

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 186
Judiciary

(Delegate Malone)

Judicial Proceedings

Courts - Court Dog Program - Veterans Treatment Courts

This bill renames the “Court Dog and Child Witness Program” to be the “Court Dog Program” and expands the voluntary program to any participating circuit court or District Court location that offers a Veterans Treatment Court program.

Fiscal Summary

State Effect: Potential minimal increase in general fund expenditures for the Judiciary. Revenues are not affected.

Local Effect: Potential minimal increase in circuit court expenditures for counties that elect to participate in the program. Local revenues are not affected.

Small Business Effect: Minimal.

Analysis

Bill Summary: The stated purpose of expanding the program is to provide a facility dog or therapy dog to a veteran who is participating in a Veterans Treatment Court proceeding or related court process or meeting in the State, including (1) a status review with a judge or magistrate; (2) a meeting with an attorney; or (3) a meeting with a probation, pretrial, or court case manager. The Administrative Office of the Courts (AOC) must establish applicable procedures, as specified. Participation in the program is voluntary.

“Veteran” means a person who served on active duty in the U.S. Uniformed Services, other than for training, and was not dishonorably discharged or released. “Veterans Treatment

Court” means a court-supervised, comprehensive, and voluntary treatment-based program for veterans.

Current Law: The Court Dog and Child Witness Program is a voluntary program in the circuit courts of counties that elect to participate. The program’s purpose is to provide a facility dog or therapy dog to a child witness in any court proceeding or other related court process, as specified. AOC must establish the procedures that a party in a court proceeding must follow to request that a therapy dog or facility dog (along with its handler) assist a child witness. Participating circuit courts must adhere to the procedures adopted by AOC.

“Facility dog” and “therapy dog” are defined terms. Facility dog handlers and therapy dog handlers must meet specified training requirements.

State/Local Fiscal Effect: General fund expenditures for the Judiciary may increase minimally to the extent that courts electing to participate in the program require funding to implement, maintain, and publicize the program. The Judiciary advises that the primary program costs for the two original circuit courts in the current program are administrative and associated with the recruitment of volunteer handlers with trained therapy dogs.

Expenditures in participating counties may increase minimally if the Judiciary requires locally funded support from the circuit courts. However, because participation by counties is voluntary and AOC has flexibility in developing and implementing any programs, it is assumed that any potential expenditures are minimal and do not materially impact State or local finances.

As of 2020, seven jurisdictions in Maryland are served by operational Veterans Treatment Courts (Anne Arundel, Dorchester, Prince George’s, Somerset, Wicomico, and Worcester counties and Baltimore City). In fiscal 2020, 133 individuals participated in these programs.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 7 (Senator Simonaire, *et al.*) - Judicial Proceedings.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of Public Safety and Correctional Services; Department of Veterans Affairs; Department of Legislative Services

Fiscal Note History:
rh/jkb

First Reader - January 22, 2021

Third Reader - March 10, 2021

Revised - Amendment(s) - March 10, 2021

Analysis by: Tyler Allard

Direct Inquiries to:

(410) 946-5510

(301) 970-5510