

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 808
Judiciary

(Delegate Haynes)

Juvenile Law - Procedure - Appearance by Video Conference

This bill authorizes the juvenile court to permit a child to appear by video conference in juvenile proceedings.

Fiscal Summary

State Effect: The bill codifies current practice and does not materially affect State government operations or finances, as discussed below.

Local Effect: The bill codifies current practice and does not materially affect local government operations or finances, as discussed below.

Small Business Effect: None.

Analysis

Current Law: A court hearing juvenile matters must conduct all juvenile hearings in an informal manner. Juvenile hearings include (1) adjudicatory hearings, which determine whether allegations within a petition are true; (2) disposition hearings, which determine whether a child needs or requires guidance, treatment, or rehabilitation, and, if so, the nature of the guidance, treatment, or rehabilitation; (3) waiver hearings, which determine if a juvenile court will retain jurisdiction of a child alleged to have committed specified offenses; and (4) hearings to authorize continued detention, community detention, or shelter care. While a juvenile court must, in general, conduct certain proceedings in open court, there are specified statutory exceptions under which a court may exclude the general public from such proceedings.

State/Local Fiscal Effect: The Judiciary advises that the bill codifies current practice, consistent with specified administrative orders, of holding some juvenile proceedings remotely with the child participating by video conference. The Judiciary notes that the bill is only authorizing in nature and does not require judges to allow appearance via video conference. Accordingly, it is anticipated that State and local finances are not materially affected.

Additional Information

Prior Introductions: HB 928 of 2017 received a hearing in the House Judiciary Committee, but no further action was taken. Its cross file, SB 907, received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken.

Designated Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of Human Services; Department of Juvenile Services; Department of Legislative Services

Fiscal Note History: First Reader - February 16, 2021
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