall take effect after approval by the CMCYSC.
- B. Amendments to the by-laws shall be made by the following process:
 - 1. Anyone wishing to suggest an amendment shall submit the change in writing to the YSC Chairperson.
 - 2. Copies of the proposed amendments shall be distributed to members of the Commission at least one week prior to the CMCYSC meeting at which it will be voted upon.
 - 3. Amendments must be approved by a 2/3 majority of voting members present.