

Chapter 157

(Senate Bill 77)

AN ACT concerning

Human Resources – Transition Planning for Foster Youth

FOR the purpose of lowering the age at which the juvenile court must determine, during a permanency planning hearing, the services needed to assist a child in transitioning from foster care to successful adulthood; requiring the juvenile court to determine, during a guardianship review hearing, the services needed to assist certain children in transitioning from foster care to successful adulthood; requiring the Department of Human Resources to adopt certain regulations on or before a certain date; correcting certain obsolete references; and generally relating to children in out-of-home placement.

BY repealing and reenacting, with amendments,
 Article – Courts and Judicial Proceedings
 Section 3–823(e)
 Annotated Code of Maryland
 (2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
 Article – Family Law
 Section 5–326(a)(8) and 5–545(c)(7)
 Annotated Code of Maryland
 (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
 Article – Family Law
 Section 5–545(a) and (b)
 Annotated Code of Maryland
 (2012 Replacement Volume and 2015 Supplement)

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

Article – Courts and Judicial Proceedings

3–823.

(e) (1) At a permanency planning hearing, the court shall:

(i) Determine the child’s permanency plan, which, to the extent consistent with the best interests of the child, may be, in descending order of priority:

1. Reunification with the parent or guardian;
 2. Placement with a relative for:
 - A. Adoption; or
 - B. Custody and guardianship under § 3–819.2 of this subtitle;
 3. Adoption by a nonrelative;
 4. Custody and guardianship by a nonrelative under § 3–819.2 of this subtitle; or
 5. Another planned permanent living arrangement that:
 - A. Addresses the individualized needs of the child, including the child’s educational plan, emotional stability, physical placement, and socialization needs; and
 - B. Includes goals that promote the continuity of relations with individuals who will fill a lasting and significant role in the child’s life; and
- (ii) For a child [who has attained the age of 16] **AT LEAST 14 years OLD**, determine the services needed to assist the child to make the transition from placement to [independent living] **SUCCESSFUL ADULTHOOD**.
- (2) In determining the child’s permanency plan, the court shall consider the factors specified in § 5–525(f)(1) of the Family Law Article.

Article – Family Law

5–326.

- (a) (8) At each guardianship review hearing for a child, a juvenile court shall:
- (i) evaluate the child’s safety and act as needed to protect the child;
 - (ii) consider the written report of a local out-of-home placement review board required under § 5–545 of this title;
 - (iii) determine the extent of compliance with the permanency plan;
 - (iv) make a specific factual finding on whether reasonable efforts have been made to finalize the child’s permanency plan and document the finding;

(v) subject to subsection (b) of this section, change the child's permanency plan if a change would be in the child's best interests;

(vi) project a reasonable date by which the permanency plan will be finalized;

(VII) FOR A CHILD AT LEAST 14 YEARS OLD, DETERMINE THE SERVICES NEEDED TO ASSIST THE CHILD TO MAKE THE TRANSITION FROM PLACEMENT TO SUCCESSFUL ADULTHOOD;

[(vii)] **(VIII)** enter any order that the juvenile court finds appropriate to implement the permanency plan; and

[(viii)] **(IX)** take all other action that the juvenile court considers to be in the child's best interests, including any order allowed under § 5-324(b)(1)(ii) of this subtitle.

5-545.

(a) (1) Each local board shall review children in out-of-home care in accordance with the regulations adopted by the State Board and the Secretary of Human Resources.

(2) The regulations adopted by the State Board and the Secretary of Human Resources shall require that the local boards review cases based on priorities agreed upon by the Department and the State Board and stated in a memorandum of agreement.

(b) Each local board shall report in writing to the juvenile court and the local department on each minor child whose case is reviewed by the local board.

(c) In the report, the local board shall include, where applicable, the following findings and recommendations:

(7) any reasonable efforts made towards a permanent placement and preparing the child for [independent living] **SUCCESSFUL ADULTHOOD**, if applicable;

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2017, the Department of Human Resources shall adopt regulations to define the term "successful adulthood" to conform with the provisions of the federal Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183).

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2016.

Approved by the Governor, April 26, 2016.