



JUVENILE JUSTICE IN THE POST-PANDEMIC WORLD (CLE)

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State in Focus: North Dakota

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In April, the North Dakota Legislature [enacted a major overhaul](#) in the juvenile justice code—something that has not happened since 1969. The bill makes significant changes to current law, including how the state designates certain populations of young people when they come in contact with the justice system. The law replaces the designation “unruly child” with “child in need of services,” reduces confusion in how cases are handled, and allows youth access to social services without having to formally enter the juvenile justice system.

The bill also restricts out-of-home placements in some circumstances and requires the use of validated risk and needs assessments to support decisions about diversion and out-of-home placements. Finally, the law designates a presumption that all juveniles are indigent and therefore are provided a right to counsel in delinquency proceedings.

“We all are interested in our youth becoming productive citizens when they grow up, and we need to help them to get there. This will, I think, help to improve the availability of resources to help these youth, not just lock them away,” said Representative Lawrence Klemin (R), chairman of the House Judiciary Committee and member of the Commission on Juvenile Justice.

North Dakota lawmakers also extended a pilot program for tribal juvenile services agreements that aims to ensure all justice-involved, at-risk tribal and nontribal youth have access to similar services.

<https://www.legis.nd.gov/assembly/67-2021/bill-index/bi1035.html>