

intake officers to make an inquiry into whether ~~a~~ the juvenile court has jurisdiction over certain complaints and whether judicial action is appropriate; in the best interest of the public or the child; providing that an inquiry need not include an interview of the child who is the subject of the complaint under certain circumstances; providing that a juvenile court may dismiss a petition for failure to comply with certain provisions of law regarding intake decisions only if the respondent demonstrates actual prejudice; making this Act an emergency measure; and generally relating to juvenile causes procedures.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3-810

Annotated Code of Maryland

(1989 Replacement Volume and 1991 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**

3-810.

(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 [a preliminary] AN inquiry within [15] 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.