

CHAPTER 215  
HB 1624-FN – FINAL VERSION

12Feb2014... 0336h  
19Mar2014... 0891h  
04/24/14 1405s  
05/08/14 1617s  
15May2014... 1889EBA

2014 SESSION

14-2088  
05/04

HOUSE BILL            ***1624-FN***

AN ACT                modernizing the juvenile justice system to ensure rehabilitation of juveniles and preservation of juvenile rights.

SPONSORS:            Rep. Walz, Merr 23; Rep. Wallner, Merr 10; Rep. Ulery, Hills 37; Sen. Kelly, Dist 10; Sen. Fuller Clark, Dist 21; Sen. Odell, Dist 8

COMMITTEE:          Children and Family Law

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AMENDED ANALYSIS

This bill:

- I. Changes the age of minority for juvenile delinquency proceedings from 17 to 18 years of age.
- II. Clarifies competency determinations in juvenile proceedings.
- III. Clarifies right to counsel in juvenile hearings under RSA 621:19, I-a.
- IV. Changes waiver of counsel procedure for juvenile proceedings.
- V. Directs the department of health and human services to collect certain data regarding the juvenile justice program.
- VI. Requires the judicial council to adopt standards relative to the appointment and qualification of juvenile defense counsel.
- VII. Requires the department of health and human services to submit a juvenile justice services report to the legislature.

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Explanation:          Matter added to current law appears in ***bold italics***.  
                                Matter removed from current law appears [~~in brackets and struck through~~].  
                                Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fourteen*

AN ACT                    modernizing the juvenile justice system to ensure rehabilitation of juveniles and preservation of juvenile rights.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            215:1 Department of Corrections; Definition of Adult. Amend RSA 21-H:2, I to read as follows:

2            I. "Adult" means [~~notwithstanding RSA 21:44,~~] any person [~~17~~] **18** years of age or older or  
3 any person under the age of [~~17~~] **18** who has been certified as an adult pursuant to RSA 169-B:24.

4            215:2 Department of Corrections; Definition of Delinquent. Amend RSA 21-H:2, IV to read as  
5 follows:

6            IV. "Delinquent" or "delinquent child" means [~~notwithstanding RSA 21:44,~~] a person who  
7 has committed an offense before reaching the age of [~~17~~] **18** years which would be a felony or  
8 misdemeanor under the criminal code of this state if committed by an adult.

9            215:3 Delinquent Children; Definition of Delinquent. Amend RSA 169-B:2, IV to read as follows:

10           IV. "Delinquent" means a person who has committed an offense before reaching the age of  
11 [~~17~~] **18** years which would be a felony or misdemeanor under the criminal code of this state if  
12 committed by an adult, and is expressly found to be in need of counseling, supervision, treatment, or  
13 rehabilitation as a consequence thereof.

14           215:4 Delinquent Children; Definition of Minor. Amend RSA 169-B:2, VI to read as follows:

15           VI. "Minor" means a person under the age of [~~17~~] **18**.

16           215:5 Delinquent Children; Jurisdiction. Amend RSA 169-B:4, I to read as follows:

17           I. The court shall have jurisdiction over any minor with respect to whom a petition is filed  
18 under this chapter after the minor's [~~seventeenth~~] **eighteenth** and before the minor's [~~eighteenth~~]  
19 **nineteenth** birthday for an alleged delinquency offense committed before the minor's [~~seventeenth~~]  
20 **eighteenth** birthday.

21           215:6 Delinquent Children; Jurisdiction. Amend the introductory paragraph of RSA 169-B:4, II  
22 to read as follows:

23           II. The court may retain jurisdiction over any minor during the period after the minor's  
24 [~~seventeenth~~] **eighteenth** birthday as justice may require for any minor who, prior to the minor's  
25 [~~seventeenth~~] **eighteenth** birthday, was adjudicated delinquent and:

**CHAPTER 215**  
**HB 1624-FN – FINAL VERSION**  
**- Page 2 -**

1           215:7 Delinquent Children; Jurisdiction. Amend RSA 169-B:4, II(b) to read as follows:

2                   (b) Who has, prior to the minor's [~~seventeenth~~] ***eighteenth*** birthday, consented to the  
3 court's retention of jurisdiction; and

