

Department of Legislative Services
2013 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1320

(Delegate Jones, *et al.*)

Judiciary

Judicial Proceedings

Baltimore City and Baltimore County - Child in Need of Supervision Pilot
Program - Extension

This bill extends to June 30, 2016, the termination date of the Child in Need of Supervision (CINS) Pilot Program in Baltimore City and Baltimore County.

The bill takes effect June 1, 2013.

Fiscal Summary

State Effect: The Department of Juvenile Services (DJS) can allocate existing budgeted resources to continue funding the pilot program through FY 2016. Revenues are not affected.

Local Effect: DJS will continue to provide grants to local management boards in Baltimore City and Baltimore County through FY 2016.

Small Business Effect: None.

Analysis

Current Law/Background:

Child in Need of Supervision

A “child in need of supervision” is a child who requires guidance, treatment, or rehabilitation and (1) is required by law to attend school and is habitually truant; (2) is habitually disobedient, ungovernable, and beyond the control of the person having custody of the child; (3) behaves so as to injure or endanger himself, herself, or others; or (4) has committed an offense applicable only to children.

Within 25 days of receiving a complaint alleging that a child is in need of supervision, a juvenile intake officer may (1) authorize the filing of a petition or a peace order request, or both; (2) propose an informal adjustment of the matter; or (3) refuse authorization to file a petition or peace order or both. An intake officer is not required to provide for an assessment and the delivery of services before authorizing action on a complaint.

Local Management Board

Each county must establish and maintain a local management board to ensure the implementation of a local interagency service delivery system for children, youth, and families. A county may designate as a local management board a quasi-public nonprofit corporation that is not an instrumentality of the county government or a public agency that is an instrumentality of the county government.

CINS Pilot Program – Baltimore City and Baltimore County

Chapter 601 of 2005 (HB 1339) required the Secretary of Juvenile Services to establish a DJS CINS Pilot Program in Baltimore City and Baltimore County. The Governor was required to include \$250,000 annually in the fiscal 2007 through 2010 State budgets. Chapter 420 of 2009 (HB 788) extended the termination date of the pilot program to June 30, 2013, and continued the requirement for the Governor to include \$250,000 annually in the fiscal 2011 through 2013 State budgets. Under the pilot program, local management boards must select community-based providers that offer assessment, intervention, and referral services to children in Baltimore City and Baltimore County who are alleged to be in need of supervision. The designated assessment service providers must be contracted and funded by the local management board in Baltimore City and Baltimore County.

A juvenile intake officer who receives a complaint alleging that a child in Baltimore County or Baltimore City is in need of supervision must refer the child and the child's parents to one of the selected providers unless the intake officer concludes that the court has no jurisdiction or that neither an informal adjustment nor judicial action is appropriate. The provider must meet with the child and the child's parents two to six times to discuss the child's school performance, family interactions, peer relationships, and health, including drug and alcohol use. The provider must review all available, relevant records concerning the child, conduct an assessment of the child, and establish a case plan and record for providing services to the child.

An intake officer may not authorize the filing of a delinquency or CINS petition or peace order request or propose an informal adjustment for the child unless the provider has filed a report with the court stating the date of the initial meeting with the child and that all attempts to provide assessment, intervention, and referral services have failed.

Any information provided by a child incident to a referral to a selected provider may not be admitted in evidence in any adjudicatory hearing, peace order proceeding, or criminal proceeding against the child.

During fiscal 2010 (the latest fiscal year for which information is readily available), the Baltimore City DJS Intake unit made 298 referrals to the CINS Pilot Project. Of the 298 referrals, 279 received some form of program services, with most of the 279 referrals receiving the full complement of available services. Baltimore County received 104 referrals from DJS during fiscal 2010. Of the referrals, 67 participated in the assessment and service planning process, and 54 of the 67 completed the services.

State/Local Fiscal Effect: DJS will allocate existing budgeted resources through fiscal 2016 to continue funding the pilot programs. The funding will be distributed to local management boards in Baltimore City and Baltimore County. Local management boards in these jurisdictions will use the funding to contract with community-based providers for provider assessments, intervention, and referral services to children and their families. Based on past appropriations to the pilot program, Baltimore City receives grants of approximately \$167,000 annually and Baltimore County receives grants of approximately \$83,000 annually.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City, Baltimore County, Judiciary (Administrative Office of the Courts), Department of Juvenile Services, Department of Legislative Services

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