

May – September 2022 Draft 1

Victoria Family Court & Youth Justice Committee (VFC&YJC) **Constitution (revision)**

Using the existing VFC&YJC Constitution and incorporating into it; the recommendations from the 3 Working Groups being: 1.Succession, 2. Priorities (granting), 3. Policies, Procedures and Community Charter which were adopted by the main Committee on September 22, 2021, have been incorporated here within this draft revision. (September 2022)

Victoria Family Court and Youth Justice Committee

Constitution

1. The Family Court Committee shall consist of:

a) One elected representative appointed by each of the following jurisdictions:

- 1 City of Victoria
- 2 City of Langford
- 3 City of Colwood
- 4 District of Oak Bay
- 5 District of Saanich
- 6 Township of Esquimalt
- 7 District of Central Saanich
- 8 Township View Royal
- 9 District of Highlands
- 10 District of Metchosin
- 11 District of Sooke
- 12 District of North Saanich
- 13 Township of Sidney
- 17 Juan du Fuca Electoral Area
- 18 First Nations greater Victoria/ Capital Regional District (CRD) area
- 19 School District #61
- 20 School District #62
- 21 School District # 63

b. Notwithstanding a) above, each jurisdiction may appoint a non-elected alternate representative to the Committee such as a community volunteer citizen representative.

c. Up to seven (7) members (citizen representatives or volunteers) shall/ maybe appointed by the CRD Board for a minimum two (2) year term, names which the VFC&YJC has recommended by resolution to the CRD after their Annual General Meeting (AGM). (Please note: in the future; if VFC&YJC member numbers are in need to be reduced then, the appointments made by the CRD may be reduced to 4 members from the current number of 7.)

d. In addition, the CRD Board would ratify the Elected Officers names submitted to them from VFC&YJC by resolution after the Committee's Annual General Meeting, for the positions of Chair, Vice-chair and Treasurer. This action is in accordance with Section 5, sub-section (5) of the Provincial Court Act for a Family Court Committee. (Please note: There may be a future requirement for the VFC&YJC Chair to serve a four (4) year term to assist with the staggering of others terms.)

e. A new position of "Past Chair" may be incorporated and the Past Chair will serve a one (1) year term; the role of the Past Chair will be to provide assistance with orientation training and with potential recruitment process.

2. Representatives from the three (3) participating School Districts (61, 62, and 63) shall be appointed by their individual School Boards as voting members to the VFC&YJC. School Districts' have the discretion to appoint a School Trustee or a representative having experience in education programs or who work directly with youth.

3. Representatives of the Ministries of the Attorney General, Education and Child Care, Public Safety and Solicitor General, Health, Housing and Social Development, police forces and First Nations councils may be invited and may attend VFC&YJC meetings as non-voting resource members.

4. As well, the Resource Agencies may present to the Committee at the allotted time on a VFC&YJC agenda. It is recommended that potential presenters or delegations contact the Chair of VFC&YJC in advance of a Committee meeting for confirmation and details on presenting such as duration of time.

5. Once accepted by the Committee it shall be the duty of the Chair of VFC&YJC to submit the Annual Report for the previous year which reports out on the Committee's activities as per Section 5, sub-section 6 (c) of the Provincial Court Act to the Attorney General.

6. Once accepted by the Committee it shall be the duty of the Chair of VFC&YJC to submit the Committee's previous year's Annual Report to the CRD Board, plus the participating municipalities to VFC&YJC.

7. It shall be the duty of the Chair of VFC&YJC to submit an annual budget prepared by the VFC&YJC Treasurer and approved by the Committee at the AGM, or submitted before October of each year to CRD financial staff.

8. Any new terms will commence effective with the VFC&YJC and CRD adopted agreement for VFC&YJC to become a CRD Delegated Commission. Please note: that adoption of Bylaw No. 4453 A Bylaw to Continue VFC&YJC as a Delegated Commission was signed by the CRD Board Chair: Colin Plant and Kristen Morley CRD Corporate Officer on February 09, 2022.

