

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE
Revised

House Bill 1087 (Delegate Montague. *et al.*)

Judiciary

Juvenile Causes - Treatment Service Plans

This bill authorizes a juvenile court to adopt a “treatment service plan” recommended by the Department of Juvenile Justice (DJJ) in making a disposition on a petition regarding a child. A treatment service plan is a plan proposing specific assistance, guidance, treatment, or rehabilitation of a child.

If the court adopts a treatment service plan, DJJ shall ensure that implementation of the plan occurs within 15 days after the date of disposition. DJJ must certify in writing to the court within 15 days whether implementation of the treatment service plan has occurred. If a treatment service plan is not implemented by DJJ within 15 days, the court must schedule a disposition review hearing, at which the court may revise the previous disposition and treatment service plan.

The bill may not be applied to any disposition made by a juvenile court on a petition regarding a child before the bill’s October 1, 2000, effective date.

Fiscal Summary

State Effect: Minimal detention cost savings and significant increase in expenditures for committed placements.

Local Effect: The bill is not expected to significantly impact circuit court caseloads.

Small Business Effect: Potential meaningful.

Analysis

Current Law: A juvenile court is not statutorily required to adopt a treatment service plan recommended by DJJ. There is no statutory limit on the length of time that a child may be kept in detention.

Background: In recent years, the General Assembly has been concerned about the extended periods of time that many adjudicated youths spend pending placement into a committed program. This concern reflects the fact that juveniles pending placement may not receive the services they need and that pending placement increases costs and overcrowding at detention centers.

State Fiscal Effect: The bill would result in a decrease in the amount of time spent in detention for some juveniles and an increase in the average cost of committed placements.

In fiscal 1998, DJJ's overall average length of stay pending placement was 24.43 days. As is shown in **Exhibit 1**, however, the average length of stay pending placement for certain specialized categories of placement was well above the overall average. These specialized categories include foster care, group homes, non-residential, residential treatment centers, and sex offender. Children comprising these categories accounted for approximately 16% of the total number of children placed in fiscal 1998.

The average estimated operating cost per bed per year for detention is \$37,928. Based on the data contained in Exhibit 1, reducing the length of stay to under 15 days for all children could result in detention cost savings. DJJ advises that any savings would be minimal, however, because the decreased use of detention beds would be spread across DJJ's facilities and would not significantly impact the population at any one facility. Staffing and fixed costs would remain unchanged.

Often, the reason that a juvenile is kept in detention for a longer period of time is that a suitable committed placement is not readily available. If DJJ were required to place every child within 15 days, it is expected that DJJ would be required to send some children with specialized needs to more expensive facilities, including facilities located out of state. This could increase the costs of committed placements significantly. Currently, the average cost of a committed placement ranges from \$10,000 to \$50,000 annually. The total increase in costs that would occur pursuant to the bill cannot be reliably estimated.

Placement costs would also be incurred sooner than they otherwise would as a result of the bill. The bill would not cause an increase in lengths of stay in committed placement.

Small Business Effect: Small businesses that operate juvenile placement facilities could receive additional children as a result of the bill.

Exhibit 1
Pending Placement Average Length of Stay by Placement Type
FY 1998

<u>Placement</u>	<u>Number Placed</u>	<u>Average Length of Stay</u>
Community Detention/Electronic Monitoring	23	22.5
Day Treatment	4	13.5
Enhanced Impact	13	15.4
Foster Care	8	52.8
Group Home	169	44.4
Impact	665	13.2
Non-Residential	6	49.7
Residential Treatment Center	122	78.7
Substance Abuse	175	25.7
Secure Placement	173	16.2
Shelter Care	27	20.8
Sex Offender	9	120.4
Treatment Foster Care	28	51.4
Treatment Group Home	9	41.7
Victor Cullen	330	20.4
Youth Centers	381	19.6
Total	2,142	24.43

Source: Department of Juvenile Justice

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Juvenile Justice, Judiciary (Administrative Office of the Courts), Department of Legislative Services

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