

*** * * First Amended Notice of Public Meeting * * ***
The Juvenile Board of Denton County, Texas
Location of Meeting: Judge Susan Piel's Courtroom,
County Criminal Court #2, First Floor of the Denton County Courthouse
1450 East McKinney Street, Denton, Texas 76209
Date and Time of Meeting: February 3, 2023, at 1:00 p.m.

THE JUVENILE BOARD OF DENTON COUNTY, TEXAS (the Board), will be convened by a quorum of its members at the date and time indicated above; and then and there will conduct a public meeting to consider such matters as may be properly brought before the Board and may conduct business in an Executive Session (if any) as set forth below.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids of services such as interpreters for persons who are deaf or hearing impaired, readers, or large print are requested to contact the Denton County Juvenile Probation Department at 940-349-2400 two (2) working days prior to the meeting so that appropriate arrangements can be made.

*** * * * *AGENDA* * * * ***

A. OPEN MEETING

1. Public Comments (Limited to 3 minutes per person, 9 minutes for each side of an issue).
2. Approve Minutes from the December 9, 2022, meeting.
3. **REPORTS AND INFORMATION** -- Pursuant to State Open Meetings Law, the Juvenile Board is restricted to taking action on items posted on the Agenda. Action pertaining to reports and information presented may be set on future agendas for future meetings.

Jared Winter shall report on changes to the Policies and Procedures that do not require Board action.

4. **ISSUE:** Discuss and take appropriate action regarding the certification of the Juvenile Detention Pre-Adjudication and Post-Adjudication facilities as being suitable or unsuitable for the confinement of children.

REQUESTED BY: Kimberly McCary

BACKGROUND: Family Code Sections 51.12(c) and 51.125(b) require each Juvenile Court Judge and a majority of the Juvenile Board to personally inspect all pre-adjudication and post-adjudication secure detention facilities that are located in the county at least annually...and certify in writing...that the facilities are suitable or unsuitable for the confinement of children.

5. **ISSUE:** Discuss and take appropriate action regarding the suitability of the quarters and facilities of the juvenile court and make recommendations for their improvement.

REQUESTED BY: Kimberly McCary

BACKGROUND: Family Code Section 51.05(b) provides that the Juvenile Court and the Juvenile Board shall report annually to the Commissioners Court on the suitability of the quarters and facilities of the Juvenile Court and may make recommendations for their improvement.

6. **ISSUE:** Approval of changes to the Indigent Defense Plan for Juvenile Court.

ITEM REQUESTED BY: Kimberly McCary

BACKGROUND: Texas indigent defense law requires that the Juvenile Court's indigent defense plan (Plan) be submitted to the proper authorities no later than November 01 of odd years. The Juvenile Board has the duty to adopt and publish the Juvenile Court's Plan. The Board Chair is proposing changes to the current Plan. Specifically, the current plan provides for a court-appointed attorney to be released from the duties of court-appointed representation of a respondent once the family hires a retained attorney for the respondent. The Uniform Rules of Court require a substitution of counsel in this circumstance. Judge McCary requests Board approval to make any necessary conforming changes to the Plan.

Title IV. Rules Applicable In Criminal Cases and Juvenile Cases

Rule 4.1: General Rules in Criminal Cases and Juvenile Cases

4.1.1 Attorneys shall file with the applicable court clerk a letter of representation within 3 business days of being retained to represent a Defendant/Respondent. If the Defendant/Respondent is currently represented by another attorney, including a court-appointed attorney, the newly retained attorney shall also file a Motion to Substitute Counsel with the appropriate signatures in the Motion or the proposed Order granting the substitution.

7. **ISSUE:** Approval of the following request for certification of a proposed Juvenile Processing Office (JPO):

The Sanger Police Department (PD) seeks approval of a proposed JPO. The backup material to this agenda item will include the JPO application as well as a diagram further explaining the request.

REQUESTED BY: Sanger PD

BACKGROUND: State law provides:

Family Code Sec. 52.025. DESIGNATION OF JUVENILE PROCESSING OFFICE. (a) The juvenile board may designate an office or a room, which may be located in a police facility or sheriff's offices, as the juvenile processing office for the temporary detention of a child taken into custody under Section 52.01 of the Family Code. The office may not be a cell or holding facility used for detentions other than detentions under this section.

B. EXECUTIVE SESSION:

Texas Government Code § 551.071 – Consultation with the Board’s attorney in a closed meeting when the governmental body seeks the advice of its attorney about pending or contemplated litigation matter. The Board will be apprised of any developments regarding the litigation brought by the mother of a Denton County Juvenile Detention Center resident, N.H.

Gov’t Code Sec. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING. A governmental body may not conduct a private consultation with its attorney except:

(1) when the governmental body seeks the advice of its attorney about:

(A) pending or contemplated litigation; or

(B) a settlement offer; or

(2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

C. ADJOURNMENT

Approved for Posting: 
Kimberly McCary, Judge, County Court at Law No. 1

Dated: 1/11/23