

SUPPORT SB 706 - juvenile informal adjustment

TO: Chair Will Smith and Senate Judicial Proceedings Committee

FROM: Phil Caroom, MAJR Executive Committee

DATE: March 10, 2020

As a former Anne Arundel County Juvenile Division master and administrative judge for approximately 20 years, I can report that—in many cases—whether a juvenile case receives “informal adjustment” (in effect, a mediation by Department of Juvenile Services intake officers) does not depend on the juvenile’s contriteness or amenability to treatment.

Too often, the juvenile is dependent on his or her parent to a) read the citation and written advice about the possible informal adjustment, b) be available, willing and not working at the proposed time, and c) provide transportation to get to the juvenile facility. If the parent fails to do this, the case goes to court.

Court dates, however, are understood as not optional because, if one fails to appear, a police officer or sheriff’s deputy eventually appears at the doorstep.

In Anne Arundel County, we recognized this phenomenon and administratively invented the solution that SB 706 would invent by statute. Our administrative solution apparently has not been agreed upon in other counties between Court, prosecutors and defense counsel—perhaps, because the statute currently reads as though it’s not legally permissible. SB 706 would make clear that the parties and courts may find it’s a better course to give mediation a chance.

A reliable by Community Mediation- Maryland (Del. Lorig Charkoudian, director) recently documented that mediated cases result in greater compliance and less recurrence of problems than court-imposed solutions. SB 706 would encourage more juvenile courts to take advantage of the benefits of mediation and “informal adjustment.”

For all these reasons, I respectfully urge a favorable report for SB 706.

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PLEASE NOTE: Phil Caroom does not offer this testimony for the Md. Judiciary.