

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 77

(Senator Simonaire)

Judicial Proceedings

Judiciary

Anne Arundel County and Harford County - Courthouse Dog and Child Witness Pilot Program

This bill expands the Courthouse Dog and Child Witness Pilot Program in the circuit courts for Anne Arundel and Harford counties by defining a “child witness” as a witness who is a minor when the witness testifies in *any* court proceeding.

The bill takes effect June 1, 2017.

Fiscal Summary

State Effect: The bill does not materially impact the workload or finances of the Judiciary.

Local Effect: The bill does not materially impact the workload or finances of the circuit courts.

Small Business Effect: Minimal.

Analysis

Current Law/Background:

Courthouse Dog and Child Witness Pilot Program

Chapter 467 of 2016 established the Courthouse Dog and Child Witness Pilot Program in the circuit courts for Anne Arundel and Harford counties. The purpose of the program is to determine whether to establish a structured, defined, and systematic approach for providing a courthouse dog to a child witness in any circuit court proceeding in the State.

Pursuant to Chapter 467, a child witness is limited to witnesses who are minors when testifying in *criminal* proceedings.

To accomplish the purpose of the pilot program, the Administrative Office of the Courts (AOC) is responsible for (1) developing a plan to implement the pilot program; (2) establishing the procedures that a party in a court proceeding must follow to request that a therapy dog and therapy dog handler, or facility dog and facility dog handler, assist a child witness; and (3) ensuring that the details of the pilot program are publicly available.

A “facility dog” is a dog that has (1) graduated from a program of an assistance dog organization that trains dogs for the purpose of reducing stress in a child witness; (2) received two years of training; (3) passed the same public access test as a service dog; and (4) been teamed with a facility dog handler. A “therapy dog” is a dog that has (1) received training to provide affection and comfort to children who need emotional support and (2) been teamed with a therapy dog handler.

Facility dog handlers and therapy dog handlers must meet specified training requirements, including training from qualified organizations on offering the handler’s animal for assistance, and training on court protocol and policies.

By September 30, 2019, AOC must report to the Governor and the General Assembly on the operation and results of the pilot program. AOC may adopt rules to implement the bill’s provisions. The pilot program terminates September 30, 2019.

State/Local Expenditures: The Judiciary advises that the pilot program is already available in Harford County for criminal matters but has not yet been implemented in Anne Arundel County. The Judiciary further advises that in both counties, the party requesting the presence of a courthouse dog will be responsible for the costs, and that expanding the pilot program to noncriminal matters does not impact the workload or finances of the circuit courts.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Anne Arundel County; Judiciary (Administrative Office of the Courts); Office of the Public Defender; State’s Attorneys’ Association; Department of Legislative Services

Fiscal Note History: First Reader - January 20, 2017
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Analysis by: Jennifer K. Botts

Direct Inquiries to:
(410) 946-5510
(301) 970-5510