

Kentucky Children's Justice Act Task Force Bylaws

Article I

Name

Section 1. The name of this organization shall be the Kentucky Children's Justice Act Task Force, ("Task Force").

Article II

Statutory Basis/Purpose

Section 1. The Task Force is established in accordance with the Child Abuse Prevention and Treatment Act (codified at 42 USC 5106c) ("Children's Justice Act") which authorizes grants to states to develop, establish, and operate programs designed to improve:

- (1) The handling of child abuse and neglect cases, particularly cases of child sexual abuse and exploitation, in a manner which limits additional trauma to the child victim;
- (2) The handling of cases of suspected child abuse or neglect related fatalities;
- (3) The investigation and prosecution of cases of child abuse and neglect, particularly child sexual abuse and exploitation; and
- (4) The handling of cases involving children with disabilities or serious health-related problems who are victims of abuse or neglect.

Section 2. Children's Justice Act grants shall be used to implement Task Force recommendations in the following three categories:

- (1) **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;
- (2) **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

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- (3) **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.

Section 3. Supporting child abuse prevention programs or treatment services is not an appropriate use of CJA funds.

Article III *Activities*

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

State Task Force Study. **Through a three year strategic plan and** at three-year intervals, the Task Force shall document that it has comprehensively:

- (1) reviewed and evaluated State investigative, administrative and both civil and criminal judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation, 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; and
- (2) made policy and training recommendations (Task Force Recommendations) in each of the categories described in Article II, Section 2, as well as other comments and recommendations as are considered relevant and useful.

In this process, the 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 Task Force members.

Project Approval. A subcommittee of the Task Force will assess grant proposals to determine which proposals best meet the Task Force Recommendations. The committee will review the proposals and make initial suggestions for funding. The Task Force will review the committee's suggestions and make final recommendations for funding (See Art. VIII, Sec. 2).

Project Implementation. The Task Force shall monitor the progress made on the above recommendations or comparable alternatives to such.

Legislation and Public Policy. The Task Force may submit to the legislature and the Kentucky Supreme Court 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 Task Force.

Article IV *Membership*

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Section 1. The 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 Task Force shall include members representing the following disciplines:

- (1) Law enforcement community;
- (2) Criminal Court Judge(s);
- (3) Civil Court Judge(s);
- (4) Prosecuting Attorney(s);
- (5) Defense Attorney(s);
- (6) Child Advocate(s) (Attorney(s) for Children);
- (7) Court Appointed Special Advocate Representative(s);
- (8) Health Professional(s);
- (9) Mental Health Professional(s);
- (10) Child Protective Service Agencies;
- (11) Individual(s) experienced in working with children with disabilities; and
- (12) Parent Group Representative(s).

Section 2. Other members may be **recommended by** the Task Force.

Section 3. So far as may be possible, the Task Force should strive to attain members who bring diverse perspectives and reflect the varied ethnic, gender, and geographic communities located in Kentucky.

Section 5. Members shall be nominated by the Commissioner (**or a designee**) of the Department for Community Based Services.

Section 6. Members serve a three-year staggered term, and may be re-elected if they desire to continue serving. Members must attend at least one-half of scheduled Task Force meetings in order to be eligible for re-election.

Section 7. If any member does not attend three (3) consecutive, regularly scheduled meetings of the Task Force, the Chair, or individual designated by the Chair, may recommend the Task Force remove the member and fill the resulting vacancy.

Section 9. Total membership shall not exceed twenty-five (25).

Section 10. Vacancies in membership shall be filled as soon as practical.

Article V

Officers

Section 1. Officers of the Task Force shall consist of a Chair and Vice-Chair.

Section 2. The Duties of the Chair include:

- a. Guiding and leading the Task Force toward its goals;

Approved September 28, 2007

- b. Presiding at Task Force meetings;
- c. Appointing committees as provided by these bylaws;
- d. Overseeing federally required assessments; and
- e. Preparing a written agenda for meetings of the Task Force.

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.

Section 3. Committee chairpersons shall serve as a nominating committee to propose a slate of officers for election.

Section 4. Officers are elected for a one year period upon majority vote of Task Force members present or by the returning of e-mail ballots, and may be re-elected for up to three one-year terms.

Article VII *Committees*

Section 1. Committees shall be formed at three-year intervals to coincide with adoption of Task Force recommendations. The Chair and Vice-Chair shall determine the number of committees needed and the focus of each. At a minimum, there shall be at least one committee charged with overseeing the assessment process required by the Children's Justice Act.

Section 2. The Task Force Chair shall designate the chairperson for each committee. Task Force members are expected to serve on committees as needed.

Section 3. Committees may make recommendations regarding legislative positions or other policy considerations for vote of the Task Force.

Section 4. Committees shall meet as needed to complete their work.

Article VIII *Meetings*

Section 1. The Task Force shall meet at least four times a year, with additional meetings called by the Chair if necessary. A meeting schedule with at least three future meeting dates set shall be established at the beginning of each federal fiscal year. The Chair shall establish meeting dates in consultation with the Task Force.

Section 2. The Task Force may adopt a position, plan action, or amend a recommendation upon a majority vote of members present at a duly announced meeting, provided that a written agenda has been distributed to all members at least three days in advance. Although additional items may arise for discussion at a meeting, no final action shall be taken without written notice to all members unless there is unanimous consent of those present and a quorum exists.

Section 3. The presence of a majority of Task Force members at a meeting shall constitute a quorum.

Approved September 28, 2007

Section 4. Members must be present to vote on matters under consideration by the Task Force, except in the case of elections or matters previously discussed at a Task Force meeting which may be carried out by e-mail ballot. Only duly elected Task Force members are permitted to vote.

Section 5. Each Task Force member shall have one vote.

Section 6. Task Force meetings shall be conducted in accordance with the most current version of Robert's Rules of Order unless otherwise specified by these bylaws.

Article IX *Conflicts of Interest*

Section 1. A Task Force member has a duty to disclose any potential individual or organizational conflict of interest that might occur on an issue before the Task Force unless that conflict is obvious or previously disclosed. Each Task Force member shall annually sign a Conflict of Interest Disclosure Form.

Article X *Amendments*

Section 1. These bylaws may be amended upon majority vote of the Task Force membership at a duly announced meeting **where a majority of the members are present**, provided that proposed amendments are distributed to members at least ten days in advance of the meeting. **The Bylaws may be annually reviewed.**