

# HOUSE BILL 808

E3

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By: **Delegate Haynes**

Introduced and read first time: January 29, 2021

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Law – Procedure – Appearance by Video Conference**

3 FOR the purpose of authorizing the juvenile court to permit a child to appear by video  
4 conference in certain proceedings; and generally relating to juvenile law and  
5 appearance by video conference.

6 BY repealing and reenacting, with amendments,  
7 Article – Courts and Judicial Proceedings  
8 Section 3–8A–13(f)  
9 Annotated Code of Maryland  
10 (2020 Replacement Volume)

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

13 **Article – Courts and Judicial Proceedings**

14 3–8A–13.

15 (f) (1) The court shall conduct all hearings under this subtitle in an informal  
16 manner.

17 (2) In any proceeding in which a child is alleged to be in need of supervision  
18 or to have committed a delinquent act that would be a misdemeanor if committed by an  
19 adult or in a peace order proceeding, the court may exclude the general public from a  
20 hearing, and admit only the victim and those persons having a direct interest in the  
21 proceeding and their representatives.

22 (3) (i) Except as provided in subparagraph (ii) of this paragraph, in a  
23 case in which a child is alleged to have committed a delinquent act that would be a felony  
24 if committed by an adult, the court shall conduct in open court any hearing or other

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 proceeding at which the child has a right to appear.

2 (ii) For good cause shown, the court may exclude the general public  
3 from a hearing or other proceeding in a case in which a child is alleged to have committed  
4 a delinquent act that would be a felony if committed by an adult and admit only the victim  
5 and those persons having a direct interest in the proceeding and their representatives.

6 (4) (i) Except as provided in subparagraph (ii) of this paragraph, the  
7 court shall announce in open court adjudications and dispositions in cases where a child is  
8 alleged to have committed a delinquent act which would be a felony if committed by an  
9 adult.

10 (ii) For good cause shown, the court may exclude the general public  
11 from a proceeding at which an adjudication or disposition is announced and admit only the  
12 victim and those persons having a direct interest in the proceeding and their  
13 representatives.

14 (5) Notwithstanding the provisions of this subsection, in a case in which  
15 the victim of an alleged delinquent act is a child, on petition of the State's Attorney, the  
16 court shall exclude the general public from the testimony of the victim during a hearing or  
17 other proceeding, including a proceeding at which an adjudication or disposition is  
18 announced, and admit during the testimony of the victim only the victim and those persons  
19 having a direct interest in the proceeding and their representatives, unless the court finds  
20 good cause to receive the testimony of the victim in open court.

21 **(6) IN ANY PROCEEDING UNDER THIS SUBTITLE, THE COURT MAY**  
22 **PERMIT THE CHILD TO APPEAR BY VIDEO CONFERENCE.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2021.