

Department of Legislative Services
2014 Session

FISCAL AND POLICY NOTE
Revised

House Bill 151

(Delegate Jones, *et al.*)

Judiciary

Judicial Proceedings

Juvenile Services - Child in Need of Supervision Pilot Program - Reporting Requirement

This bill requires the Department of Juvenile Services (DJS), beginning in 2014, to include in its annual report to the General Assembly regarding the Child in Need of Supervision (CINA) Pilot Program, an evaluation of the ability of DJS to expand the program to additional counties in the State.

The bill takes effect July 1, 2014.

Fiscal Summary

State Effect: DJS can handle the bill's reporting requirement using existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background:

Child in Need of Supervision

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 the child; (3) behaves so as to injure or endanger himself, herself, 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.

Local Management Board

Each county must establish and maintain a local management board to ensure the implementation of a local interagency service delivery system for children, youth, and families. A county may designate as a local management board a quasi-public nonprofit corporation that is not an instrumentality of the county government or a public agency that is an instrumentality of the county government.

CINS Pilot Program

Chapter 601 of 2005 required the Secretary of Juvenile Services to establish a DJS CINS Pilot Program in Baltimore City and Baltimore County. Chapter 382 of 2011 expanded the pilot program to Cecil, Montgomery, and Prince George's counties. The pilot program terminates June 30, 2016. Chapter 601 also requires DJS and the Governor's Office for Children (formerly the Office for Children, Youth, and Families) to jointly report annually to the General Assembly on the implementation of the legislation.

Under the pilot program, local management boards must select community-based providers that offer assessment, intervention, and referral services to children in the pilot program jurisdictions who are alleged to be in need of supervision. The designated assessment service providers must be contracted and funded by the local management boards.

A juvenile intake officer who receives a complaint alleging that a child in one of the pilot program jurisdictions 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.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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