

HOUSE BILL 978

D1

4lr2871

By: ~~Delegates Young, Acevero, Conaway, Pasteur, and Taylor~~ Taylor, Phillips, and Williams

Introduced and read first time: February 2, 2024

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2024

CHAPTER _____

1 AN ACT concerning

2 ~~Courts – Maryland Court Text Message System – Establishing, Implementing,~~
3 ~~and Maintaining Maryland Judicial Public Text Messaging System – Report~~

4 FOR the purpose of ~~establishing the Maryland Court Text Message System; requiring the~~
5 ~~Administrative Office of the Courts to establish, implement, and maintain the~~
6 ~~System; requiring the System to be made available to certain individuals; requiring~~
7 ~~an individual to opt in to receive text messages through the System; requiring the~~
8 ~~court to send out certain messages through the System; requiring the court to adhere~~
9 ~~to certain privacy and data protection and security standards; requiring the Office~~
10 ~~to submit a certain implementation plan to the General Assembly on or before a~~
11 ~~certain date; and generally relating to the Maryland Court Text Message System~~
12 requiring the Administrative Office of the Courts to provide an annual report to the
13 General Assembly containing certain information on the Maryland Judicial Public
14 Text Messaging System; and generally relating to the Maryland Judicial Public Text
15 Messaging System.

16 ~~BY adding to~~
17 ~~Article – Courts and Judicial Proceedings~~
18 ~~Section 14-101 through 14-105 to be under the new title “Title 14. Maryland Court~~
19 ~~Text Message System”~~
20 ~~Annotated Code of Maryland~~
21 ~~(2020 Replacement Volume and 2023 Supplement)~~

22 BY adding to

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.



1 Article – Courts and Judicial Proceedings
2 Section 13–103
3 Annotated Code of Maryland
4 (2020 Replacement Volume and 2023 Supplement)

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

7 **Article – Courts and Judicial Proceedings**

8 ~~**TITLE 14. MARYLAND COURT TEXT MESSAGE SYSTEM.**~~

9 ~~**14-101.**~~

10 ~~**(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS**~~
11 ~~**INDICATED.**~~

12 ~~**(B) “COURT” MEANS THE SUPREME COURT OF MARYLAND, THE**~~
13 ~~**APPELLATE COURT OF MARYLAND, A CIRCUIT COURT OF A COUNTY, THE DISTRICT**~~
14 ~~**COURT OF MARYLAND, AN ORPHANS’ COURT OF A COUNTY, OR THE MARYLAND TAX**~~
15 ~~**COURT.**~~

16 ~~**(C) “OFFICE” MEANS THE ADMINISTRATIVE OFFICE OF THE COURTS.**~~

17 ~~**(D) “SYSTEM” MEANS THE MARYLAND COURT TEXT MESSAGE SYSTEM.**~~

18 ~~**14-102.**~~

19 ~~**(A) THERE IS A MARYLAND COURT TEXT MESSAGE SYSTEM.**~~

20 ~~**(B) THE ADMINISTRATIVE OFFICE OF THE COURTS:**~~

21 ~~**(1) SHALL ESTABLISH, IMPLEMENT, AND MAINTAIN THE SYSTEM;**~~
22 ~~**AND**~~

23 ~~**(2) MAY ADOPT RULES GOVERNING THE IMPLEMENTATION AND**~~
24 ~~**OPERATION OF THE SYSTEM, INCLUDING THE FUNDING FOR THE SYSTEM.**~~

25 ~~**(C) THE PURPOSE OF THE SYSTEM IS TO SEND TEXT MESSAGES WITH**~~
26 ~~**IMPORTANT COURT-RELATED APPOINTMENTS, PROCEEDINGS, AND**~~
27 ~~**ANNOUNCEMENTS TO INDIVIDUALS WHO HAVE OPTED IN TO RECEIVE THE TEXT**~~
28 ~~**MESSAGES.**~~

29 ~~**14-103.**~~

1 ~~(A) (1) THE SYSTEM SHALL BE MADE AVAILABLE TO ALL INDIVIDUALS~~
2 ~~WITH PENDING COURT DATES, INCLUDING:~~

3 ~~(I) DEFENDANTS;~~

4 ~~(II) PLAINTIFFS;~~

5 ~~(III) WITNESSES;~~

6 ~~(IV) JURORS; AND~~

7 ~~(V) ANY OTHER INDIVIDUALS REQUIRED TO APPEAR IN COURT.~~

8 ~~(2) AN INDIVIDUAL MUST OPT IN TO RECEIVE TEXT MESSAGES~~
9 ~~THROUGH THE SYSTEM.~~

10 ~~(B) (1) THE COURT SHALL SEND OUT THE TEXT MESSAGES THROUGH THE~~
11 ~~SYSTEM TO ALL INDIVIDUALS WHO HAVE OPTED IN TO RECEIVE THE TEXT~~
12 ~~MESSAGES.~~

