



Foster Care in Maryland: How the System Works

A plain-language guide for biological, foster, and kinship families · The Healing Home Approach™

When a child cannot safely stay at home, several people share one goal: the child's safety and, whenever possible, a path back home. This guide explains how Maryland's child welfare system works and what each person's rights and role are, so **biological parents, kinship caregivers, and foster (resource) parents** can all understand the whole picture. Read the parts that apply to you, and read the rest to understand the people you are working alongside.

What a "CINA" case means

In Maryland, an abuse or neglect case is called a **Child in Need of Assistance (CINA)** case. It is the legal name for a case where the court looks at whether a child has been hurt or not adequately cared for and needs the court's help to be safe. It is **not** a finding that a parent is a bad person. It is about whether the child is safe and what help the family may need.

How a case usually begins

Maryland runs a **locally delivered** system, so most reports go to the **local Department of Social Services (DSS)** where the family lives, or to local law enforcement. There is also a general line, **1-800-917-7383 (1-800-91PREVENT)**, and each local DSS keeps its own intake number. A report is handled either as an **investigation** (which ends in a formal finding) or, for lower-risk reports, an **Alternative Response** (an assessment with services and **no formal finding**). **Most reports do not lead to a child being removed**; many families are offered services and support instead.

The people in a case

Who	Their role
Biological parent	The child's parent or legal custodian; usually the person the case is about, with the goal of safe reunification.
Kinship caregiver	A relative or close family friend who may care for the child during the case.
Foster (resource) parent	A trained, approved caregiver who provides temporary care when the child cannot be with family.
The child	At the center of the case; their safety and best interest guide every decision.
Child's attorney	In Maryland the child is represented by an attorney, who speaks for the child in the CINA case.
CASA volunteer	If appointed, a trained community volunteer who gets to know the child and shares what they believe is best.
CPS / DSS caseworker	From the local DSS; assesses safety, builds the service plan, and reports to the court.
DSS / agency attorney	Brings the case to court on behalf of the agency.
Parent's attorney	Represents a parent; for many families this is the Office of the Public Defender.
Magistrate or judge	A magistrate often hears the case and recommends decisions to a Circuit Court judge.

Two systems, and how Maryland courts are set up

Two systems run side by side. The **local DSS** (part of the Maryland Department of Human Services) looks into concerns, places children when needed, and offers services. The **court** is where decisions are made. CINA cases are heard in the **juvenile court**, which in most places is the Circuit Court sitting as the juvenile court, and in **Montgomery and Harford counties** is the District Court. A **magistrate** often holds the hearings and makes written recommendations that a

judge reviews; a party can file **exceptions within 5 days**. Appeals go to the **Appellate Court of Maryland**, generally within 30 days.

How a child may be removed, and whether a court order is needed

A CPS worker may remove a child **without a prior court order** when the child is in **serious, immediate danger**, and a police officer must come along. This is called **shelter care**. The court then holds a **shelter care hearing** and must make a written finding about **reasonable efforts** to avoid removal. Court-ordered shelter care is time-limited. Safety is looked at **child by child**, so in some families one child may go home while another stays in care for a time.

What biological parents have the right to

Foster and kinship caregivers: knowing these rights helps you support the child and the case.

- **A lawyer.** Parents are entitled to counsel at **every stage**, and to a free attorney if they cannot afford one. In Maryland, indigent parents are usually represented by the **Office of the Public Defender, Parental Defense Division**, through the whole case. Being told “you don’t need a lawyer” is not the same as having no right to one.
- **Notice and a voice.** The right to be told about hearings and to attend them.
- **A service plan and a path home.** For most families the goal is to safely return the child home. Parents have the right to a written plan listing the steps and the permanency goal.
- **Visitation (family time).** The right to visits with their child, as set by the court.
- **To challenge a finding.** An “indicated” CPS finding can be appealed (see the findings section).

