

IN THE COURT OF APPEALS OF MARYLAND
ADMINISTRATIVE ORDER AS TO THE MARYLAND FOSTER CARE COURT
IMPROVEMENT PROGRAM

Whereas, the Maryland Judiciary recognizes that for children who have been poorly nurtured or injured by their caregivers, society must provide interventions and protections; and

Whereas, the Maryland Judiciary further recognizes that the preservation and reformation of families, and the protection of children from abuse and neglect are missions of the juvenile court; and

Whereas, the State Court Improvement Program (“CIP”) was created as a part of the Omnibus Budget Reconciliation Act (“OBRA”) of 1993, Public Law 103-66, which, among other things, provided federal funds to state child welfare agencies and Indigenous tribes for preventative services and services to families at risk or in crisis; and

Whereas, the OBRA designated a portion of these federal grants to the highest courts of each state to conduct assessments of foster care and adoption laws and judicial process, and to develop and implement improvement plans; and

Whereas, in 1994, the Maryland Foster Care Court Improvement Project (“FCCIP”) received its initial grant and, through the FCCIP Advisory Committee formed by the Chief Judge of the Court of Appeals, began an assessment; and

Whereas, in 1997, the FCCIP Advisory Committee published the results of its assessment in a report entitled *Improving Court Performance for Abused and Neglected Children*; and

Whereas, following completion of the assessment, the Chief Judge of the Court of Appeals appointed juvenile court judge and magistrates, representing jurisdictions throughout the State, to serve on the newly formed FCCIP Implementation Committee,

along with relevant child welfare stakeholders; and

Whereas, the FCCIP Implementation Committee established subcommittees to assist in the implementation of the assessment recommendations; and

Whereas, the Foster Care Court Improvement Project is now named the Foster Care Court Improvement Program (still “FCCIP”); and

Whereas, for several years, the FCCIP has continued to fulfill its obligation to implement the assessment recommendations, and enhance its plan of improvement, as appropriate, so that abused and neglected children before the juvenile court are provided with safe and permanent homes as expeditiously as possible; and

Whereas, it is appropriate that an Administrative Order be issued to memorialize the existence and functions of the FCCIP,

Now, therefore, I, Matthew J. Fader, Chief Judge of the Court of Appeals and administrative head of the Judicial Branch, pursuant to the authority conferred by Article IV, § 18 of the Maryland Constitution, do hereby order this 29th day of September, 2022, effective immediately:

(1) Foster Care Court Improvement Program.

(A) Governance and Structure.

- i. The FCCIP is responsible for implementing the recommendations for court and foster care system improvement identified in its initial and subsequent assessments of foster care and adoption laws and judicial processes, in an effort toward court and foster care system improvement.
- ii. Pursuant to federal guidelines, a multi-disciplinary statewide task force must be established to guide CIP activities. The FCCIP Implementation Committee is now the FCCIP Subcommittee under the Juvenile Law Committee of the Judicial Council and will serve in this capacity as the governing body designated to provide oversight to FCCIP activities.

- iii. The FCCIP Subcommittee will be comprised of juvenile court judges and magistrates representing jurisdictions throughout the State; the Executive Director of the Maryland Social Services Administration of the Department of Human Resources; and representatives of other relevant child welfare stakeholders.
- iv. The Chair of the FCCIP Subcommittee shall be appointed by the Chair of the Juvenile Law Committee. All other members of the FCCIP Subcommittee, with the exception of the Director of the Social Services Administration, shall be appointed by the Chair of the FCCIP Subcommittee. Appointment of the representatives from other child welfare stakeholders shall be made after consultation with the Secretary of the agency in question.

(B) Staff.

- i. The Senior Manager, Policy and Law Unit shall serve as the FCCIP Director who shall oversee its operations, as well as the development of its programs and policies.
- ii. FCCIP Director will be under the supervision of the Juvenile and Family Services Director and collaborate with the FCCIP Subcommittee Chair.
- iii. All other FCCIP staff will be under the supervision of the /FCCIP Director.
- iv. All FCCIP staff will be Administrative Office of the Courts personnel.

(2) Funding of the Foster Care Court Improvement Project.

(A) Basic Funding. Basic funds for the operation of the FCCIP shall be allocated in the annual budget of the Administrative Office of the Courts, Juvenile and Family Services, and the federal CIP budget, as available.

(B) Federal CIP Funding. Federal CIP funding shall continue to be

requested to support the Judiciary’s ability to assess its role, responsibilities, and effectiveness in improving the handling of proceedings related to foster care and adoption.

(C) Additional Funding. As deemed appropriate, outside funding sources shall be developed to support additional court-focused child welfare initiatives.

