

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 5: JUVENILE JUSTICE

§ 5112. Review of Programs for Juveniles – Certification.

DYS shall establish compliance standards for the operation of all Commonwealth operated or Commonwealth contracted programs which provide services to juvenile offenders. DYS shall certify such programs' compliance with the standards provided by DYS. DYS shall provide written reviews to the managers of those programs. Those programs which are unable or unwilling to comply with approved standards may not be certified.

Source: PL 16-47, § 29, modified.

Commission Comment: The Commission changed the order of this section from its original placement in PL 16-47 pursuant to 1 CMC § 3806(b).

With respect to the responsibilities of DYS in this chapter, see Exec. Order No. 2011-05, 33 Com. Reg. 31636 (May 23, 2011) and the Commission comment to 6 CMC § 5111. On April 27, 2011, Governor Benigno R. Fitial issued Executive Order 2011-05 ordering the transfer of the administration and management functions of the Juvenile Detention Unit to the Department of Corrections. *Id.* The order cites the authority of CNMI Constitution Article III, § 15, which provides in part: “The governor may make changes in the allocation of offices, agencies and instrumentalities and in their functions and duties that are necessary for efficient administration.” *Id.* The provisions of Executive Order No. 2011-05 specifically transfer the Department of Community and Cultural Affairs (DCCA) and DYS’s authority under 6 CMC § 5111(a) and (b) to the Department of Corrections (DOC). EO 2011-05 requires DOC to conform to the requirements of the Juvenile Justice Act and directs DOC to “pay particular attention” to several sections of the Act (codified as 6 CMC §§ 5112-15, 5142-44, 5152-55 and 5172). *Id.* at 31637.