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CIRCUIT COURT  
JUDGE  
BALTIMORE COUNTY  
CHAIR

HON. RICHARD SANDY  
CIRCUIT COURT  
JUDGE  
FREDERICK COUNTY  
VICE-CHAIR



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## MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

### MEMORANDUM

**TO:** House Judiciary Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** House Bill 409  
Juvenile Court – Jurisdiction (Youth Charging Reform Act)  
**DATE:** January 28, 2026  
(2/12)

### **INFORMATIONAL COMMENT PAPER**

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The Judiciary respects the separation of powers doctrine and acknowledges the policy-making authority of the legislative branch. As such, the Judiciary has no position on the policy aims of this legislation.

While this bill is within the legislative prerogative, it does raise concern around implementation. The Judiciary wishes to make the legislature aware of these possible unintended consequences.

The first concern is compliance with hearing time frames. Courts Article, § 3-8A-15 requires an adjudicatory or waiver hearing to be held no later than 30 days after a detention petition is granted. In the types of cases that this bill would return to juvenile court jurisdiction, it will be difficult at the present time for the required studies to be ordered and completed within that time frame, with the result that children with serious charges may be released from detention for failure to comply with the time requirements. In practical terms, it can be quite difficult to complete an adult murder trial within 120 days; the problems are multiplied in a juvenile court trial for similar charges.

Further, the location of where to hold these children while they are detained is also an issue. There are limited available detention placements and, perhaps even more critically, there is a lack of trained available staff needed for expansion of placements. This is an increased concern because the children addressed by this bill may be more likely to be violent and in need of both skilled supervision and specialized placements.

Finally of equal concern is the Public Defender's lack of sufficient juvenile justice panel attorneys. This lack already is leading to a delay in court proceedings while counsel is located or assigned counsel has sufficient calendar time to try a particular case. The Judiciary anticipates that this problem may be exacerbated by the addition of more cases that may require a panel attorney.

cc. Hon. J. Sandy Bartlett  
Judicial Council  
Legislative Committee  
Kelley O'Connor