HOUSE DOCKET, NO. 1200 FILED ON: 1/16/2013

HOUSE . . . . . No. 1437

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 case plans .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kay Khan	*11th Middlesex*
Denise Andrews	*2nd Franklin*
Marcos A. Devers	*16th Essex*

HOUSE DOCKET, NO. 1200 FILED ON: 1/16/2013

HOUSE . . . . . No. 1437

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 1437) of Kay Khan, Denise Andrews and Marcos A. Devers relative to court review of case plans involving child custody. The Judiciary.

The Commonwealth of Massachusetts

An Act relative to court review of 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 appearing in the 2010 Official Edition, is hereby amended by adding the following new section:-

Section 25A. If the court grants custody of a child to the department or a licensed child placement agency, the department or agency shall file a service plan with the court for its approval no later than 30 days after the effective date of the custody order. At least every six months thereafter, for as long as the person remains in the custody of the department or, under clause (3) of subsection (a) of section 23 or subsection (f) of section 23, under the care or responsibility of the department, the department or the agency shall prepare a new service plan and file it with the court for its approval. The service plan shall meet the requirements of state and federal laws and regulations for both case plans and service plans. At least ten days before the date on which the service plan must be filed with the court, the department or agency shall provide a copy of the service plan to any person who is the subject of the plan who is ten years of age or older and to the attorneys for all parties appearing in the proceeding. Notwithstanding section 21, the court may order changes in the service 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.

SECTION 2. Paragraph 2 of section 29 of said chapter 119, as so appearing, is hereby amended by striking out the fourth and fifth sentences.