

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 93 (Delegates Boschert and Sophocleus)
Judiciary

Courts - Sharing Information Relating to Juveniles

This bill requires the Department of Juvenile Justice, the local department of social services, State and local law enforcement agencies, the State's Attorney, and the local superintendent of schools within each county to enter into an agreement for the purpose of sharing information. The agreement must specify the conditions under which: (1) criminal and juvenile history information will be made available to appropriate school personnel; and (2) school records will be made available to other participating agencies. The parties to the agreement must agree not to disclose the information to a person or agency that is not party to the agreement. The bill does not prohibit the entities from sharing information in accordance with State and federal laws for the purpose of increasing the ability of the juvenile justice system to assess, serve, and treat juvenile offenders.

Fiscal Summary

State Effect: State agencies could establish agreements with existing resources.

Local Effect: Local agencies could establish agreements with existing resources.

Small Business Effect: None.

Analysis

Current Law: A police or court record concerning a child is confidential and must be maintained separate from those of adults. Its contents may not be divulged, by subpoena or otherwise, except by order of court upon good cause shown. In addition, if a child

enrolled in the public school system is arrested, the law enforcement agency making the arrest must promptly notify the local school superintendent of the arrest and the charges.

Background: In accordance with State and federal requirements, the Department of Juvenile Justice currently has agreements with each of the 24 local boards of education to obtain and share school records.

Additional Information

Prior Introductions: This bill was introduced in the 2000 session as HB 24 and received an unfavorable report from the House Judiciary Committee. In 1999 a similar bill was introduced as HB 322 but was withdrawn.

Cross File: None.

Information Source(s): Office of the Attorney General; Office of the State's Attorneys' Coordinator; Department of Human Resources; Judiciary (Administrative Office of the Courts); Carroll, Harford, Montgomery, Prince George's, Queen Anne's, and St. Mary's counties; Department of Legislative Services

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