

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

Section 1 creates a new act in the Children's Code entitled "Crossover Youth Act"

Section 2 is new material entitled "Definitions" to define the terms "crossover youth" as a child simultaneously involved in both the child welfare and the juvenile justice systems, whether or not the child has been adjudicated in either system and "dually involved eligible adult" as a person who is being served by the fostering connections program pursuant to the Fostering Connections Act [Sections 32A-26-1 to 32A-26-12] and who is simultaneously involved in the juvenile justice system or adult criminal justice system.

Section 3 provides new material entitled "Crossover Youth Program Created – Program Coordinator – Duties"

Subsection A creates the program within the department and requires the department to appoint a program coordinator.

Subsection B lists the duties of the program coordinator to facilitate collaboration between the protective services division and juvenile justice division for crossover youth; facilitate collaboration between the fostering connections program and the adult criminal justice system for dually involved eligible adults; collect data; develop and deliver mandatory training materials to stakeholders; and assist the department in promulgating rules for the Act.

Section 4 is new material entitled "Crossover Youth Training"

Subsection A requires the department to develop and deliver annual mandatory training to all staff assigned to protective services division and the juvenile justice system, including children's court attorneys on (1) crossover youth issues, including issues concerning delinquent offenders, the federal Indian Child Welfare Act of 1978, the Indian Family Protection Act, the Fostering Connections Act, and the negative impact of juvenile justice on youth exiting the foster care system; and (2) cultural humility and racial and ethnic disparities impacting youth involved in the system.

Subsection B requires the public defender department, all district attorneys' offices, and the office of family representation and advocacy, to develop and deliver annual training for all attorneys, guardians ad litem, and appropriate support staff on the same issues as in Subsection A.

Subsection C requires the department, in collaboration with the AOC, to develop and deliver training to all judicial officers in children's court on the same issues as in Subsection A as well as the importance of having one judge for one family in crossover cases and the importance of having judges confer with each other when that's not possible.

Section 5 is new material entitled "Intra-Agency Collaboration – Interagency Collaboration"

Subsection A provides that the protective services division and juvenile justice division shall jointly manage cases involving crossover youth and develop protocols to ensure case coordination.

Subsection B provides that in all cases involving crossover youth, the program coordinator shall work with the department, the public education department, the department of health, the health care authority, and any other appropriate agencies.

Section 6 is new material entitled “Basic Rights”

Subsection A provides that when a crossover youth is placed in the legal custody of the department or another person and the youth’s siblings are not jointly placed, the siblings have reasonable rights of visitation, unless there is a court finding that it would be contrary to the safety or wellbeing of any of the siblings.

Subsection B provides the same rights for parents, guardians, or custodians of the crossover youth.

Section 7 amends Section 32A-2-3 entitled “Definitions” to include the definition of “crossover youth” in this definitional section for the Delinquency Act.

Section 8 amends Section 32A-2-7 entitled “Complaints – Referral – Preliminary Inquiry – Notice – Time Waiver” in the Delinquency Act

Subsection C is amended to include language to provide the same safeguards for crossover youths as provided for a detained child under the delinquency act – i.e. to give reasonable notice and opportunity to be present for the youth’s parent, guardian, or custodian, attorney, guardian ad litem, and protective services division of the department.

Section 9 amends Section 32A-2-24 entitled “Probation Revocation – Disposition” to include “Crossover Youth” in the title of the section.

Subsection C is added as new material to provide that during a probation revocation for a crossover youth, the petition to revoke shall include a statement by the juvenile justice division of the department that they made reasonable efforts to help the youth with probation requirements.

Section 10 is new material entitled “Appropriation” and provides that \$100,000 is appropriated from the general fund to CYFD for fiscal year 2026 to create and staff the program in the Crossover Youth Act. Any unexpended balance shall revert back to the general fund.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

The bill adds mandatory training for the department, the public defender, the district attorneys, and the juvenile justice division of the department with \$100,000 appropriated from the general fund for those purposes and for the purpose of implementing the provisions of the Act.

SIGNIFICANT ISSUES

None noted. The bill is designed to increase awareness and collaboration between the appropriate departments/agencies for children in the foster care system, and those coming out of the system, to navigate the juvenile and adult criminal justice system and make sure the different departments/agencies are working with each other.

PERFORMANCE IMPLICATIONS

None noted.

ADMINISTRATIVE IMPLICATIONS

None noted.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Some bills also create departments to protect children, both within and without the juvenile justice division:

HB 5 – Office of Child Advocate Act

HB 391 – Office of Child Ombud Act

SB 307 – Child Ombud Act

SB 486 – Child Welfare and Services Agency

TECHNICAL ISSUES

None noted.

OTHER SUBSTANTIVE ISSUES

None noted.

ALTERNATIVES

n/a

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

n/a