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By: **Delegates Zirkin, Cadden, Gutierrez, Morhaim, and Quinter**

Introduced and read first time: February 11, 2005

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Office for Children, Youth, and Families - Office of the Independent Juvenile**  
3 **Justice Monitor - Jurisdiction**

4 FOR the purpose of altering a certain definition to expand the jurisdiction of the  
5 Office of the Independent Juvenile Justice Monitor to include certain facilities  
6 exercising care, custody, or control over certain children; and generally relating  
7 to the jurisdiction of the Office of the Independent Juvenile Justice Monitor.

8 BY repealing and reenacting, with amendments,  
9 Article 49D - Office for Children, Youth, and Families  
10 Section 40(d)  
11 Annotated Code of Maryland  
12 (2003 Replacement Volume and 2004 Supplement)

13 BY repealing and reenacting, without amendments,  
14 Article 49D - Office for Children, Youth, and Families  
15 Section 43  
16 Annotated Code of Maryland  
17 (2003 Replacement Volume and 2004 Supplement)

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

20 **Article 49D - Office for Children, Youth, and Families**

21 40.

22 (d) "Facility" means:

23 (1) A residential facility operated by the Department; [and]

24 (2) A residential facility owned by the Department but privately  
25 operated; AND

1 (3) A GROUP HOME OR CHILD CARE INSTITUTION EXERCISING CARE,  
2 CUSTODY, OR CONTROL OVER A CHILD RECEIVING SERVICES FROM THE  
3 DEPARTMENT.

4 43.

5 The Office shall:

- 6 (1) Evaluate at each facility:
- 7 (i) The child advocacy grievance process;
  - 8 (ii) The Department's monitoring process;
  - 9 (iii) The treatment of and services to youth;
  - 10 (iv) The physical conditions of the facility; and
  - 11 (v) The adequacy of staffing;
- 12 (2) Review all reports of disciplinary actions, grievances, and grievance  
13 dispositions received from each facility and alterations in the status or placement of a  
14 child that result in more security, additional obligations, or less personal freedom;
- 15 (3) Receive copies of the grievances submitted to the Department;
- 16 (4) Perform unannounced site visits and on-site inspections of facilities;
- 17 (5) Receive and review all incident reports submitted to the Department  
18 from facilities;
- 19 (6) Receive reports of the findings of child protective services  
20 investigations of allegations of abuse or neglect of a child in a facility; and
- 21 (7) Be available to attend meetings of the advisory boards established  
22 under Article 83C, § 2-119 of the Code.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2005.