

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 744
Juvenile Law - Reform
DATE: February 5, 2024
(2/9)
POSITION: Support

The Maryland Judiciary supports Senate Bill 744.

The Judiciary supports the bill, in particular its expansion of the length of probation which will better enable the juvenile court to identify and secure admission for the child to needed resources. However, the Judiciary notes that the most basic issue affecting the juvenile court is the lack of available and accessible services to children throughout the State. It is simply too difficult to get children into needed resources in a timely fashion. This is particularly true for mental health and substance use resources.

In light of the lack of available resources, the Judiciary suggests that the responsibilities of the Commission on Juvenile Justice Reform and Best Practices be expanded to include an identification of the specific services that are available to children in each county, including the number of available beds or service slots and the waiting time for a child to be accepted into the bed or service slot.

Further, the Judiciary agrees with the provision of information from court records to the Commission on Juvenile Justice Reform and Best Practices under amended § 3-8A-27(b)(1), but is concerned about the breadth of the language, particularly in light of the expanded Commission membership. Some limitation on the release of identifiable information may be appropriate to protect the child and family's privacy.

Finally, the term "treatment program" is not defined in the amendments to § 3-8A-19.6(a) ("technical violation" means a violation of probation that does not involve: . . . (5) two or more unexcused failures to appear at a treatment program ordered by the court."). It is unclear whether the term would mean, e.g., a failure to attend an evening reporting program or refer to failure to attend therapy session or substance abuse treatment.

cc. Hon. Bill Ferguson
Judicial Council
Legislative Committee
Kelley O'Connor