For additional information please see the VFC&YJC **Terms of Reference** of the following page(s).

For Victoria Family Court and Youth Justice Committee (VFC&YJC) or, the Committee

The VFC&YJC, TOR has been revised here to incorporate the adopted recommendations by the Committee at its September 22, 2021 meeting which came from the 3 Working Groups adopted Recommendations being: Succession, Priorities / granting, Policies and Procedures Community Charter.

A. General Meetings

Please note: the following statement may be considered for removal since it may no longer be applicable? Suggestion, it could possibly be replaced with number one (1) below?

The existing Constitution currently states: “Whereas the Capital Regional District electoral year ends November 30, and whereas the Family Court and Youth Justice Committee (the Committee) year ends June 30, therefore, appointees from the municipalities shall hold their positions until the first of January following the November municipal elections.”

1. Elected Officials appointed by their municipalities may join the VFC&YJC at its meeting for the month of November after Elected Officials have been sworn into their positions in November after the October municipal elections, and they have been appointed to VFC&YJC by their perspective municipal councils.
2. The Committee will normally meet monthly (except for the months of March, July, August and December); but no fewer than four (4) times a year as per the Provincial Court Act section 5, subsection 6 (a), but with a preference for six (6) meetings a year; with any additional meetings at the call of the Chair.
3. A quorum shall be seven (7) voting members.
4. The meetings’ rules of order shall be as provided in the Capital Regional District (CRD) Board Procedures Bylaw No. 3828 and, if the matter is not set out there then, the guiding rules within the latest edition of Robert’s Rules should prevail.
5. The Chair shall exercise a vote and, in the case of a tie, the motion is defeated.
6. A vote in abstention is a vote in support of a motion.
7. Members will attend Committee meetings, and will participate in the Steering Committee meetings or a VFC&YJC sub-committee.
8. Member terms will be staggered to ensure continuity of knowledge and experience.
9. Committee voting members will be a minimum of 19 members and a maximum of 23 members.
10. Committee meetings will not be scheduled for Mondays or Wednesdays to avoid conflicts with CRD and municipal Council meetings.

11. In each calendar year, a VFC&YJC Agenda will include the following: Annual General Meeting (AGM), Budget, and Work Plan.

12. A combination of in-person and on-line meetings will be considered.

13. Committee meetings will comply with the Community Charter and provisions in the Local Government Act. Meetings are to be open to the public unless a matter listed under the Community Charter may permit the meeting or portion thereof to be closed to the public. Any Committee sessions or meetings where decisions are made must be open to the public. However, this does not apply to volunteers and Committee sub-committees provided they are not making final decisions for the Committee.

14. Committee meetings at a maximum will be approximately 2 hours in length, for the Committee to extend beyond two (2) hours will require a resolution.

15. The Chair will keep a speakers' list and limit speaking times as needed and in order to keep the meeting efficient. It is suggested first time speakers to a motion be four (4) minutes, with a second opportunity to speak only after all have had one (1) opportunity to speak.

16. Guest speakers presenting or resource member's presenting to the Committee at a meeting will have a set time to present. Their time is set at 30 minutes, 20 minutes for their presentation and 10 minutes for questions.

17. Petitions and Delegations will be provided with five (5) minutes to address the Committee.

18. Policies of the CRD will be followed with reasonable variations approved by the Committee and will ensure compliance, safety, information management, and expenses.

19. Members of the Committee will follow the CRD Commission Handbook 2020; this will form part of the Committee's orientation sessions for new members and new volunteers.

20. VFC&YJC will comply with all laws regarding the Freedom of Information and Protection of Privacy Act.

21. The Committee will follow the corporate policy and procedure regarding a respectful workplace, debate and conduct as well as VFC&YJC's existing Code of Conduct document adopted in 2020.

