

MAINE STATE LEGISLATURE

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GAK
ROS

L.D. 765

Date: 6-3-21

(Filing No. H.394)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 570, L.D. 765, "An Act To Provide for Judicial Review in Compliance with the Federal Family First Prevention Services Act"

Amend the bill in section 4 in subsection 9 in the 5th line (page 2, line 17 in L.D.) by striking out the following: "conduct a hearing to"

Amend the bill in section 4 in subsection 9 in the 6th and 7th lines (page 2, lines 18 and 19 in L.D.) by striking out the following: "and determine the appropriateness of placement within 60 days after the child continues placement" and inserting the following: 'at every judicial review and permanency hearing and determine the continued appropriateness of placement'

Amend the bill in section 4 in subsection 9 in paragraph C in the first line (page 2, line 35 in L.D.) by striking out the following: "hearing" and inserting the following: 'review'

Amend the bill in section 4 in subsection 9 in paragraph C in the last line (page 2, line 39 in L.D.) by striking out the following: "hearing" and inserting the following: 'review'

Amend the bill by inserting after section 4 the following:

'Sec. 5. 22 MRSA §4038, sub-§10 is enacted to read:

10. Rules concerning judicial review of the placement of children in qualified residential treatment programs. Notwithstanding any provision of law to the contrary, the Supreme Judicial Court may adopt rules of pleading, practice and procedure with respect to proceedings required by subsections 8 and 9. After the effective date of the rules as adopted or amended, all laws in conflict with the rules are of no further effect.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment revises the required judicial review of placements of children in qualified residential treatment programs to be incorporated into the regularly scheduled hearings in child protective cases. The Supreme Judicial Court is authorized to adopt rules

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1 of pleading, practice and procedure with respect to the court hearings and proceedings
2 required by this legislation.

3
4

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



130th MAINE LEGISLATURE

LD 765

LR 66(02)

An Act To Provide for Judicial Review in Compliance with the Federal Family First Prevention Services Act

Fiscal Note for Bill as Amended by Committee Amendment *A(H-394)*

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Department of Health and Human Services to adopt the changes in this bill are expected to be minor and can be absorbed within existing budgeted resources.