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Judiciary Committee

*Subcommittees*

Civil Law and Procedure

Criminal Law and Procedure



The Maryland House of Delegates  
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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

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Hon. Chairman Luke Clippinger  
6 Bladen Street, House Room 101  
Annapolis, MD 21401

Mr. Chair,

House Bill 75 requires the clerk of the court to include the name of the judge or magistrate who presided over a hearing or took judicial action as part of case information in the case management system of the court.

The Maryland Judiciary Case Search disclaimer starts with the following sentence:

“In Maryland, laws exist to ensure that state government is open and that the public has access to appropriate records and information in its possession.”

Mr. Chair, I assert to you that statement is a lie. If one third of Maryland’s state government acts in authority outside of the purview of the average person, it is not an open government. If the practical outcome is misunderstanding, we have a system of secrecy. The problem is misunderstanding. We attempt to fix that problem in part with this bill today.

Every Marylander is a researcher who has an interest in our judicial system and every Marylander is entitled to the basic facts about how our judicial system works. By denying basic information about court proceedings, including the name of the judge presiding over or taking action in a case, we sow confusion.

And the result speaks for itself. We allow the perpetuation of misgivings about leniency and fairness, recidivism, racism, defendants’ rights, over criminalization, prosecution – it is not fair that the public suffers a system of secrecy. We only sow distrust and resentment by perpetuating it.

Currently, there is no logic or rationale to why a jurisdiction in Maryland does or does not include this information in Judiciary Case Search. In viewing similar

records for a particular jurisdiction, the names of judges appears on one record and not the next. In my investigation, I have found no state that does not include this information.

Some have expressed concern about the transparency and accountability every other state in our union offers the public.

The most inflammatory cases which are most in the purview of the public and would most likely generate a collective response are the first to assert the names of judges in a public space. It is already happening. What we leave in the dark are the small but impactful cases reported by a community but not covered by the media.

Perpetuated secrecy in our judicial system is a road to nowhere. It is not fair to shield details related to our judicial system from the public. The better path is the road that leads a more enlightened and more educated public. That means providing to them the same facts enjoyed by the legal community.

Thank you for the hearing for House Bill 75. I am happy to discuss any questions and I ask for a favorable report.

Delegate Robin Grammer