

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
First Reader

Senate Bill 585

(Senator Waldstreicher, *et al.*)

Judicial Proceedings

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Family Law - Children in Out-of-Home Placements - Mandatory Concurrent  
Planning

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This bill *requires*, rather than *authorizes*, reasonable efforts to place a child for adoption or with a legal guardian to be made concurrently with the reasonable efforts required under current statutory provisions to preserve and reunify families.

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Fiscal Summary

**State Effect:** The bill is not anticipated to materially affect the workload of the Department of Human Services or the Judiciary.

**Local Effect:** The bill is not anticipated to materially affect the workload of the circuit courts.

**Small Business Effect:** None.

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Analysis

**Current Law:** Unless a court orders that reasonable efforts are not required under § 3-812 of the Courts and Judicial Proceedings Article (cases of abuse, torture, crimes of violence, or abandonment) or § 5-323 of the Family Law Article (nonconsensual guardianships), reasonable efforts must be made to preserve and reunify families (1) prior to the placement of a child in an out-of-home placement, to prevent or eliminate the need for removing the child from the child's home and (2) to make it possible for a child to safely return to the child's home. In determining the reasonable efforts to be made and in making the

reasonable efforts, the child's safety and health must be the primary concern. Reasonable efforts to place a child for adoption or with a legal guardian *may* be made concurrently with the reasonable efforts as described above.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts); Department of Human Services; Department of Legislative Services

**Fiscal Note History:** First Reader - February 14, 2020  
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