



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Rafael López, Secretary

February 20, 2025

The Honorable Luke Clippinger, Chair
House Judiciary Committee
101 Taylor House Office Building
6 Bladen Street
Annapolis, Maryland 21401

**RE: TESTIMONY ON HB0944 - FAMILY LAW - CHILDREN IN NEED OF ASSISTANCE
TERMINATION OF PARENTAL RIGHTS - POSITION: FAVORABLE**

Dear Chair Clippinger and Members of the Judiciary Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully requests a favorable position for House Bill 944 (HB 944).

With offices in every jurisdiction of Maryland, DHS provides preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities to assist Marylanders in reaching their full potential. Our Social Services Administration (SSA) implements Child Protective Services, serving children at risk of abuse or neglect who would be impacted by HB 944. The bill gives juvenile courts discretion to assess parental capability in Child in Need of Assistance (CINA) cases, rather than requiring courts to consider prior termination of parental rights (TPR).

Today, when a parent has parental rights terminated for one child, they are automatically at risk of losing parental rights for any additional children that may come to our attention in the future. Every family's situation is different and in most situations families deserve careful consideration of their present circumstances and capacities before the law permanently and irrevocably severs them from each other. The bill effectively repeals a statutory assumption that a Maryland parent's previous experience of terminated parental rights means they are permanently unable to provide safe care for their subsequently born child(ren). By restoring judicial discretion, HB 944 would enable courts to consider a parent's capacity to provide safe care for their child.

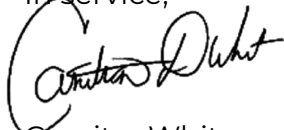
HB 944 aligns with similar systemic child welfare reform in [several other states](#).

We are committed to family preservation. Why? Because family matters. The changes proposed by HB 944 prioritize the people, children and families we serve throughout Maryland. The federal [Adoption and Safe Families Act of 1997](#) (ASFA) says that reasonable efforts to preserve and reunify a family are not required if the parent subjected the child to “aggravated circumstances.” ASFA does not exhaustively define “aggravated circumstances” but leaves it to state discretion to add aggravated circumstances. Complicating matters further, ASFA also requires states to terminate parental rights just because the child was in foster care for 15 out of 22 months, unless the state has good cause not to TPR. Therefore, ASFA creates a situation in which parental rights can be terminated just because of the amount of time a child is in care. It is possible for a parent to lose their legal rights to one child because of the amount of time their child spent in foster care, and then lose parental rights for younger children because their parental rights were previously severed.

HB 944 directs Maryland’s discretion by not including a parent’s prior experience of TPR in our definition of “aggravated circumstances” when determining whether to provide reasonable efforts to reunify the family. Under HB 944, courts would no longer be required to determine that a parent is ineligible for reunification services because the parent experienced a prior TPR. As a result, courts and local departments of social services would be empowered to consider the totality of a parent’s present circumstances when deciding whether to make reasonable efforts to preserve a family.

We appreciate the opportunity to offer favorable testimony to the Committee for consideration during your deliberations. If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at rachel.sledge@maryland.gov.

In service,

A handwritten signature in black ink, appearing to read "Carnitra White", written over a circular stamp or seal.

Carnitra White
Principal Deputy Secretary