B. Agendas and draft Minutes

1. Minutes will follow the CRD Board Procedures Bylaw No. 3828 guidelines see it's Appendix 12. Minutes and agendas will be posted within seven (7) days of the scheduled Committee meeting, and, posted online within seven (7) days of their adoption.

2. Agenda items may be raised with the Chair in advance of the meeting or, at a meeting itself by a Notice of Motion which should be provided in writing in advance of the meeting to the Chair and recording secretary.

C. Term Limits

1. Committee members may serve three (3) terms of two (2) years, for a total of six (6) years. Following the expiry of a member's term, the Committee could request with a two-thirds majority and the appointing agency's approval to extend for a further two (2) years to ensure continuity of the Committee's work.
2. Following a one (1) year absence, a former Committee member will be eligible for reappointment for a further term of up to six (6) years.
3. Past long-time members may continue to participate as non-voting resource members and/or volunteers on sub-committees.
4. The Term Limits will commence effective from the date the VFC&YJC and CRD Board agree to the Bylaw content for the Committee to become a CRD Delegated Commission. (Please note: that Bylaw No. 4533 A Bylaw to Continue the Victoria Family Court and Youth Justice Committee as a Delegated Commission was adopted in February 2022 and signed by CRD Board Chair, Colin Plant and CRD Corporate Officer, Kristen Morley on February 09, 2022.

D. Recruiting Volunteers and a Matrix

1. The Committee will institute a qualifications matrix to identify knowledge/ expertise of existing Committee members, and to aid in recruitment to fill gaps where expertise is required (education, health, probation and welfare). Non-voting resource members may include representatives of the Ministries of the Attorney General, Education, Children and Family Development, Public Safety and Solicitor General, Restorative Justice, Health, Housing and Social Development, Police Forces and First Nations.
2. Further, in establishing criteria for expertise, VFC&YJC interprets references to education, health, probation and welfare to have a broad scope of meaning that includes mental health, addictions, Ingenious Justice, Restorative Justice, family law and other issues that affect youth in our communities.
3. The Committee will institute a program of succession planning and recruitment; consider best methods and practices for communications.
4. The Committee will institute an orientation program for new members and new volunteers. (Please note: a VFC&YJC Orientation Manual exists however, after this CRD Review and various other recommendations that Manual may need some additional updates this, should be looked into.)

E. Amendment(s) to Terms of Reference

1. A proposed amendment shall be presented in writing to the Chair at the meeting previous to the meeting at which it is to be discussed. It shall be circulated to all the Committee members as well in advance of the meeting. One-half plus one of the voting members is required to approve an amendment.

F. Amendment(s) to the Constitution

A proposed change to the Constitution may be initiated by a member of the Family Court Committee or by a participating municipality. The same procedure for amending the Terms of Reference shall apply. Amendments to the Constitution approved in Committee will be communicated to participating municipalities and the Capital Regional District for ratification.

G. Officers of the Family Court Committee

1. The Chair, Vice-chair and Treasurer shall be appointed by the CRD under Clause 2 of the VFC&YJC Constitution.

2. If an Officer or Member of the Committee is unable to complete their term, their appointing agency will be requested to make a new appointment. In the case of an Officer, the Committee will be requested to make an interim appointment (from the membership available) to perform those duties until the next AGM.

H. Duties of Officers

The Chairperson shall:

- a) Chair all the meetings of the Committee
- b) Appoint sub-committee chairpersons
- c) Prepare all agendas for Committee Meetings
- d) Have charge of all correspondence
- e) Be an ex-officio member of all sub-committees
- f) Have signing authority for funds jointly with the Treasurer

The Vice-chair shall:

- a) Undertake duties of the Chair in their absence
- b) Be an alternate signing authority for funds

The Treasurer shall:

- a) Have charge of all monies

- b) Prepare monthly statements of expenditures and revenues
- c) Have signing authority for funds
- d) Prepare annual financial statements and budgets for year ending March 31

The Secretary shall have responsibility for:

- a) Recording of minutes
- b) Distribution of agendas
- c) Notices of meetings, and
- d) Any other secretarial duties as required through the Chair.

