

SENATE BILL 77

D4

(6lr0060)

ENROLLED BILL

— *Judicial Proceedings/Judiciary* —

Introduced by **Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Human Resources – Transition Planning for Foster Youth**

3 FOR the purpose of lowering the age at which the juvenile court must determine, during a
4 permanency planning hearing, the services needed to assist a child in transitioning
5 from foster care to successful adulthood; requiring the juvenile court to determine,
6 during a guardianship review hearing, the services needed to assist certain children
7 in transitioning from foster care to successful adulthood; requiring the Department
8 of Human Resources to adopt certain regulations on or before a certain date;
9 correcting certain obsolete references; and generally relating to children in
10 out-of-home placement.

11 BY repealing and reenacting, with amendments,
12 Article – Courts and Judicial Proceedings
13 Section 3–823(e)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Annotated Code of Maryland
2 (2013 Replacement Volume and 2015 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article – Family Law
5 Section 5–326(a)(8) and 5–545(c)(7)
6 Annotated Code of Maryland
7 (2012 Replacement Volume and 2015 Supplement)

8 BY repealing and reenacting, without amendments,
9 Article – Family Law
10 Section 5–545(a) and (b)
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2015 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 3–823.

17 (e) (1) At a permanency planning hearing, the court shall:

18 (i) Determine the child’s permanency plan, which, to the extent
19 consistent with the best interests of the child, may be, in descending order of priority:

20 1. Reunification with the parent or guardian;

21 2. Placement with a relative for:

22 A. Adoption; or

23 B. Custody and guardianship under § 3–819.2 of this subtitle;

24 3. Adoption by a nonrelative;

25 4. Custody and guardianship by a nonrelative under §
26 3–819.2 of this subtitle; or

27 5. Another planned permanent living arrangement that:

28 A. Addresses the individualized needs of the child, including
29 the child’s educational plan, emotional stability, physical placement, and socialization
30 needs; and

1 B. Includes goals that promote the continuity of relations
2 with individuals who will fill a lasting and significant role in the child's life; and

3 (ii) For a child [who has attained the age of 16] **AT LEAST 14** years
4 **OLD**, determine the services needed to assist the child to make the transition from
5 placement to [independent living] **SUCCESSFUL ADULTHOOD**.

6 (2) In determining the child's permanency plan, the court shall consider
7 the factors specified in § 5-525(f)(1) of the Family Law Article.

8 Article – Family Law

9 5-326.

10 (a) (8) At each guardianship review hearing for a child, a juvenile court shall:

11 (i) evaluate the child's safety and act as needed to protect the child;

12 (ii) consider the written report of a local out-of-home placement
13 review board required under § 5-545 of this title;

14 (iii) determine the extent of compliance with the permanency plan;

15 (iv) make a specific factual finding on whether reasonable efforts
16 have been made to finalize the child's permanency plan and document the finding;

17 (v) subject to subsection (b) of this section, change the child's
18 permanency plan if a change would be in the child's best interests;

19 (vi) project a reasonable date by which the permanency plan will be
20 finalized;

21 **(VII) FOR A CHILD AT LEAST 14 YEARS OLD, DETERMINE THE**
22 **SERVICES NEEDED TO ASSIST THE CHILD TO MAKE THE TRANSITION FROM**
23 **PLACEMENT TO SUCCESSFUL ADULTHOOD;**

24 [(vii)] **(VIII)** enter any order that the juvenile court finds appropriate
25 to implement the permanency plan; and

26 [(viii)] **(IX)** take all other action that the juvenile court considers to be
27 in the child's best interests, including any order allowed under § 5-324(b)(1)(ii) of this
28 subtitle.

29 5-545.

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1 (a) (1) Each local board shall review children in out-of-home care in
 2 accordance with the regulations adopted by the State Board and the Secretary of Human
 3 Resources.

4 (2) The regulations adopted by the State Board and the Secretary of
 5 Human Resources shall require that the local boards review cases based on priorities
 6 agreed upon by the Department and the State Board and stated in a memorandum of
 7 agreement.

8 (b) Each local board shall report in writing to the juvenile court and the local
 9 department on each minor child whose case is reviewed by the local board.

10 (c) In the report, the local board shall include, where applicable, the following
 11 findings and recommendations:

12 (7) any reasonable efforts made towards a permanent placement and
 13 preparing the child for [independent living] **SUCCESSFUL ADULTHOOD**, if applicable;

14 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2017,
 15 the Department of Human Resources shall adopt regulations to define the term “successful
 16 adulthood” to conform with the provisions of the federal Preventing Sex Trafficking and
 17 Strengthening Families Act (P.L. 113-183).

18 SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
 19 June 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.