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**Testimony before the House Judiciary Committee  
House Bill 893  
Foster Parents, Kinship Parents, Pre-Adoptive Parents, and Caregivers – Right to Intervene**

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**\*\*OPPOSE\*\***

The Franklin Law Group, P.C. (FLG) is a child advocacy law firm that has provided legal representation to children in abuse and neglect proceedings in six-jurisdictions across the State of Maryland since 2007. The FLG opposes House Bill 893.

This bill seeks to expand the rights of foster parents, kinship parents, pre-adoptive parents, and caregivers of certain children in out-of-home placements. It has two main problems – 1) undermines the natural parents’ constitutional liberty interest protected by the U.S. and Maryland Constitutions and 2) undermines family integrity and silences the voices of children.

**A. Parents’ Liberty Interest**

A parent’s right to raise their children is constitutionally protected, free from interference, unless necessary for the protection of children. Allowing a placement resource to receive notice from the court, the right to intervene as a party in any child abuse or neglect, termination of parental rights, and adoption proceeding, and access to all non-privileged information in documents pertaining to the child essentially places a placement resource on parity with a natural parent and undermines the parent’s constitutional rights. The purpose of an out-of-home placement is for – short-term care for children (*See* COMAR 07.02.25.01(B)(1)). Allowing the above actions is a drastic overreach and should not be allowed.

**B. Family Integrity & Silencing the Child’s Voice**

Family integrity is protected constitutionally and preservation of the parent-child relationship is paramount. Allowing foster parents, et al. to intervene and receive non-privileged information jeopardizes this and silences the voices of children, particularly in cases where the child has considered judgment. If a child has an opposing position to the placement resource, it places a child in an awkward position, which can silence the child’s voice in contravention to their best interests and the purpose of the CINA/TPR statutory scheme.

Passing this bill will erode the constitutional protections afforded to parents and children, and mutes the voices of children in matters impacting their lives.

**We urge this Committee to give an unfavorable report.**