

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 102 (Chairman, Judicial Proceedings Committee)
(Departmental - Human Resources)

Judicial Proceedings

Court Reviews for Children in Out-of-Home Placements

This departmental bill clarifies the court process to review implementation of a permanency plan for Child in Need of Assistance (CINA) cases by making corrections to Chapters 595 and 596 of the Acts of 1996. For example, it modifies the time frame for review hearings and specifies the considerations to be made by the court during review hearings.

Fiscal Summary

State Effect: None. It is anticipated that the bill's changes could be handled with existing budgeted resources as discussed below.

Local Effect: None.

Small Business Effect: The Department of Human Resources has determined that this bill has minimal or no impact on small business (attached). Fiscal Services concurs with this assessment.

Fiscal Analysis

Background: Chapters 595 and 596 of the Acts of 1996 (Permanency for Children in Out-of-Home Placements) resulted from recommendations of the Governor's Commission on Adoption. They require more frequent court review of permanency plans for children and strengthen the kinds of reviews held.

State Expenditures: The bill may result in an increased number of review hearings and lengthier hearings, but it is anticipated that any additional workload can be handled with existing budgeted resources. There could be additional review hearings because the bill changes the time frame by which the court must hold a hearing to review implementation of a permanency plan for each child. Current law requires a hearing within 10 months after the *disposition* of the child, whereas the bill requires a hearing within 12 months of the *initial placement* of the child. The bill's changes could result in additional hearings, to the extent that the time elapsed between the initial placement and disposition of the child exceeds two months.

In addition, because the bill requires the court to consider the permanency plan at each review hearing for a child in placement, review hearings may take additional time to complete. Current law requires consideration of the permanency plan only at the child's initial review hearing.

Information Source(s): Department of Human Resources, Judiciary (Administrative Office of the Courts), Department of Fiscal Services

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