



Juvenile Justice Commission Contra Costa County

Bylaws

February 5, 2020



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Article I Name and Purpose

Section 1.1 Name

The name of the commission shall be the Contra Costa County Juvenile Justice Commission.

Section 1.2 Purpose

It is the purpose of this Commission to serve as a public conscience in the interest of justice for children and youth as more fully set forth in these Bylaws and Policies and Procedures as developed and amended from time to time.

Article II Membership

Section 2.1 Appointment

The Presiding Judge of the Superior Court, with the concurrence of the Presiding Juvenile Court Judge, appoints individual citizens to the Juvenile Justice Commission.

Section 2.2 Terms

Commissioner terms are four years and may be renewed.

Section 2.3 Employment by Contra Costa County Probations Department

Individuals employed by the Contra Costa County Probation Department may not be members of the Juvenile Justice Commission.

Section 2.4 Employment by Contra Costa County

Employees of Contra Costa County departments, other than the Probation Department, or employees of other California county departments may be considered for membership on a case-by-case basis.

Section 2.5 Number of Commissioners

The Commission shall consist of a minimum of seven to a maximum of fifteen members.



Section 2.6 Youth Commissioners

A minimum of two positions shall be reserved for youth between the ages of 14 and 21. The Commission may appoint more youth members so long as the total number of members remains fifteen or fewer.

Section 2.7 Membership Criteria

Appointments to the Commission shall be made from residents of Contra Costa County from all geographic areas and represent the diversity of the County.

Section 2.8 Non-Voting Members

Select individuals may be nominated by a Commissioner to one of the two non-voting following types of membership: Emeritus Commissioner, or Advisor to the Commission. Individuals, once nominated, shall be accepted via majority vote of the Commission. Individuals need not be a resident of Contra Costa County at the time of appointment or during their service.

Section 2.8 Resignation

Commissioners wishing to resign their commission shall tender their resignation to the Chairperson of the Commission in writing per Commission Policies and Procedures.

Section 2.9 Meeting Attendance

Commissioners are expected to attend all meetings of the Commission. If a member finds it impossible to attend a regular Commission meeting they shall timely notify the Commission Chairperson via phone or email per Commission Policies and Procedures. The Commission Chairperson will determine if the absence is excusable. If a Commissioner is unable to attend a subcommittee meeting, inspection, or hearing the Commissioner shall notify the Commissioner in charge of the event of their expected absence.

Section 2.10 Leave of Absence

For good cause, a leave of absence may be granted to a Commissioner at the discretion of the Chairperson of the Commission after consultation with the Chairperson of the Membership Subcommittee.



Section 2.11 Non-Excused Absences

If a Commissioner has non-excused absences from two consecutive meetings, his/her status may be reviewed by the Membership Subcommittee, or the Commission as a whole.

If a Commissioner misses five of the regular meetings during any 12 month period, the Membership Subcommittee shall request a review of his/her status and may recommend that a replacement be appointed subject to a majority vote of the Commission.

Section 2.12 Good Cause Removal

Commissioners may be removed from their position upon a motion agreed to by a majority vote of the Commission, with the concurrence of the Presiding Judge of the Superior Court and the Presiding Juvenile Court Judge.

Section 2.13 Replacement of Unexpired Term

When a vacancy occurs for any reason, other than the expiration of a term of office, the appointee filling said vacancy shall hold office for the unexpired term of his/her predecessor.

Article III Duties

Section 3.1 Inspections

Conduct annual inspections of County juvenile justice facilities and jails that confine minors for more than 24 hours, conduct inspections of group home every two years, and conduct any other inspections as the Presiding Judge of the Juvenile Court may delegate or direct. Commissioners shall provide written documentation of such per Commission's Policies and Procedures.

Section 3.2 Communication with Department of Probations

Receive notifications from the Chief Probation Officer, his or her designee, or any other County officer or official with relevant authority or information, when any of the following occurs at any institution under the control or supervision of the county Probation Department:

- a) Fatalities or near-fatalities (any attempted suicide or homicide where admission to hospital or psychiatric facility is required) to a person in custody or any staff member while in performance of their duties.



