

SENATE BILL NO. 2153

Introduced by

Senators Poolman, Kannianen, D. Larson, Marcellais

Representatives Keiser, Roers Jones

1 A BILL for an Act to create and enact a new section to chapter 27-20 of the North Dakota
2 Century Code, relating to cooperative agreements to provide services to juveniles adjudicated
3 in tribal court; to provide for a report to legislative management; and to provide an expiration
4 date.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new section to chapter 27-20 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Tribal juvenile services cooperative agreement - Report to legislative management.**

- 9 1. The department of corrections and rehabilitation, through the division of juvenile
10 services; the supreme court, through the office of the state court administrator; and the
11 Indian affairs commission may negotiate and enter a memorandum of understanding
12 with the tribal government of a federally recognized Indian tribe in the state for the
13 purpose of accepting and providing for, in accordance with this chapter, the treatment
14 and rehabilitation of tribal juveniles who have been adjudicated in tribal court under
15 tribal or federal laws. Under the pilot program and terms of a memorandum of
16 understanding:
- 17 a. The tribal government and the juvenile court may exchange information relevant
18 to the treatment and rehabilitation needs of a tribal juvenile and the juvenile's
19 family, including tribal court orders, medical and psychiatric reports, law
20 enforcement reports, and other information pertinent to the referral;
- 21 b. The juvenile court shall provide services based on the individualized need of
22 each tribal juvenile referred to and accepted by both the tribal and juvenile court;
- 23 c. The juvenile court shall maintain regular contact with the tribe regarding each
24 tribal juvenile who has been placed in the supervision of the juvenile court and

- 1 shall provide quarterly case plans and more frequent reports if the juvenile's
2 behavior warrants; and
3 d. The juvenile court may limit the number of tribal juveniles accepted based on
4 criteria developed by the juvenile court and the availability of state resources and
5 services.
6 2. Before July first of each even-numbered year, the department of corrections and
7 rehabilitation, the juvenile court, and the Indian affairs commission shall report and
8 make recommendations to the legislative management on the status, effectiveness,
9 performance, and sustainability of a memorandum of understanding established under
10 this section.

11 **SECTION 2. EXPIRATION DATE.** This Act is effective through July 31, 2021, and after that
12 date is ineffective.