

SENATE BILL 35

E3

7lr0119

(PRE-FILED)

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Juvenile Services)**

Requested: October 20, 2016

Introduced and read first time: January 11, 2017

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 8, 2017

CHAPTER _____

1 AN ACT concerning

2 **Juvenile Law – Informal Adjustment – Mental Health Program**

3 FOR the purpose of establishing that a juvenile informal adjustment process may exceed a
4 certain length of time if a juvenile intake officer determines that additional time is
5 necessary for a child to ~~complete~~ participate in a certain substance-related disorder
6 treatment program or a certain mental health program; making a technical change;
7 and generally relating to juvenile law.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 3–8A–10(f)
11 Annotated Code of Maryland
12 (2013 Replacement Volume and 2016 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Courts and Judicial Proceedings**

16 3–8A–10.

17 (f) (1) During the informal adjustment process, the child shall be subject to
18 such supervision as the intake officer deems appropriate and if the intake officer decides to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 have an intake conference, the child and the child's parent or guardian shall appear at the
2 intake conference.

3 (2) The informal adjustment process may not exceed 90 days unless:

4 (i) That time is extended by the court; or

5 (ii) The intake officer determines that additional time is necessary
6 for the child to ~~complete a substance abuse treatment OR~~ PARTICIPATE IN A
7 SUBSTANCE-RELATED DISORDER TREATMENT PROGRAM OR A MENTAL HEALTH
8 program that is part of the informal adjustment process.

9 (3) If the victim, the child, and the child's parent or guardian do not consent
10 to an informal adjustment, the intake officer shall authorize the filing of a petition or a
11 peace order request or both or deny authorization to file a petition or a peace order request
12 or both under subsection (g) of this section.

13 (4) If at any time before the completion of an agreed upon informal
14 adjustment the intake officer believes that the informal adjustment cannot be completed
15 successfully, the intake officer shall authorize the filing of a petition or a peace order
16 request or both or deny authorization to file a petition or a peace order request or both
17 under subsection (g) of this section.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.