- b) Criminal conduct by a Probation Department employee, contractor, or caretaker that relates to the custody of minors.
- c) Serious acts of violence between youth, including riots, sexual assault, aggravated battery, assault with a deadly weapon, mayhem, or other acts where serious bodily harm occurs.
- d) Other high profile incidents likely to generate substantial public interest or litigation such as fires, evacuations, public health risks, escapes, or lawsuits.

Notifications shall be rendered to the Chairperson of the Commission, or her designee, within 48 hours of any of the foregoing events. The Chairperson of the Commission shall promptly forward the communications to Commissioners.

In addition to the foregoing, whenever a notification under this section is triggered the relevant county Officer, or her designee, shall provide timely, regular, and ongoing communication of any significant developments related to the issue to the Chairperson, or her designee, until the matter is resolved. The Chairperson, or her designee, shall provide timely updates regarding these communications to the Commission at-large.

Section 3.3 Observe Dependency and Delinquency Proceedings

Observe dependency and juvenile delinquency sessions in Juvenile Court.

Section 3.4 Additional Duties

Additional duties may include, but not be limited to, being a liaison with groups sharing Commission concerns, active participation on study and project committees, testimony before the Board of Supervisors and State legislative committees, sharing relevant information with one another, all while adhering to any and all the Commission's Policies and Procedures.

Section 3.5 Duties of Non-Voting Members

Non-voting members (i.e., Emeritus Commissioners or Advisors to the Commission) may attend meetings, as possible, and may be required to perform other duties dependent on the needs of the Commission, and may serve on any Internal or External Subcommittee unless such membership presents a conflict of interest as limited by these bylaws. Their appointment to such Subcommittees shall be by majority vote of the Commission.



Section 3.6 Advocacy

The Commission may propose, endorse, or oppose state or county legislative or administrative proposals or any other legislation that would have an impact upon the administration of juvenile court law in Contra Costa County. Any such activity or positions shall be done through majority vote of the commission after time for due consideration consistent with the Bylaws related to the placement of items on the agenda. Communication of such positions must be done following the mechanisms prescribed by the Bylaws related to Reports and Media Relations.

Article IV Officers

Section 4.1 Duties

Except as described in these Bylaws, the duties of the officers shall be the usual duties of such officers as provided in Robert's Rules of Order. The Vice Chairperson shall perform such other duties as may be assigned by the Chairperson unless the Commission elects by majority vote to have Co-Chairpersons in which case both will have co-equal powers and there shall be no Vice Chairperson for that term of office.

Section 4.2 Preparation of Agenda

The Chairperson shall be responsible to prepare an agenda.

Section 4.3 Membership Status Updates to Presiding Judge of the Juvenile Court

The Chairperson shall keep the Presiding Juvenile Court Judge informed of the membership status of the Commissioners and vacancies and shall make known the Commission's recommendations for appointments.

Section 4.4 Treasurer

The Commission shall have a Treasurer whose duties shall encompass the normal duties assigned to such an officer.

Article V Election of Officers

Section 5.1 Majority Vote for Election of Officers

Officers shall be elected by a majority vote of the membership.



Section 5.2 Election of Chairperson

At each regular April meeting the Commission shall hold an election to select the Chairperson-Elect.

Section 5.3 Election of Vice-Chairperson

At each regular April meeting the Commission shall hold an election to select the Vice Chairperson-Elect, except that the Commission may, at its discretion, sequentially elect two of its members to serve as Co-Chairpersons. In the event of such a designation, the position of Vice-Chairperson shall not be filled; however, the statutory role of Vice Chairperson shall repose in the Co-Chairperson whose election is subsequent to the other.

Section 5.4 Election of Treasurer

At each regular April meeting the Commission shall hold an election to select the Treasurer-Elect.

Section 5.5 Assumption of Office

All Officers-Elect shall assume their office on July 1.

In the event that the offices of Chairperson and Vice-Chairperson shall both become vacant after the election of a Chairperson-Elect but prior to their assumption of office, the Chairperson-Elect shall immediately assume the office of Chairperson.

