

HB1290 – Child in Need of Assistance Proceedings –

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY

HB1290 – Child in Need of Assistance Proceedings – Child’s Right to Be Present

Bill Sponsor: Delegate Woods

Committee: House Judiciary

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Aileen Alex, CoChair

Position: FAVORABLE

I am submitting this testimony in support of **HB1290** on behalf of the Maryland Legislative Coalition. We are an association of unpaid citizen advocates—individuals and grassroots groups in every district across the state—representing and supporting more than 30,000 Marylanders.

Children in Child in Need of Assistance (CINA) cases often experience instability, trauma, and uncertainty. I believe that allowing kids to be present when decisions are made about their safety, placement, and well-being helps restore a sense of agency and ensures that their voices do not continue to be lost in a system that is supposed to protect them.

HB1290 takes an important step toward strengthening fairness and transparency in Maryland’s child welfare system by ensuring that children involved in proceedings have the right to be present. As the bill summary explains, HB1290 authorizes a child to attend their own proceeding. This ensures that children—whose lives and futures are directly affected—are not unnecessarily shut out of the process. When exclusion is necessary, HB1290 ensures that it is done thoughtfully, with the child’s best interests at the center.

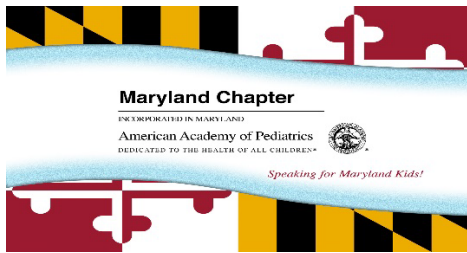
HB1290 aligns with the mission of the Maryland Legislative Coalition. Our work centers on transparency, accountability, and social justice. Ensuring that children have the opportunity to be present in proceedings that profoundly affect their lives is consistent with those values and strengthens Maryland’s commitment to a fair and humane child welfare system.

For these reasons, we respectfully urge a **FAVORABLE** report on HB1290.

HB1290_FAV_MDAAP_CINA - Proceedings - Child's Righ

Uploaded by: Christine Krone

Position: FAV



House Judiciary Committee

February 26, 2026

House Bill 1290 – *Child in Need of Assistance – Proceedings – Child's Right to be Present*

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 1290.

MDAAP affirms that children who are the subject of a Child in Need of Assistance (CINA) proceeding have the right to be present during hearings. This legislation reflects the principle that children's voices are central to decisions that directly affect their lives and well-being.

Research and clinical experience show that children benefit from being included in decisions about their care and safety whenever appropriate. At the same time, children who have experienced trauma require supports that make participation safe and developmentally appropriate. House Bill 1290 balances these considerations by allowing exclusion only when it is in the child's best interest and after careful evaluation, while requiring courts to consider less restrictive alternatives, such as remote participation, schedule adjustments, trauma-informed support, or time-limited physical presence.

By codifying these protections, House Bill 1290 ensures that children are heard and actively engaged in proceedings that impact them, while maintaining safeguards to prevent unnecessary distress. This approach aligns with pediatric best practices and promotes child-centered, trauma-informed policies in legal and child welfare systems.

For these reasons, the MDAAP strongly supports House Bill 1290 and urges the House Judiciary Committee to give the bill a favorable report, advancing children's rights and well-being in Maryland's child welfare system.

For more information call:

Christine K. Krone

J. Steven Wise

Danna L. Kauffman

Andrew G. Vetter

410-244-7000

HB1290 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.



**HB1290 – Child in Need of Assistance - Proceedings -
Child's Right to be Present
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 HB1290 – Child in Need of Assistance - Proceedings - Child's Right to be Present.**

Children in Need of Assistance (CINA) cases involve allegations of abuse, neglect, or a caregiver's inability to provide proper care. Unlike family law cases, children are parties with the full rights of a party to CINA actions. Maryland law explicitly recognizes the profound significance of these matters and the presumption that children should be present.

Judges, magistrates, and attorneys for children are required to complete training related to these vulnerable children. Because children are the subjects of the proceedings, their presence fosters accuracy, fairness, and dignity in a process that profoundly shapes their lives. HB1290 codifies what many Maryland judges and child welfare agencies have already recognized: **that children should be present and excluded only for carefully justified reasons.**

Subsection (A) establishes a default rule — the child has the right to be present — which strongly aligns with trauma-informed judicial principles and promotes agency, voice, and participation for youth. This is consistent with national best practice frameworks and Maryland's own emphasis on ensuring that children understand the proceedings and feel heard.