(3) Functions.

(A) Purposes. The FCCIP shall continue to be designated and serve as the Judiciary’s primary entity designated to address Children in Need of Assistance (“CINA”) and related Termination of Parental Rights (“TPR”)/Guardianship and Adoption matters. By demonstrating meaningful, ongoing collaboration with the Department of Human Resources and other relevant Executive Branch agencies, FCCIP shall identify and work toward shared goals and initiatives designed to increase the safety, permanency, and well-being of children in the child welfare system.

(B) Duties. To carry out its purposes, the FCCIP shall:

- i. Implement the findings and recommendations yielded from independent program assessments for improving the juvenile court in areas related to child abuse and neglect cases.
- ii. The FCCIP Subcommittee Chair shall serve on the Juvenile Law Committee. The Chair’s responsibilities shall include reporting to the Juvenile Law Committee relevant activities and proposed actions of the FCCIP Subcommittee and its workgroups; encouraging feedback from the Juvenile Law Committee, its respective subcommittees, and Juvenile and Family Services; and reporting back to the FCCIP Subcommittee, or the appropriate workgroups. The FCCIP Subcommittee Chair shall report to the FCCIP Subcommittee relevant approvals, proposed actions of the

Juvenile Law Committee, and Juvenile and Family Services, as they might relate to child welfare matters. The FCCIP Subcommittee Chair shall encourage feedback from the FCCIP Subcommittee, or the appropriate workgroup.

- iii. Review, revise, and/or develop legislation relating to child welfare matters to ensure compliance with federal statutes and policies. Any proposed legislation regarding child welfare proposed to be introduced as Judiciary legislation shall be presented by the FCCIP Subcommittee directly to the Juvenile Law Committee. Members of the FCCIP Subcommittee or its Legislative Workgroup and members of the FCCIP staff, shall be available to the Juvenile Law Committee and the Legislative Committee of the Judicial Council to present any proposed FCCIP legislation, address concerns, and/or answer questions. Testimony before any committee of the General Assembly shall be given by the Chair of the FCCIP Subcommittee, the Chair of the Legislative Workgroup, or their designee, upon express authorization of the Chief Judge of the Court of Appeals or the Chair of the Legislative Committee.
- iv. Provide various training opportunities to juvenile court judges and magistrates by producing and hosting the annual multi-day CANDO Judicial Conference, designed to train juvenile court judges and magistrates.
- v. Develop a foster care and dependency curriculum for newly appointed juvenile court judges and magistrates, and track curriculum completion.
- vi. Present or sponsor an annual Judicial College course on CINA and related TPR/Guardianship and Adoptions Matters.
- vii. Maintain a listing of national and local training opportunities and

make such recommendations concerning attendance at trainings by judges, magistrates, staff, and other such persons as may be deemed appropriate by the FCCIP Subcommittee.

- viii. Promote competent and effective representation of all parties in child abuse and neglect cases, by providing training opportunities to Maryland child welfare attorneys.
 - ix. Improve the quality of child welfare data and statistics through the use of automation and uniformity of terminology and practice.
 - x. Maintain a “meaningful and ongoing collaboration” with the title IV-B/IV-E agency and commit to participating in all stages of the child program planning and improvement.
- (C) Report. The FCCIP shall prepare and file an annual self-assessment report of the progress, challenges, and areas in need of assistance during the preceding 12 months and an updated five-year FCCIP Strategic Plan with the U.S. Department of Health and Human Services, Administration for Children and Families, and with the Court of Appeals.
- (D) Presentations. The FCCIP shall:
- i. Make a presentation and/or provide a report of its activities, proposed actions, and/or legislation, when requested, to the Conference of County Administrative Judge and/or any Judicial Council committee or entity impacted or otherwise affected by its activities.
 - ii. Solicit and consider feedback generated by or resulting from any such presentation.
 - iii. At the request of the Chief Judge of the Court of Appeals, report to the Court of Appeals, the Judicial Council, or to any other Judicial Council committee or entity on FCCIP activities, decisions, and/or proposed legislation.

(4) The Administrative Order as to the Maryland Foster Care Court Improvement Project filed June 7, 2012, is hereby rescinded.

/s/ Matthew Fader
Matthew Fader
Chief Judge
Court of Appeals of Maryland

Filed: September 29, 2022

/s/ Suzanne C. Johnson
Suzanne C. Johnson
Clerk
Court of Appeals

Pursuant to Maryland Uniform Electronic Legal
Materials Act
(§§ 10-1601 et seq. of the State Government Article) this document is authentic.



Suzanne C. Johnson, Clerk