Section 5.6 Length of Service Requirement

The Chairperson must have served on the Commission for at least one calendar year prior to assuming office, unless a waiver has been approved by a two-thirds majority of the Commission.

Section 5.7 Elevation of Vice-Chairperson Upon Vacancy of Chair

In the event that the office of Chairperson shall become vacant, the Vice-Chairperson shall immediately be elevated to the office of Chairperson.

Section 5.8 Office Vacancy

The Commissioners shall nominate a Commissioner to fill any vacancy by an officer occurring between elections at the first regular meeting following notice of that vacancy and an election shall be held to fill that vacancy at the following regular meeting.



Section 5.9 Emergency Vacancy of Chair and Vice-Chair, Appointment by the Presiding Judge of the Juvenile Court

In the event that both the offices of Chairperson and Vice-Chairperson shall become vacant, and no election for a Chairperson-Elect has taken place for the next term of office, the Presiding Judge of the Juvenile Court shall immediately appoint a Commissioner to the office of Acting Chairperson. The Acting Chairperson shall in all ways act as the Chairperson of the Commission until such time as the Commission shall duly elect a replacement.

Section 5.10 Term Limits

No Commissioner shall serve as an officer for more than two consecutive terms in the same position.

Article VI Committees and Subcommittees

Section 6.1 Standing Committees

The Standing Committees shall be the Internal Committee and the External Committee. Each Committee may be comprised of one or more Subcommittees with a focus consistent with their primary area of responsibility. Subcommittees shall meet as necessary to conduct their business.

Section 6.2 Formation of Subcommittees; Subcommittee Chairpersons

Subcommittees shall be agreed upon at each regular April meeting. The Chairperson, with the concurrence of the nominated Commissioner, shall designate Subcommittee Chairpersons who shall serve a renewable term of one year beginning July 1. Subcommittee Chairperson vacancies may be filled by the Chairperson at any time during the year with concurrence of the Commission.

Section 6.3 Annual Subcommittee Goals

Each Subcommittee shall develop annual goals and specific objectives in support of the Commission's overall annual goals. Chairpersons of Subcommittees shall present these goals and objectives for discussion and agreement at the June meeting.

Section 6.4 Subcommittee Agenda Submission

Subcommittee Chairpersons are responsible for contacting the Commission Chairperson to place items on the Commission's agenda.



Section 6.5 Special Subcommittees

Special Subcommittees may be formed as needed and will generally have a single focus for a short term or will be involved with a specific single goal or event as directed by the Commission. The continued need of any such Special Subcommittees shall be reviewed at the June meeting each year.

Article VII Commission Meetings

Section 7.1 Minimum Annual Meetings

The Commission shall meet a minimum of 10 times each year.

Section 7.2 Regular Meeting Date and Time

Meetings shall be held on a regularly scheduled date and time of the month, as established by the Commission.

Section 7.3 Majority Constitutes Quorum

A simple majority of the existing members shall constitute a quorum. Members who have been granted a leave of absence shall not be counted when calculating the number required for a quorum. No voting shall occur without a quorum present.

Section 7.4 Robert's Rules of Order

Parliamentary authority for Commission meetings shall be the rules contained in the current edition of Robert's Rules of Order and they shall govern in all cases applicable, unless they are inconsistent with these Bylaws.

Section 7.5 Special Meetings

Special meetings may be called by the Chairperson or by two or more Commissioners.

Notice of a special Commission meeting shall be publicly posted and provided to the Commissioners at least 48 hours prior to that special meeting.

In the event that a Commissioner is unable to attend a special meeting called with less than one week's notice, their absence shall not be considered applicable for the purposes of Section 2.9 or Section 2.11 of these Bylaws.



Section 7.6 Written Notice of Regular Meetings

Written notice of all regular Commission meetings shall be communicated to the members five or more days prior to the meeting.

