

HOUSE BILL 151

E3

4lr0918

By: Delegates Jones, Anderson, Arora, Barkley, Braveboy, Carter, Cluster, Dumais, Gaines, Gutierrez, Hucker, Lee, McComas, McHale, Oaks, Proctor, Rosenberg, Rudolph, Valderrama, Valentino-Smith, M. Washington, and Wilson

Introduced and read first time: January 13, 2014

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 2014

CHAPTER _____

1 AN ACT concerning

2 **Juvenile Services – Child in Need of Supervision Pilot Program – ~~Expansion~~**
3 **Reporting Requirement**

4 FOR the purpose of ~~requiring the Secretary of Juvenile Services to establish a~~
5 ~~Department of Juvenile Services Child in Need of Supervision Pilot Program in~~
6 ~~a certain number of counties each year until the Pilot Program is available in~~
7 ~~every county in the State; requiring the Secretary to determine which counties~~
8 ~~to add to the Pilot Program based on certain criteria; requiring the Secretary to~~
9 ~~submit a certain annual report to the General Assembly and the Department of~~
10 ~~Budget and Management on or before a certain date each year; altering a~~
11 ~~certain definition~~ altering a certain reporting requirement relating to a certain
12 Child in Need of Supervision Pilot Program; altering a certain obsolete
13 reference; and generally relating to the ~~expansion of the~~ Department of Juvenile
14 Services Child in Need of Supervision Pilot Program.

15 BY repealing and reenacting, with amendments,
16 ~~Article – Courts and Judicial Proceedings~~
17 ~~Section 3 – SA – 10.1~~
18 ~~Annotated Code of Maryland~~
19 ~~(2013 Replacement Volume and 2013 Supplement)~~
20 Chapter 601 of the Acts of the General Assembly of 2005
21 Section 2

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 ~~Article Courts and Judicial Proceedings~~

4 ~~§ SA 10.1.~~

5 (a) (1) ~~In this section the following words have the meanings indicated.~~

6 (2) (i) ~~“Designated assessment service provider” means a~~
7 ~~community-based provider of assessment, intervention, and referral services to~~
8 ~~children alleged to be in need of supervision and their parents or guardians.~~

9 (ii) ~~“Designated assessment service provider” includes county~~
10 ~~staff, contractors, and resources that may provide assessment, intervention, and~~
11 ~~referral services to children alleged to be in need of supervision and their parents or~~
12 ~~guardians.~~

13 (3) ~~“Pilot community” means:~~

14 (i) ~~Baltimore City;~~

15 (ii) ~~Baltimore County;~~

16 (iii) ~~Cecil County;~~

17 (iv) ~~Montgomery County; [or]~~

18 (v) ~~Prince George’s County; OR~~

19 ~~(VI) A COUNTY DESIGNATED BY THE SECRETARY OF~~
20 ~~JUVENILE SERVICES AS A PILOT COMMUNITY UNDER SUBSECTION (B)(2) OF~~
21 ~~THIS SECTION.~~

22 (b) (1) ~~The Secretary of Juvenile Services shall establish a Department of~~
23 ~~Juvenile Services Child in Need of Supervision Pilot Program in:~~

24 ~~[(1)] (I) Baltimore City;~~

25 ~~[(2)] (II) Baltimore County;~~

26 ~~[(3)] (III) Cecil County;~~

27 ~~[(4)] (IV) Montgomery County; and~~

1 ~~[(5)] (v) Prince George's County.~~

2 ~~(2) (i) BEGINNING JULY 1, 2014, THE SECRETARY OF~~
3 ~~JUVENILE SERVICES SHALL ESTABLISH A DEPARTMENT OF JUVENILE~~
4 ~~SERVICES CHILD IN NEED OF SUPERVISION PILOT PROGRAM IN TWO~~
5 ~~ADDITIONAL COUNTIES EACH YEAR UNTIL THE PILOT PROGRAM IS AVAILABLE~~
6 ~~IN EVERY COUNTY IN THE STATE.~~

7 ~~(ii) THE SECRETARY SHALL DETERMINE WHICH COUNTIES~~
8 ~~TO ADD TO THE PILOT PROGRAM UNDER SUBPARAGRAPH (i) OF THIS~~
9 ~~PARAGRAPH BASED ON COMMUNITY NEED AND LOCAL SUPPORT.~~

