

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 358 (Committee Substitute)

SHORT TITLE: Child Protective Initiatives

SPONSOR(S): Representative Ruth Easterling

FISCAL IMPACT: **Expenditures:** **Increase ()** **Decrease ()**
 Revenues: **Increase ()** **Decrease ()**
 No Impact (x)
 No Estimate Available ()

FUND AFFECTED: **General Fund (x)** **Highway Fund ()** **Local Fund ()**
 Other Fund ()

BILL SUMMARY: Provides that the Administrative Officer of the Courts encourage district attorneys to develop and disseminate information about provisions for "child friendly" courtroom environments, preparation of child witnesses, and use of videotaped and closed circuit testimony. Encourages the Administrative Officer of the Courts to develop protocols and training for (1) child abuse and neglect investigations for law enforcement agencies, (2) criminal prosecution of child abuse and neglect for district attorneys, and (3) operating polices and information sharing for local child abuse and neglected criminal investigation teams. Encourages the Director of the SBI and the Administrative Officer of the Courts to develop job descriptions and procedures for (1) law enforcement agencies specializing in child abuse and neglect criminal investigations and (2) assistant district attorneys who handle all child abuse and neglect cases. Act does not obligate General assembly to appropriate funds.

EFFECTIVE DATE: July 1, 1993

PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED: Administrative Office of the Courts and Department of Justice

	FISCAL IMPACT				
	<u>FY</u> 93-94	<u>FY</u> 94-95	<u>FY</u>	<u>FY</u>	<u>FY</u>
EXPENDITURES					
TOTAL EXPENDITURES	\$ -0-	\$ -0-			
STATE FUNDS					
FEDERAL FUNDS					
LOCAL FUNDS					
OTHER FUNDS					
RECEIPTS/FEES	\$ -0-	\$ -0-			

POSITIONS:

ASSUMPTIONS AND METHODOLOGY:

The provisions of the legislation encourage but do not require implementation of protocols, job descriptions and work procedures. In the absence of a mandate, the Department does not anticipate a requirement for additional funding. If these items are mandated in the future, the Department indicates minimal or no cost would be incurred for the Training and Standards Section to comply.

State Bureau of Investigation

The provisions of the legislation do not require the State Bureau of Investigation (SBI) to develop protocols and training or job descriptions and working procedures for law enforcement agencies that apply to criminal investigations of child abuse and neglect. If the SBI considered additional training and procedures in this area necessary, these items could be provided or developed within the current budget appropriated for the SBI.

Administrative Office of the Courts

It is not anticipated that this bill would have a substantial fiscal impact on the Judicial Branch. The bill encourages, but does not require, certain initiatives relating to the investigation and prosecution of child abuse and neglect cases. It is noted by representatives of the Administrative Office of the Courts (AOC) that the AOC and the Conference of District Attorneys are committed to child protection, and to the extent of available resources will consider and, as appropriate, implement the initiatives in conjunction with practices and plans that are already in place. The AOC provides the following narrative regarding specific initiatives encouraged under the proposed legislation.

"Section 1 of the proposed committee substitute requires the Administrative Officer of the Courts to encourage district attorneys to develop and disseminate information about "child friendly" courtroom environments, preparation of child witnesses, and use of videotaped and closed circuit testimony. Currently, guardians ad litem are instrumental in advocating for practices and procedures that make the courtroom as "child friendly" as possible, and the recently published book, Children and the Law, is available as a resource. In addition, through a Children's Justice Act grant, the AOC has acquired closed circuit television equipment for remote child testimony. All district attorneys have been notified of the availability of this equipment.

"With regard to implementing Section 2 of the bill, the North Carolina Conference of District Attorneys plans to develop a special section for child abuse prosecutors within the District Attorneys Association. Development of this special section will be discussed at the Conference's June meeting.

"Section 3 encourages the Conference to develop protocols and training for criminal prosecution of child abuse and neglect. Development and dissemination of the protocols could be accomplished by the Conference, with input from the special section of the Association. At this time, the Conference is unsure whether a specialized training program will be developed,

an item that would involve substantial costs. However, it should be noted that, through grant funds under the Children's Justice Act, the AOC has provided training sessions for the last four years on the prosecution of child sex offenses. Consideration will be given to developing and disseminating job descriptions and work procedures for child abuse and neglect prosecutors, as encouraged in Section 4. Such materials would likely be based in large part on information from protocols.

"More elaborate and extensive implementation of training programs and other measures may require additional resources. However, at present, we conclude that beginning the implementation of the initiatives in this bill can be done with existing resources; these first steps, however, may lead to the indication of the possible need for additional resources."

"Although we are not predicting a substantial fiscal impact on the Judicial Branch due to this individual bill, at some point, the cumulative additional workload from bills that impact on the courts cannot simply be absorbed, and additional resources will be required."

SOURCES OF DATA: Department of Justice and Administrative Office of the Courts

TECHNICAL CONSIDERATIONS:

FISCAL RESEARCH DIVISION

733-4910

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DATE: May 6, 1993



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