

HOUSE BILL 1500

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0lr2428

By: **Delegates Jones, Anderson, Barkley, Carr, Carter, Dumais, Kramer, Lee, Montgomery, Ramirez, Robinson, Rosenberg, Rudolph, Vallario, and Waldstreicher**

Introduced and read first time: March 3, 2010

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Child in Need of Supervision Pilot Program – Expansion and Extension**

3 FOR the purpose of expanding the Child in Need of Supervision Pilot Program by
4 requiring the Secretary of Juvenile Services to include Cecil County,
5 Montgomery County, and Prince George’s County in the Pilot Program;
6 requiring the Governor to include a certain general fund appropriation in the
7 budget bills for certain fiscal years to be provided as grants to Baltimore
8 County, Baltimore City, Cecil County, Montgomery County, and Prince George’s
9 County to implement the continuation and expansion of the Pilot Program;
10 extending the termination date of the Pilot Program in Baltimore City and
11 Baltimore County; altering a certain definition; providing for a delayed effective
12 date for certain provisions of this Act; providing for the termination of certain
13 provisions of this Act; and generally relating to the Child in Need of Supervision
14 Pilot Program.

15 BY repealing and reenacting, with amendments,
16 Article – Courts and Judicial Proceedings
17 Section 3–8A–10.1
18 Annotated Code of Maryland
19 (2006 Replacement Volume and 2009 Supplement)

20 BY repealing and reenacting, with amendments,
21 Chapter 601 of the Acts of the General Assembly of 2005, as amended by
22 Chapter 420 of the Acts of the General Assembly of 2009
23 Section 3 and 5

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Courts and Judicial Proceedings**

2 3–8A–10.1.

3 (a) (1) In this section the following words have the meanings indicated.

4 (2) (i) “Designated assessment service provider” means a
5 community–based provider of assessment, intervention, and referral services to
6 children alleged to be in need of supervision and their parents or guardians.7 (ii) “Designated assessment service provider” includes county
8 staff, contractors, and resources that may provide assessment, intervention, and
9 referral services to children alleged to be in need of supervision and their parents or
10 guardians.

11 (3) “Pilot community” means:

12 (i) Baltimore City; [or]

13 (ii) Baltimore County;

14 **(III) CECIL COUNTY;**15 **(IV) MONTGOMERY COUNTY; OR**16 **(V) PRINCE GEORGE’S COUNTY.**17 (b) The Secretary of Juvenile Services shall establish a Department of
18 Juvenile Services Child in Need of Supervision Pilot Program in:

19 (1) Baltimore City; [and]

20 (2) Baltimore County;

21 **(3) CECIL COUNTY;**22 **(4) MONTGOMERY COUNTY; AND**23 **(5) PRINCE GEORGE’S COUNTY.**24 (c) (1) The Pilot Program shall select designated assessment service
25 providers in each pilot community.26 (2) The designated assessment service providers shall be contracted
27 and funded by the local management board of each pilot community.

1 (d) On receipt of a complaint under § 3–8A–10 of this subtitle that alleges
2 that a child in a pilot community is in need of supervision, unless the intake officer
3 concludes under § 3–8A–10(c) of this subtitle that the court has no jurisdiction or that
4 neither an informal adjustment nor judicial action is appropriate, the intake officer
5 shall refer the child and the child’s parents or guardians to a designated assessment
6 service provider for the pilot community before the intake officer may authorize the
7 filing of a petition or peace order request or propose an informal adjustment.

8 (e) A designated assessment service provider shall:

9 (1) Meet with a child referred to the provider and the child’s parents
10 or guardians at least two and not more than six times to discuss the child’s:

11 (i) School performance;

12 (ii) Family interactions;

13 (iii) Relationships with peers; and

14 (iv) Emotional and physical health, including drug and alcohol
15 use;

16 (2) Review all available, relevant records concerning the child,
17 including:

18 (i) Academic records;

19 (ii) Medical records; and

20 (iii) Psychiatric records;

21 (3) Conduct an assessment of the child; and

22 (4) Establish a case plan and a case record for the provision of services
23 to the child, including:

24 (i) Family counseling;

25 (ii) Educational advocacy;

26 (iii) Drug and alcohol counseling;

27 (iv) Sex education;

28 (v) After-school programs;

29 (vi) Truancy and dropout prevention;

- 1 (vii) Transitional living services;
- 2 (viii) Mediation services;
- 3 (ix) Employment and job training services;
- 4 (x) Alternative school placement; and
- 5 (xi) Drug and alcohol counseling for the parents, guardians, or
6 other family members of the child.

7 (f) An intake officer may not authorize the filing of a petition or peace order
8 request or propose an informal adjustment for a child alleged to be in need of
9 supervision in a pilot community unless the designated assessment service provider
10 has filed a report with the intake officer stating:

11 (1) The date of the initial meeting with the child and the child's
12 parents or guardians required under this section; and

13 (2) That all attempts to provide assessment, intervention, and referral
14 services have failed.

15 SECTION 2. AND BE IT FURTHER ENACTED, That the Governor shall
16 include a general fund appropriation of \$300,000 for the Department of Juvenile
17 Services in each budget bill for fiscal 2012, fiscal 2013, and fiscal 2014 for the purpose
18 of implementing the provisions of Section 1 of this Act. Of the \$300,000, \$125,000
19 shall be provided as a grant to Prince George's County, \$125,000 shall be provided as a
20 grant to Montgomery County, and \$50,000 shall be provided as a grant to Cecil County
21 for the purpose of implementing the provisions of Section 1 of this Act.

22 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
23 read as follows:

24 **Chapter 601 of the Acts of 2005, as amended by Chapter 420 of the Acts of**
25 **2009**

26 SECTION 3. AND BE IT FURTHER ENACTED, That the Governor shall
27 include a general fund appropriation of \$250,000 for the Department of Juvenile
28 Services in each budget bill for fiscal 2007, fiscal 2008, fiscal 2009, fiscal 2010, fiscal
29 2011, fiscal 2012, [and] fiscal 2013, AND FISCAL 2014 for the purpose of
30 implementing the provisions of this Act. Of the \$250,000, \$83,000 shall be provided as
31 a grant to Baltimore County and \$167,000 shall be provided as a grant to Baltimore
32 City for the purpose of implementing the provisions of this Act.

33 SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in
34 Section 4 of this Act, this Act shall take effect October 1, 2005. It shall remain

1 effective until the end of June 30, [2013] **2014** and, at the end of June 30, [2013]
2 **2014**, with no further action required by the General Assembly, this Act shall be
3 abrogated and of no further force and effect.

4 SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
5 take effect July 1, 2011.

6 SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
7 take effect October 1, 2010. It shall remain effective until the end of June 30, 2014,
8 and, at the end of June 30, 2014, with no further action required by the General
9 Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.

10 SECTION 6. AND BE IT FURTHER ENACTED, That, except as provided in
11 Section 4 of this Act, this Act shall take effect October 1, 2010.