

HOUSE BILL 322

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E3

1999 Regular Session
9r1904
CF 9r1294

By: **Delegate Boschert**

Introduced and read first time: February 5, 1999

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Courts and Judicial Proceedings - Sharing of Juvenile Court Records and**
3 **School Records**

4 FOR the purpose of authorizing the sharing of information among the Department of
5 Juvenile Justice, local departments of social services, State and local law
6 enforcement agencies, State's Attorneys, the juvenile court, and State and local
7 school superintendents and their designees under certain circumstances;
8 requiring certain persons to enter into an agreement for the sharing of certain
9 information within a county among the school superintendent and the
10 department of social services, law enforcement agencies, the State's Attorney,
11 the Department of Juvenile Justice and the juvenile court; and generally
12 relating to the sharing of juvenile court records and school records under certain
13 circumstances.

14 BY adding to
15 Article - Courts and Judicial Proceedings
16 Section 3-828(h)
17 Annotated Code of Maryland
18 (1998 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - Courts and Judicial Proceedings**

22 3-828.

23 (H) (1) THIS SECTION DOES NOT PROHIBIT THE DEPARTMENT OF JUVENILE
24 JUSTICE, LOCAL DEPARTMENTS OF SOCIAL SERVICES, STATE AND LOCAL LAW
25 ENFORCEMENT AGENCIES, STATE'S ATTORNEYS, THE COURT, AND STATE AND LOCAL
26 SCHOOL SUPERINTENDENTS AND THEIR DESIGNEES FROM SHARING INFORMATION
27 IN ACCORDANCE WITH STATE AND FEDERAL LAWS FOR THE PURPOSE OF
28 INCREASING THE ABILITY OF THE JUVENILE JUSTICE SYSTEM, PRIOR TO
29 ADJUDICATION, TO ASSESS, SERVE, AND TREAT JUVENILE OFFENDERS AND
30 JUVENILES WHO ARE AT RISK OF BECOMING OFFENDERS.

1 (2) (I) WITHIN EACH COUNTY, THE DEPARTMENT OF JUVENILE
2 JUSTICE, THE LOCAL DEPARTMENT OF SOCIAL SERVICES, STATE AND LOCAL LAW
3 ENFORCEMENT AGENCIES, THE STATE'S ATTORNEY, THE COURT, AND THE LOCAL
4 SCHOOL SUPERINTENDENT SHALL ENTER INTO AN INTERAGENCY AGREEMENT FOR
5 THE PURPOSE OF SHARING INFORMATION AMONG THE PARTIES.

6 (II) THE AGREEMENT SHALL SPECIFY:

7 1. THE CONDITIONS UNDER WHICH CRIMINAL AND
8 JUVENILE HISTORY INFORMATION IS TO BE MADE AVAILABLE TO APPROPRIATE
9 SCHOOL PERSONNEL; AND

10 2. THE CONDITIONS UNDER WHICH SCHOOL RECORDS ARE
11 TO BE MADE AVAILABLE TO THE APPROPRIATE PERSONNEL OF A LOCAL
12 DEPARTMENT OF SOCIAL SERVICES, A STATE OR LOCAL LAW ENFORCEMENT
13 AGENCY, THE STATE'S ATTORNEY, THE DEPARTMENT OF JUVENILE JUSTICE, OR THE
14 COURT.

15 (III) THE PARTIES TO THE AGREEMENT SHALL AGREE NOT TO
16 DISCLOSE ANY INFORMATION TO A PERSON OR AGENCY THAT IS NOT A PARTY TO
17 THE AGREEMENT EXCEPT AS PROVIDED BY STATE OR FEDERAL LAW.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 1999.