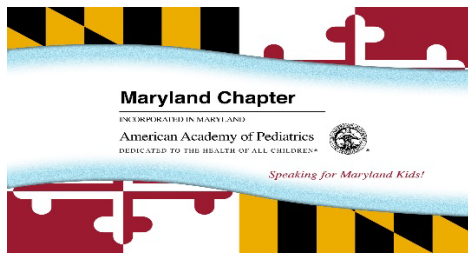


HB1272_FAV_MDAAP_Family Law - Kinship Care.pdf

Uploaded by: Christine Krone

Position: FAV



House Judiciary Committee
February 26, 2026
House Bill 1272 – *Family Law – Kinship Care*
POSITION: SUPPORT

The Maryland Chapter of the American Academy of Pediatrics (MDAAP) is a statewide association representing more than 1,100 pediatricians and allied pediatric and adolescent healthcare practitioners in the State and is a strong and established advocate promoting the health and safety of all the children we serve. On behalf of MDAAP, we submit this letter of **support** for House Bill 1272.

House Bill 1272 strengthens kinship care placement practices by requiring local departments to consider a child’s feelings and views when selecting a prospective kinship caregiver. It also requires that the Local Department consider the following factors when determining whether to approve an individual as a caregiver:

- (1) The individual’s knowledge and understanding of the circumstances that led to the need for the child’s placement;
- (2) The individual’s previous involvement in helping or protecting the child;
- (3) The individual’s previous involvement in preventing occurrences of abuse or maltreatment of the child;
- (4) The individual’s current ability to protect the child;
- (5) The individual’s ability to understand the need for protection of the child; and
- (6) The individual’s willingness to cooperate with the local department.

Children experience profound stress when separated from their families and placed in out-of-home care. Research and clinical practice show that children’s perspectives are crucial in determining what best supports their emotional, social, and developmental well-being. Listening to children, especially in decisions about who will raise or care for them, aligns with pediatric best practices for trauma-informed care.

House Bill 1272’s emphasis on incorporating children’s views reflects a holistic, child-centered approach to welfare that values their voices and lived experiences. It also aligns with the AAP’s longstanding commitment to family-based solutions, continuity of caregiving relationships, cultural and linguistic connection, and minimizing trauma associated with out-of-home placement.

House Bill 1272’s focus on the ability of the prospective caregiver to keep the child safe is also very important. If a kinship caregiver does not believe that abuse occurred, they are more

likely to allow unsupervised contact with an abuser and allow abuse to continue. If a kinship caregiver is unable to protect the child, e.g., because of physical frailty, the abuser could take the child away by force. If the kinship caregiver is unwilling to cooperate with the local department, it becomes impossible to assure the child's ongoing safety.

By requiring local departments to consider a broad range of factors, including familial bonds, existing relationships, and a potential caregiver's ability to protect and nurture a child, this bill promotes stability and healthy development. For these reasons, MDAAP strongly supports House Bill 1272 and urges the House Judiciary Committee to give it a favorable report, helping Maryland uphold the voices and well-being of children in kinship care decisions.

For more information call:

Christine K. Krone
J. Steven Wise
Danna L. Kauffman
Andrew G. Vetter
410-244-7000

HB1272 CPMC FAV JUD.pdf

Uploaded by: Diana Philip

Position: FAV

THE COALITION TO PROTECT MARYLAND'S CHILDREN

Our Mission: To combine and amplify the power of organizations and citizens working together to keep children safe from abuse and neglect. We strive to secure budgetary and public policy resources to make meaningful and measurable improvements in safety, permanence, and wellbeing.



HB1272 - Family Law – Kinship Care House Judiciary Committee February 26, 2026

Position: SUPPORT

The Coalition to Protect Maryland's Children is a consortium of organizations and individuals formed in 1992 who are concerned about the care of Maryland's most vulnerable children and work together to educate and promote meaningful child welfare reform. **CPMC urges a favorable report on HB1272 - Family Law – Kinship Care.**

In the last few years, Maryland has dedicated increased time and energy into placing out-of-home youth with kinship caregivers – family members, relatives, or fictive kin. In updating its regulations in December 2024 to support these efforts, the vetting provisions by local social service workers identifying appropriate and safe placements for children were (we believe inadvertently) struck from COMAR.

