
By: **Delegate Zirkin**

Introduced and read first time: February 11, 2005

Assigned to: Health and Government Operations

Reassigned to: Judiciary, February 18, 2005

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2005

CHAPTER _____

1 AN ACT concerning

2 **Human Resources - Children in Out-of-Home Placements - Visits by Local**
 3 **Departments**

4 FOR the purpose of requiring a local department of social services ~~for a child in need~~
 5 ~~of assistance committed to certain out-of-home placements~~ to visit ~~the a certain~~
 6 child at the child's out-of-home placement at certain minimum intervals under
 7 certain circumstances; requiring a local department to certify in writing
 8 whether a certain placement continues to be safe and stable for a child; and
 9 generally relating to ~~visits by the local department to~~ the visiting of certain
 10 children in out-of-home placements by local departments of social services.

11 BY repealing and reenacting, with amendments,
 12 Article - Courts and Judicial Proceedings
 13 Section 3-826
 14 Annotated Code of Maryland
 15 (2002 Replacement Volume and 2004 Supplement)

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

18 **Article - Courts and Judicial Proceedings**

19 3-826.

20 (a) (1) Unless the court directs otherwise, a local department shall provide
 21 all parties with a written report at least 10 days before any scheduled disposition,
 22 permanency planning, or review hearing under § 3-819 or § 3-823 of this subtitle.

1 (2) The time requirements specified in paragraph (1) of this subsection
2 do not apply to an emergency review placement hearing under § 3-820 of this
3 subtitle.

4 (b) If a child is committed to a person or agency under this subtitle, the court
5 may order the custodian to file periodic written progress reports, with copies sent to
6 all parties.

7 (C) (1) EXPECT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF A
8 CHILD IS COMMITTED TO A ~~PERSON OR AGENCY~~ LOCAL DEPARTMENT UNDER THIS
9 SUBTITLE AND IS PLACED IN THIS STATE, THE LOCAL DEPARTMENT SHALL VISIT THE
10 CHILD AT THE CHILD'S PLACEMENT AT LEAST ONCE EVERY MONTH.

11 (2) (I) IF THE CHILD HAS BEEN IN THE SAME KINSHIP CARE OR
12 FOSTER CARE HOME FOR MORE THAN 1 YEAR AND THE LOCAL DEPARTMENT
13 DETERMINES THAT THE PLACEMENT IS SAFE AND STABLE FOR THE CHILD, THE
14 LOCAL DEPARTMENT SHALL VISIT THE CHILD AT THE CHILD'S PLACEMENT AT LEAST
15 ONCE EVERY 3 MONTHS.

16 (II) WITHIN 14 DAYS AFTER EACH VISIT REQUIRED UNDER
17 SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE LOCAL DEPARTMENT SHALL CERTIFY
18 IN WRITING WHETHER THE PLACEMENT CONTINUES TO BE SAFE AND STABLE FOR
19 THE CHILD.

20 (III) IF THE LOCAL DEPARTMENT DOES NOT CERTIFY IN WRITING,
21 WITHIN 14 DAYS AFTER EACH VISIT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS
22 PARAGRAPH, THAT THE PLACEMENT CONTINUES TO BE SAFE AND STABLE FOR THE
23 CHILD, THE LOCAL DEPARTMENT SHALL VISIT THE CHILD AT LEAST ONCE EVERY
24 MONTH.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2005.