4           215:8 Delinquent Children; Jurisdiction. Amend the introductory paragraph of RSA 169-B:4, IV  
5 to read as follows:

6                   IV. The court shall close the case when the minor reaches age [~~17~~] ***18*** or, if jurisdiction is  
7 extended pursuant to paragraph II, when:

8           215:9 Delinquent Children; Jurisdiction. Amend RSA 169-B:4, VII to read as follows:

9                   VII. In any instance in which the statute of limitations has not tolled and no juvenile  
10 petition has been filed based upon acts committed before the minor's [~~seventeenth~~] ***eighteenth***  
11 birthday, the state may proceed against the person in the criminal justice system after that person's  
12 eighteenth birthday.

13           215:10 Delinquent Children; Dispositional Hearing; Age of Juvenile. Amend RSA 169-B:19, III-  
14 a(a) to read as follows:

15                   III-a.(a) Prior to the [~~seventeenth~~] ***eighteenth*** birthday of a minor who had been  
16 adjudicated delinquent for committing a violent crime as defined in RSA 169-B:35-a, I(c), or who had  
17 been petitioned to court on 4 or more occasions and adjudicated delinquent in 4 separate  
18 adjudicatory hearings which alleged misdemeanor or felony offenses, the prosecutor or the  
19 department of health and human services may file a motion with the court to extend jurisdiction  
20 pursuant to RSA 169-B:4, V. The department of youth development services may file a motion to  
21 extend jurisdiction for any minor committed to its custody pursuant to RSA 169-B:19, I(j). The  
22 department of corrections shall be served a copy of the motion and be a party to the proceeding.

23           215:11 Delinquent Children; Petition by County Attorney or Attorney General; Age of Juvenile.  
24 Amend RSA 169-B:25 to read as follows:

25                   169-B:25 Petition by County Attorney or Attorney General. If facts are presented to the county  
26 attorney or attorney general establishing that a person under the age of [~~17~~] ***18*** has been guilty of  
27 conduct which constitutes a felony or would amount to a felony in the case of an adult and if such  
28 person is not within the jurisdiction of this state, the county attorney or attorney general may file a  
29 petition with the judge of the municipal or district court which would otherwise have jurisdiction  
30 under the provisions of this chapter. The petition shall set forth the nature of the offense with which  
31 the person is charged and shall specify the person's whereabouts if known. On receipt of such  
32 petition, the court may summarily authorize the county attorney or attorney general to proceed  
33 against such person under regular criminal procedures, and without regard to the provisions of this  
34 chapter. Pending determination by the superior court as provided in this section and pending final  
35 disposition of the matter, such persons shall be bailable with sufficient sureties as in the case of  
36 adults and, in default thereof, may be committed to the custody of the juvenile probation and parole

**CHAPTER 215**  
**HB 1624-FN – FINAL VERSION**  
**- Page 3 -**

1 officer or detained at a county correctional facility unless detention elsewhere is ordered by the  
2 superior court. The superior court shall determine, after hearing, whether such person shall be  
3 treated as a juvenile under the provisions of this section or whether the case shall be disposed of  
4 according to regular criminal procedures.

5 215:12 Juvenile Delinquency; Petition by Minor; Age. Amend RSA 169-B:26 to read as follows:

6 169-B:26 Petition by Minor. At any time prior to hearing pursuant to RSA 169-B:16, a minor  
7 who is charged with an act of delinquency committed after the minor's ~~sixteenth~~ **seventeenth**  
8 birthday may petition the court to be tried as an adult and to have such case dealt with in the same  
9 manner as any other criminal prosecution.

10 215:13 Delinquent Children; Juvenile Court Records; Age. Amend RSA 169-B:35, III(a) and (b)  
11 to read as follows:

12 (a) Police officers and prosecutors involved in the investigation and prosecution of  
13 criminal acts shall be authorized to access police records concerning juvenile delinquency, including  
14 the files of persons who at the time of the inquiry are over the age of ~~[17]~~ **18**, and to utilize for the  
15 purposes of investigation and prosecution of criminal cases police investigative files on acts of  
16 juvenile delinquency, including information from police reports, exemplars, and forensic  
17 investigations.