Under Subsection (B), exclusion is allowed only if:

1. The child's attorney determines that attendance is not in the child's best interest and documents a knowing waiver; or
2. The court makes on the record findings that exclusion serves the child's best interest.

This is consistent with the treatment of privileged communications in the Family Law Article, which protects the child's communications with counsel and recognizes counsel's unique role in representing children.

Subsection (C) properly requires courts to consider less restrictive alternatives before excluding children. This includes adjusting hearing schedules, allowing remote participation, providing trauma informed support, and limiting the child's time physically in the courtroom, if necessary. Such measures align with modern trauma responsive judicial practices and Maryland's consistent efforts to minimize system imposed emotional harm while preserving meaningful participation.

Subsection (D) appropriately prohibits a waiver of the child's presence. Permanency planning consultations are structured opportunities for the child to express their preferences directly to

the court. Prohibiting attorneys from waiving the child's presence protects the child's voice at these crucial junctures and strengthens the integrity of permanency planning decisions—consistent with the principle that the child's perspective must be an essential part of best interest analysis. These proceedings are separate and apart from other hearings.

Though Maryland law provides procedural protections in CINA cases, there is currently no explicit statewide standard guaranteeing a child's right to be present. We have been made aware by CINA attorneys that not all jurisdictions are allowing children to be present. CINA hearings involve decisions on placement, reunification, permanency plans, and safety, matters that shape the child's entire future. Clarifying this right:

- promotes uniformity across jurisdictions
- reduces arbitrary exclusion
- encourages relational and procedural transparency
- ensures youth are not inadvertently silenced

This legislation ensures that Maryland's courts remain aligned with the highest standards of child welfare practice. Grounded in Maryland statute, case law, and child welfare best practices, CPMC **urges a favorable report on HB1290 – *Child in Need of Assistance - Proceedings - Child's Right to be Present.***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 Coalition Against Sexual Assault, Maryland Legal Aid, Maryland Network Against Domestic Violence, National Association of Social Workers – MD (NASW), the State Council on Child Abuse & Neglect (SCCAN).

HB1290- Maryland Legal Aid - FAV260226 Written Tes

Uploaded by: Erica LeMon

Position: FAV



**HB1290 - Child in Need of Assistance – Proceedings – Child’s Right to be Present
February 26, 2026
Position: FAVORABLE**

Maryland Legal Aid submits written and oral testimony on HB1290 at the request of its sponsor, Delegate Jamila J. Woods.

Maryland Legal Aid asks that the Committee report **favorably** on HB1290, which authorizes a child who is the subject of a child in need of assistance proceeding to be present at the proceeding; and authorizes the court to exclude the child from a proceeding under certain circumstances and after considering certain alternatives. 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 grounded in a simple but critical principle: a child’s voice matters.

Maryland Legal Aid’s staff represent thousands of children in CINA and Guardianship (“TPR”) proceedings throughout the state. Our attorneys represent children from infancy to young adulthood continuously, while under the jurisdiction of the juvenile court, including when the youth transitions from foster care to adulthood. As a result of its extensive work in the field, Maryland Legal Aid has expertise in matters concerning child welfare and children in foster care.

CINA proceedings determine where a child will live, whether they will be reunified with family, and what their future will look like. Ensuring that children can be present and heard strengthens both the fairness and the quality of those decisions. In 2024, Maryland had 3,605 children in foster care, which illustrates the scale of critical court decisions affecting children’s lives.¹

Maryland law recognizes that children in CINA proceedings are entitled to counsel at every stage of the case; the statute requires that a child “shall be represented by counsel,” reflecting that children have independent rights and interests that must be protected.² Maryland uses a hybrid client-directed and/or best interest model of representation. If the attorney concludes that a child has considered judgment, they should advocate for the position of the child as they would for any adult client.³ Representation alone, however, is not sufficient to ensure that the child’s opinions,

¹ U.S. Dep’t of Health & Hum. Servs., Child Welfare Outcomes Data Site: Maryland (2023), <https://cwoutcomes.acf.hhs.gov/cwodatasite/byState/maryland/>.

² Md. Code Ann., Cts. & Jud. Proc. § 3-813 (2024).

