

3-810.

(c) (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.

(ii) The State's Attorney shall make a preliminary review as to whether the court has jurisdiction and whether judicial action is in the best interests of the public or the child. The need for restitution may be considered as one factor in the public interest. After the preliminary review the State's Attorney shall, within 30 days of the receipt of the complaint by the State's Attorney, unless the court extends the time:

1. File a petition;
2. Refer the complaint to the Department of Juvenile [Services] JUSTICE for informal disposition; or
3. Dismiss the complaint.

(iii) This subsection may not be construed or interpreted to limit the authority of the State's Attorney to seek a waiver under § 3-817 of this subtitle.

(i) (1) If authorization to file a petition for a complaint which alleges a child is in need of supervision is denied, the person or agency that filed the complaint or caused it to be filed, within 15 days of personal notice of the denial to that person or agency or the mailing to the last known address, may submit the denial for review by the Department of Juvenile [Services] JUSTICE Area Director for the area in which the complaint was filed.

(2) The Department of Juvenile [Services] JUSTICE Area Director shall review the denial.

(3) If, within 15 days, the Department of Juvenile [Services] JUSTICE Area Director concludes that the court has jurisdiction and that judicial action is in the best interests of the public and the child, the Department of Juvenile [Services] JUSTICE Area Director may authorize the filing of a petition in writing.

(4) The petition shall be filed within five days of the decision.

(j) (1) If authorization to file a petition for a complaint which alleges a child is in need of assistance is denied, the person or agency that filed the complaint or caused it to be filed, within 15 days of personal notice of the denial to that person or agency or the mailing to the last known address, may submit the denial to the Department of Juvenile [Services] JUSTICE Area Director for the area in which the complaint was filed.

(2) The Area Director shall authorize the filing of the petition.