
By: Senators Green, Pinsky, Lawlah, Van Hollen, Boozer, and Stone

Introduced and read first time: January 31, 1997

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 27, 1997

CHAPTER ____

1 AN ACT concerning

2 **Juvenile Law - Informal Adjustment Process - Conferences - Mandatory Attendance**

3 FOR the purpose of requiring that a child who is the subject of an informal adjustment
4 under the juvenile cause process and the child's parent or guardian appear at any
5 conference under certain circumstances; and generally relating to the juvenile
6 informal adjustment process.

7 BY repealing and reenacting, without amendments,
8 Article - Courts and Judicial Proceedings
9 Section 3-810(e)
10 Annotated Code of Maryland
11 (1995 Replacement Volume and 1996 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - Courts and Judicial Proceedings
14 Section 3-810(f)
15 Annotated Code of Maryland
16 (1995 Replacement Volume and 1996 Supplement)

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

19 **Article - Courts and Judicial Proceedings**

20 3-810.

21 (e) (1) The intake officer may propose an informal adjustment of the matter if
22 based on the complaint and the inquiry, the intake officer concludes that the court has

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1 jurisdiction but that an informal adjustment, rather than judicial action, is in the best
2 interests of the public and the child.

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

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

10 (f) (1) During the informal adjustment process, the child shall be subject to
11 such supervision as the intake officer deems appropriate; however, EXCEPT AS
12 PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, no person is compelled to appear
13 at any conference, produce any paper, or visit any place.

14 (2) ~~NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, IF THE~~
15 ~~INTAKE OFFICER DECIDES TO HAVE A CONFERENCE, THE CHILD AND THE CHILD'S~~
16 ~~PARENT OR GUARDIAN SHALL BE REQUIRED TO APPEAR.~~

17 [(2)] (3) The informal adjustment process shall not exceed 90 days unless
18 that time is extended by the court.

19 [(3)] (4) If the victim, the child, and the child's parent or guardian do not
20 consent to an informal adjustment, the intake officer shall authorize the filing of a
21 petition or deny authorization to file a petition under subsection (g) of this section.

22 [(4)] (5) If at any time before the completion of an agreed upon informal
23 adjustment the intake officer believes that the informal adjustment cannot be completed
24 successfully, the intake officer shall authorize the filing of a petition or deny authorization
25 to file a petition under subsection (g) of this section.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 1997.