³ Md. R. Att’y’s App. 19-C 2(a)–(b). Provides that the attorney for the child is responsible for determining
a. “whether the child has considered judgment;” and
b. “whether the presence of the child at the proceedings will be waived,” including whether the child “wants or needs to be present” or “will be harmed by appearing in court.”

needs, and interests are centered in the critical legal proceedings that impact their lives. HB1290 promotes and protects a child's right to be present at their own hearings.

An attorney does not replace the child's voice. Even the most skilled advocate cannot fully replicate a child's lived experience, their perspective, their concerns, or their understanding of safety and family. When children are not present, their opinions are filtered through others, and something essential is lost. Their voices are effectively muted, and their ability to meaningfully participate in decisions that directly affect their lives is limited. This bill ensures that children have the right to be present in these proceedings, making their existing rights more meaningful in practice.

HB1290 aligns the Family Law Statute with Maryland Rule 11-109's Presumption of the Child's Presence. Maryland Rule 11-109 (Production of Child) already sets a clear expectation of a child's attendance at their own CINA hearings: "Unless the child's presence is excused by the court for good cause, the child's custodian shall bring the child to all hearings under the Rules in this Title." The Rule adds that "[a]n attorney for the child may waive the child's presence in any proceeding other than a delinquency proceeding or a child consultation pursuant to Code, Courts Article, § 3-823(j)."⁴ HB1290 codifies and clarifies this presumption in statute for CINA matters, strengthening uniformity across jurisdictions and ensuring that any exceptions to a child's presumptive presence in court are truly grounded in good cause and the child's well-being

This statutory alignment also complements federal requirements. Congress has long required courts conducting permanency hearings to consult, in an age-appropriate manner, with the child regarding the proposed permanency or transition plan, and more recently to ask the child about the desired permanency outcome at each hearing.⁵

The American Bar Association Center on Children and the Law has found that children who attend and actively participate in their hearings are more likely to understand the proceedings, trust the process, and feel that their voices have been heard.⁶ When children are excluded from their

⁴ Md. R. 11-109 (2022).

⁵ 42 U.S.C. § 675(5)(C) (2024) (requiring age-appropriate consultation with the child at permanency hearings). 42 U.S.C. § 675a(a)(2)(A) (2024) (A court must "[a]sk the child about desired permanency outcome for the child" at each permanency hearing).

⁶ "When placed in foster care, youths' lives are turned upside down and decisions are often made without their input. They lose control over many facets of their lives. Youth feel empowered and more in control when they are allowed to provide input to the decision makers about issues that affect them. Judges make critical decisions about placement, education, permanency, visitation with family, and well-being needs. Involving youth in the decisions about these topics empowers them." ABA Bar-Youth Empowerment Project & Nat'l Child Welfare Res. Ctr. on Legal & Jud. Issues, *Engaging Youth in Court: Sample Court Policy*, Child L. Prac. (May 2011),

hearings, they are left to piece together what happened from others. Empirical research confirms the benefits of children attending their own hearings without evidence of harm. A controlled study of youth participation in foster-care review hearings found "no evidence of high distress immediately preceding or following their hearings" among attending youth and that those who attended "reported more positive feelings about the dependency process (e.g., trust in judge, perceived fairness, and more comfort with their guardians ad litem and caseworkers).⁷ Their participation leads to more informed and more accurate decision-making. Children can clarify misunderstandings, express their wishes, and provide insight that no report or subsequent secondhand account can capture.

HB1290 affirms that children are not merely the subject of these proceedings; they are participants in them and deserve to be present so they can be involved in the decisions that directly affect their lives. By aligning with Maryland Rule 11-109 and longstanding federal requirements, HB1290 strengthens the fairness, accuracy, and legitimacy of CINA decisions in every courtroom in our state.

Maryland Legal Aid urges the Committee to issue a FAVORABLE report on House Bill 1290 and urges its ultimate passage. If you have any questions, please contact: Erica I. LeMon, Advocacy Director for Children's Rights at elemon@mdlabor.org (410) 951-7648 or (410) 935-0937.

https://www.americanbar.org/groups/public_interest/child_law/resources/child_law_practiceonline/child_law_practice/vol30/may_2011/engaging_youth_incourtsamplecourtpolicy/.

⁷ "Overall, the findings suggest that policies encouraging children's attendance at dependency hearings are viewed positively by and not harmful to children." Victoria Weisz, Twila Wingrove, Sarah J. Beal & April Faith-Slaker, Children's Participation in Foster Care Hearings, 35 Child Abuse & Neglect 267 (2011).

