

Montana Judicial Branch Policies & Procedures

Subject: Administration of Intervention and Prevention Programs	Policy No.: 1310
Chapter: 41-5 et al, MCA, Youth Court Act	Pages: 3
Section: Youth	Revision Date: May 31, 2016
	Effective Date: July 1, 2007

1.0 Policy

The Judicial Branch is responsible for the efficient and effective administration of the youth court Intervention and Prevention Account established in 41-5-2011, MCA, to fund appropriate programs and services for youth referred to the youth courts.

2.0 Definitions

“Account” means the Youth Court Intervention and Prevention Account established in 41-5-2011, MCA, which, in part, provides funding for Judicial Districts to implement prevention programs and other services. From the account, each Judicial District is allocated funds for programs and services.

“Panel” means the Cost Containment Review Panel established in 41-5-131, MCA.

3.0 Notification of Account Allocation

The Office of Court Administrator (OCA) shall notify each Judicial District’s chief juvenile probation officer of the district’s allocation from the account by August 15 of each fiscal year. By the end of the fiscal year following the fiscal year in which the amounts were allocated any funds not expended will revert to the general fund. OCA staff will provide monthly expenditure information to each Judicial District’s chief juvenile probation officer.

4.0 Judicial District Spending Plans

In accordance with 41-5-2012, MCA, a Judicial District may submit a plan to the OCA for approval to expend its allocation from the account.

4.1 Each Judicial District shall submit its plan on the form approved by the OCA. The form must be signed by the Youth Court judge and the chief juvenile probation officer.

4.2 Two or more Judicial Districts may submit a joint plan under the same timeline and on the same form. Each Judicial District's Youth Court judge and chief juvenile probation officer must sign the form.

4.3 The OCA shall return incomplete forms to the Judicial District. The Judicial District may resubmit the forms with additional information.

4.4 A Judicial District may submit a modified plan at any time for consideration by the OCA and the panel.

5.0 Panel Review

Pursuant to 41-5-2012, MCA, the panel must review all Judicial District plans and recommend to the OCA whether each plan should be approved. The panel's recommendation is advisory only. However, the OCA must consider the panel's recommendation before approving or disapproving a plan.

5.1 After completing an initial review of the plans for completeness, the OCA shall submit the plans to each panel member and alternate.

5.2 The panel shall submit its recommendation to the OCA after the panel meets. The panel will meet monthly.

6.0 Judicial District Spending Plans

6.1 Pursuant to 41-5-2012, MCA, the OCA shall review each plan and the recommendation from the panel. The OCA shall approve a Judicial District's plan if it meets the following criteria:

6.1.1 The plan would meet one or more of the purposes provided for in 41-5-2012(2), MCA;

6.1.2 The plan would not use funding for any of the purposes prohibited in 41-5-113(1), MCA;

6.1.3 The proposed outcome measures and evaluation methods identified in the plan are reasonable;

6.1.4 For a plan seeking continuation of an existing program or service, the outcome measures from the previous plan demonstrate that the program or service is effective in addressing the needs of youth referred to the program or service; and

6.1.5 The plan is fiscally responsible, and the cost of the proposed program or service is comparable to the costs for similar programs or services throughout the state.

6.2 The OCA shall notify the Judicial District and the panel when a plan is approved or disapproved.

- 6.3 If the OCA disapproves a plan, the Judicial District may submit a new or revised plan. The OCA shall assist a Judicial District in identifying changes that could result in the approval of the plan.
- 6.4 If a plan is approved, the OCA will assist the Judicial District in establishing contracts or memorandum of understanding with providers in compliance with applicable procurement statutes and policies. If a contract is required, all signatures must be obtained prior to any services being provided.
- 6.5 A Judicial District must submit invoices to the OCA for payment on a monthly basis or as agreed to in the contract. No services may be paid prior to the start date of the contract unless authorized by the OCA.
- 6.6 By August 15 of each year, each Judicial District must submit a report to the OCA and the panel detailing the results of the outcome and tracking measures submitted with the previous year's plan(s).

7.0 Closing

Questions about this policy should be directed to Office of Court Administrator at the following address:

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