

SB0574/282012/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 574  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after the semicolon insert “prohibiting the court from requiring publication of the name or personally identifying information of the petitioner or the child;”; in line 17, strike “requiring” and substitute “authorizing”; strike beginning with “authorizing” in line 19 down through the semicolon in line 20; and in line 21, after “evidence” insert “that may incriminate the respondent”.

On page 2, strike beginning with “an” in line 7 down through “program” in line 8 and substitute “certain unrepresented parties to certain legal services organizations for assignment of counsel; requiring the court to appoint counsel for a party under certain circumstances; establishing that a party is not entitled to the assistance of counsel at the expense of the Maryland Legal Services Corporation or to appointed counsel unless the party is indigent”.

AMENDMENT NO. 2

On page 2, in line 27, strike “OR” and substitute a comma; and in the same line, after “(2)” insert “, OR § 3-323”.

On page 3, in line 2, strike “§ 5-1403(C) OF THIS SUBTITLE” and substitute “THE MARYLAND RULES”; strike beginning with the colon in line 16 down through “(1)” in line 17; and strike beginning with the semicolon in line 19 down through “CONCEPTION” in line 22.

On page 4, in line 2, after “CHILD” insert “, THE CHILD’S COURT-APPOINTED GUARDIAN, OR THE CHILD’S COURT-APPOINTED ATTORNEY”; in line 4, after “(B)” insert “(1)”; in the same line, after “RIGHTS” insert “FILED BY A PARENT”; in line 5,

(Over)

SB0574/282012/1 House Judiciary Committee  
Amendments to SB 574  
Page 2 of 3

strike “**3**” and substitute “**7**”; in lines 7 and 9, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; after line 10, insert:

**“(2) AN ACTION FOR TERMINATION OF PARENTAL RIGHTS FILED BY A CHILD’S COURT-APPOINTED GUARDIAN OR ATTORNEY UNDER THIS SUBTITLE SHALL BE FILED BEFORE THE CHILD BECOMES AN ADULT.**

**(C) A RESPONDENT SHALL FILE AN ANSWER TO A COMPLAINT FILED UNDER THIS SUBTITLE NOT LATER THAN 30 DAYS AFTER SERVICE OF THE COMPLAINT, UNLESS A LONGER PERIOD IS REQUIRED BY FEDERAL LAW.”;**

in line 17, strike “**(C)**” and substitute “**(D)**”; in the same line, strike “**(2)**” and substitute “**(3)**”; strike beginning with “**THE**” in line 18 down through “**WHEN**” in line 20 and substitute “**WHEN**”; strike beginning with “**IN**” in line 21 down through “**SUBSECTION**” in line 22; in line 27, strike “**(II)**” and substitute “**(2)**”; in line 28, strike “**PARAGRAPH**” and substitute “**SUBSECTION**”; after line 29, insert:

**“(3) THE COURT MAY NOT REQUIRE PUBLICATION OF THE NAME OF OR PERSONALLY IDENTIFYING INFORMATION ABOUT THE PETITIONER OR THE CHILD.”;**

and in line 32, strike “**(D)**” and substitute “**(E)**”.

On page 5, after line 4, insert:

**“(II) MAY DETERMINE TEMPORARY CUSTODY OF THE MINOR CHILD.”;**

strike in their entirety lines 7 through 11, inclusive; in line 16, strike “**PARAGRAPHS**” and substitute “**PARAGRAPH**”; in the same line, strike “**AND (3)**”; in line 20, after

“OTHERWISE” insert “OR THE COURT FINDS THAT IT IS IN THE BEST INTEREST OF THE CHILD TO PROCEED”; in line 26, strike “SHALL” and substitute “MAY”; and strike in their entirety lines 29 and 30.

On page 6, in line 2, after “EVIDENCE” insert “THAT MAY INCRIMINATE THE RESPONDENT”; in line 9, after “PARTY” insert “IF:”

(1) THE CRIMINAL PROCEEDING INVOLVES THE SAME UNDERLYING FACTS; AND

(2) THE EVIDENCE IS OFFERED FOR A PURPOSE OTHER THAN IMPEACHMENT”;

in line 17, after “(B)” insert “(1) (I)”; and strike beginning with “PARTY” in line 17 down through “PROGRAM” in line 19 and substitute “PETITIONER TO THE SEXUAL ASSAULT LEGAL INSTITUTE FOR ASSIGNMENT OF COUNSEL.”

(II) THE COURT SHALL REFER AN UNREPRESENTED RESPONDENT TO ANOTHER QUALIFIED GRANTEE OF THE MARYLAND LEGAL SERVICES CORPORATION FOR ASSIGNMENT OF COUNSEL.

(III) IF COUNSEL FROM A DESIGNATED LEGAL SERVICES ORGANIZATION IS NOT AVAILABLE, THE COURT SHALL APPOINT COUNSEL FOR THE PARTY.

(2) A PARTY IS NOT ENTITLED TO THE ASSISTANCE OF COUNSEL AT THE EXPENSE OF THE MARYLAND LEGAL SERVICES CORPORATION OR TO APPOINTED COUNSEL UNLESS THE PARTY IS INDIGENT”.