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### **POSITION IN FAVOR OF HOUSE BILL 97**

I reached mandatory retirement in November 2020, having served as an Associate Judge on the Circuit Court for Montgomery County for the past eight and a half years. In that capacity, I heard and decided thousands of cases involving civil, criminal, juvenile, and family matters. I made the decision not to seek recall as a senior judge so I would be free from the judiciary's strict ethical constraints and thus be able to express my personal views on important social policy matters. For the reasons stated below, I urge the Committee to issue a favorable report on House Bill 97.

The goal of this bill, to establish the Office of Digital Inclusion, is laudatory and one that I strongly support. As stated in the bill's synopsis, we need "to ensure that every resident of the State is supported by high-quality broadband internet access at an affordable price, and has the tools necessary to use and take advantage of the Internet." My experiences on the circuit court, particularly since the onset of the Covid-19 pandemic, convince me that these goals are now more important than ever before. This is so for two main reasons: to provide access to the courts for all residents; and to address systemic issues of racial and socioeconomic inequalities.

First, the residents of Maryland need full access to the courts to obtain the civil and criminal justice they are entitled to under State and Federal law. In the past, such access was generally afforded in person at the local courthouse. But such is not the case today. In most counties, court filings are done electronically through the MDEC system. Soon, all filings in all counties will be part of this system, which depends on internet access and digital literacy. With the onset of the pandemic, most in-person court proceedings have been severely curtailed. Most hearings and trials are now conducted remotely through Zoom or other platform. This requires a dependable internet connection and an ability to use it. In criminal and juvenile cases, the parties are almost always represented by publicly-funded counsel, so the problem is not insurmountable. But even here, an indigent party or witness may have difficulty participating in the proceeding when it is held remotely. In civil and family proceedings, where there is no right to counsel and parties often have no attorney, the logistical problems can be overwhelming. Do we want a child custody, divorce, or domestic violence case to rise or fall on access to dependable internet?

Second, the lack of access to affordable internet disproportionately impacts racial minorities and the poor. Without access to the internet, how is one to educate children or find and keep gainful employment? Without education and jobs, how is one to function in 21<sup>st</sup> century America? There is a clear line, if only we connect the dots, from poverty to child abuse and neglect, to juvenile delinquency, to adult crime, and to the loss of a future for so many of our residents.

Hopefully, affordable internet access will be available to all residents of Maryland in the near future. House Bill 97 is a major step in achieving that goal.