

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE
Revised

House Bill 979
Judiciary

(Delegate Zirkin, *et al.*)

Judicial Proceedings

Department of Juvenile Services Reform Act of 2005

This bill provides that the Department of Juvenile Services (DJS) must appear in court to explain why a child, who has been adjudicated delinquent, remains in a juvenile detention facility (“pending placement”) for more than 25 days and must appear every 25 days thereafter, if the child remains in a detention facility. The bill also establishes the Joint Oversight Committee on the Department of Juvenile Services and requires DJS to provide specified information and reports to the General Assembly and the Governor by specified dates.

The portion of this bill relating to the Joint Oversight Committee on the Department of Juvenile Services takes effect June 1, 2005 and terminates December 31, 2007.

Fiscal Summary

State Effect: None. This bill’s requirements could be handled with existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: If a child remains in a juvenile detention facility (“pending placement”) for an act for which the child has been adjudicated delinquent for more than 25 days, DJS must appear at a hearing to explain the reasons for continued detention.

Joint Oversight Committee on the Department of Juvenile Services

The bill creates a Joint Oversight Committee on the Department of Juvenile Services, staffed by the Department of Legislative Services. The committee must investigate all matters concerning DJS or the provision of services to juveniles under its jurisdiction. The committee must submit its findings and recommendations in an annual report to the General Assembly by December 1 of each year.

DJS Reporting Requirements

By October 1, 2005, DJS must report to the Governor, President of the Senate, Speaker of the House of Delegates, and chairmen of the Senate Budget and Taxation Committee, House Appropriations Committee, Senate Judicial Proceedings Committee, and House Judiciary Committee on the feasibility of establishing a volunteer mentoring program for children in committed facilities. By January 1, 2006, DJS must provide a report on all specific actions taken by DJS in response to findings and recommendations of the Office of the Independent Juvenile Justice Monitor (OIJJM) and an inventory of all facilities used to place a child in an out-of-home placement.

Current Law: If a child remains in a juvenile detention facility (“pending placement”) for an act for which the child has been adjudicated delinquent for more than 25 days, DJS must submit a report to the court explaining the reasons for continued detention.

Background: The treatment of youths in and the conditions of DJS facilities have been in the news frequently over the last several years. In particular, reports of abuses at the Charles H. Hickey, Jr. School, Alfred D. Noyes Children’s Center, the Baltimore City Juvenile Justice Center, and Cheltenham Youth Facility have repeatedly caught the attention of OIJJM within the Office for Children, Youth, and Families. OIJJM has cited numerous problems – including child abuse, violence, overcrowding, a lack of appropriate services, and understaffing – at the institutions.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Juvenile Services, Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - March 2, 2005
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