

(h) (1) If based upon the complaint, the preliminary inquiry, and such further investigation as may be necessary, the intake officer concludes that the court has no jurisdiction, or that neither an informal adjustment nor judicial action is appropriate, the intake officer may deny authorization to file a petition.

(2) In that event, through use of the form prescribed by § 3-810.1 of this article, the intake officer shall inform the following persons of the decision, the reasons for it, and their right of review provided in this section:

(i) The victim;

(ii) The arresting police officer; and

(iii) The person or agency that filed the complaint or caused it to be filed.

(i) (1) If the complaint alleges the commission of a delinquent act and the intake officer denies authorization to file a petition, the following persons may appeal the denial to the State's Attorney:

(i) The victim;

(ii) The arresting police officer; and

(iii) The person or agency that filed the complaint or caused it to be filed.

(2) In order for an appeal to be made, it must be received by the State's Attorney's office within 30 days after the form prescribed by § 3-810.1 of this article is mailed by the juvenile intake officer to the person being informed of the intake officer's decision.

(3) (i) The State's Attorney shall review the denial.

(ii) If the State's Attorney concludes that the court has jurisdiction and that judicial action is in the best interests of the public or the child, the State's Attorney may file a petition.

(iii) This petition shall be filed within 30 days of the receipt of the complainant's appeal.

(j) (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 Area Director for the area in which the complaint was filed.

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