

Department of Legislative Services  
2012 Session

FISCAL AND POLICY NOTE

Senate Bill 1095 (Senators Gladden and Frosh)  
Judicial Proceedings and Budget and Taxation

Child in Need of Supervision Pilot Program - Funding

This emergency bill requires the Governor to include a general fund appropriation of \$250,000 for the Department of Juvenile Services (DJS) in fiscal 2014 and 2015 to fund the Child in Need of Supervision (CINS) Pilot Program in Cecil, Montgomery, and Prince George’s counties.

Fiscal Summary

**State Effect:** General fund expenditures increase by \$250,000 in FY 2014 and 2015 to fund the pilot programs. Revenues are not affected. **This bill establishes a mandated appropriation in FY 2014 and 2015.**

| (in dollars)   | FY 2013 | FY 2014     | FY 2015     | FY 2016 | FY 2017 |
|----------------|---------|-------------|-------------|---------|---------|
| Revenues       | \$0     | \$0         | \$0         | \$0     | \$0     |
| GF Expenditure | 0       | 250,000     | 250,000     | 0       | 0       |
| Net Effect     | \$0     | (\$250,000) | (\$250,000) | \$0     | \$0     |

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** State grants of \$100,000 each for Montgomery and Prince George’s counties and \$50,000 for Cecil County are provided in FY 2014 and 2015.

**Small Business Effect:** None.

## Analysis

### **Current Law/Background:**

#### *Child in Need of Supervision*

A “child in need of supervision” is a child who requires guidance, treatment, or rehabilitation and (1) is required by law to attend school and is habitually truant; (2) is habitually disobedient, ungovernable, and beyond the control of the person having custody of the child; (3) behaves so as to injure or endanger himself, herself, or others; or (4) has committed an offense applicable only to children.

Within 25 days of receiving a complaint alleging that a child is in need of supervision, a juvenile intake officer may (1) authorize the filing of a petition or a peace order request, or both; (2) propose an informal adjustment of the matter; or (3) refuse authorization to file a petition or peace order or both. An intake officer is not required to provide for an assessment and the delivery of services before authorizing action on a complaint.

#### *Local Management Board*

Each county must establish and maintain a local management board to ensure the implementation of a local interagency service delivery system for children, youth, and families. A county may designate as a local management board a quasi-public nonprofit corporation that is not an instrumentality of the county government or a public agency that is an instrumentality of the county government. The local management boards in Cecil and Montgomery counties are nonprofit corporations; the local management board in Prince George’s County is a unit of county government.

#### *CINS Pilot Program – Baltimore City and Baltimore County*

Chapter 601 of 2005 required the Secretary of Juvenile Services to establish a DJS CINS Pilot Program in Baltimore City and Baltimore County. The Governor was required to include \$250,000 annually in the fiscal 2007 through 2010 State budgets. Local management boards must select community-based providers that offer assessment, intervention, and referral services to children in Baltimore City and Baltimore County who are alleged to be in need of supervision. The designated assessment service providers must be contracted and funded by the local management board in Baltimore City and Baltimore County. Chapter 420 of 2009 extended the termination date of the pilot program to June 30, 2013, and continued the requirement for the Governor to include \$250,000 annually in the fiscal 2011 through 2013 State budgets.

A juvenile intake officer who receives a complaint alleging that a child in Baltimore County or Baltimore City is in need of supervision must refer the child and the child's parents to one of the selected providers unless the intake officer concludes that the court has no jurisdiction or that neither an informal adjustment nor judicial action is appropriate. The provider must meet with the child and the child's parents two to six times to discuss the child's school performance, family interactions, peer relationships, and health, including drug and alcohol use. The provider must review all available, relevant records concerning the child, conduct an assessment of the child, and establish a case plan and record for providing services to the child.

An intake officer may not authorize the filing of a delinquency or CINS petition or peace order request or propose an informal adjustment for the child unless the provider has filed a report with the court stating the date of the initial meeting with the child and that all attempts to provide assessment, intervention, and referral services have failed. Any information provided by a child incident to a referral to a selected provider may not be admitted in evidence in any adjudicatory hearing, peace order proceeding, or criminal proceeding against the child.

During fiscal 2010, the Baltimore City DJS Intake unit made 298 referrals to the CINS Pilot Project. Of the 298 referrals, 279 received some form of program services with most of the 279 referrals receiving the full complement of available services. Baltimore County received 104 referrals from DJS during fiscal 2010. Of the referrals, 67 participated in the assessment and service planning process and 54 of the 67 completed the services.

#### *CINS Pilot Program – Cecil, Montgomery, and Prince George's Counties*

Chapter 382 of 2011 extended the CINS Pilot Program to Cecil, Montgomery, and Prince George's counties and authorized the Governor to include funding to expand the pilot program to these counties in fiscal 2013. The provisions expanding the pilot program take effect July 1, 2012. Because funding for the expanded pilot program was not included in the fiscal 2013 budget for DJS, local management boards in these jurisdictions will be responsible for funding the pilot program in fiscal 2013.

The pilot program in all five jurisdictions terminates June 30, 2013.

**State and Local Fiscal Effect:** General fund expenditures increase by \$250,000 annually in fiscal 2014 and 2015 to fund the pilot program. This funding will be provided to DJS to distribute annual grants of \$100,000 to Montgomery County, \$100,000 to Prince George's County, and \$50,000 to Cecil County. Local management boards in these jurisdictions will use the funding to contract with community-based providers for provider assessments, intervention, and referral services to children and

their families. For purposes of this analysis, it is assumed that although the entire pilot program terminates June 30, 2013, legislation will enable the CINS pilot program in Cecil, Montgomery, and Prince George's counties to continue through fiscal 2015.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Budget and Management, Montgomery County,  
Department of Legislative Services

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