

Department of Legislative Services  
Maryland General Assembly  
2005 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 936

(Delegate Weldon, *et al.*)

Judiciary

Judicial Proceedings

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Family Law - Task Force on Kinship Caregivers

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The bill establishes the Task Force on Kinship Caregivers, staffed by the Department of Human Resources (DHR). The task force is charged with evaluating the current kinship care system in Maryland, reviewing the history of obstacles for kinship caregivers, studying the legal challenges pertaining to custody or adoption of children in kinship care, and comparing State placement statistics with the national average. The task force must make recommendations that address the feasibility of a program similar to the Kinship Navigator Program proposed in federal legislation, address the challenges faced by grandparents and other relative caregivers, and help them obtain federal and State assistance. A report with findings and recommendations is due to the Governor and the General Assembly by December 31, 2006.

The bill terminates January 31, 2007.

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Fiscal Summary

**State Effect:** Any expense reimbursements for task force members and staffing costs for DHR, are assumed to be minimal and absorbable within existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** Maryland statutory law does not specifically address the issue of third-party custody, that is, custody by a person who is not a parent, except in the context of

adoption. The court may grant a decree of adoption to a stepparent, relative, or other individual who has exercised physical care, custody, or control of a child for at least six months under specified circumstances.

**Background:** According to DHR, placement of children with relatives is seen as the first alternative when reunification with the biological parent is not possible. From fiscal 1998 through 2003, the number of children in kinship care has decreased from 3,426 in fiscal 1998 to 1,803 in fiscal 2003. At the end of fiscal 2004, the number of children in kinship care was 1,829, and the number of kinship caregivers was 1,795. Throughout fiscal 2004, DHR provided services to, on average, 1,511 parents of children in kinship care. The jurisdiction with the largest number of children in kinship care was Baltimore City, which had 1,487 children at the end of fiscal 2004. The jurisdiction with the second largest number of kinship care children was Prince George's County, which had 101 at the end of fiscal 2004. On average, about 105 children entered kinship care each month during fiscal 2004. According to the Citizen's Review Board, tens of thousands more children are in the care of relatives through informal arrangements.

DHR advises that a Kinship Care Task Force exists and functions as the Kinship Care Multi-Disciplinary Committee.

**State Fiscal Effect:** Since DHR already has a Kinship Care Task Force, it is expected that those resources could be used to provide assistance to the task force that is created in the bill. Accordingly, DHR should be able to staff the task force within existing resources.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Human Resources, Judiciary (Administrative Office of the Courts), Governor's Office (Office for Children, Youth, and Families), Department of Legislative Services

**Fiscal Note History:** First Reader - March 9, 2005  
mp/jr Revised - House Third Reader - April 4, 2005

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