

(1) Placement is required to protect the child from serious immediate danger;

(2) There is no parent, guardian, custodian, or other person able to provide supervision; and

(3) (i) 1. The child's continued placement in the child's home is contrary to the welfare of the child; and

2. Because of an alleged emergency situation, removal from the home is reasonable under the circumstances to provide for the safety of the child; or

(ii) 1. Reasonable [but unsuccessful] efforts have been made [to prevent or eliminate] BUT HAVE BEEN UNSUCCESSFUL IN PREVENTING OR ELIMINATING the need for removal from the child's home; and

2. As appropriate, reasonable efforts are being made to return the child to the child's home.

(d) A court may continue shelter care beyond emergency shelter care only if the court finds that:

(1) Return of the child to the child's home is contrary to the safety and welfare of the child; and

(2) (i) Removal of the child from the child's home is necessary due to an alleged emergency situation and in order to provide for the safety of the child; or

(ii) Reasonable [but unsuccessful] efforts were made [to prevent or eliminate] BUT WERE UNSUCCESSFUL IN PREVENTING OR ELIMINATING the need for removal of the child from the home.

(e) (1) If the court continues shelter care on the basis of an alleged emergency, the court shall assess whether the absence of efforts to prevent removal was reasonable.

(2) If the court finds that the absence of efforts to prevent removal was not reasonable, the court shall make a written determination so stating.

(3) The court shall make a written determination as to whether reasonable efforts are being made to make it possible to return the child to the child's home or whether the absence of such efforts is reasonable.

3-816.1.

(A) THE PROVISIONS OF THIS SECTION APPLY TO A HEARING CONDUCTED IN ACCORDANCE WITH § 3-815, § 3-817, § 3-819, OR § 3-823 OF THIS SUBTITLE OR A REVIEW HEARING CONDUCTED IN ACCORDANCE WITH § 5-319 OF THE FAMILY LAW ARTICLE IN WHICH A CHILD IS PLACED UNDER AN ORDER OF GUARDIANSHIP, COMMITMENT, OR SHELTER CARE.