18 (b) Prosecutors involved in the prosecution of criminal acts shall be authorized to access  
19 police records concerning juvenile delinquency or records of adjudications of delinquency, including  
20 the files of persons who at the time of the inquiry are over the age of ~~[17]~~ **18**, if the prosecutor has  
21 reason to believe that the individual may be a witness in a criminal case. The prosecutor may  
22 disclose the existence of an adjudication for juvenile delinquency only when such disclosure is  
23 constitutionally required or after the court having jurisdiction over the criminal prosecution orders  
24 its disclosure.

25 215:14 Parole of Delinquents; Effect of Recommitment; Age of Delinquent. Amend RSA 170-H:11  
26 to read as follows:

27 170-H:11 Effect of Recommitment. Any delinquent whose parole is revoked shall be returned to  
28 the custody of the commissioner. The offender may at any time prior to his or her ~~[seventeenth]~~  
29 **eighteenth** birthday be paroled again. If not paroled, a delinquent shall remain in custody until his  
30 or her ~~[seventeenth]~~ **eighteenth** birthday.

31 215:15 Youth Development Center; Definition of Child. Amend RSA 621:3, II to read as follows:

32 II. "Child," "minor," or "juvenile" means a person under the age of ~~[17]~~ **18** years.

33 215:16 Youth Development Center; Definition of Delinquent. Amend RSA 621:3, V to read as  
34 follows:

**CHAPTER 215**  
**HB 1624-FN – FINAL VERSION**  
**- Page 4 -**

1           V. “Delinquent” or “delinquent child” means a minor who has committed an offense before  
2 reaching the age of ~~[17]~~ **18** years which would be a felony or misdemeanor under the criminal code of  
3 this state if committed by an adult.

4           215:17 Youth Development Center; Definition of Child. Amend RSA 621:3, VII to read as  
5 follows:

6           VII. “Minority” means the period of time before the age of ~~[17]~~ **18** years and terminates on  
7 the ~~[seventeenth]~~ **eighteenth** birthday.

8           215:18 Youth Development Center; Effect of Release; Conditions of Release; Age of Minor.  
9 Amend RSA 621:24 and the introductory paragraph of RSA 621:25 to read as follows:

10          621:24 Effect of Release. No administrative release or parole of a child shall operate as a  
11 discharge of the child from the center. The department shall continue to have control of children on  
12 administrative release to parole or parole until they reach the age of ~~[17]~~ **18** years, and the control  
13 conferred by the department upon others shall be conferred upon them as agents of the department,  
14 except where a child is discharged under RSA 621:19.

15          621:25 Remands and Changes in Conditions of Release. The board or the commissioner, subject  
16 to the approval of the board, may modify or cancel any arrangements or conditions relative to  
17 release, other than discharge of a child, or may order a child remanded to the center, until the child  
18 reaches the age of ~~[17]~~ **18** years or is discharged under RSA 621:19. Under the direction of the board  
19 and subject to rules adopted by the commissioner the department shall:

20          215:19 Determination of Competence. RSA 169-B:20 is repealed and reenacted to read as  
21 follows:

22          169-B:20 Determination of Competence.

23           I. As used in this section, unless the context otherwise indicates, the following terms have  
24 the following meanings:

25           (a) “Chronological immaturity” means a condition based on a juvenile’s chronological age  
26 and significant lack of developmental skills when the juvenile has no significant mental illness or  
27 mental retardation.

28           (b) “Mental illness” means any diagnosable mental impairment supported by the most  
29 current edition of the Diagnostic and Statistical Manual of Mental Disorders, published by the  
30 American Psychiatric Association.

31           (c) “Developmental disability” means a disability which is attributable to an intellectual  
32 disability, cerebral palsy, epilepsy, autism, or a specific learning disability, or any other condition of  
33 an individual found to be closely related to an intellectual disability as it refers to general  
34 intellectual functioning or impairment in adaptive behavior or requires treatment similar to that  
35 required for persons with an intellectual disability.

36           (d) “Intellectual disability” means significantly subaverage general intellectual

**CHAPTER 215**  
**HB 1624-FN – FINAL VERSION**  
**- Page 5 -**

1 functioning existing concurrently with deficits in adaptive behavior.

