

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 1032
Judiciary

(Delegate Phillips, *et al.*)

Judicial Proceedings

Criminal Procedure - Protection of Identity of Minor Victim

This bill requires a party or nonparty making an electronic or paper court filing (including the filing of a charging document) in a criminal or juvenile delinquency case to redact any “identifying information” that appears in the filing, unless the court finds by clear and convincing evidence that there is good cause to order otherwise. The Supreme Court of Maryland may adopt rules requiring or authorizing a person making a redacted filing to also file an unredacted copy under seal. “Identifying information” means the name of, and any other information that could reasonably be expected to identify, a minor victim.

Fiscal Summary

State Effect: The bill’s requirements, including minimal programming costs for the Judiciary, can be handled with existing budgeted resources. State revenues are not affected.

Local Effect: The bill’s requirements can be handled with existing budgeted resources. Local revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: On motion of the State or on request of a victim or witness, during a criminal trial or a juvenile delinquency adjudicatory hearing, a court may prohibit the release of the address or telephone number of the victim or witness unless the court determines that good cause is shown for the release of the information.

In general, police and court records concerning children are confidential, and their contents may not be divulged, by subpoena or otherwise, except by a court order upon a showing of good cause or in limited circumstances specified in statute.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Office of the Public Defender; Department of General Services; Department of Juvenile Services; Department of Natural Resources; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2023
rh/jkb Third Reader - March 20, 2023

Analysis by: Brandon Stouffer

Direct Inquiries to:
(410) 946-5510
(301) 970-5510