HB1272 seeks to establish the child-centered, safety-first provisions into statute so that these are less likely to be lost in the shuffle again. Although being placed with kin may be a positive and welcoming experience for some children, others may not feel as protected or cared for with certain relatives or friends known to the family. This vetting process is crucial for a child to be healthy, safe, and thriving after experiencing any confusion or trauma which occurred triggering the child's removal from their custody and care of their parent or legal guardian. The bill language seeks to establish that the process shall consider the child's feelings and perspectives about the potential placement. The process also shall include assessment of whether the potential caregiver understands the safety needs of the child, is able to protect the child, willing to care for the child, and willing to work with the local department and parents. Our main concerns about the absence of this vetting are not only the risk of ignoring the child's own assessment of the situation and whether being placed with the potential kinship caregiver is in their own best interests but also identifying a potential kin caregiver who is unwilling to abide by safety plans and court orders due to conflicted loyalties or collusion. We must ensure that the kin caregiver will be committed to placing the safety and health of the child first.

It is for these reasons that the Coalition to Protect Maryland's Children **urges a favorable report on HB1272 - Family Law – Kinship Care.**¹

¹ Members of CPMC represented by this written testimony include – the American Academy of Pediatrics - Maryland Chapter, Child Justice, Center for Hope, Citizen's Review Board for Children, Court Appointed Special Advocates (CASA - Baltimore County), The Family Tree, Maryland Association of Resources for Families and Youth (MARFY), Maryland Legal Aid, Maryland Network Against Domestic Violence, National Association of Social Workers – MD (NASW), the State Council on Child Abuse & Neglect (SCCAN).

HB1272- Maryland Legal Aid - FAV260226 Written Tes

Uploaded by: Richard Perry

Position: FAV



HB1272 - Family Law - Kinship Care
February 26, 2026
Position: FAVORABLE

Maryland Legal Aid submits written and oral testimony on HB1272 at the request of its sponsor, Delegate Gabriel Acevero.

Maryland Legal Aid asks that the Committee report **favorably** on HB1272, which requires a local department to consider a child's feelings or views about a prospective kinship caregiver and requires a local department to consider certain factors when determining whether to approve an individual as a kinship caregiver. 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 non-profit law firm, representing vulnerable young people in Child in Need of Assistance (CINA) matters across the State. This proposed legislation is an important measure to provide support and stability to these children.

Maryland Legal Aid represents thousands of children in Child in Need of Assistance ("CINA") and Guardianship ("TPR") proceedings statewide. Our attorneys serve children from infancy through young adulthood, providing continuous representation under the juvenile court's jurisdiction. This deep, sustained experience in child welfare gives Maryland Legal Aid a clear understanding of the needs and vulnerabilities of children in foster care, and it is why we strongly support HB 1272.

Kinship placements offer children critical stability and emotional support when they are removed from their parents due to abuse or neglect. Maryland Legal Aid represents many children who are thriving in the safe, nurturing care of relatives and kin after such removals. Maryland Legal Aid commends the Department for its focused efforts to keep children in their families and communities through kinship care. Youth who are removed from parents or guardians and placed with relatives and kin generally have better outcomes than youth placed in other placements; they experience greater stability, improved educational and mental health outcomes, and have reduced trauma and behavior issues¹. HB 1272 enhances efforts to ensure kinship placement is consistent with a child's best interest by incorporating the child's opinion and ensuring all kinship placements are safe and stable.

¹ American Bar Association, Section of Litigation, Children's Rights Litigation Committee, Benefits of Kinship Placement: Social Science Support for Your In-Court and Out-of-Court Legal Advocacy: A Tool for Lawyers (Jan. 2022), available at <https://www.grandfamilies.org/Portals/0/Documents/Care-Custody/ABA%20memo-re-benefits-of-kinship-placement-adoption.pdf>.

HB 1272 incorporates the child's voice into kinship placements. The bill provides: "In selecting a placement that is in the best interest of a child in an out-of-home placement, the local department shall consider the child's feelings and views and a prospective kinship caregiver." Incorporating the child's voice into placement decisions is both intuitive and necessary. Children often have direct knowledge of which relatives and fictive kin have protected, supported, and cared for them, and, importantly, which have not. If a child is frightened of or does not feel safe with a particular relative, that perspective must be meaningfully weighed. Likewise, when a child feels loved, secure, and protected by a particular relative, that view merits real consideration. HB1272 ensures these crucial insights are recognized in law.

The bill also restores important safety-focused provisions. Per these provisions, in considering a potential kinship caregiver, the department must consider such protective factors as the caregiver's knowledge and understanding of the circumstances that led to the child's removal; previous helping, protecting, or preventing maltreatment of the child; current ability to protect the child, and understand the need for such protection; and willingness to cooperate with the department. These safeguards are not new; for many years, they were embedded in the Code of Maryland Regulations (COMAR) and routinely guided the evaluation of relative placements. When COMAR's kinship placement regulations were replaced in late 2024, these long-standing safety provisions were omitted, apparently inadvertently. HB1272 simply restores these established protections to statute.

