

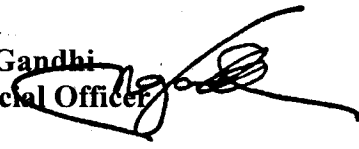
**Government of the District of Columbia
Office of the Chief Financial Officer**



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chair, Council of the District of Columbia

FROM: Natwar M. Gandhi
Chief Financial Officer 

DATE: December 2, 2008

SUBJECT: Fiscal Impact Statement: "Juvenile Speedy Trial Equity Amendment Act of 2008"

REFERENCE: Bill Number 17-431, Committee Print dated October 22, 2008

Conclusion

Funds are sufficient in the FY 2009 through FY 2012 budget and financial plan to implement the proposed legislation.

Background

The proposed legislation would amend D.C. Official Code § 16-2310 to require that fact-finding hearings be conducted within specified time frames for juveniles ordered into secure detention or shelter care. Speedy trial provisions in current permanent law only pertain to juveniles ordered into *secure detention*. The proposed bill would expand these provisions to cover juveniles ordered to *shelter care*.

The timeframes specified range from 30 days to 45 days. Current permanent law and the proposed bill enumerate authorized exceptions to these timeframes.

The temporary version of the proposed bill, Law 17-139, was enacted on February 5, 2008 and became effective on March 26, 2008.

Financial Plan Impact

Funds are sufficient in the FY 2009 through FY 2012 budget and financial plan to implement the proposed legislation.

In FY 2008, the Office of the Attorney General (OAG) added six Assistant Attorney Generals (AAGs) to facilitate the implementation of the temporary version of the proposed bill (Law 17-139). OAG used a one-time reprogramming¹ from the Office of Administrative Hearings (OAH) to fund the FY 2008 costs of these positions. OAG has subsequently included sufficient funding for the six additional AAGs in their baseline budget for FY 2009 and the out-years. OAG indicated to the OCFO that since June 2008 these additional AAGs have been sufficient to implement L17-139. Therefore, OAG has sufficient resources to implement the proposed bill, which is predominantly the same as L17-139.²

¹ R 17-471

² Aside from being distinguished as a permanent bill versus the temporary bill that became L17-139, the proposed bill only differs from the temporary bill in one way: it doesn't contain a requirement for a "...6-month study evaluating the effect upon the administration of justice in the Family Court of the Superior Court of the District of Columbia of the time frames set forth..." by L17-139. This requirement was included in the temporary bill but not in the permanent version (the proposed bill) since the study has already been completed. Therefore, this potential cost-driver is not in the proposed permanent bill.