HOUSE DOCKET, NO. 3018 FILED ON: 1/21/2011

HOUSE . . . . . No. 2678

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to court review of Deparment of Children and Families case plans.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kay Khan	*11th Middlesex*
George T. Ross	*2nd Bristol*

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HOUSE . . . . . No. 2678

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 2678) of Kay Khan and George T. Ross relative to court review of Department of Children and Families case plans. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

An Act relative to court review of Deparment of Children and Families case plans.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 119 of the General Laws, as so appearing in the Official Edition of 2008, is hereby amended by inserting a new section, section 25A, after section 25 as follows:-

"Section 25A. (a) If the court grants custody of a child to the department or a licensed child placement agency, the department or agency shall file a case plan with the court for its approval no later than 30 days after the effective date of the custody order. By that same date, the department or agency shall also provide a copy of the case plan to: (1) the parent, guardian or custodian of the child or of an adult who is the responsibility of the department under clause (3) of subsection (a) of section 23; (2) an adult who is the responsibility of the department under clause (3) of subsection (a) of section 23 or section 5-305 of chapter 190B; (3) any young adult to whom subsection (f) of section 23 applies; and (4) the attorneys for all parties appearing in the proceeding. At least every six months thereafter, the department or the agency shall prepare a new case plan, file it with the court for its approval, and provide a copy of it to the individuals listed above. Notwithstanding section 21, the court may order changes in the case plan with respect to placement, visits, or other services provided to the child or his or her parents, guardian, or custodian as may be in the child's best interest. Any party may have the original or changed plan introduced as evidence."

SECTION 2. Section 29 of chapter 119 of the General Laws, as so appearing in the Official Edition of 2008, is hereby amended by striking out in the second paragraph, the fourth and fifth sentences.