Reinstating these requirements is vital. As children's attorneys, we have witnessed cases in which relatives, despite good intentions, faced divided loyalties that compromised a child's safety. Some minimized the very concerns that led to the child's entry into foster care. Others struggled to enforce court-ordered restrictions on parental contact. In some instances, our clients have informed us that relatives had themselves participated in, enabled, or turned a blind eye to the abuse or neglect. HB1272 appropriately directs the Department to assess whether a relative understands the need to protect the child and is willing and able to place the child's needs first.

We have seen these dynamics firsthand. In some of our cases, the child's relative had the opportunity to intervene to protect the child but failed to do so. In others, a relative enabled and overlooked a parent's substance use, and a relative engaged in the same physical or verbal abuse that the child previously endured. We have also encountered cases where a relative substituted their own judgment for the court's and allowed a parent inappropriate access to the child before safety concerns had been resolved. In particularly severe cases, such as those involving an infant who has suffered intentionally inflicted injuries, it can be emotionally difficult for relatives to accept the reality of the abuse. To prevent and assess such situations, the Department must have frank, informed conversations with prospective kinship caregivers to ensure they fully understand the child's safety needs and are committed to upholding them.

The Department must consider whether a prospective kinship caregiver is truly prepared to place the child's safety first. HB1272 restores essential safeguards for children who have already endured trauma. Importantly, the bill does not diminish Maryland's strong preference for placing

children with kin whenever possible. Instead, it strengthens that preference by ensuring that kinship placements are selected thoughtfully, carefully, and in alignment with best practices long recognized in child welfare, which also promotes stability.

Maryland Legal Aid urges the Committee to issue a FAVORABLE report on HB 1272 and urges its ultimate passage. If you have any questions, please contact: Erica I. LeMon, Advocacy Director for Children's Rights at elemon@mdlalab.org (410) 951-7648 or (410) 935-0937.

HB1272_MARFY_FAV.pdf

Uploaded by: Therese Hessler

Position: FAV



February 26, 2026

House Judiciary Committee

House Bill 1272 — Kinship Placement Safety and Assessment Requirements

Position: SUPPORT

Chair 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 1272.

MARFY represents private child placement agencies and child-serving organizations across Maryland that provide foster care, treatment foster care, residential care, and adoption services to youth who have experienced abuse, neglect, or significant trauma. Our members work closely with local departments of social services to ensure children entering out-of-home care are placed in environments that are safe, stable, and supportive of their well-being.

Maryland has made meaningful progress in recent years toward prioritizing kinship placements when children must be removed from their homes. Placement with relatives or fictive kin can help maintain family connections, cultural continuity, and emotional stability. MARFY strongly supports kinship care as an important component of the child welfare continuum. However, kinship placement decisions must always be grounded in careful assessment of safety, readiness, and the individual needs of the child.

House Bill 1272 addresses an important policy gap that emerged following regulatory changes in 2024 by establishing clear statutory expectations for evaluating potential kinship placements. By codifying a structured vetting process, the bill ensures that critical child-centered considerations remain part of placement decision-making regardless of future regulatory revisions.

The provisions included in the legislation appropriately emphasize that placement decisions should consider the child's perspective and emotional needs, as well as whether the potential caregiver can provide a safe and protective environment. Assessing a caregiver's willingness and ability to follow safety plans, comply with court requirements, and collaborate with child welfare professionals is essential to ensuring stable placements and positive outcomes.

Children entering out-of-home care are often experiencing significant trauma, uncertainty, and disruption. While placement with kin may be beneficial in many circumstances, there are also situations in which family dynamics, conflicting loyalties, or unresolved safety concerns may create additional risk. A thoughtful and consistent assessment process helps ensure that kinship placements truly serve the child's best interests and do not unintentionally expose children to further instability or harm.



Establishing these requirements in statute provides clarity for local departments, consistency across jurisdictions, and reassurance that child safety remains the central priority. It also supports placement stability by helping identify caregivers who are prepared to meet the child's needs and partner effectively with the child welfare system.

House Bill 1272 reflects a balanced and child-focused approach to kinship care — one that recognizes the value of family connections while reinforcing the responsibility to ensure safety, protection, and well-being for vulnerable children.

For these reasons, MARFY respectfully urges the Committee to issue a favorable report on House Bill 1272. Thank you for your consideration.

