

Department of Legislative Services
 Maryland General Assembly
 2009 Session

FISCAL AND POLICY NOTE

House Bill 788
 Judiciary

(Delegate Jones, *et al.*)

Judicial Proceedings

Baltimore City and Baltimore County - Child in Need of Supervision Pilot Program - Extension

This bill extends to June 30, 2013 the termination date of the Child in Need of Supervision Pilot Program in Baltimore City and Baltimore County. The bill requires the Governor to include a general fund appropriation of \$250,000 for the Department of Juvenile Services (DJS) in fiscal 2011, 2012, and 2013 to continue funding the pilot program.

The bill takes effect July 1, 2009.

Fiscal Summary

State Effect: General fund expenditures increase by \$250,000 annually from FY 2011 through 2013 to continue the pilot program. Revenues are not affected. **This bill establishes a mandated appropriation beginning in FY 2011.**

(in dollars)	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	0	250,000	250,000	250,000	0
Net Effect	\$0	(\$250,000)	(\$250,000)	(\$250,000)	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: State grants of \$167,000 for Baltimore City and \$83,000 for Baltimore County are provided annually from FY 2011 to 2013.

Small Business Effect: None.

Analysis

Current Law: A “child in need of supervision”(CINS) is a child who requires guidance, treatment, or rehabilitation and: (1) is required by law to attend school and is habitually truant; (2) is habitually disobedient, ungovernable, and beyond the control of the person having custody of him; (3) departs himself so as to injure or endanger himself or others; or (4) has committed an offense applicable only to children. (*See Courts and Judicial Proceedings Article § 3-8A-01.*)

Chapter 601 of 2005 required the Secretary of Juvenile Services to establish a DJS Child in Need of Supervision Pilot Program in Baltimore City and Baltimore County. The Governor was required to include \$250,000 annually in the fiscal 2007 through 2010 State budgets. The program must select community-based providers that offer assessment, intervention, and referral services to children in Baltimore City and Baltimore County who are alleged to be in need of supervision. The designated assessment service providers must be contracted and funded by the local management in Baltimore City and Baltimore County. (*See Courts and Judicial Proceedings Article § 3-8A-10.1.*)

A juvenile intake officer who receives a complaint alleging that a child in Baltimore County or Baltimore City is in need of supervision must refer the child and the child’s parents to one of the selected providers unless the intake officer concludes that the court has no jurisdiction or that neither an informal adjustment nor judicial action is appropriate. The provider must meet with the child and the child’s parents two to six times to discuss the child’s school performance, family interactions, peer relationships, and health, including drug and alcohol use. The provider must review all available, relevant records concerning the child, conduct an assessment of the child, and establish a case plan and record for providing services to the child. (*See Courts and Judicial Proceedings Article § 3-8A-10.1.*)

An intake officer may not authorize the filing of a delinquency or CINS petition or peace order request or propose an informal adjustment for the child unless the provider has filed a report with the court stating the date of the initial meeting with the child and that all attempts to provide assessment, intervention, and referral services have failed. (*See Courts and Judicial Proceedings Article § 3-8A-10.1.*)

Any information provided by a child incident to a referral to a selected provider may not be admitted in evidence in any adjudicatory hearing, peace order proceeding, or criminal proceeding against the child. (*See Courts and Judicial Proceedings Article § 3-8A-12.*)

The pilot program terminates September 30, 2010.

Background: During calendar 2008, the Baltimore City DJS Intake unit made 226 referrals to the CINS Pilot Project. Of the 226 referrals, 198 families received services, 131 families received comprehensive assessments and service planning, and 67 families received an initial family conference meeting. The majority of the referrals were walk-in CINS complaints. Baltimore County received 102 direct referrals from DJS during 2008. Of the referrals, 61 completed the assessment and service plan and 50 of the 61 agreed to attend further counseling services.

State Fiscal Effect: General fund expenditures increase by \$250,000 annually from fiscal 2011 to 2013 to continue funding the pilot program. This funding will be provided to DJS to distribute grants of \$167,000 and \$83,000 respectively to the Baltimore City and Baltimore County LMBs each year.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City, Baltimore County, Governor's Office for Children, Department of Budget and Management, Judiciary (Administrative Office of the Courts), Department of Juvenile Services, Department of Legislative Services

Fiscal Note History: First Reader - March 2, 2009
ncs/kdm

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