I. Committees

Each sub-committee or task force chair shall be appointed by the Victoria Family Court and Youth Justice Committee (VFC&YJC) Chair at the Annual General Meeting (AGM) or the nearest possible meeting. The Chairs of the sub-committees may invite interested persons to serve on their sub-committee who are not members of the main VFC&YJC. The sub-committee Chairs will make reports to the main Committee and will recommend speakers, agenda items or other projects and be included through the VFC&YJ Steering Committee.

Currently, the Steering Committee meets a few weeks prior to the set main Committee meeting date to create a draft agenda and recommend guest speakers for Committee meetings. The Steering Committee is not a decision making body; decisions are made at the main Committee meetings. The Steering Committee will be comprised of the sub-committee chairs, the executive and the secretary who may meet physically or electronically to plan the agenda. Any member of the VFC&YJC is welcome to attend the Steering Committee meetings which the Secretary sends out notices to the main Committee members for their information on the date and time of the meeting. Such meetings are approximately one (1) hour.

Currently the sub-committees are:

Communications/Planning, Youth and/or Family Matters, Priorities (grants etc.), Capital Region Action Team for Sexually Exploited Youth (CRATSEY or CRAT), and Court Watch.

Ad Hoc Committees or advisory groups may be created from time to time to study or examine and report on specific matters to the main Committee.

J. Annual General Meeting (AGM)

The AGM will be held by the end of February in each year for the purpose of appointing officers, to accept the Annual Report, and accept the annual financial statements. If there are not seven (7) voting members present for a quorum, then the AGM will be postponed to the next regularly scheduled

meeting date and notification of the postponement shall be sent to the participating Municipalities and the CRD with a list of those voting members absent from the Committee meeting.

Nominations from the floor shall be the first order of business. Officers' Positions require only one (1) voting member to make a nomination from the floor. The Committee shall elect from among its voting members a Chair, Vice-chair and Treasurer, by voting with a show of hands or, if a secret ballot is requested with a carried vote of one-third of voting members present. If a secret ballot is the case then each voting member shall print their preferred candidate's name on a slip of paper which the Chair of the AGM shall collect and count with the supervision of the recording secretary. If there is a dispute, a recount will be taken in full view of voting members.

The Chair will declare the election results once the elections results are complete and the Committee shall make a motion to appoint each of the Officers elected to their positions for a one (1) year term until the next AGM.

The Annual Report shall be approved prior to distribution to the Attorney General, other ministries, participating Municipalities and the Capital Regional District (CRD).

The Financial Statements after Committee approval shall be provided to the CRD to be included in their Audit.

In the event of a vacancy, the Committee may select a voting member to fill an officer role until the next AGM.

The Chair of each sub-committee and task force shall be appointed by the Chair of VFC&YJC at the AGM, or the nearest possible meeting date.

The Committee may create additional officer roles it considers advisable and staff them with voting or non-voting members from time to time.

K. Membership

If a vacancy occurs during the year, the appointing body represented by the departed voting member should appoint a new representative to complete the term. If there is an alternate, the person may continue to represent the body that appointed them.

If a voting member is absent for more than two (2) consecutive meetings, without notice, a letter from the Chair will be forwarded to that member soliciting future intent. If no response, or a third (3) absenteeism, a letter will be forwarded from the Chair to the member's appointing body advising of the lack of representation at VFC&YJC or, the voting member may be removed by resolution of the Committee and the Chair shall alert the appointing organization, requesting a reappointment.

Available openings for voting membership vacancies will be advertised by November of each year of a vacancy in a term in a form acceptable to the appointing organization. A majority of members must have experience in education, health, probation, or welfare.

Members must represent the interests of their community or organization to the best of their ability.

This draft has been prepared by Marcie McLean, Councillor Highlands, VFC&YJC Priorities sub-committee Chair, Sept. 06, 2022