

Article - Courts and Judicial Proceedings

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§3-8A-20.1.

(a) (1) In this section, “treatment service plan” means a plan recommended at a disposition hearing under § 3-8A-19 of this subtitle or at a disposition review hearing under this section by the Department of Juvenile Services to the court proposing specific assistance, guidance, treatment, or rehabilitation of a child.

(2) In making a treatment service plan, a juvenile counselor shall meet with the child who is the subject of the treatment service plan and the child’s parent, guardian, or legal custodian to discuss the treatment service plan.

(3) If a child’s parent, guardian, or legal custodian is unable or refuses to meet with the juvenile counselor, the treatment service plan shall indicate that the parent, guardian, or legal custodian is unable or refuses to meet, and the reason for the inability or refusal to meet, if known.

(4) At a minimum, the treatment service plan shall include:

(i) The recommended level of supervision for the child;

(ii) Specific goals for the child and family to meet, along with timelines for meeting those goals;

(iii) A statement of any condition that the child’s parent, guardian, or legal custodian must change in order to alleviate any risks to the child;

(iv) A statement of the services to be provided to the child and child’s family; and

(v) Any other information that may be necessary to make a disposition consistent with the child’s best interests and the protection of the public interest.

(b) (1) In making a disposition on a petition under § 3-8A-19 of this subtitle, if the court adopts a treatment service plan, the Department of Juvenile Services shall ensure that implementation of the treatment service plan occurs within 25 days after the date of disposition.

(2) If a treatment service plan requires specified supervision, mentoring, mediation, monitoring, or placement, implementation of the treatment service plan is considered to have occurred when the supervision, mentoring, mediation, monitoring, or placement occurs.

(3) The Department of Juvenile Services shall certify in writing to the court within 25 days after the date of disposition whether implementation of the treatment service plan has occurred.

(c) (1) If a treatment service plan is not implemented by the Department of Juvenile Services within 25 days under subsection (b)(3) of this section, the court shall schedule, within 7 days after receipt of the certification, a disposition review hearing to be held within 30 days after receipt of the certification.

(2) The court shall give at least 7 days' notice of the date and time of the disposition review hearing to each party and to the Department of Juvenile Services.

(d) (1) The court shall hold a disposition review hearing unless the Department of Juvenile Services certifies in writing to the court prior to the hearing that implementation of the treatment service plan has occurred.

(2) At a disposition review hearing, the court may:

(i) Revise, in accordance with the provisions of § 3-8A-19 of this subtitle, the disposition previously made; and

(ii) Revise the treatment service plan previously adopted.

(e) This section may not be construed to provide entitlement to services not otherwise provided by law.

(f) The Court of Appeals may adopt rules to implement the provisions of this section.

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