HB1290_DHS_FAV.pdf

Uploaded by: Gloria Brown-Burnett

Position: FAV



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 1290 - CHILD IN NEED OF ASSISTANCE - PROCEEDINGS - CHILD'S RIGHT TO BE PRESENT - POSITION: FAVORABLE

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 report on House Bill 1290 (HB 1290).

With offices in every one of Maryland's jurisdictions, DHS provides preventive and supportive services, economic assistance, and meaningful connections to employment development and career opportunities to help Marylanders reach their full potential. Our Social Services Administration (SSA) implements child welfare programs throughout the state which are affected by HB 1290. HB 1290 authorizes a child who is the subject of a child in need of assistance (CINA) court proceeding to be present at the proceeding. Most importantly, it does not compel the child to attend but ensures that they are afforded the ability to do so if they desire.

HB 1290 would codify existing practices of the Maryland Judiciary expressed in [MD Judicial Rule 11-109](#). There are scenarios where it may not be in the best interest of the child to be present during a CINA proceeding, as it could be traumatic. Both MD Judicial Rule 11-109 and HB 1290 have protections to ensure a child is not *required* to be present should they choose not to, or if their presence would not be in their best interest.

HB 1290 aligns with the goals and policies of SSA and our Local Departments of Social Services (LDSS). SSA provides each LDSS with a document entitled the Youth Matters Handbook, which is distributed to children when they enter Out of Home (OOH) care to help them understand the child welfare system, the court process, and resources

available to them. The Youth Matters Handbook describes the CINA process and the child's "right to attend court hearings, speak with the Judge and/or Magistrate and receive a copy of the court documents for your records." The handbook also assists with identifying individuals the youth can contact for support during their experience of out-of-home care. In addition, the Maryland Out-of-Home Care Youth Bill of Rights identifies all the rights and responsibilities a child has, including the right to "to attend court hearings, speak with the Judge and/or Magistrate, and receive a copy of the court documents for your records." For these reasons DHS supports HB 1290 to codify current practice and policy, and ensure that youth are able to be present during their own CINA proceedings, should they so desire.

We appreciate the opportunity to offer favorable 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,

A handwritten signature in blue ink that reads "Gloria Brown Burnett". The signature is written in a cursive style with a large initial "G".

Gloria Brown Burnett
Interim Secretary

HB1290- The Right to Be Present- Favorable.docx.pd

Uploaded by: Hayley Lichterman

Position: FAV



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 1290 - Child In Need of Assistance- Proceedings- Child's Right to Be Present

FROM: Maryland Office of the Public Defender

POSITION: Favorable as Amended

DATE: 02/26/2026

The Maryland Office of the Public Defender (OPD) respectfully requests that the Committee issue a **favorable report as amended for House Bill 1290, Child In Need of Assistance- Proceedings- Child's Right to Be Present**. House Bill 1290 seeks to codify a child's right to be present at Child In Need of Assistance hearings.

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 Child in Need of Assistance and Termination of Parental Rights cases.

Child in Need of Assistance cases are the proceedings in which the court determines whether a child has been abused or neglected. If the Court finds that a child has been abused, the court will then determine whether that child is a Child In Need of Assistance requiring the courts supervision to maintain safety. The court in those proceedings also determine whether a child should be placed in foster care, what services the child and family are to receive in order to reunify when a child is separated from his or her family and which permanency plan is in the best interest of the child.

Within these proceedings, the parties include the Department of Social Services who brings the case and is responsible for providing placement for the child and reunification services to the family, the child and the parents. Each party is represented by their own attorney.

The Child's attorney represents the expressed interests of the child. Which means, as long as the child has considered judgment, which means the child can tell their attorney what they want and why they want it, then the attorney is to advocate for what that child wants; as they would an

adult client. Only when a child does not have considered judgement does the child's attorney represent what they believe to be in the child's interest.

When children attend court, they can hear the proceedings, speak to the court directly, confirm if their position has been accurately represented, and offer any necessary additional information.

Furthermore, a child's presence and interactions with their parents in court provide the judge with critical, firsthand observations that would otherwise be unavailable. For instance, a report may suggest a strained parent-child relationship and a child's reluctance to see a parent. Yet, if the child is present in court, they might display affection and comfort with the parent that strongly contradicts the Department's depiction. This personal observation is invaluable for the court in determining the child's best interest.

