Unofficial Copy E3 1999 Regular Session 9lr2152

By: Delegates Gordon, Kagan, and Barve

Introduced and read first time: February 11, 1999

Assigned to: Judiciary

## A BILL ENTITLED

4	A 3 T		
1	AN	ACT	concerning

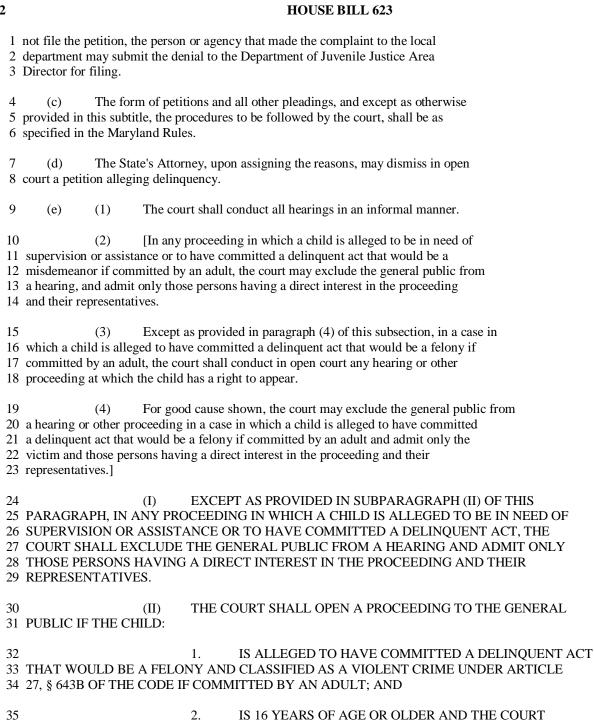
## 2 Juvenile Causes - Closed Hearings

- 3 FOR the purpose of requiring, with certain exceptions, that all juvenile court
- 4 proceedings be conducted with the general public excluded; requiring that
- 5 proceedings be conducted in open court if they are in cases involving certain
- 6 violent acts that would be considered felonies if committed by an adult or in
- 7 cases involving children of a certain age and certain circumstances; and
- 8 generally relating to the conduct of juvenile court proceedings.
- 9 BY repealing and reenacting, with amendments,
- 10 Article Courts and Judicial Proceedings
- 11 Section 3-812
- 12 Annotated Code of Maryland
- 13 (1998 Replacement Volume)
- 14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 15 MARYLAND, That the Laws of Maryland read as follows:

## 16 Article - Courts and Judicial Proceedings

17 3-812.

- 18 (a) A petition shall allege that a child is either delinquent, or in need of
- 19 assistance, or in need of supervision. If it alleges delinquency, it shall set forth in clear
- 20 and simple language the alleged facts which constitute the delinquency, and shall also
- 21 specify the laws allegedly violated by the child. If it alleges that the child is in need of
- 22 assistance or in need of supervision, the petition shall set forth in clear and simple
- 23 language the alleged facts supporting that allegation.
- 24 (b) Petitions alleging delinquency or violation of § 3-831 shall be prepared and
- 25 filed by the State's Attorney. A petition alleging delinquency shall be filed within 30
- 26 days after the receipt of a referral from the intake officer, unless that time is
- 27 extended by the court for good cause shown. Petitions alleging that a child is in need
- 28 of supervision shall be filed by the intake officer. Petitions alleging that a child is in
- 29 need of assistance shall be filed by the local department. If the local department does



36 DETERMINES AN OVERRIDING PUBLIC INTEREST EXISTS BECAUSE OF THE NATURE

39 court shall announce, in open court, adjudications and dispositions in cases where a

Except as provided in paragraph [(6)] (4) of this subsection, the

37 OF THE ALLEGED DELINQUENT ACT.

## **HOUSE BILL 623**

- 1 child is alleged to have committed a delinquent act which would be a felony if
- 2 committed by an adult.
- 3 [(6)] (4) For good cause shown, the court may exclude the general public
- 4 from a proceeding at which an adjudication or disposition is announced and admit
- 5 only the victim and those persons having a direct interest in the proceeding and their
- 6 representatives.
- 7 (f) The court shall try cases without a jury.
- 8 (g) Whenever a child in need of assistance petition is filed by the local
- 9 department of social services, the local department shall be a party to the proceeding
- 10 and shall present to the court the evidence in support of the petition.
- 11 (h) The court shall hear and rule on a petition seeking an order for emergency
- 12 medical treatment on an expedited basis.
- 13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 14 October 1, 1999.