
By: Senators Green, Pinsky, Lawlah, Van Hollen, Boozer, and Stone

Introduced and read first time: January 31, 1997

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Law - Informal Adjustment Process - Conferences - Mandatory Attendance**

3 FOR the purpose of requiring that a child who is the subject of an informal adjustment
4 under the juvenile cause process appear at any conference under certain
5 circumstances; and generally relating to the juvenile informal adjustment process.

6 BY repealing and reenacting, without amendments,
7 Article - Courts and Judicial Proceedings
8 Section 3-810(e)
9 Annotated Code of Maryland
10 (1995 Replacement Volume and 1996 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article - Courts and Judicial Proceedings
13 Section 3-810(f)
14 Annotated Code of Maryland
15 (1995 Replacement Volume and 1996 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Courts and Judicial Proceedings**

19 3-810.

20 (e) (1) The intake officer may propose an informal adjustment of the matter if
21 based on the complaint and the inquiry, the intake officer concludes that the court has
22 jurisdiction but that an informal adjustment, rather than judicial action, is in the best
23 interests of the public and the child.

24 (2) The intake officer shall propose an informal adjustment by informing the
25 victim, the child, and the child's parent or guardian of the nature of the complaint, the
26 objectives of the adjustment process, the conditions and procedures under which it will be
27 conducted, and the fact that it is not obligatory.

28 (3) The intake officer shall not proceed with an informal adjustment unless
29 the victim, the child, and the child's parent or guardian consent to the informal
30 adjustment procedure.

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1 (f) (1) During the informal adjustment process, the child shall be subject to
2 such supervision as the intake officer deems appropriate; however, no person is
3 compelled to appear at any conference, produce any paper, or visit any place.

4 (2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, IF THE
5 INTAKE OFFICER DECIDES TO HAVE A CONFERENCE, THE CHILD SHALL BE
6 REQUIRED TO APPEAR.

7 [(2)] (3) The informal adjustment process shall not exceed 90 days unless
8 that time is extended by the court.

9 [(3)] (4) If the victim, the child, and the child's parent or guardian do not
10 consent to an informal adjustment, the intake officer shall authorize the filing of a
11 petition or deny authorization to file a petition under subsection (g) of this section.

12 [(4)] (5) If at any time before the completion of an agreed upon informal
13 adjustment the intake officer believes that the informal adjustment cannot be completed
14 successfully, the intake officer shall authorize the filing of a petition or deny authorization
15 to file a petition under subsection (g) of this section.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 1997.