

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1559
Judiciary

(Delegate Vallario, *et al.*)

**Court Records - Unserved Arrest Warrant and Charging Document - Inspection
by Attorney**

This bill allows any attorney to inspect files and court records concerning an unserved arrest warrant and the charging document on which the arrest warrant was issued. It repeals a provision that restricts access only to an attorney authorized by the individual who is subject to arrest under the warrant.

Fiscal Summary

State Effect: The bill is not anticipated to materially impact the workload of judicial clerks and does not otherwise directly affect State operations or finances. The Judiciary can also absorb any minimal programming costs incurred in FY 2019 only.

Local Effect: The bill does not directly affect local operations or finances.

Small Business Effect: Minimal.

Analysis

Current Law: Subject to specified exceptions and unless otherwise ordered by the court, files and records of the court pertaining to an arrest warrant and charging documents on which the arrest warrant was issued may not be open to inspection until (1) the arrest warrant has been served and a return of service has been filed or (2) 90 days have elapsed since the arrest warrant was issued.

Specified individuals, including attorneys authorized by the individual who is subject to arrest under the arrest warrant, judicial officers, other authorized court personnel, State's Attorneys, and bail bondsmen are not prohibited from inspecting the files and records.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Office of the Public Defender; Maryland State's Attorneys' Association; Department of Legislative Services

Fiscal Note History: First Reader - February 23, 2018
nb/kdm

Analysis by: Jennifer K. Botts

Direct Inquiries to:

(410) 946-5510

(301) 970-5510