

Article – Courts and Judicial Proceedings

3-810.

(a) Except as provided in subsection (b) of this section, the intake officer shall receive:

(1) Complaints from a person or agency having knowledge of facts which may cause a person to be subject to the jurisdiction of the court; and

(2) Citations issued by a police officer under § 3-835 of this article.

(b) The local department of social services shall only receive complaints which allege that a child is in need of assistance. Upon receipt and consideration of a complaint, the local department shall:

(1) File a petition;

(2) Authorize the person or agency making the complaint to file a petition;

or

(3) Deny authorization to file the petition.

(c) (1) Except as otherwise provided in this subsection, in considering the complaint, the intake officer shall make an inquiry within 25 days as to whether the court has jurisdiction and whether judicial action is in the best interests of the public or the child.

(2) An inquiry need not include an interview of the child who is the subject of the complaint if the complaint alleges the commission of a delinquent act that would be a felony if committed by an adult or alleges a violation of Article 27, § 36B of the Code.

(3) In accordance with this section, the intake officer may, after such inquiry and within 25 days of receiving the complaint:

(i) Authorize the filing of a petition;

(ii) Propose an informal adjustment of the matter; or

(iii) Refuse authorization to file a petition.

(4) (i) If a complaint is filed that alleges the commission of a delinquent act which would be a felony if committed by an adult or alleges a violation of Article 27, § 36B of the Code, and if the intake officer denies authorization to file a petition or proposes an informal adjustment, the intake officer shall immediately:

1. Forward the complaint to the State's Attorney; and

2. Forward a copy of the entire intake case file to the State's Attorney with information as to any and all prior intake involvement with the child.