



**HB 980 Family Law and Human Services - Guardianship Assistance Program and State Foster Youth Ombudsman - Establishment (Kanaiyah's Law)**

**April 2, 2026**

**Senate Finance Committee**

**Position: FAVORABLE**

*Maryland Legal Aid submits testimony on HB 980 at the request of its sponsor, Delegate Mike Griffith*

Maryland Legal Aid asks that the Committee report **favorably** on HB980. HB980, also known as Kanaiyah’s Law, strengthens Maryland’s child protection framework. The proposed legislation balances the goals of promoting permanency through guardianship with the State’s ongoing obligation to protect children from known and serious risks. It also creates a foster youth ombudsman to provide a neutral avenue to resolve complaints and elevate systemic issues. The bill reflects simple and necessary principles: permanency must never come at the expense of safety, and the child’s voice is essential.

Maryland Legal Aid serves residents in each of Maryland’s 24 jurisdictions, providing free legal services to the State’s low-income and vulnerable residents in a range of civil legal matters. Maryland Legal Aid is Maryland’s largest civil nonprofit law firm, representing vulnerable young people in Child in Need of Assistance (CINA) matters across the State from infancy to adulthood who would benefit directly from this proposed legislation.

Maryland Legal Aid supports HB 980 because it reinforces the responsibility to ensure that guardianship placements remain safe over time, particularly when new adults enter a child’s home. Under current law, a juvenile court order granting guardianship “terminates the local department’s legal obligations and responsibilities to the child.”<sup>1</sup> HB 980 appropriately and without disturbing that termination, recognizes that safety concerns do not end at the moment a guardianship order is entered.

These provisions build directly on existing Maryland law, which already requires criminal history records checks for adults residing in foster homes, kinship placements, and adoptive homes.<sup>2</sup> This carefully structured process preserves the stability of guardianships absent legitimate safety concerns but still gives the department the ability to assess the safety of the child and make determinations to keep the child safe. HB 980 strengthens, not weakens, guardianship by ensuring that children placed through the courts remain protected after permanency is achieved.

House Bill 980 also establishes a State Foster Youth Ombudsman within the Department of Human Services, creating a dedicated, professionally qualified position to address concerns

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<sup>1</sup> Md. Code Ann., Cts. & Jud. Proc. § 3-819.2(c)(3).

<sup>2</sup> Md. Code Ann., Fam. Law § 5-551(b)(4)–(6).

raised by youth in out-of-home care. The Ombudsman must “be an attorney admitted to practice law in the State” and “have experience in child welfare,” ensuring that the role is filled by an individual with the legal and subject-matter expertise necessary to navigate complex child welfare systems.

The duties of the Ombudsman are clearly defined and narrowly tailored to improve accountability and service delivery for youth in care. The Ombudsman must “provide legal expertise” in “child welfare,” “custody and guardianship matters,” and “appeals and due process issues,” and serve as “a neutral voice” to address disputes among youth, caregivers, guardians, and the Department. The Ombudsman is also charged with investigating complaints from youth, addressing service-delivery concerns, and advocating for youth experiencing out-of-home care. By creating a knowledgeable, neutral, and independent position within existing State structures, HB 980 strengthens oversight while promoting effective and responsible use of public resources.

An Ombudsman for foster care youth is helpful because the statute expressly assigns the office functions that are otherwise diffuse or unavailable to youth themselves. Establishing this role as a statutory position ensures its permanence and prevents dissolution at the agency level. HB 980 creates a much-needed, knowledgeable, neutral, independent, youth-centered accountability mechanism within the child welfare system.

Maryland Legal Aid urges the Committee to issue a FAVORABLE report on House Bill 980 and urge its ultimate passage. If you have any questions, please contact: Erica I. LeMon, Advocacy Director for Children’s Rights at [elemon@mdl.org](mailto:elemon@mdl.org) (410) 951-7648 or (410) 935-0937.