13 ~~(2) THE TEXT MESSAGES REQUIRED UNDER PARAGRAPH (1) OF THIS~~
14 ~~SUBSECTION SHALL INCLUDE:~~

15 ~~(I) COURT DATES FOR CRIMINAL, CIVIL, AND FAMILY LAW~~
16 ~~PROCEEDINGS;~~

17 ~~(II) JURY DUTY SUMMONSES AND INSTRUCTIONS;~~

18 ~~(III) SCHEDULED APPOINTMENTS WITH COURT OFFICIALS OR~~
19 ~~MANDATORY COURT ORDERED PROGRAMS;~~

20 ~~(IV) DEADLINES FOR THE SUBMISSION OF LEGAL DOCUMENTS~~
21 ~~OR PAYMENTS; AND~~

22 ~~(V) ANY OTHER ANNOUNCEMENTS AND REMINDERS THE COURT~~
23 ~~DEEMS APPROPRIATE AND NECESSARY.~~

24 ~~(C) THE COURT SHALL ADHERE TO ALL PRIVACY AND DATA PROTECTION~~
25 ~~SECURITY STANDARDS, INCLUDING BY:~~

26 ~~(1) ENSURING ALL PERSONAL INFORMATION COLLECTED UNDER~~
27 ~~THIS TITLE IS USED EXCLUSIVELY FOR THE PURPOSE OF THIS TITLE; AND~~

~~(2) KEEPING ALL IDENTIFYING INFORMATION ABOUT AN INDIVIDUAL WHO OPTED IN TO JOIN THE SYSTEM CONFIDENTIAL UNLESS THE INDIVIDUAL CONSENTS TO SHARE THE INFORMATION WITH A THIRD PARTY.~~

~~14-104.~~

~~(A) ON OR BEFORE DECEMBER 1, 2024, THE OFFICE SHALL SUBMIT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, A DETAILED IMPLEMENTATION PLAN FOR THE SYSTEM, INCLUDING:~~

~~(1) BUDGET REQUIREMENTS;~~

~~(2) STAFFING NEEDS;~~

~~(3) TECHNOLOGY INFRASTRUCTURE CAPABILITIES; AND~~

~~(4) ANY OTHER INFORMATION THE OFFICE DEEMS NECESSARY AND APPROPRIATE.~~

~~(B) ON OR BEFORE DECEMBER 1, 2027, AND ON OR BEFORE DECEMBER 1 EACH YEAR THEREAFTER, THE OFFICE SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON:~~

~~(1) THE EFFECTIVENESS OF THE SYSTEM, INCLUDING:~~

~~(i) WHETHER THE SYSTEM REDUCES THE FAILURE TO APPEAR RATES AND NO SHOW RATES IN COURT; AND~~

~~(ii) THE IMPACT OF THE SYSTEM ON JURY DUTY ATTENDANCE;~~

~~(2) THE SYSTEM'S IMPACT ON THE EFFICIENCY OF COURT PROCEEDINGS; AND~~

~~(3) BEGINNING IN FISCAL YEAR 2026, AND EACH FISCAL YEAR THEREAFTER, ANY IMPROVEMENTS THAT SHOULD BE MADE TO THE SYSTEM.~~

~~14-105.~~

~~BEGINNING IN FISCAL YEAR 2026, AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$500,000 FOR THE OFFICE TO ESTABLISH, IMPLEMENT, AND MAINTAIN THE SYSTEM.~~

1 13-103.

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (2) “MARYLAND JUDICIAL PUBLIC TEXT MESSAGING SYSTEM”
5 MEANS TEXT NOTIFICATION ABOUT COURT EVENTS AND RELATED CASE
6 INFORMATION PERMANENTLY AUTHORIZED UNDER THE ADMINISTRATIVE ORDER
7 OF THE CHIEF JUSTICE OF THE SUPREME COURT OF MARYLAND ON APRIL 22,
8 2020.

9 (3) “SYSTEM” MEANS THE MARYLAND JUDICIAL PUBLIC TEXT
10 MESSAGING SYSTEM.

11 (B) BEGINNING DECEMBER 1, 2024, AND EACH DECEMBER 1 THEREAFTER,
12 THE ADMINISTRATIVE OFFICE OF THE COURTS SHALL REPORT TO THE GENERAL
13 ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE,
14 ON THE MARYLAND JUDICIAL PUBLIC TEXT MESSAGING SYSTEM.

15 (C) THE REPORT SHALL INCLUDE THE FOLLOWING INFORMATION ON THE
16 SYSTEM FOR THE PRIOR FISCAL YEAR:

17 (1) THE NUMBER OF INDIVIDUALS WHO REQUESTED NOTIFICATION
18 UNDER THE SYSTEM;

19 (2) THE NUMBER OF INDIVIDUALS WHO DECLINED TO RECEIVE
20 NOTIFICATION;

21 (3) THE TOTAL NUMBER OF NOTIFICATIONS SENT REGARDING
22 PROCEEDINGS;

23 (4) THE NUMBER OF NOTIFICATIONS SENT AT LEAST 7 DAYS BEFORE
24 A PROCEEDING;

25 (5) THE NUMBER OF NOTIFICATIONS SENT 6 OR FEWER DAYS BEFORE
26 A PROCEEDING AND THE NUMBER OF THOSE NOTIFICATIONS SENT AT LEAST 1 DAY
27 BEFORE A PROCEEDING;

28 (6) THE NUMBER OF NOTIFICATIONS THAT FAILED TO DELIVER;

29 (7) THE NUMBER OF REQUESTS BY PARTICIPANTS FOR ASSISTANCE;
30 AND

1 **(8) THE RATE OF FAILURE TO APPEAR BY PARTICIPANTS IN THE**
2 **SYSTEM COMPARED WITH THAT OF INDIVIDUALS DECLINING PARTICIPATION IN THE**
3 **SYSTEM.**

4 **(D) IN ADDITION TO INFORMATION REQUIRED UNDER SUBSECTION (C) OF**
5 **THIS SECTION, THE REPORT SHALL INCLUDE A REVIEW OF ANY FUTURE PLANS FOR**
6 **DEVELOPMENT, EXPANSION, AND IMPLEMENTATION OF THE SYSTEM.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
8 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.