Reasonable efforts: In most cases DSS must make reasonable efforts to prevent removal and to help reunify the family. In limited situations a court may find those efforts are not required.

Fathers: A father who is not married to the mother may need to **establish paternity** to be fully recognized in the case and to receive notice, counsel, and placement consideration. Ask the caseworker or an attorney how to start.

What kinship caregivers should know

Maryland is a “**Kin First**” state. The local DSS uses **family finding** to identify and engage relatives early, and there is a **placement preference for relatives** over non-relatives when it is in the child’s best interest. When a relative becomes the child’s legal guardian, the **Guardianship Assistance Program (GAP)** can provide a monthly subsidy and medical assistance, which lets the child leave foster care into a permanent home with family.

What foster (resource) parents should know

Foster parents provide **temporary** care and, in most cases, support the goal of reunification. They have the right to at least **10 days’ written notice** and an **opportunity to be heard** at hearings, though that does not make them a party. Maryland applies the federal **reasonable and prudent parent standard**, letting foster parents approve everyday, age-appropriate activities, such as sleepovers, sports, field trips, and camps, without first getting agency sign-off.

Siblings and older youth

Maryland places **siblings together** when it is safe and in their best interest. **Older youth have a say**, and the court consults the child about the permanency plan. And youth do not simply age out at 18: young people can **stay in or return to foster care up to age 21** through a voluntary agreement, with continued support toward independence.

While a child is in care: school and health

Children in foster care keep important supports. Under federal law, a child can usually **stay in their same school** when it is in their best interest, with transportation arranged. Children in care are also covered by **Medicaid**, and young people who age out of Maryland foster care can keep Medicaid up to age 26. It helps to ask the caseworker about school stability and health appointments early.

The hearings, in order

- **Shelter care hearing.** The first court date after a removal, held on the next court day. The judge or magistrate decides whether the child stays in care and checks reasonable efforts.

- **Adjudication.** Within 30 days of the shelter care hearing if the child is in care (60 days if not), the court decides whether the child was abused or neglected.
- **Disposition.** The same day as adjudication, or within 30 days, the court decides whether the child is a CINA and what the plan requires.
- **Review hearings.** At least every 6 months, to review progress and the permanency plan.
- **Permanency planning hearing.** Within 11 months of the child entering placement, the court sets the permanent goal.
- **Termination of parental rights.** In Maryland this is decided through a guardianship case, only if the child cannot safely return home.

Who comes to the hearings

Parents should attend every hearing: dress neatly, arrive early, and bring any important information written down. The child is represented by the **child's attorney**, and children are usually **not required to attend**, especially younger ones, though the court can ask for a child to be present. Foster and kinship caregivers may receive notice and be heard. Juvenile hearings are generally **closed to the public** to protect the child's privacy. If anyone is told to bring the children, it is fair to ask which children and why.

What a child's attorney and a CASA do

In Maryland, every child in a CINA case is represented by an **attorney** who speaks for the child in court. A **CASA (Court Appointed Special Advocate)** may also be appointed in addition to the child's attorney. A CASA is a trained community volunteer who gets to know the child by talking with the people in the child's life and gives the court independent information about what the child needs. Not every case has a CASA.

Family Involvement Meetings

Along with court, the local DSS holds **Family Involvement Meetings (FIM)**, bringing the family, relatives, supports, and the agency together to make decisions at key points, such as a removal, a placement change, or service planning. If you are invited, it is fair to ask what will be decided and whether you may bring a support person.

How findings work and the appeal

After an investigation, a report is labeled **indicated**, **unsubstantiated**, or **ruled out**. Maryland keeps these findings in a **confidential database** used for child-welfare and employment screening; there is **no public, searchable registry**. If you receive an **"indicated"** finding, you can **request a contested case hearing within 60 days** at the **Office of Administrative Hearings**. An **Alternative Response** assessment makes no finding, so it does not label anyone.

