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BALTIMORE COUNTY
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HON. RICHARD SANDY
CIRCUIT COURT
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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: Senate Bill 323
Juvenile Court – Jurisdiction, Detention, and Confinement (Youth
Charging Reform Act)
DATE: March 12, 2026
(3/31)
INFORMATIONAL COMMENT PAPER

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 concerns around implementation. The Judiciary wishes to make the legislature aware of these possible unintended consequences.

First, the Judiciary notes concern with the provision in Courts Article, § 3-8A-15 which 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 DJS 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. It is not unusual for DJS to request extensions for these studies, given their current workload volume, and this legislation would only add to that workload.

In addition, the location of where to hold these children while they are detained remains an issue. As addressed previously in the Judiciary's comment paper on the original bill, 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 in need of both skilled supervision and specialized placements.

Finally, the Judiciary continues to note the Public Defender's lack of sufficient panel attorneys, both for juveniles and adults. This lack is leading to a delay in court proceedings while counsel is located or assigned counsel has sufficient calendar time to try a particular case. For juvenile cases, this problem may be exacerbated by the addition of more cases that may require a juvenile panel attorney, even with the amendments' reduction of the number of cases required to be heard in the juvenile court.

cc. Hon. William Smith, Jr.
Judicial Council
Legislative Committee
Kelley O'Connor