
By: Senator Ferguson

Introduced and read first time: January 24, 1996

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Causes - Preliminary Procedures - Informal Supervision**

3 FOR the purpose of providing that the consent of a child who is the subject of a certain
4 complaint is not required for the child to participate in the informal adjustment
5 process; and generally relating to consent and the informal adjustment process.

6 BY repealing and reenacting, with amendments,
7 Article - Courts and Judicial Proceedings
8 Section 3-810(e) and (f)
9 Annotated Code of Maryland
10 (1995 Replacement Volume and 1995 Supplement)

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

13 **Article - Courts and Judicial Proceedings**

14 3-810.

15 (e) (1) The intake officer may propose an informal adjustment of the matter if
16 based on the complaint and the inquiry, the intake officer concludes that the court has
17 jurisdiction but that an informal adjustment, rather than judicial action, is in the best
18 interests of the public and the child.

19 (2) The intake officer shall propose an informal adjustment by informing the
20 victim, the child, and the child's parent or guardian of the nature of the complaint, the
21 objectives of the adjustment process, the conditions and procedures under which it will be
22 conducted, and the fact that it is not obligatory.

23 (3) The intake officer shall not proceed with an informal adjustment unless
24 the victim[, the child,] and the child's parent or guardian consent to the informal
25 adjustment procedure.

26 (f) (1) During the informal adjustment process, the child shall be subject to
27 such supervision as the intake officer deems appropriate; however, [no person is] THE
28 VICTIM AND THE CHILD'S PARENT OR GUARDIAN MAY NOT BE compelled to appear
29 at any conference, produce any paper, or visit any place.

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1 (2) The informal adjustment process shall not exceed 90 days unless that
2 time is extended by the court.

3 (3) If the victim[, the child,] and the child's parent or guardian do not
4 consent to an informal adjustment, the intake officer shall authorize the filing of a
5 petition or deny authorization to file a petition under subsection (g) of this section.

6 (4) If at any time before the completion of an agreed upon informal
7 adjustment the intake officer believes that the informal adjustment cannot be completed
8 successfully, the intake officer shall authorize the filing of a petition or deny authorization
9 to file a petition under subsection (g) of this section.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 1996.