

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Matthew J. Fader
Chief Justice

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 15
Juvenile Law – Child in Need of Supervision – Mandatory Petition
(Nykayla Strawder Memorial Act)
DATE: January 18, 2023
(2/8)
POSITION: Support

The Maryland Judiciary supports Senate Bill 15. This bill would require an intake officer to file a child in need of supervision (CINS) petition if a certain complaint is filed.

The Judiciary notes that under 2022 Juvenile Justice Reform act, Ch. 42/HB 459, Ch 41/SB 691, eff. June 1, 2022, amendments to CJP § 3-8A-03, *inter alia*, changed juvenile court jurisdiction when a child committed a delinquent act. Among those changes, the juvenile court no longer has jurisdiction over a delinquency proceeding against a child who is under age 10 under any circumstances. CJP § 3-8A-03(a), (d)(7). This change removed the ability of the juvenile court to require services for these younger children and thus take steps to prevent their future involvement with the juvenile court. In providing for a mandatory CINS petition, the bill would return to the juvenile court oversight for these most vulnerable children.

cc. Hon. Jill Carter
Judicial Council
Legislative Committee
Kelley O'Connor