

Boyd K. Rutherford
Lt. Governor

Larry Hogan
Governor

Sam Abed
Secretary

DATE: 2/27/2020

BILL NUMBER: HB1069 - Juvenile Causes - Court Records

DJS POSTITION: Support

The Department of Juvenile Services (DJS or department) supports HB1069.

HB1069 authorizes DJS to access juvenile court records if DJS or the Department of Human Services (DHS) are providing treatment for that youth.

This legislation builds on prior efforts to authorize DJS and DHS to share information when both agencies are serving the same child by allowing DJS to access court records in child in need of assistance (CINA) cases. The legislation also changes the current language in the statute allowing DHS to access juvenile court records, in order to be clear and consistent with other areas of the statute regarding the sharing of juvenile records.

Current law allows DHS to access both juvenile court records and DJS files; DJS access extends to DHS files but not to court records. In practice, this has removed DJS access to information which is critical for effectively serving youth involved in both the child welfare and delinquency systems. As a practical example, this bill would allow DJS to make sure that a youth who is also a child in need of assistance is released to the appropriate guardian.

Legislation which passed unanimously in each of the last two legislative sessions has expanded access to juvenile and DHS records between the agencies providing care to a youth, with the sole exception of providing DJS access to CINA court records. This legislation is a corrective measure which will ensure dually-involved youth receive appropriate care without unnecessary delay.

DJS Continues to Develop Inter-Agency Partnerships to Better Serve and Supervise DJS Youth

- **Partnering with the Department of Human Resources, the Courts, and Georgetown University to Implement the Crossover Youth Practice Model**
 - The Crossover Youth Practice Model is designed to address the unique needs of youth who fluctuate between and are known to the child welfare and juvenile justice systems.
 - CYPM is a Collaboration with Georgetown University and includes stakeholders from DJS, DSS, Courts, Law Enforcement, CASA, Child's Counsel, State's Attorney's, and Community Partners.
 - CYPM is currently operational in Prince Georges and Montgomery Counties.
 - DJS and DHS have jointly funded an expansion of this program to include the following counties: Carrol, Harford, Howard, Frederick, Washington, Allegany, Baltimore, and Baltimore City.

Sharing information between agencies will enhance service planning for youth. This bill will help support reform efforts aimed to bring human service agencies together to jointly plan and deliver services to support youth and their families.

For these reasons, DJS urges a favorable report for HB1069.

Legislative History:

2018 - SB 91 *(Ch. 669) - Juvenile Law - Disclosure of Court Records

SB 91 permits DHS, local social services departments, the Maryland Department of Health (MDH) and local health departments to have access to a youth's record for the purpose of coordinating services or care.

2019 - HB0843 - Department of Human Services - Child Abuse and Neglect - Disclosure of Information

HB 843 was sponsored by DHS as corresponding legislation from the DJS sponsored legislation from the 2018 session (SB 91 (Ch. 669) - Juvenile Law - Disclosure of Court Records) and authorizes the disclosure of reports or records concerning child abuse or neglect to local or State officials responsible for the administration of juvenile services on request and as necessary to carry out their official functions. The bill ensures that DHS and DJS are able to exchange all information necessary to care for or provide services to children and their families.

