

Preamble

~~WHEREAS, The mental health and substance abuse needs of children entering the juvenile justice system should be identified as soon as possible; and~~

~~WHEREAS, Early identification of the mental health and substance abuse needs of these children serves to divert those children from going deeper into the juvenile and criminal justice systems; now, therefore;~~

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

Article - Courts and Judicial Proceedings

3-801.

(a) In this subtitle, the following words have the meanings indicated, unless the context of their use indicates otherwise.

(o) "Intake officer" means the person assigned to the court by the Department of Juvenile Justice to provide the intake services set forth in this subtitle.

(q) "Mentally handicapped child" means a child who is or may be mentally retarded or mentally ill.

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.