2 II. A minor is competent to proceed in a delinquency proceeding if the minor has:

3 (a) A rational as well as a factual understanding of the proceedings; and

4 (b) A sufficient present ability to consult with counsel with a reasonable degree of  
5 rational understanding.

6 III. The issue of a competency to proceed may be raised by the minor, by the prosecutor, or  
7 by the court at any point in the proceeding. A competency determination is necessary whenever the  
8 court has a bona fide or legitimate doubt as to a competency to proceed.

9 IV. If the court determines that a competency determination is necessary, it shall order that  
10 a minor be examined to evaluate the minor's competency to proceed. The court shall set the time  
11 within which the competency evaluation report shall be filed with the court, which shall be no later  
12 than 21 days of the court's order in cases in which at the time of the order the minor is detained, not  
13 later than 30 days of the court's order in cases in which at the time of the order the minor is in an  
14 out-of-home placement, and not later than 60 days of the court's order in cases in which at the time  
15 of the order the minor remains in the home. So that detention or placement outside the home is not  
16 unnecessarily extended by the determination of competency, the time within which the report shall  
17 be filed with the court shall be appropriately modified by the court in cases in which during the  
18 pendency of the competency evaluation the minor's placement changes. Following notice and an  
19 opportunity to be heard to the parties, upon a showing of good cause, the court may extend the time  
20 for filing of the evaluation report. Any such extension shall be limited to the time necessary for  
21 completion of the evaluation report and shall be set out in a written order which details the basis for  
22 the extension.

23 V. A competency evaluation may be conducted by an entity approved by the commissioner of  
24 health and human services, which may include an agency other than the Philbrook center, a  
25 psychiatrist, or psychologist licensed in the state of New Hampshire. The commissioner shall adopt  
26 standards establishing the process for approval as an examiner as well as the qualifications required  
27 for approval, which shall be based on generally accepted standards for forensic psychiatrists and  
28 psychologists. The expense of such evaluation shall be borne by the department of health and  
29 human services as provided in RSA 169-B:40, I(a) and shall not be subject to reimbursement under  
30 RSA 169-B:40, I(c).

31 VI. Pending a competency examination, the court shall suspend proceedings on the petition.  
32 The suspension shall remain in effect pending the outcome of a competency determination hearing.

33 VII.(a) The examiner's report shall address the juvenile's capacity and ability to:

34 (1) Appreciate the allegations of the petition.

35 (2) Appreciate the nature of the adversarial process, including:

**CHAPTER 215**  
**HB 1624-FN – FINAL VERSION**  
**- Page 6 -**

1                   (A) Having a factual understanding of the participants in the juvenile’s  
2 proceeding, including the judge, defense counsel, prosecutor, and mental health expert; and

3                   (B) Having a rational understanding of the role of each participant in the  
4 proceeding.

5                   (3) Appreciate the range of possible dispositions that may be imposed in the  
6 proceedings against the minor and recognize how possible dispositions imposed in the proceedings  
7 will affect the minor;

8                   (4) Appreciate the impact of the minor’s actions on others;

9                   (5) Disclose to counsel facts pertinent to the proceedings at issue including:

10                   (A) Ability to articulate thoughts.

11                   (B) Ability to articulate emotions.

12                   (C) Ability to accurately and reliably relate to a sequence of events.

13                   (D) Display logical and autonomous decision making.

14                   (E) Display appropriate courtroom behavior.

15                   (F) Testify relevantly at proceedings.

16                   (G) Demonstrate any other capacity or ability either separately identified by the  
17 court or determined by the examiner to be relevant to the court’s determination.

18                   (b) In assessing the minor’s competency, the examiner shall compare the minor being  
19 examined to juvenile norms that are broadly defined as those skills typically possessed by the  
20 average minor defendant adjudicated in the juvenile justice system.

21                   (c) The examiner shall determine and report if the minor suffers from mental illness,  
22 developmental disability, or chronological immaturity.

23                   (d) If the minor suffers from mental illness, developmental disability, or chronological  
24 immaturity, the examiner shall report the severity of the impairment and its potential effect on the  
25 minor’s competency to proceed.

26                   (e) If the examiner determines that the minor suffers from chronological immaturity, the  
27 examiner shall report a comparison of the minor to the average juvenile defendant.