10 ~~(3) ON OR BEFORE JULY 1 OF EACH YEAR, THE SECRETARY~~
11 ~~SHALL REPORT TO THE GENERAL ASSEMBLY AND THE DEPARTMENT OF~~
12 ~~BUDGET AND MANAGEMENT ON THE SECRETARY'S PROGRESS TOWARD~~
13 ~~EXPANDING THE PILOT PROGRAM AND THE OUTCOMES OF PRIOR EXPANSIONS.~~

14 ~~(e) (1) The Pilot Program shall select designated assessment service~~
15 ~~providers in each pilot community.~~

16 ~~(2) The designated assessment service providers shall be contracted~~
17 ~~and funded by the local management board of each pilot community.~~

18 ~~(d) On receipt of a complaint under § 3-8A-10 of this subtitle that alleges~~
19 ~~that a child in a pilot community is in need of supervision, unless the intake officer~~
20 ~~concludes under § 3-8A-10(c) of this subtitle that the court has no jurisdiction or that~~
21 ~~neither an informal adjustment nor judicial action is appropriate, the intake officer~~
22 ~~shall refer the child and the child's parents or guardians to a designated assessment~~
23 ~~service provider for the pilot community before the intake officer may authorize the~~
24 ~~filing of a petition or peace order request or propose an informal adjustment.~~

25 ~~(e) A designated assessment service provider shall:~~

26 ~~(1) Meet with a child referred to the provider and the child's parents~~
27 ~~or guardians at least two and not more than six times to discuss the child's:~~

28 ~~(i) School performance;~~

29 ~~(ii) Family interactions;~~

30 ~~(iii) Relationships with peers; and~~

31 ~~(iv) Emotional and physical health, including drug and alcohol~~
32 ~~use;~~

1 ~~(2) Review all available, relevant records concerning the child,~~
2 ~~including:~~

3 ~~(i) Academic records;~~

4 ~~(ii) Medical records; and~~

5 ~~(iii) Psychiatric records;~~

6 ~~(3) Conduct an assessment of the child; and~~

7 ~~(4) Establish a case plan and a case record for the provision of services~~
8 ~~to the child, including:~~

9 ~~(i) Family counseling;~~

10 ~~(ii) Educational advocacy;~~

11 ~~(iii) Drug and alcohol counseling;~~

12 ~~(iv) Sex education;~~

13 ~~(v) After school programs;~~

14 ~~(vi) Truancy and dropout prevention;~~

15 ~~(vii) Transitional living services;~~

16 ~~(viii) Mediation services;~~

17 ~~(ix) Employment and job training services;~~

18 ~~(x) Alternative school placement; and~~

19 ~~(xi) Drug and alcohol counseling for the parents, guardians, or~~
20 ~~other family members of the child.~~

21 ~~(f) An intake officer may not authorize the filing of a petition or peace order~~
22 ~~request or propose an informal adjustment for a child alleged to be in need of~~
23 ~~supervision in a pilot community unless the designated assessment service provider~~
24 ~~has filed a report with the intake officer stating:~~

25 ~~(1) The date of the initial meeting with the child and the child's~~
26 ~~parents or guardians required under this section; and~~

27 ~~(2) That all attempts to provide assessment, intervention, and referral~~
28 ~~services have failed.~~

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Chapter 601 of the Acts of 2005

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SECTION 2. AND BE IT FURTHER ENACTED, That[, on]:

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(A) ON or before December 31, 2006, and annually thereafter, the Department of Juvenile Services and the [Office for Children, Youth, and Families] GOVERNOR’S OFFICE FOR CHILDREN shall jointly report to the General Assembly in accordance with § 2–1246 of the State Government Article on the implementation of this Act.

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(B) BEGINNING IN 2014, THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL INCLUDE AN EVALUATION OF THE ABILITY OF THE DEPARTMENT OF JUVENILE SERVICES TO EXPAND THE CHILD IN NEED OF SUPERVISION PILOT PROGRAM TO ADDITIONAL COUNTIES IN THE STATE.

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SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2014.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.