It is the understanding of the Office of the Public Defender that HB 1290 has been amended from its original form to only include language that states, "A child who is the subject of a CINA proceeding under this subtitle has a right to be present at the proceeding." We are in agreement with this amendment.

For these reasons we urge the Committee to issue a favorable report as amended for House Bill 1290.

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

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

HB1290_Del.Woods Testimony 02.26.pdf

Uploaded by: Jamila Woods

Position: FAV

JAMILA J. WOODS
Legislative District 26
Prince George's County

Judiciary Committee
Criminal Subcommittee
Chair, Juvenile Subcommittee
Public Safety Subcommittee



The Maryland House of Delegates
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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony for HB1290 - *Child in Need of Assistance - Proceedings - Child's Right to be Present*

Good afternoon, Chair Bartlett, Vice Chair Davis, and Members of the Judiciary Committee.

My name is Delegate Jamila Woods, and I am here today to request a favorable report on House Bill 1290, legislation that gives children the right to attend their own CINA court hearings. I grew up in foster care and experienced every kind of abuse you can think of. My input should have mattered in that case.

HB1290 is rooted in a simple but powerful principle: children deserve a voice in decisions that shape their lives. When the State intervenes because a child is abused, neglected, or abandoned, the courtroom becomes the place where their safety, their placement, and their future are determined. Yet under current practice, many children are not present for these hearings, not because they choose to stay away, but because they are never given the opportunity to attend.

This bill ensures fairness by shifting the system away from decisions made about children in their absence and toward decisions made with them present. It affirms that children have the right to be present, to hear what is being said about them, and to express their own wishes when they feel safe and able to do so. It does not force a child to testify. It does not require a child to speak. It simply ensures that they are not excluded from their own lives.

We know from research that children who participate in their court proceedings experience better outcomes. A national study from the ABA Center on Children and the Law found that youth who attend their hearings report feeling more respected, more informed, and more invested in their case planning. Another study published in *Child Abuse & Neglect* found that youth engagement in court is associated with increased placement stability and improved permanency outcomes.

Maryland should not lag behind on something so fundamental.

HB1290 also recognizes that participation must be developmentally appropriate and trauma-informed. The bill allows the court to excuse a child when attendance would be harmful or contrary to their well-being. It ensures that judges, attorneys, and caseworkers maintain discretion and prioritize safety. But it shifts the default from exclusion to inclusion. It says that a child's presence is the norm—not the exception.

For children in foster care, the courtroom may be the only place where they can speak directly to the people making decisions about their lives. I remember what it felt like to have adults talk about me, around me, and over me, while I sat in silence or was kept outside the room entirely. I remember the frustration of knowing what I needed and not being asked. No child should feel invisible in a process designed to protect them.

This legislation is not about burdening the courts. It is about strengthening the integrity of the system. It is about transparency, dignity, and accountability. And it is about acknowledging that children, even in crisis, have agency.

HB1290 affirms a simple truth: when we listen to children, we make better decisions for them.

For these reasons, I respectfully urge a favorable report on House Bill 1290.

Sincerely,



Delegate Jamila J. Woods
Maryland House of Delegates
District 26 – Prince George's County

HB1290_MARFY_FAV.pdf

Uploaded by: Therese Hessler

Position: FAV



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

hb1290.pdf

Uploaded by: Will Vormelker

Position: UNF

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

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: House Bill 1290
Child in Need of Assistance - Proceedings - Child's Right to be Present
DATE: February 18, 2026
(2/26)
POSITION: Oppose, as drafted

The Maryland Judiciary opposes House Bill 1290, as drafted.

The Judiciary notes that the child is a party and is already vested with the right to be present at the proceedings. As such, current law may already cover the concerns the legislation is attempting to address. In addition, the court routinely makes the assessments and considerations enumerated in the bill. However, the language of the bill creates some procedural ambiguities and may cause delays in these proceedings. For example, it is unclear if this issue can be raised and decided on motion, or is a separate, in-person hearing required. If a separate hearing is required, that separate hearing would cause delays in the hearings. Further, the bill appears to assume that the child has considered judgment; it does not distinguish between a child who has considered judgment and one who does not.

cc. Hon. Jamila Woods
Judicial Council
Legislative Committee
Kelley O'Connor