28                   (f) If the examiner determines that the minor suffers from a mental illness, the examiner  
29 shall provide the following information:

30                   (1) The prognosis of the mental illness; and

31                   (2) Whether the minor is taking any medication and, if so, what medication.

32                   VIII. Following receipt of the competency examination report from the examiner, the court  
33 shall provide copies of the report to the parties and hold a competency determination hearing. The  
34 court may consider the report of the examiner, together with all other evidence relevant to the issue  
35 of competency, including a subsequent evaluation requested by defense under RSA 604-A, in its  
36 determination whether the minor is competent to proceed. If the court finds that the minor is

**CHAPTER 215**  
**HB 1624-FN – FINAL VERSION**  
**- Page 7 -**

1 competent to proceed, the court shall promptly resume the proceedings. If the court is not satisfied  
2 that the minor is competent to proceed, the court shall dismiss the petition.

3 IX. The prosecution shall have the burden of proving competence by a preponderance of the  
4 evidence.

5 X. Statements made by the minor in the course of a competency examination shall not be  
6 admitted as evidence in the adjudicatory or dispositional stage of the proceedings. The evaluation  
7 facility, agency, or individual shall keep records; but no reports or records of information shall be  
8 made available, other than to the court and parties, except upon the written consent of the minor if  
9 an adult at the time of consent or of the minor's parent or guardian.

10 XI.(a) Notwithstanding a finding by the court that the minor is competent to proceed in a  
11 juvenile proceeding, if the minor is subsequently transferred to the superior court, the issue of the  
12 minor's competency may be revisited.

13 (b) If a juvenile is found not competent to stand trial, the judge may refer the juvenile to  
14 the department of health and human services to assess eligibility for services through the  
15 department.

16 215:20 Appointment and Waiver of Counsel. RSA 169-B:12, I-II are repealed and reenacted to  
17 read as follows:

18 I. Absent a valid waiver, the court shall appoint counsel at the time of arraignment of an  
19 indigent minor, provided that an indigent minor detained pursuant to RSA 169-B:11, III, shall have  
20 counsel appointed upon the issuance of the detention order. For purposes of the appointment of  
21 counsel under this section, an indigent minor shall be a minor who satisfies the court, after  
22 appropriate inquiry, that the minor is financially unable to independently obtain counsel. If the  
23 court has received information indicating that the minor has a cognitive, emotional, learning, or  
24 sensory disability, the court shall require the minor to consult with counsel.

25 I-a. When an attorney is appointed as counsel for a child, representation shall include  
26 counsel and investigative, expert, and other services, including process to compel the attendance of  
27 witnesses, as may be necessary to protect the rights of the child.

28 II. The court may accept a waiver of counsel in a delinquency proceeding only when:

29 (a) The minor is represented by a non-hostile parent, guardian, or custodian;

30 (b) Both the minor and parent, guardian, or custodian agree to waive counsel;

31 (c) In the court's opinion the waiver is made competently, voluntarily, and with full  
32 understanding of the consequences;

33 (d) The petition does not allege a violation of RSA 631:1, RSA 631:2, RSA 635:1, or any  
34 violation of RSA 630, RSA 632-A, RSA 633, or RSA 636; and

35 (e) The prosecution has informed the court that it does not intend to seek certification  
36 pursuant to RSA 169-B:24, RSA 169-B:25, or any other provision of law permitting adult prosecution



**CHAPTER 215**  
**HB 1624-FN – FINAL VERSION**  
**- Page 8 -**

1 of the minor.

2 215:21 Delinquent Children; Dispositional Hearing; Commitment. RSA 169-B:19, I(j) is repealed  
3 and reenacted to read as follows:

4 (j) Commit the minor to the custody of the department of health and human services for  
5 the remainder of minority. Commitment under this subparagraph may only be made following  
6 written findings of fact by the court, supported by clear and convincing evidence, that commitment is  
7 necessary to protect the safety of the minor or of the community, and may only be made if the minor  
8 has not waived the right to counsel at any stage of the proceedings. Commitment may not be based  
9 on a finding of contempt of court if the minor has waived counsel in the contempt proceeding or at  
10 any stage of the proceedings from which the contempt arises. Commitment may include, but is not  
11 limited to, placement by the department of health and human services at a facility certified for the  
12 commitment of minors pursuant to RSA 169-B:19, VI, administrative release to parole pursuant to  
13 RSA 621:19, or administrative release consistent with the cap on youth development center  
14 population under RSA 621:10, provided that the appropriate juvenile probation and parole officer is  
15 notified.

