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**Testimony before the House Judiciary Committee
House Bill 1155
Foster Parents, Kinship Parents, Pre-Adoptive Parents, and Caregivers – Right to Intervene**

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****OPPOSE****

The Franklin Law Group, P.C. (FLG) is a child advocacy law firm that has provided legal representation to children in abuse and neglect proceedings in six-jurisdictions across the State of Maryland since 2007. The FLG opposes House Bill 1155.

This bill seeks to expand the rights of foster parents, kinship parents, pre-adoptive parents, and caregivers of certain children in out-of-home placements. It has two main problems – 1) undermines the natural parents’ constitutional liberty interest protected by the U.S. and Maryland Constitutions and 2) undermines family integrity and silences the voices of children.

A. Parents’ Liberty Interest

A parent’s right to raise their children is constitutionally protected, free from interference, unless necessary for the protection of children. Allowing a placement resource to receive notice from the court, the right to intervene as a party in any child abuse or neglect, termination of parental rights, and adoption proceeding, and access to all non-privileged information in documents pertaining to the child essentially places a placement resource on parity with a natural parent and undermines the parent’s constitutional rights. The purpose of an out-of-home placement is for – short-term care for children (*See* COMAR 07.02.25.01(B)(1)). Allowing the above actions is a drastic overreach and should not be allowed.

B. Family Integrity & Silencing the Child’s Voice

Family integrity is protected constitutionally and preservation of the parent-child relationship is paramount. Allowing foster parents, et al. to intervene and receive non-privileged information jeopardizes this and silences the voices of children, particularly in cases where the child has considered judgment. If a child has an opposing position to the placement resource, it places a child in an awkward position, which can silence the child’s voice in contravention to their best interests and the purpose of the CINA/TPR statutory scheme.

Passing this bill will erode the constitutional protections afforded to parents and children, and mutes the voices of children in matters impacting their lives.

We urge this Committee to give an unfavorable report.