

## §7002. Powers and duties of the department

The department has the following powers and duties with respect to the responsibility defined in section 7001. [PL 1983, c. 459, §6 (NEW).]

**1. Services.** The department shall provide, directly or through purchase or contract, services to children and their families, including, but not limited to:

A. Administering, supervising and ensuring the provision of correctional programs for juveniles adjudicated as having committed juvenile crimes; [PL 1983, c. 459, §6 (NEW).]

B. Providing technical assistance and additional financial resources to assist communities to establish and provide necessary preventive and rehabilitative services for juveniles; [PL 1983, c. 459, §6 (NEW).]

C. Coordinating its efforts with those of other state and local agencies in order to effectively use all existing resources to the maximum extent possible; [PL 1983, c. 459, §6 (NEW).]

D. Working with other public and voluntary agencies as resources for the purchase of care and services; and [PL 1983, c. 459, §6 (NEW).]

E. Stimulating the creation of voluntary services. [PL 1983, c. 459, §6 (NEW).]  
[PL 1983, c. 459, §6 (NEW).]

**2. Planning.** The department shall carry out planning for identifying, evaluating and meeting the service needs for prevention of juvenile crime and rehabilitation of juveniles adjudicated as having committed juvenile crimes. To ensure that the department's efforts to plan for and deliver prevention programs avoid duplication of the efforts of other state departments which serve juveniles and promote access to services, the commissioner shall:

A. Constitute an interdepartmental coordinating committee on primary prevention, which must be chaired by the commissioner or the commissioner's designee and must include representation from the Department of Education, Department of Health and Human Services, Department of Labor, Department of Public Safety, the Juvenile Justice Advisory Group and such other public or private agencies as the commissioner may wish to nominate that have responsibilities associated with preventing not only delinquency, but also child abuse, substance use disorder, running away from home, truancy and failing to complete school and other destructive behavior that affects juveniles. This coordinating committee shall:

(1) Develop a state primary prevention plan that provides for the use of state resources in ways that will strengthen the commitment of local communities to altering conditions that contribute to delinquency and other destructive behaviors that affect juveniles, so that the burden of state-funded treatment and crisis-responsive service programs will be reduced. The plan must provide for the coordination and consolidation of the primary prevention planning efforts of each of the state agencies specified in this section. The plan must set forth quantifiable and time-limited goals, objectives and strategies and must include proposals to integrate and build upon successful primary prevention programs;

(2) Provide for the evaluation of policies and programs developed and implemented pursuant to the plan; and

(3) Prepare, annually by November 1st, an appraisal of the State's primary prevention activities during the previous year and its recommendations for programs and activities relating to primary prevention. [PL 2017, c. 407, Pt. A, §155 (AMD).]

[PL 2017, c. 407, Pt. A, §155 (AMD).]

**3. Evaluation.** The department shall evaluate prevention and rehabilitation services with regard to, among other things:

A. Compliance with all regulations for the use of funds for those services; and [PL 1983, c. 459, §6 (NEW).]

B. Quality and cost of effectiveness of those services. [PL 1983, c. 459, §6 (NEW).]  
[PL 1983, c. 459, §6 (NEW).]

**4. Appeals.** The department shall provide structure for appeals, fair hearings and a review of grievances by children and their parents, guardian or legal custodian regarding provision of services for which the department has been given responsibility under this chapter, including, but not limited to, protecting the rights of individuals to appeal from denials of or exclusion from the services to which they are entitled, actions that preclude the individual's right of choice to specific programs, or actions that force involuntary participation in a service program.

[PL 1983, c. 459, §6 (NEW).]

**5. Training.** The department shall train personnel to perform the functions necessary to implement this chapter, including, but not limited to:

A. Meeting the need for professional personnel for juvenile services, through in-service training, institutes, conferences and educational leave grants; [PL 1983, c. 459, §6 (NEW).]

B. Upgrading education and competence of professional and other personnel and volunteers; and [PL 1983, c. 459, §6 (NEW).]

C. Making staff and training facilities available for training of staff and volunteers in contracting agencies or facilities to assure effective provision of purchased services. [PL 1983, c. 459, §6 (NEW).]

[PL 1983, c. 459, §6 (NEW).]

**6. Research and demonstration.** The department may conduct research and demonstration projects, including, but not limited to, entering into contracts with other agencies and making grants for research, including basic research into the causes of juvenile crime, evaluation of methods of service delivery in use, and development of new approaches.

[PL 1983, c. 459, §6 (NEW).]

**7. Wards.** With respect to individual juveniles for whom the department has accepted responsibility, it may take necessary action for the appointment of a guardian of a juvenile who does not have a parent to exercise effective guardianship, and it shall:

A. Assure that appropriate services are made available to them, either directly or by purchase of those services; [PL 1983, c. 459, §6 (NEW).]

B. Assume responsibility, to the extent that parents are unable to do so, for payment for services; and [PL 1983, c. 459, §6 (NEW).]

C. Assume legal custody of children or legal guardianship when vested by the court. [PL 1983, c. 459, §6 (NEW).]

[PL 1983, c. 459, §6 (NEW).]

## SECTION HISTORY

PL 1983, c. 459, §6 (NEW). PL 1987, c. 198 (AMD). PL 1989, c. 700, §A162 (AMD). PL 1995, c. 560, §K82 (AMD). PL 1995, c. 560, §K83 (AFF). PL 2001, c. 354, §3 (AMD). RR 2003, c. 2, §100 (COR). PL 2017, c. 407, Pt. A, §155 (AMD).

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