For more information call or email:

Therese M. Hessler | 301-503-2576 | therese@ashlargr.com

HB1272- Family Law Kinship Care- Favorable with Am

Uploaded by: Hayley Lichterman

Position: FWA



NATASHA DARTIGUE
PUBLIC DEFENDER
KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER
HANNIBAL KEMERER
CHIEF OF STAFF
ELIZABETH HILLIARD
DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: House Bill 1272 - Family Law- Kinship Care

FROM: Maryland Office of the Public Defender

POSITION: Favorable with Amendments

DATE: 02/26/2026

The Maryland Office of the Public Defender (OPD) respectfully requests that the Committee issue a **favorable report with amendments for House Bill 1272, Family Law- Kinship Care**. House Bill 1272 seeks to require the Department of Social Services to consider the feelings of the child when determining a kinship placement and provide social workers with direction on what they should consider when determining the appropriate kinship placement.

This testimony is provided by OPD's Parental Defense Division (PDD) which represents parents from all 24 counties in Maryland who are involved in the various stages of Child In Need of Assistance (CINA) cases. Our multidisciplinary legal team, including dedicated attorneys, licensed social workers, and parent advocates with lived-experience in the DSS system, ensures that families receive high quality legal representation during their CINA and TPR cases.

Placing children with family or close friends, known as kinship care, is a vital support system. Studies consistently show that it is the most effective alternative for children who cannot live with their parents. When a child is removed from their parent's care, it is crucial that their voice is heard regarding where and with whom they should reside. Children can often articulate where they feel safe, and since they are being uprooted, they must be placed in familiar, nurturing, and secure environments.

We support the section of HB1272 that mandates DSS to consider the child's feelings during a kinship care placement. However, we are concerned about the specific list of factors that DSS is directed to consider when placing a child with a relative. While we understand and agree with the bill's intent to ensure placement safety, we are concerned that these specific considerations could be unfairly used against kinship providers and parents. This might lead to placements with providers whose loyalty is more aligned with DSS than with the child's and family's well-being, potentially hindering healing, stabilization, and reunification efforts, which is typically the initial permanency goal. Additionally, the factors could hinder placement with relatives who are

considered to be “too supportive” of reunification.

Through our Better Together Program, PDD’s prepetition program, our attorneys offer legal services to parents during Child Protective Services investigations, before a CINA case is filed. In this role, we have observed firsthand instances where caseworkers¹ appear to attempt to damage relationships between parents and potential kinship caregivers by speaking negatively about the parent under the guise of disclosing circumstances leading to the child's removal. We have also seen potential caregivers disqualified for minor reasons, particularly when they appear supportive of reunification and genuinely aim to care for the child while supporting the parents simultaneously.

There appears to be a systemic issue: on one hand, DSS seems to pressure kinship providers to choose between being a resource for the child and aligning with the DSS against the family; on the other hand, placements are sometimes made with relatives without due diligence to ensure the placement is appropriate in all respects.

Therefore, we request the addition of language to ensure kinship providers are thoroughly vetted and informed but are selected without bias against the parent. This is essential to guarantee the child's safety and also to ensure they are placed in an environment that can facilitate appropriate reunification and maintain strong family connections, regardless of the CINA case outcome.

For these reasons we urge the Committee to issue a favorable report as amended for House Bill 1272.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

Authored by: Natasha Khalfani, natasha.khalfani@maryland.gov.

Proposed Language as follows:

(2) WHEN DETERMINING WHETHER TO APPROVE AN INDIVIDUAL AS A KINSHIP CAREGIVER, THE LOCAL DEPARTMENT SHALL CONSIDER:

~~(F) THE INDIVIDUAL’S KNOWLEDGE AND UNDERSTANDING OF THE CIRCUMSTANCES THAT LED TO THE NEED FOR THE CHILD’S PLACEMENT;~~

(I) THE INDIVIDUAL’S KNOWLEDGE AND UNDERSTANDING OF SAFETY CONCERNS THAT LED TO THE NEED FOR THE CHILD’S PLACEMENT;

~~(H) THE INDIVIDUAL’S PREVIOUS INVOLVEMENT IN HELPING OR~~

¹ In Baltimore City, DSS caseworkers are often not social workers.

PROTECTING THE CHILD;

~~(III) THE INDIVIDUAL'S PREVIOUS INVOLVEMENT IN PREVENTING OCCURRENCES OF ABUSE OR MALTREATMENT OF THE CHILD;~~

(II) WHETHER THERE HAS BEEN PAST OR CURRENT ALLEGATIONS OF ABUSE OR NEGLECT ALLEGED AGAINST THE KINSHIP CARETAKER BY THE CHILD, THE PARENT OR OTHER RELATIVE

~~(IV) (III) THE INDIVIDUAL'S CURRENT ABILITY TO PROTECT THE CHILD;~~

~~(V) THE INDIVIDUAL'S ABILITY TO UNDERSTAND THE NEED FOR PROTECTION OF THE CHILD; AND~~

(IV) THE INDIVIDUAL'S WILLINGNESS TO ABIDE BY COURT ORDERS.

