

Department of Legislative Services
2011 Session

FISCAL AND POLICY NOTE

Senate Bill 890 (Senator Gladden, *et al.*)
Judicial Proceedings

Child in Need of Supervision Pilot Program - Expansion

This bill expands the Child in Need of Supervision (CINS) Pilot Program to include Cecil, Montgomery, and Prince George’s counties. The bill requires the Governor to include a general fund appropriation of \$250,000 for the Department of Juvenile Services (DJS) in fiscal 2013 and 2014 to expand the pilot program to these counties.

The provision expanding the pilot program takes effect on July 1, 2012.

Fiscal Summary

State Effect: General fund expenditures increase by \$250,000 annually in FY 2013 and 2014 to expand the pilot program to additional jurisdictions. Revenues are not affected. **This bill establishes a mandated appropriation in FY 2013 and 2014.**

(in dollars)	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	0	250,000	250,000	0	0
Net Effect	\$0	(\$250,000)	(\$250,000)	\$0	\$0

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

Local Effect: State grants of \$100,000 each for Montgomery and Prince George’s counties and \$50,000 for Cecil County are provided in FY 2013 and 2014.

Small Business Effect: None.

Analysis

Current Law: A “child in need of supervision” 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.

Within 25 days of receiving a complaint alleging that a child is in need of supervision, a juvenile intake officer may (1) authorize the filing of a petition or a peace order request, or both; (2) propose an informal adjustment of the matter; or (3) refuse authorization to file a petition or peace order or both. An intake officer is not required to provide for an assessment and the delivery of services before authorizing action on a complaint.

CINS Pilot Program – Baltimore City and Baltimore County

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 local management boards 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 board in Baltimore City and Baltimore County. Chapter 420 of 2009 extended the termination date of the pilot program to June 30, 2013, and continued the requirement for the Governor to include \$250,000 annually in the fiscal 2011 through 2013 State budgets.

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.

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.

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.

The pilot program terminates June 30, 2013.

Background: During fiscal 2010, the Baltimore City DJS Intake unit made 298 referrals to the CINS Pilot Project. Of the 298 referrals, 279 received some form of program services with most of the 279 referrals receiving the full complement of available services. Baltimore County received 104 referrals from DJS during fiscal 2010. Of the referrals, 67 participated in the assessment and service planning process and 54 of the 67 completed the services.

State and Local Fiscal Effect: General fund expenditures increase by \$250,000 annually in fiscal 2013 and 2014 to expand the pilot program. This funding will be provided to DJS to distribute annual grants of \$100,000 to Montgomery County, \$100,000 to Prince George's County, and \$50,000 to Cecil County. Local management boards in these jurisdictions will use the funding to contract with community-based providers for provider assessments, intervention, and referral services to children and their families. For purposes of this analysis, it is assumed that although the entire pilot program terminates June 30, 2013, legislation will enable the CINS pilot program in Cecil, Montgomery, and Prince George's counties to continue through fiscal 2014.

Additional Information

Prior Introductions: HB 1500 of 2010, a similar bill, received a hearing in the House Judiciary Committee, but no further action was taken. SB 1078 of 2010, another similar bill, was heard in the Senate Judicial Proceedings Committee, but no further action was taken.

Cross File: HB 1190 (Delegate Jones, *et al.*) - Judiciary.

Information Source(s): Cecil and Montgomery counties, Department of Budget and Management, Maryland State Department of Education, Judiciary (Administrative Office of the Courts), Department of Juvenile Services, *Baltimore City/Baltimore County CINS Pilot Project Annual Report*, Department of Legislative Services

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