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**By: Senator Ferguson**

Introduced and read first time: January 24, 1996

Assigned to: Judicial Proceedings

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 13, 1996

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CHAPTER \_\_\_\_

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.

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

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

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

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

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

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