

HON. STACY A. MAYER  
CIRCUIT COURT  
JUDGE  
BALTIMORE COUNTY  
CHAIR

HON. RICHARD SANDY  
CIRCUIT COURT  
JUDGE  
FREDERICK COUNTY  
VICE-CHAIR



KELLEY O'CONNOR  
ASSISTANT STATE COURT  
ADMINISTRATOR  
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## MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

### MEMORANDUM

**TO:** House Government, Labor, and Elections Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** House Bill 403  
Public Information Act – Divorce Records  
**DATE:** January 28, 2026  
(2/24)  
**INFORMATIONAL COMMENT PAPER**

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The Judiciary respects the separation of powers doctrine and acknowledges the policy-making authority of the legislative branch. As such, the Judiciary has no position on the policy aims of this legislation.

The Judiciary, however, has concerns with the placement of the language covering case records in the General Provisions Article. Currently, there are comprehensive court access rules which govern access to case records. While there are some sections of the Annotated Code that address case record confidentiality, they are typically within the Code section related to the record type. For example, Child in Need of Assistance records are deemed confidential in the Courts and Judicial Proceedings Article, and parts of adoption records are deemed confidential in the Family Law article. Using the Public Information Act in the General Provisions Article to address case records in this fashion would raise a troubling precedent and may conflict with other provisions. If the intent is to make divorce records confidential, this would be better accomplished by Rule or in Title 7 the Family Law Article.

cc. Hon. Karen Simpson  
Judicial Council

Legislative Committee  
Kelley O'Connor