

# SENATE BILL 1106

D2, E2

6lr3703

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By: **Senators Simonaire, Astle, Cassilly, DeGrange, Jennings, Norman, Reilly, and Rosapepe**

Introduced and read first time: February 22, 2016

Assigned to: Rules

Re-referred to: Judicial Proceedings, March 10, 2016

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 28, 2016

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Anne Arundel County and Harford County – Courthouse Dog and Child Witness**  
3 **Pilot Program**

4 FOR the purpose of establishing the Courthouse Dog and Child Witness Pilot Program in  
5 the circuit courts for Anne Arundel County and Harford County; establishing the  
6 purpose of the pilot program; requiring the Administrative Office of the Courts to  
7 develop a plan to implement the pilot program; requiring the Administrative Office  
8 of the Courts to establish certain standards for participants in the program;  
9 requiring the Administrative Office of the Courts to establish requirements that a  
10 party in a certain proceeding must follow; requiring the Administrative Office of the  
11 Courts to make information about the pilot program publicly available; requiring the  
12 Administrative Office of the Courts to report annually to the Governor and General  
13 Assembly; authorizing the Administrative Office of the Courts to adopt certain rules;  
14 defining certain terms; providing for the termination of this Act; and generally  
15 relating to the Courthouse Dog and Child Witness Pilot Program.

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
17 That:

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) “Child witness” means a witness who is a minor when the witness  
20 testifies in a criminal proceeding.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1           (3)    “Facility dog” means a dog that has:

2                   (i)    graduated from a program of an assistance dog organization that  
3 trains dogs for the purpose of reducing stress in a child witness;

4                   (ii)   received 2 years of training;

5                   (iii)   passed the same public access test as a service dog; and

6                   (iv)   been teamed with a facility dog handler.

7           (4)    “Facility dog handler” means a person who has received training on:

8                   (i)    offering the person’s animal for assistance purposes from an  
9 organization accredited by Assistance Dogs International or an equivalent organization;  
10 and

11                   (ii)   court protocol and policies, including the expected role of an  
12 animal assistance team and how not to interfere with evidence collection or the effective  
13 administration of justice.

14           (5)    “Therapy dog” means a dog that has:

15                   (i)    received training to provide affection and comfort to children who  
16 need emotional support; and

17                   (ii)   been teamed with a therapy dog handler.

18           (6)    “Therapy dog handler” means a person who has received training on:

19                   (i)    offering the person’s animal for assistance purposes from an  
20 organization that insures, registers, or certifies therapy dogs and their handlers; and

21                   (ii)   court protocol and policies, including the expected role of an  
22 animal assistance team and how not to interfere with evidence collection or the effective  
23 administration of justice.

24           (b)    There is a Courthouse Dog and Child Witness Pilot Program in the circuit  
25 courts for Anne Arundel County and Harford County.

26           ~~(b)~~ (c)   The purpose of the pilot program is to determine whether to establish a  
27 structured, defined, and systematic approach for providing a courthouse dog to a child  
28 witness in any circuit court proceeding in the State.

29           ~~(c)~~ (d)   To accomplish the purpose of the pilot program, the Administrative Office  
30 of the Courts shall:

1 (1) develop a plan to implement the pilot program;

2 ~~(2) establish minimum training standards for therapy and facility dogs~~  
 3 ~~used in the pilot program;~~

4 ~~(3) establish minimum standards for therapy and facility dog handlers who~~  
 5 ~~participate in the program in court protocols and policies, including the expected role of an~~  
 6 ~~animal assistance team and how not to interfere with evidence collection or the effective~~  
 7 ~~administration of justice;~~

8 ~~(4)~~ (2) establish the procedures that a party in a court proceeding must  
 9 follow to request that a therapy dog and therapy dog handler or facility dog and facility dog  
 10 handler assist a child witness; and

11 ~~(5)~~ (3) ensure that the details of the pilot program are publicly available.

12 ~~(d)~~ (e) On or before September 30, 2019, the Administrative Office of the Courts  
 13 shall report to the Governor and, in accordance with § 2-1246 of the State Government  
 14 Article, the General Assembly on the operation and results of the pilot program.

15 ~~(e)~~ (f) The Administrative Office of the Courts may adopt rules to implement  
 16 this section.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 18 October 1, 2016. It shall remain effective for a period of 3 years and, at the end of September  
 19 30, 2019, with no further action required by the General Assembly, this Act shall be  
 20 abrogated and of no further force and effect.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.