

Emergency Bill No. 32-00
Concerning: Child Protective Services -
Citizens Review Panel
Revised: Apr. 10, 2001 Draft No. 7
Introduced: November 14, 2000
Enacted: April 10, 2001
Executive: April 23, 2001
Effective: April 23, 2001
Sunset Date: None
Ch. 5, Laws of Mont. Co. 2001

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the request of the County Executive

AN EMERGENCY ACT to:

- (a) ~~[[Establish]]~~ establish the Citizens Review Panel ~~[[as a subcommittee of the Commission on Children and Youth]]~~; and
- (b) ~~[[Generally]]~~ generally provide for a Citizens Review Panel to evaluate state and local agency response to child protection needs.

By adding

Montgomery County Code
Chapter 27, Human Relations and Civil Liberties
Article V, Commission on Children and Youth
Section 27-49A

Boldface

Underlining

[Single boldface brackets]

Double underlining

[[Double boldface brackets]]

* * *

Heading or defined term.

Added to existing law by original bill.

Deleted from existing law by original bill.

Added by amendment.

Deleted from existing law or the bill by amendment.

Existing law unaffected by bill.

The County Council for Montgomery County, Maryland approves the following Act:

28 under State law by:

29 (1) the State Citizens Review Board for Children; and

30 (2) the State Council on Child Abuse and Neglect.

31 (2) Each member of the Panel must be a volunteer who:

32 (A) exercises the member's own free will in all deliberations
33 of the Panel:

34 (B) acts independently of any outside influence, particularly
35 the member's employer:

36 (C) does not represent any agency or organization; and

37 (D) is not a County or State employee, or spouse or domestic
38 partner of an employee, whose participation would be
39 inconsistent with County Council policies regarding
40 appointment of government employees to boards,
41 committees, and commissions.

42 (d) *Duties.* The Citizens Review Panel must:

43 (1) implement State law regarding local citizens review boards;

44 (2) examine the policies and procedures of State and local agencies
45 and, where appropriate, specific cases to evaluate the extent to
46 which ~~[[State and local]]~~ these agencies in the County are
47 effectively fulfilling their responsibilities to implement the
48 child protection standards and State plan under 42 U.S.C.
49 § 5106a(b) and any other criteria that the panel considers
50 important for the protection of children;

51 (3) report the Panel's findings to the Executive, the Council, the State
52 Citizens Review Board for Children, and the State Council on
53 Child Abuse and Neglect: ~~[[and]]~~

- 54 (4) within 60 days after the end of each fiscal year prepare and make
55 available to the public a report summarizing the Panel's activities
56 during the fiscal year; and
- 57 (5) carry out other duties as requested to assist the County
58 Department of Health and Human Services, the State Citizens
59 Review Board for Children, and the State Council on Child
60 Abuse and Neglect.
- 61 (e) *Terms of office.* The term of a Panel member is ~~[[2]]~~ 3 years.
- 62 (f) *Compensation.* Members of the Panel must not receive compensation
63 for their services. A member may receive reimbursement for expenses
64 incurred in connection with the member's service on the Panel, subject
65 to appropriations.
- 66 (g) *Meetings.* The Citizens Review Panel must meet at least ~~[[4 times a~~
67 year]] once every 3 months at the call of the chair.
- 68 (h) *Access to information.* Federal law requires the State to provide any
69 case information requested by the Panel that is necessary for the Panel
70 to carry out its functions. County agencies and employees must provide
71 any case or other information that the Panel decides is necessary or
72 useful to carry out its functions. Each member of the Panel is subject to
73 State laws that restrict or prohibit disclosure of:
- 74 (A) identifying information about a specific child protection case; or
75 (B) certain other information.
- 76 (i) *Staff.* ~~[[The Department of Health and Human Services must]]~~ Federal
77 law requires the State to provide staff support to the Citizens Review
78 Panel. The County Department of Health and Human Services may
79 provide staff support to the Panel if the State reimburses the County for
80 the full cost of the support.

- 81 (i) Advisory group.
- 82 (A) The County Executive may appoint, subject to confirmation by
- 83 the County Council, up to 5 members of a Citizens Review Panel
- 84 Advisory Group to provide technical and professional advice to
- 85 the Panel about child protective services. Each member of the
- 86 Advisory Group must have expertise in the prevention and
- 87 treatment of child abuse and neglect, such as child advocates,
- 88 volunteers of the court-appointed special advocate program,
- 89 attorneys who represent children, parent and consumer
- 90 representatives, and health and human services professionals.
- 91 (B) The term of a member of the Advisory Group is 3 years.
- 92 (C) A member of the Advisory Group:
- 93 (1) may participate in a matter before the Panel only at the
- 94 request of the Panel; and
- 95 (2) must not participate in a vote or other action by the Panel.
- 96 (D) A Panel member should consider advice received from the
- 97 Advisory Group in response to the Panel's request, but must
- 98 exercise independent judgment in evaluating the advice.

99 **Sec. 2 Transition.**

- 100 (a) When making initial appointments to the Citizens Review Panel, the
- 101 County Executive ~~[[may]]~~ must appoint 2 members to ~~[[staggered terms~~
- 102 so that approximately half of the members are appointed each year]] a
- 103 one-year term, 2 members to a two-year term, and 3 members to a three-
- 104 year term.
- 105 (b) The Executive must appoint the members of the Advisory Group under
- 106 Code Section 27-49A(i), as added by this Act, to initial terms of 1, 2, or


107 3 years, coincident with the term of a Panel member, so that the terms of
108 no more than 2 members of the group expire in the same calendar year.

109 (c) A member who serves for 18 months or less in a Panel or Advisory
110 Group position during the position's initial term of one or two years is
111 eligible for reappointment as if the member had not previously served in
112 the position.

113 **Sec. 3. Emergency Effective Date.**

114 The Council declares that an emergency exists and that this legislation is
115 necessary for the immediate protection of the public health and safety. This Act
116 takes effect on the date on which it becomes law.

117 *Approved:*

118 
Blair G. Ewing, President, County Council

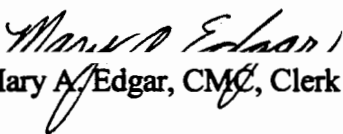
April 12, 2001
Date

119 *Approved:*

120 
Douglas M. Duncan, County Executive

April 27, 2001
Date

121 *This is a correct copy of Council action.*

122 
Mary A. Edgar, CMC, Clerk of the Council

April 23 2001
Date