Section 7.7 Regular Meetings Open to Public

Regular meetings of the Juvenile Justice Commission shall be open to the public. Special meetings of the Commission may or may not be open to the public. Since the Commission is adjunct to the judicial branch of government, it is therefore not subject to the open meeting requirements of the Ralph M. Brown Act (California Government Code Sections 54950 et seq.). The Chairperson of the Commission may close any regular or special meeting to the public as deemed necessary and appropriate.

Section 7.8 Commissioner Request to Add Item to Agenda

Commission members who wish to place an item on the agenda shall notify the Chairperson at least 7 days prior to the meeting or as early as possible for emergency items.

Section 7.9 Public Request to Add Item to Agenda

Requests from non-Commissioners to discuss a matter at a Commission's meeting shall be in writing and shall state the subject to be discussed. The request should be received 7 or more days prior to the meeting date to be placed on the agenda by the Chairperson.

Section 7.10 Discussion or Action on Items Not Posted on Agenda

Discussion may occur and action may be taken on items not on the posted agenda only where, prior to the discussion or action:

- a) The majority of the members present vote and find that an emergency exists which severely impairs the public health and safety; or,
- b) Upon a two-thirds vote of the members present that the need to take action arose subsequent to the posting of the agenda; or,
- c) The item was posted for a prior meeting, but action on the item was continued to the present meeting, which is not more than five calendar days after the meeting for which the item was posted.



A member of the public may address an item not on the agenda provided that no response, discussion, or action on that item occurs except as set forth above in (a),(b), or (c).

Article VIII Hearings

Section 8.1 Authority to Hold Hearings

The Commission may hold hearings in order to carry out their responsibilities as provided in the California Welfare and Institutions Code.

Section 8.2 Sensitive Hearings in Closed Session

Any hearing that concerns the privacy of any juvenile or employee of the County of Contra Costa shall be held in closed session, including written requests from a youth's parent or guardian or an oral petition concerning a youth's welfare.

Section 8.3 Composition of Hearing Panel

Hearings may be held by the Commission at large or by a panel of Commissioners on the call of the Chairperson or two or more Commissioners and with a majority vote of the Commission.

Section 8.4 Power of Subpoena

The Commission shall, upon a majority vote of the Commission, or, if the Commission has impaneled a subset of the Commissioners to hold a hearing, a two-thirds majority of the panel, issue requests to the Presiding Judge of the Juvenile Court to issue subpoenas on behalf of the Commission, pursuant to Welfare and Institutions Code § 229.

The Commission shall, upon making such a request, provide full and accurate information to the Presiding Judge of the Juvenile Court regarding why the subpoena is necessary and appropriate.

The Chairperson of the Commission, or her designee, shall be empowered to represent the Commission in any action required to enforce compliance with any subpoena issued on behalf of the Commission. Any such action shall only be taken upon a majority vote of the Commission and in consultation with the Presiding Judge of the Juvenile Court.



Section 8.5 Due Process

The Commission shall take all steps necessary to provide appropriate due process to all participants in hearings held by the Commission. The Commission shall seek the advice of the Presiding Judge of the Juvenile Court in such situations.

Section 8.6 Written Report

At the conclusion of any hearing held by the Commission, the Commission shall issue a written report detailing its findings. The Commission shall submit the report directly to the Presiding Judge of the Juvenile Court for review.

The Commission shall also be empowered to release any report to the public, provided that any report is properly redacted to ensure the confidentiality of minors' records or any other information required to be kept confidential pursuant to state law.

Article IX Reports and Media Relations

Section 9.1 Chairperson Solely Authorized to Publicly Communicate Official Commission Positions

The Chairperson is solely authorized to communicate policy positions previously adopted by the Commission in the form of testimony, reports, et al.

Section 9.2 Chairperson May Delegate Communication Authority

The Chairperson may delegate this responsibility to other Commissioners in specific circumstances.

Section 9.3 Approval Required for Appearance by Commissioner on Behalf of Commission

The Chairperson must approve the attendance by any Commissioner on behalf of the Commission before any other group, and the subject matter of all presentations made before any other group on behalf of the Commission shall be approved by a majority vote of the Commission.

