

Article - Family Law

Section 5-525(c)

Annotated Code of Maryland

(1991 Replacement Volume and 1993 Supplement)

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

Article - Family Law

5-525.

(c) (1) In developing a permanency plan [that is in the best interests of] FOR a child under foster care, THE LOCAL DEPARTMENT OF SOCIAL SERVICES SHALL GIVE PRIMARY CONSIDERATION TO THE BEST INTERESTS OF THE CHILD. THE LOCAL DEPARTMENT SHALL CONSIDER THE FOLLOWING FACTORS IN DETERMINING THE PERMANENCY PLAN THAT IS IN THE BEST INTERESTS OF THE CHILD:

(I) THE CHILD'S ATTACHMENT AND EMOTIONAL TIES TO THE CHILD'S NATURAL PARENTS AND SIBLINGS;

~~(II) THE CHILD'S EMOTIONAL ATTACHMENT TO THE CHILD'S CURRENT AND POTENTIAL CAREGIVERS AND THE CAREGIVERS' FAMILIES CAREGIVER AND THE CAREGIVER'S FAMILY;~~

~~(III) THE LENGTH OF TIME THE CHILD HAS RESIDED WITH THE CURRENT AND POTENTIAL CAREGIVERS CAREGIVER;~~

~~(IV) THE CHILD'S ATTACHMENT AND EMOTIONAL TIES TO THE CHILD'S NATURAL PARENTS AND SIBLINGS;~~

(IV) THE POTENTIAL EMOTIONAL, DEVELOPMENTAL, ~~OR~~ AND EDUCATIONAL HARM TO THE CHILD IF MOVED FROM THE CHILD'S CURRENT PLACEMENT; AND

(V) THE POTENTIAL HARM TO THE CHILD BY REMAINING IN STATE CUSTODY FOR AN EXCESSIVE PERIOD OF TIME.

(2) TO THE EXTENT CONSISTENT WITH THE BEST INTERESTS OF THE CHILD UNDER FOSTER CARE, the local department shall consider the following PERMANENCY PLANS, in descending order of priority:

[(1)](I) returning the child to the child's parent or guardian, unless the department is the guardian;

[(2)](II) placing the child with relatives to whom adoption, guardianship, or care and custody, in descending order of priority, are planned to be granted;

[(3)](III) adoption in the following descending order of priority:

[(i)] 1. by a current foster parent with whom the child has resided continually for at least the 12 months prior to developing the permanency plan or for a sufficient length of time to have established positive relationships and family ties; or