

# HOUSE BILL 311

D1, D2

(0lr2085)

## ENROLLED BILL

— Judiciary/Judicial Proceedings —

Introduced by **Delegates Malone, Arikan, and Ciliberti**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

#### 2 **Courts – Court Dog and Child Witness Program – Established**

3 FOR the purpose of establishing the Court Dog and Child Witness Program; providing that  
4 the Program shall be in the circuit court of each county that participates in the  
5 Program; providing that participation in the Program is voluntary; requiring a  
6 participating court to adhere to certain procedures ~~and rules~~ adopted by the  
7 Administrative Office of the Courts; establishing the purpose of the Program;  
8 requiring the Administrative Office of the Courts to develop a plan to implement the  
9 Program; requiring the Administrative Office of the Courts to establish requirements  
10 that a party in a certain proceeding must follow; requiring the Administrative Office  
11 of the Courts to make information about the Program publicly available; requiring  
12 the Administrative Office of the Courts to adopt certain ~~rules~~ procedures; defining  
13 certain terms; altering the termination date of the Court Dog and Child Witness Pilot  
14 Program; and generally relating to the Court Dog and Child Witness Program.

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 BY adding to  
 2 Article – Courts and Judicial Proceedings  
 3 Section 9–501 to be under the new subtitle “Subtitle 5. Court Dog and Child Witness  
 4 Program”  
 5 Annotated Code of Maryland  
 6 (2013 Replacement Volume and 2019 Supplement)

7 BY repealing and reenacting, with amendments,  
 8 Chapter 467 of the Acts of the General Assembly of 2016, as amended by Chapter  
 9 196 of the Acts of the General Assembly of 2017 and Chapter 466 of the Acts  
 10 of the General Assembly of 2019  
 11 Section 2

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 13 That the Laws of Maryland read as follows:

14 **Article – Courts and Judicial Proceedings**

15 **SUBTITLE 5. COURT DOG AND CHILD WITNESS PROGRAM.**

16 **9–501.**

17 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
 18 INDICATED.

19 (2) “CHILD WITNESS” MEANS A WITNESS WHO IS A MINOR WHEN THE  
 20 WITNESS TESTIFIES IN A COURT PROCEEDING.

21 (3) “FACILITY DOG” MEANS A DOG THAT HAS:

22 (I) GRADUATED FROM A PROGRAM OF AN ASSISTANCE DOG  
 23 ORGANIZATION THAT ~~TRAINS DOGS FOR THE PURPOSE OF REDUCING STRESS IN A~~  
 24 ~~CHILD WITNESS OR CHILD VICTIM;~~

25 ~~(II) RECEIVED 2 YEARS OF TRAINING;~~

26 ~~(III) PASSED THE SAME A PUBLIC ACCESS TEST AS A FOR~~  
 27 ~~SERVICE DOG DOGS; AND~~

28 ~~(IV) IS A MEMBER OF A NATIONALLY RECOGNIZED ASSISTANCE~~  
 29 ~~DOG ASSOCIATION; AND~~

30 (II) BEEN TEAMED WITH A FACILITY DOG HANDLER.



1 (B) (1) THERE IS A COURT DOG AND CHILD WITNESS PROGRAM.

2 (2) THE PROGRAM SHALL BE IN THE CIRCUIT COURT OF EACH  
3 COUNTY THAT PARTICIPATES IN THE PROGRAM.

4 (3) PARTICIPATION IN THE PROGRAM SHALL BE VOLUNTARY.

5 (4) A PARTICIPATING COURT SHALL ADHERE TO THE PROCEDURES  
6 ~~ESTABLISHED AND RULES~~ ADOPTED IN ACCORDANCE WITH THIS SECTION BY THE  
7 ADMINISTRATIVE OFFICE OF THE COURTS.

8 (C) THE PURPOSE OF THE PROGRAM IS TO PROVIDE A FACILITY DOG OR  
9 THERAPY DOG TO A CHILD WITNESS IN ANY CIRCUIT COURT PROCEEDING OR OTHER  
10 RELATED COURT PROCESS, MEETING, OR INTERVIEW IN THE STATE, INCLUDING:

11 (1) AN IN CAMERA REVIEW OR OTHER INTERACTION WITH A JUDGE  
12 OR A MAGISTRATE;

13 (2) A MEETING WITH AN ATTORNEY, BEST INTEREST ATTORNEY,  
14 PRIVILEGE ATTORNEY, OR OTHER SPECIALIZED ATTORNEY; OR

15 (3) A MEETING WITH A CUSTODY EVALUATOR.

16 (D) TO ACCOMPLISH THE PURPOSE OF THE PROGRAM, THE  
17 ADMINISTRATIVE OFFICE OF THE COURTS SHALL:

18 (1) DEVELOP A PLAN TO IMPLEMENT THE PROGRAM;

19 (2) ESTABLISH THE PROCEDURES THAT A PARTY IN A COURT  
20 PROCEEDING MUST FOLLOW TO REQUEST THAT A THERAPY DOG AND THERAPY DOG  
21 HANDLER OR FACILITY DOG AND FACILITY DOG HANDLER ASSIST A CHILD WITNESS;  
22 AND

23 (3) ENSURE THAT THE DETAILS OF THE PROGRAM ARE PUBLICLY  
24 AVAILABLE.

25 (E) THE ADMINISTRATIVE OFFICE OF THE COURTS MAY ADOPT ~~RULES~~  
26 PROCEDURES TO IMPLEMENT THIS SECTION.

27 Chapter 467 of the Acts of 2016, as amended by Chapter 196 of the Acts of 2017  
28 and Chapter 466 of the Acts of 2019

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 October 1, 2016. It shall remain effective for a period of [5] 4 years and, at the end of

1 September 30, [2021] **2020**, with no further action required by the General Assembly, this  
2 Act shall be abrogated and of no further force and effect.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2020.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.