

CHAPTER 314

(Senate Bill 560)

AN ACT concerning

Juvenile Proceedings—Public Causes – Open Hearings

FOR the purpose of requiring ~~hearings to determine if a child is delinquent, in need of assistance, or in need of supervision to be open to the public; requiring a showing of good cause to exclude the public from such hearings; and generally relating to hearings to determine if a child is delinquent, in need of assistance, or in need of supervision,~~ with certain exceptions, that all juvenile court proceedings in cases involving delinquent acts that would be felonies if committed by an adult be conducted in open court; providing that the juvenile court may exclude certain persons from these proceedings for good cause; providing that adjudications and dispositions must be announced in open court except under certain circumstances; and generally relating to the conduct of juvenile delinquency proceedings and the confidentiality of juvenile records.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3-812

Annotated Code of Maryland

(1995 Replacement Volume and 1996 Supplement)

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

Article – Courts and Judicial Proceedings

3-812.

(a) A petition shall allege that a child is either delinquent, or in need of assistance, or in need of supervision. If it alleges delinquency, it shall set forth in clear and simple language the alleged facts which constitute the delinquency, and shall also specify the laws allegedly violated by the child. If it alleges that the child is in need of assistance or in need of supervision, the petition shall set forth in clear and simple language the alleged facts supporting that allegation.

(b) Petitions alleging delinquency or violation of § 3-831 shall be prepared and filed by the State's Attorney. A petition alleging delinquency shall be filed within 30 days after the receipt of a referral from the intake officer, unless that time is extended by the court for good cause shown. Petitions alleging that a child is in need of supervision shall be filed by the intake officer. Petitions alleging that a child is in need of assistance shall be filed by the local department. If the local department does not file the petition, the person or agency that made the complaint to the local department may submit the denial to the Department of Juvenile Justice Area Director for filing.