

§3316. Commitment to the Department of Corrections or the Department of Health and Human Services

1. Sharing of information about a committed juvenile.

[PL 2019, c. 525, §28 (RP).]

2. Indeterminate disposition. The following provisions apply to indeterminate dispositions.

A. A commitment of a juvenile to a Department of Corrections juvenile correctional facility pursuant to section 3314 must be for an indeterminate period not to extend beyond the juvenile's 18th birthday unless the court expressly further limits or extends the indeterminate commitment, as long as the court does not extend the commitment beyond a juvenile's 21st birthday. Nothing in this Part may be construed to prohibit the provision to a juvenile following the expiration of the juvenile's term of commitment of services voluntarily accepted by the juvenile and the juvenile's parent or parents, guardian or legal custodian if the juvenile is not emancipated; except that these services may not be extended beyond the juvenile's 21st birthday. [PL 2021, c. 326, §13 (AMD).]

B. A commitment of a juvenile to the Department of Health and Human Services pursuant to section 3314 must be for an indeterminate period not to extend beyond the juvenile's 18th birthday unless the court expressly further limits the commitment. [PL 1999, c. 127, Pt. B, §6 (RPR); PL 2003, c. 689, Pt. B, §6 (REV).]

[PL 2021, c. 326, §13 (AMD).]

3. Provision of services. Nothing in this chapter may prevent juveniles who are receiving services from the Department of Corrections from receiving services from the Department of Health and Human Services.

[PL 1999, c. 127, Pt. B, §6 (RPR); PL 2003, c. 689, Pt. B, §6 (REV).]

4. Voluntary services. The following applies to voluntary services agreement provisions.

A. This chapter does not prevent a juvenile from receiving services from the Department of Corrections pursuant to a voluntary agreement with the juvenile and the juvenile's parents, guardian or legal custodian if the juvenile is not emancipated. [PL 1999, c. 127, Pt. B, §6 (RPR).]

B. If a juvenile is placed in a residence outside the juvenile's home pursuant to a voluntary services agreement, the Commissioner of Corrections or the commissioner's designee may request the court to make a determination whether reasonable efforts have been made to prevent or eliminate the need for removal of the juvenile from the juvenile's home or that no reasonable efforts are necessary because of the existence of an aggravating factor as defined in Title 22, section 4002, subsection 1-B, and whether continuation in the juvenile's home would be contrary to the welfare of the juvenile. If requested, the court shall make that determination prior to the expiration of 180 days from the start of the placement and shall review that determination not less than once every 12 months until the juvenile is no longer residing outside the juvenile's home. [PL 2001, c. 696, §8 (AMD).]

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SECTION HISTORY

PL 1977, c. 520, §1 (NEW). PL 1977, c. 664, §41 (AMD). PL 1979, c. 318 (AMD). PL 1979, c. 512, §7 (AMD). PL 1981, c. 493, §3 (AMD). PL 1983, c. 480, §B21 (AMD). PL 1993, c. 354, §11 (AMD). PL 1995, c. 502, §F9 (AMD). PL 1997, c. 591, §2 (AMD). PL 1997, c. 752, §25 (AMD). PL 1999, c. 127, §B6 (RPR). PL 2001, c. 696, §8 (AMD). PL 2003, c. 689, §B6 (REV). PL 2019, c. 525, §28 (AMD). PL 2021, c. 326, §13 (AMD).

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