(V) THE INDIVIDUAL'S WILLINGNESS TO COOPERATE AND WORK WITH THE PARENT TO ACHIEVE REUNIFICATION, MAINTAIN THE PARENT- CHILD RELATIONSHIP, AND FACILITATE CONTACT AS ORDERED BY THE COURT OR STATED IN A SAFETY PLAN

HB1272_DHS_FWA.pdf

Uploaded by: Justin Hayes

Position: FWA



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Gloria Brown Burnett, Interim Secretary

February 26, 2026

The Honorable Sandy Bartlett, Chair
House Judiciary Committee
100 Lowe House Office Building
Annapolis, Maryland 21401

**RE: TESTIMONY ON HB 1272 - FAMILY LAW - KINSHIP CARE - POSITION:
FAVORABLE WITH AMENDMENTS**

Dear Chair Bartlett and Members of the Judiciary Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully requests a favorable with amendments report on House Bill 1272 (HB 1272).

With offices in every one of Maryland's jurisdictions, 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 the Out-of-Home Care (OOH) program which is affected by HB 1272. HB 1272 proposes to codify existing practice and policy that incorporates the opinions of youth in our care about a potential kinship caregiver before placing the youth with that individual. The bill also outlines specific items that the Department shall consider when determining the suitability of a potential kinship caregiver.

Under the Moore-Miller Administration DHS has made strides through our Family Matters initiative to ensure that youth in the care and custody of the Department are placed with kin, whether by blood or by choice. HB 1272 builds upon our departmental bill from 2023, [SB 708](#) / [HB 1499](#). In accordance with the passage of SB 708 / HB 1499 in 2023, we implemented a new policy, [24-06 Kinship Care Licensing Standards](#), and promulgated a complete rewrite of [COMAR 07.02.09 - Kinship Care Program](#). HB 1272 furthers the Department's efforts by taking into account the child's opinions and preferences toward placement with the prospective kinship caregiver.

For children in OOH care in Maryland, having the LDSS consider both the caregiver's protective capacity and the child's feelings about the kinship caregiver centers the child's voice in placement decisions. Children who feel heard and have input into where they live are more likely to experience placement stability, emotional safety, and trust in the child welfare system.

Department practices already reflect aspects of HB 1272 when learning about potential kinship caregivers, and including these considerations is consistent with current DHS policy and regulations. [COMAR 07.02.06.03 Requirements for Kinship Resource Home Licensing](#) requires local departments of social services (LDSS) to complete the Kinship Caregiver and Home Assessment prior to approving a kinship caregiver. HB 1272 would codify several considerations that are already asked during assessments such as:

- How do you describe your relationship or bond with the child(ren)'s parents or guardians?
- What do you know about the reasons that led to the child(ren) being placed into out-of-home care?
- What is your understanding of the child(ren)'s past and current difficult experiences or trauma?
- What is your plan to support the child(ren) in addressing this trauma?

Our current kinship caregiver assessments as outlined in policy and COMAR 07.02.09, are separate from and superseded by statute. Therefore, we recommend one simple amendment to ensure that other efforts to improve and build upon kinship identification and consideration are not hindered. The considerations on page three of the bill are helpful, but not all-encompassing. Mandating the Department to make these considerations, and only these considerations, would threaten to reverse much of the progress we've made in ensuring the compatibility and appropriateness of kinship caregivers. Our amendment is outlined on page four of this testimony, and changes a "shall" to a "may" to give our LDSSs more flexibility in these decisions.

We appreciate the opportunity to provide favorable with amendments testimony to the Committee for consideration during your deliberations. If you require additional information, please contact Justin Hayes, Acting Director of Government Affairs, at justin.hayes1@maryland.gov.

In service,



Gloria Brown Burnett
Interim Secretary

Proposed Amendments

Amendment No. 1

On page 3, line 10, after “the local department”, strike the word “shall” and replace it with “**may**”.

Page 3, lines 9 and 10 will now read:

WHEN DETERMINING WHETHER TO APPROVE AN INDIVIDUAL AS A KINSHIP CAREGIVER, THE LOCAL DEPARTMENT ~~SHALL~~ MAY CONSIDER: