

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 821

(Delegate O'Donnell, *et al.*)

Judiciary

Judicial Proceedings

Juvenile Causes - Treatment Service Plans

This bill provides that a treatment service plan prepared for a child under the custody of the Department of Juvenile Justice (DJJ) must include: (1) the recommended level of supervision; (2) specific goals with timelines for meeting the goals; (3) a statement of any condition that the child's parent, guardian, or custodian must change in order to alleviate risks to the child; (4) a statement of the services to be provided to the child and the child's family; and (5) any other information necessary to ensure that the disposition of the child's case is consistent with the child's best interests and the protection of the public interest. The bill also requires a juvenile counselor who is preparing a treatment service plan to meet with the child who is the subject of the plan, as well as the child's parent, guardian, or custodian. If the child's parent, guardian, or custodian is unable or refuses to meet with the juvenile counselor, the absence must be noted in the plan with the reason for the absence, if it is known.

Fiscal Summary

State Effect: The expanded requirements for treatment service plans could be met with existing DJJ resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Treatment service plans are prepared by DJJ and propose specific assistance, guidance, treatment, and rehabilitation services for children. A juvenile court may adopt a treatment service plan proposed by DJJ when the court makes its disposition in a delinquency or child in need of supervision matter. If a treatment service plan is adopted, DJJ must ensure that implementation of the plan occurs within 25 days after the disposition and must certify whether implementation of the plan has occurred. If the plan is not implemented by DJJ within 25 days, the court must schedule a disposition review hearing, at which the court may revise the previous disposition and treatment service plan.

Background: A juvenile court's authority to adopt a treatment service plan as part of a juvenile disposition was established by Chapter 397 of 2002 (HB 962). The enactment of the bill was in part a response to the time that adjudicated juveniles spend in detention facilities while awaiting placement into an appropriate commitment facility. In fiscal 2001, juveniles in pending placement status spent an average of 28 days in detention facilities prior to their transfers to commitment facilities. The average was 32 days in fiscal 2002, and through the first seven months of fiscal 2003, the average length of stay pending placement has increased to 39 days. One reason for the increase is the recent closing of the Victor Cullen Academy, a former DJJ commitment facility.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Juvenile Justice, Department of Legislative Services

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Analysis by: Mark W. Collins

Direct Inquiries to:
(410) 946-5510
(301) 970-5510