16 215:22 Release and Discharge from Youth Development Center. RSA 621:19, I-a is repealed and  
17 reenacted to read as follows:

18 I-a. The board shall release, pursuant to paragraph I, any child committed to its care for a  
19 delinquency adjudication based on an offense other than a violent crime as defined in RSA 169-B:35-  
20 a no later than 6 months from the date of the child's commitment pursuant to RSA 169-B:19, I(j),  
21 unless the board determines that continued commitment is necessary in order to protect the safety of  
22 the child or the community, and in such case declines to release the child. If the board declines to  
23 release a child pursuant to this paragraph, it shall provide written notice to the child of his or her  
24 right to seek review of the board's decision, of his or her right to the assistance of counsel during the  
25 review process, and of the procedure the child may follow to initiate such a review. Parole review  
26 and release under this paragraph are not required during the period that a child is the subject of a  
27 delinquency petition which is awaiting adjudication or disposition.

28 I-b. Any child denied parole under this section may petition the court that committed the  
29 child to order the child released on parole. Upon receipt of the petition, the court shall schedule the  
30 matter for hearing within 15 business days. At a hearing on the petition, the child shall be entitled  
31 to the assistance of counsel. At a hearing on the petition, the court shall consider the findings of the  
32 juvenile parole board, the offense and placement history of the child, and the need for continued  
33 commitment in order to protect the safety of the child or the community. Unless the court, after a  
34 hearing, finds by clear and convincing evidence that continued commitment is necessary in order to  
35 protect the safety of the child or the community, the court shall order that the child be released by  
36 the board on parole and take such further action the court may deem appropriate.

**CHAPTER 215**  
**HB 1624-FN – FINAL VERSION**  
**- Page 9 -**

1           I-c. The right to counsel provided for in this section shall not be waived except following  
2 consultation between the child and a parent or counsel. Consultation between a child and parent is  
3 not sufficient to support waiver under this section if the parent was a victim or complainant in the  
4 underlying proceeding or has been a witness or provided information in support of the basis for  
5 revocation in a parole revocation proceeding involving the child. Children known to the department  
6 of health and human services or the court to have an emotional disorder, intellectual disability, or  
7 any other condition which may be expected to interfere with the child's ability to understand the  
8 proceedings, make decisions, or otherwise handle the proceedings without the assistance of counsel  
9 shall not waive the right to counsel guaranteed by this section.

10           215:23 Case Closure and Review of Disposition. RSA 169-B:31 is repealed and reenacted to read  
11 as follows:

12           169-B:31 Case Closure and Review of Disposition. Upon making a finding that the purposes of  
13 this chapter have been met with regard to the minor named in the petition, or for such other reason  
14 the court may deem appropriate and consistent with the purposes of this chapter, the court may  
15 order a case closed. Any case remaining open for 12 months after the date of the disposition shall be  
16 reviewed by the court annually and closed, unless the court finds by a preponderance of the evidence  
17 that the continued provision of services and court involvement are necessary and shall be fruitful to  
18 rehabilitate the minor or protect the public interest. All such findings shall be in writing and shall  
19 include the basis upon which those findings were made. Upon request by the child, the court shall  
20 also review any case in which the child remains at the youth development center more than 6  
21 months after the order of commitment without having been released on parole or having been  
22 returned to the youth development center following revocation of parole. Successive requests for  
23 review shall be granted upon request by the child but the court may deny such requests without a  
24 hearing if a review was held less than 90 days prior to receipt of a request for review. In each  
25 instance that the court reviews a case in which the child remains at the youth development center at  
26 the time of review, the child shall be entitled to the assistance of counsel, which may not be waived  
27 except following consultation between the child and a parent or counsel. Consultation between a  
28 child and parent is not sufficient to support waiver under this section if the parent was a victim or  
29 complainant in the underlying proceeding or has been a witness or provided information in support  
30 of the basis for revocation in a parole revocation proceeding involving the child. Children known to  
31 the department of health and human services or the court to have an emotional disorder, intellectual  
32 disability, or any other condition which may be expected to interfere with a child's ability to  
33 understand the proceedings, make decisions, or otherwise handle the proceedings without the  
34 assistance of counsel may not waive the right to counsel guaranteed by this section.

