

(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 a preliminary inquiry within 15 days as to whether the court has jurisdiction and whether judicial action is in the best interests of the public or the child. The intake officer may, after such inquiry and in accordance with this section:

(i) Authorize the filing of a petition;

(ii) Conduct a further investigation into the allegations of the complaint;

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

(iv) Refuse authorization to file a petition.

(2) (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 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.

(d) (1) The intake officer or the local department may authorize the filing of a petition if, based upon the complaint and the preliminary inquiry, the intake officer or the local department concludes that the court has jurisdiction over the matter and that judicial action is in the best interests of the public or the child. In delinquency cases, the need for restitution may be considered by the intake officer as one factor in the public interest.