Section 9.4 Chairperson or Designee Shall Communication Public Agencies

The Chairperson or other person designated by the Commission to serve as a liaison shall be the official contact person with public agencies, such as county Departments of Health, Social



Service, Probation, Education, and the Board of Supervisors, and shall timely notify the Commission of any matter requiring its attention.

Section 9.5 Commissioner Request for Information from County Department

Any Commissioner desiring information from a County Department shall contact the Chairperson, or her designee, who will describe the procedure.

Article X Annual Report

Section 10.1 Deadline for Annual Report

The Juvenile Justice Commission annual report shall be prepared no later than 90 days following the end of the fiscal year.

Section 10.2 Recipients of the Annual Report

The annual reports shall be sent to the Board of State and Community Corrections, the Superior Court Presiding Judge, the Presiding Juvenile Court Judge, the Chief Probation Officer, the Director of the Employment and Human Services Department, and other persons or institutions as determined by the Commission.

Section 10.3 Presentation of Annual Report

The Chairperson shall present each report to the Board of Supervisors orally as soon as possible after completion of the report.

Article XI Expenses

Section 11.1 Commissioner Reimbursement

Commissioners shall be reimbursed for the actual and necessary expenses incurred in the performance of their duties.

Section 11.2 Submission of Routine Expenses

Routine expenses are to be submitted to the Chairperson on the appropriate county form.



Section 11.3 Prior Authorization for Non-Routine Expenses

Non-routine expenses (by way of example, out-of-county trips, overnight conferences, any conference with a registration fee) must be approved by the Chairperson and must receive prior authorization by appropriate County personnel.

Article XII Revisions to Bylaws

Section 12.1 Revision of Bylaws

These Bylaws shall be revised from time to time as necessary and appropriate.

Section 12.2 Annual Review of Bylaws

An annual review shall be made prior to each regular July meeting.

Section 12.3 Approval of Revised Bylaws

The Bylaws may be revised by a majority vote of the Commissioners present at any other regular meeting provided the changes proposed have been sent out with the agenda and Commissioners have had adequate opportunity for reflection and discussion.

Section 12.4 Procedure for Proposing Revisions

Any proposed change shall be introduced at a regular meeting, and may be adopted at the following regular meeting.

Section 12.5 History of Bylaws

These restated Bylaws were adopted on July 18, 2011, and supersedes the January 8, 2001, Policies and Procedures.

These Bylaws were amended to add the provisions relating to the Treasurer on October 21, 2002.

These Bylaws were amended to add the provision relating to the election of co-chairs on December 17, 2012.

These Bylaws were amended to add the provision relating to addition of non-voting members (Emeritus and Advisory members) on January 27, 2014.

These Bylaws were amended to add provisions related to youth welfare hearings, critical incident reporting, clarifying roles of subcommittees, re-sequencing the order, bifurcating the



Bylaws of the Juvenile Justice Commission and the Delinquency Prevention Commission, among other technical changes on July 21, and again on September 15, 2014, to incorporate minor technical drafting changes as suggested by the Presiding Judge of the Juvenile Court.

These Bylaws were amended January 3, 2018, to remove the role of Treasurer from the duties of a Commissioner, changed the number of excused missed meetings per year from 3 to 5, and added a provision requiring a minimum of one year of service as a Commissioner prior to assuming the role of Chair.

Section 12.6 Current Revision of Bylaws

These restated Bylaws were amended on January 8, 2020, and supersede any Bylaws adopted prior to that date. The purpose of these revisions was to significantly update the Bylaws, particularly in light of the severing of the Juvenile Justice Commission and the Delinquency Prevention Commission. The officer of Treasurer was added to the Bylaws, revisions were made to the election process of officers, clarifications and changes were made to the manner in which Commissioners were removed from the Commission due to either unavailability or good cause, provisions regarding hearings were expanded, including a provision outlining the process in which requests for subpoenas are to be made, clarifications regarding the duties of the Commission, among other revisions. In addition, the format of the Bylaws was updated, including adding section headers to make the Bylaws easier to scan quickly.

