



February 26, 2026

## **House Judiciary Committee**

### **House Bill 1290 — Children in Need of Assistance – Child’s Right to Be Present at Hearings**

**Position:** SUPPORT

Chair Bartlett, Vice Chair Davis, and Members of the Committee:

On behalf of the Maryland Association of Resources for Families and Youth (MARFY), we respectfully submit this testimony in support of House Bill 1290.

MARFY represents private child placement agencies and child-serving organizations across Maryland that provide foster care, treatment foster care, residential care, and adoption services for youth involved in the child welfare system. Our members work closely with courts, local departments of social services, and legal representatives to support children navigating Children in Need of Assistance (CINA) proceedings — cases that often involve allegations of abuse, neglect, or significant caregiver challenges.

Unlike many other legal proceedings involving families, children in CINA matters are parties to the case, and court decisions directly shape their placement, permanency outcomes, and long-term well-being. Because these proceedings determine critical aspects of a child’s life, ensuring that children are able to participate meaningfully when appropriate is an important component of fairness, transparency, and dignity within the judicial process.

House Bill 1290 establishes a clear presumption that children have the right to be present during their court hearings, while also allowing carefully considered exceptions when attendance would not serve the child’s best interests. This balanced approach reflects trauma-informed practice by promoting youth voice and participation while recognizing that individual circumstances may warrant flexibility. Providing children with the opportunity to observe and participate in proceedings that affect them can improve understanding, reduce anxiety about unknown outcomes, and strengthen trust in the system.

The bill appropriately places decision-making authority with the child’s attorney and the court, requiring documentation or on-the-record findings if a child is not present. These safeguards help ensure that exclusion decisions are intentional, individualized, and focused on the child’s needs rather than based on routine practice or logistical convenience. The legislation also encourages courts to consider alternatives to full exclusion, such as scheduling accommodations, remote participation, or other supportive measures that allow children to remain engaged in the process while minimizing potential emotional stress.



Of particular importance, the bill recognizes the unique role of permanency planning hearings, where a child’s perspective is especially relevant. Ensuring that children have the opportunity to be present during these proceedings reinforces the principle that permanency decisions should reflect not only professional assessments but also the lived experiences and preferences of the youth themselves.

While Maryland law includes strong procedural protections in CINA cases, there is currently no explicit statewide standard guaranteeing a child’s presence at hearings. Stakeholders have identified variability in practice across jurisdictions, with some children routinely included and others excluded without clear justification. Establishing a consistent framework promotes uniformity, reduces uncertainty, and helps ensure that youth are not unintentionally excluded from decisions that affect their futures.

House Bill 1290 aligns with Maryland’s broader commitment to trauma-informed care, youth engagement, and child-centered decision-making within the child welfare system. By clarifying expectations and reinforcing the importance of youth voice, this legislation supports both procedural fairness and better long-term outcomes for children.

For these reasons, MARFY respectfully urges the Committee to issue a favorable report on House Bill 1290. Thank you for your consideration.

**For more information call or email:**

Therese M. Hessler | 301-503-2576 | [therese@ashlargr.com](mailto:therese@ashlargr.com)