

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

Senate Bill 144

(Senator Kelley)

Judicial Proceedings

Judiciary

Family Law - Foster Care - Kinship Parent Age Requirements

This bill alters, from 21 to 18, the age that a person must be to serve as a kinship parent for a child in need of out-of-home placement. The bill also repeals a provision authorizing a local department of social services to waive the age requirement under specified circumstances.

Fiscal Summary

State Effect: Any change in State activities does not materially affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: Chapter 546 of 1995 established the Kinship Care Program within the Social Services Administration of the Department of Human Resources (DHR). According to DHR, kinship care is one of the fastest growing populations nationally. The U.S. Census Bureau reports that 4.5 million children live in households headed by grandparents and an additional 1.5 million live in households headed by other relatives. In Maryland, kinship care is designed to preserve family ties by assisting when possible with the needs of children, the biological parents, and the relative providing care to the child.

A “kinship parent” is an individual who is related by blood or marriage within five degrees of consanguinity or affinity under the civil law rule to a child who is in the

care, custody, or guardianship of the local department of social services and with whom the child may be placed for temporary or long-term care other than adoption.

In selecting a placement that is in the best interests of a child in need of out-of-home placement, the local department must, as a first priority, attempt to place the child with a kinship parent. The local department must exhaust all reasonable resources to locate a kinship parent for initial placement of the child. If no kinship parent is located at the time of the initial placement, the child must be placed in a foster care setting. If a kinship parent is located after the child is placed in foster care, the local department may, if it is in the best interest of the child, place the child with the kinship parent.

A kinship parent may not be younger than age 21. The local department may waive the age requirement if a potential kinship parent is age 18 or older and lives with a spouse who is age 21 or older.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Human Resources, Department of Legislative Services

Fiscal Note History: First Reader - January 23, 2014
mc/lgc

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