

SENATE BILL 178

O4
HB 1345/05 – JUD

7lr1523

By: **Senator Zirkin**
Introduced and read first time: January 26, 2007
Assigned to: Judicial Proceedings

A BILL ENTITLED

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

10 BY repealing and reenacting, with amendments,
11 Article – Courts and Judicial Proceedings
12 Section 3–826
13 Annotated Code of Maryland
14 (2006 Replacement Volume)

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

17 **Article – Courts and Judicial Proceedings**

18 3–826.

19 (a) (1) Unless the court directs otherwise, a local department shall
20 provide all parties with a written report at least 10 days before any scheduled

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 disposition, permanency planning, or review hearing under § 3–819 or § 3–823 of this
2 subtitle.

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

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

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

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

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

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

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2007.