A few things that are unusual about Maryland

These cases are called "CINA" (Child in Need of Assistance), a label most states do not use.

Indigent parents are represented by the Office of the Public Defender, which has a dedicated Parental Defense Division.

The child is represented by an attorney, and is the one party who does not need to be low-income to get a free lawyer.

Magistrates often hear these cases and recommend decisions to a judge, with a 5-day window to file exceptions.

If your family may have Native American heritage

Tell your caseworker and the court **right away**. A federal law, the Indian Child Welfare Act (ICWA), may give your family added protections. It applies to a child who is a member of, or eligible for membership in, a federally recognized tribe, wherever the family lives; ICWA works best when raised early.

Language and special needs: Anyone in a case can ask for a free interpreter, and should tell the court or caseworker early about any medical, medication, or disability needs for themselves or the child.

A few court words, in plain language

CINA: “Child in Need of Assistance,” Maryland’s name for an abuse or neglect case.

Shelter care: temporary out-of-home care before the case is decided.

Adjudication: the hearing where the court decides whether the child was abused or neglected.

Magistrate: a court officer who hears CINA cases and recommends decisions to a judge.

Permanency: the long-term plan for the child: home, a relative, or adoption.

The typical schedule

Stage	Typical timing in Maryland
Report and response	Report to the local DSS or police; CPS responds with an investigation or Alternative Response.
Removal or shelter care	A child in serious, immediate danger may be removed; a police officer accompanies the worker.
Shelter care hearing	On the next court day after the child is placed in shelter care.
Adjudication	Within 30 days of the shelter care hearing if the child is in care (60 days if not).
Disposition	The same day as adjudication, or within 30 days.
Permanency planning	Within 11 months of the child entering placement.
Review hearings	At least every 6 months.

Questions worth asking your caseworker or attorney

- Is this an investigation or an Alternative Response, and what does that mean for us?
- Is my child in shelter care, and when is the shelter care hearing?
- How do I get an attorney through the Office of the Public Defender?
- Have all adult relatives been notified, and can a relative be considered for placement?
- What is the service plan, and what specifically needs to change for the child to come home?
- If I received an “indicated” finding, what is my 60-day deadline to request a hearing?

If you have a concern

Maryland does **not** yet have a single, independent foster care ombudsman. The **Citizens’ Review Board for Children** reviews children’s cases every 6 months and recommends improvements. The Department of Human Services also has a **Resource Parent Ombudsman (410-767-9672)** and a **Foster Youth Ombudsman (through 1-800-332-6347)**, plus an Office of Constituent Experience.

Where to get help

Ask the court clerk or your caseworker how to reach the **Office of the Public Defender** (for parents), your **local legal aid** office, and your **local CASA program**. To report concerns about a child’s safety, contact your **local Department of Social Services** or local law enforcement, or call **1-800-917-7383**.

Maryland official sources (retrieved June 2026)

[FL § 5-706 Differential response](#) · [FL § 5-709 Emergency removal](#) · [CJP § 3-815 Shelter care](#) · [CJP § 3-817 / 3-819 Adjudication & disposition](#) · [CJP § 3-823 Permanency planning](#) · [CJP § 3-813 Child’s & parents’ counsel](#) · [FL § 5-706.1 Appeal of finding](#) · [COMAR 07.02.11.26 Relative preference](#) · [MD DHS: Reporting abuse/neglect](#) · [MD DHS: Kinship care](#) · [MD Judiciary: Child Welfare Benchmark](#) · [MD DHS: Citizens’ Review Board for Children](#)

Please verify before you rely on this guide

This document is a **general educational overview only**. It is **not legal advice** and should not be treated as a statement of current law or of the facts of any case. Laws, policies, timelines, and phone numbers change, and they can be applied differently from one county, court, caseworker, or family to the next. **Before you act on anything here, confirm it** with your local DSS caseworker, the court, or a licensed Maryland attorney. Reading this guide does not create an attorney-client or other professional relationship.