

HOUSE BILL 254

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9lr1070

By: **Delegates Grammer, Arentz, Arikan, Bartlett, Boteler, Buckel, Corderman, Cox, Kerr, Kipke, R. Lewis, Long, Malone, Mangione, McComas, Metzgar, Moon, Parrott, Shetty, Sydnor, Szeliga, R. Watson, and Wells**

Introduced and read first time: January 25, 2019

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Clerks of the Courts – Maryland Judiciary Case Search – Information on Judge**
3 **or Magistrate**

4 FOR the purpose of requiring the clerk of the court to include the name of the judge or
5 magistrate who presided over a hearing or took judicial action as part of case
6 information in the Maryland Judiciary Case Search; providing for the application of
7 this Act; and generally relating to case information entered into the Maryland
8 Judiciary Case Search.

9 BY repealing and reenacting, with amendments,
10 Article – Courts and Judicial Proceedings
11 Section 2–201(a)
12 Annotated Code of Maryland
13 (2013 Replacement Volume and 2018 Supplement)

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

16 **Article – Courts and Judicial Proceedings**

17 2–201.

18 (a) The clerk of a court shall:

19 (1) Have custody of the books, records, and papers of his office;

20 (2) Make proper legible entries of all proceedings of the court and keep
21 them in well-bound books or other permanent form;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) When requested in writing to do so, record any paper filed with his office
2 and required by law to be recorded in the appropriate place, whether or not the title to land
3 is involved;

4 (4) Unless prohibited by law or order of court, provide copies of records or
5 papers in his custody to a person requesting a copy, under the seal of the court if required;

6 (5) Issue all writs which may legally be issued from the court;

7 (6) Deliver a full statement of the costs of a suit to a party requesting a
8 copy;

9 (7) Receive all books, documents, public letters, and packages sent to him
10 pursuant to law, and carefully dispose of them as the law requires;

11 (8) Administer an oath;

12 (9) Replace worn books and records with new ones;

13 (10) In conjunction with the Motor Vehicle Administrator, establish uniform
14 procedures for reporting both traffic cases and criminal cases involving a motor vehicle in
15 the circuit court to the Motor Vehicle Administration; [and]

16 (11) **WHEN PROVIDING CASE INFORMATION IN THE MARYLAND**
17 **JUDICIARY CASE SEARCH, INCLUDE THE NAME OF THE JUDGE OR MAGISTRATE**
18 **WHO:**

19 (I) **AFTER A HEARING IS HELD, PRESIDED OVER THE HEARING;**
20 **OR**

21 (II) **TOOK JUDICIAL ACTION, INCLUDING GRANTING A MOTION,**
22 **ISSUING A SUMMONS OR WARRANT, OR ENTERING A JUDGMENT; AND**

23 (12) Perform any other duty required by law or rule.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
25 apply only prospectively and shall only be applied or interpreted to have any effect on or
26 application to any information for an active case entered into the Maryland Judiciary Case
27 Search after the effective date of this Act.

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2019.