35           215:24 New Section; Data Collection; Reporting Requirement. Amend RSA 169-B by inserting  
36 after section 31-a the following new section:

**CHAPTER 215**  
**HB 1624-FN – FINAL VERSION**  
**- Page 10 -**

1 169-B:31-b Data Collection; Reporting Requirement.

2 I. The department shall establish a system to collect data related to:

3 (a) Charges which led to involvement with the juvenile justice system.

4 (b) The racial and ethnic identity of the child.

5 (c) The length of time a child receives services under this chapter, beginning at the time  
6 of arraignment.

7 (d) The identity of paid services or programs to whom the department has referred a  
8 child or family.

9 (e) Any other information, including outcome data, that may assist the department and  
10 the court in evaluating the availability and effectiveness of services for children who receive  
11 assistance under this chapter.

12 (f) The type of services ordered by the court after adjudication and disposition.

13 II. The department shall, upon request, make available to members of the public,  
14 compilations of the data which do not contain identifying information.

15 III. Beginning on or before December 30, 2014, the department shall provide quarterly  
16 reports regarding cases handled pursuant to this chapter to the chair of the house children and  
17 family law committee, the chair of the senate health, education and human services committee, or to  
18 the chairs of their successor committees, as well as the chair of the joint fiscal committee. The  
19 reports shall include:

20 (a) Total census at Sununu Youth Services Center (SYSC) at the beginning of each  
21 quarterly reported period reported by:

22 (1) Sex.

23 (2) County of residence.

24 (3) Status (i.e. pre-trial, confinement).

25 (4) Criminal charge.

26 (5) Re-entry into the juvenile justice system.

27 (b) The number of 6 month parole hearings and the outcomes during the previous  
28 quarter and year to date.

29 215:25 New Section; Juvenile Defense; Assigned Counsel. Amend RSA 604-A by inserting after  
30 section 2-d the following new section:

31 604-A:2-e Counsel in Juvenile Delinquency Cases. Courts assigning counsel in RSA 169-B  
32 proceedings shall do so in accordance with standards adopted by the judicial council.

33 215:26 New Paragraph; Juvenile Defense; Qualifications. Amend RSA 604-A:10 by inserting  
34 after paragraph IV the following new paragraph:

35 V. The judicial council shall adopt standards relative to appointment for juvenile counsel.  
36 Such standards shall establish training, experience, and other qualifications for attorneys to

**CHAPTER 215**  
**HB 1624-FN – FINAL VERSION**  
**- Page 11 -**

1 represent minors in such proceedings, and shall be developed with consideration of relevant national  
2 standards including, but not limited to, the Juvenile Justice Standards of the Institute of Judicial  
3 Administration and American Bar Association.

4 215:27 Department of Health and Human Services; Juvenile Justice Services Report. The  
5 department of health and human services shall review the services provided by the state for  
6 juveniles and determine if the services, placements, and programs provided are consistent with  
7 current evidence-based practice, and cost effective when compared to other states and service  
8 alternatives. Such review shall consider the cost of services on a per person basis compared to other  
9 states and service alternatives, and the effectiveness of those services in reducing juvenile  
10 delinquency and recidivism. The results of the review shall include a ranking of the services by age  
11 group, based on effectiveness, cost per person, and total cost. The department shall report the  
12 results of the review to the house and senate finance committees, the house children and family law  
13 committee, the senate health, education and human services committee, and the senate judiciary  
14 committee no later than January 15, 2015.

15 215:28 Effective Date.

16 I. Sections 22 and 27 of this act shall take effect upon its passage.

17 II. The remainder of this act shall take effect July 1, 2015.

18  
19 Approved: July 11, 2014

20 Effective Date: I. Sections 22 & 27 shall take effect July 11, 2014.

21 II. Remainder shall take effect July 1, 2015.