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JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
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MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq., Staff
410-260-1523
RE: Senate Bill 11
Department of Public Safety and Correctional Services and Maryland
Judiciary – Information Technology – Partial Expungement
DATE: March 21, 2024
(3/28)
POSITION: Oppose

The Maryland Judiciary opposes Senate Bill 11 as amended.

The new bill language prohibits the Judiciary and Public Safety from procuring IT services, supplies, software, or equipment related to the central repository or the Judicial case management system that are not compatible with the partial expungement of charges within a unit of charges. The new bill language defines partial expungement as the ability to expunge a charge or conviction that is eligible for expungement when two or more charges arise.

This language is unnecessary as the Judiciary currently has the capability to partially expunge charges in a case. The complication arises because presently there is a human/manual element required when expunging a single charge from **documents** in a case. This human element is the basis for the large fiscal impact on the Judiciary.

While on its face this amended bill seems relatively benign, the broad prohibition could prevent Judicial Information Systems (JIS) from maintaining the current case management system moving forward. Read broadly, this language could prohibit JIS from obtaining services or software that are needed to maintain case management systems at their current functionality levels as some partial expungement functionality sits outside the case management systems and performs functions which are interfaced back to the case management system. When needed functionality does not reside within the case management system, the Judiciary wishes to continue to explore innovative solutions outside the system to address partial expungement and other technical requirements. Requiring the case management system to be the only system to support partial expungements of charges will effectively

force the Judiciary to scrap the existing case management system. In short, this legislation will significantly impact the Judiciary's ability to procure programs/software to support other areas of the case management system that are completely unrelated to partial expungements.

cc. Hon. Jill Carter
Judicial Council
Legislative Committee
Kelley O'Connor