

# HOUSE BILL 186

D1, D2

(PRE-FILED)

11r0397  
CF SB 7

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By: **Delegate Malone**

Requested: June 29, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Court Dog Therapy Program – Veterans Treatment Courts**

3 FOR the purpose of renaming the Court Dog and Child Witness Program to be the Court  
4 Dog Therapy Program; expanding the application of the Program to veterans  
5 participating in a certain veterans treatment court; establishing that the Program  
6 shall be in the circuit court of each county that participates in the Program and in  
7 the District Court of each county that participates in the Program under certain  
8 circumstances; altering the purpose of the Program; defining certain terms; making  
9 clarifying and conforming changes; and generally relating to the Court Dog Therapy  
10 Program.

11 BY repealing and reenacting, with amendments,

12 Article – Courts and Judicial Proceedings

13 Section 9–501 to be under the amended subtitle “Subtitle 5. Court Dog Therapy  
14 Program”

15 Annotated Code of Maryland

16 (2020 Replacement Volume)

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

19 **Article – Courts and Judicial Proceedings**

20 Subtitle 5. [Court Dog and Child Witness Program] **COURT DOG THERAPY PROGRAM.**

21 9–501.

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2) “Child witness” means a witness who is a minor when the witness  
2 testifies in a court proceeding.

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

4                   (i) Graduated from a program of an assistance dog organization that  
5 is a member of a nationally recognized assistance dog association; and

6                   (ii) 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) “Program” means the Court Dog [and Child Witness] **THERAPY**  
15 Program.

16           (6) “Therapy dog” means a dog that has:

17                   (i) Received training to provide affection and comfort to individuals  
18 who need emotional support;

19                   (ii) Been teamed with a therapy dog handler; and

20                   (iii) 1. Graduated from a program operated by an organization  
21 that registers or certifies therapy dogs and their handlers to meet or exceed the standards  
22 of practice in animal–assisted interventions; or

23                                   2. Been specially trained to provide emotional support to  
24 witnesses testifying in judicial proceedings without causing a distraction.

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

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

28                   (ii) Court protocol and policies, including the expected role of an  
29 animal assistance team and how not to interfere with evidence collection or the effective  
30 administration of justice.

1           **(8) “VETERAN” MEANS A PERSON WHO SERVED ON ACTIVE DUTY IN**  
2 **THE ARMED FORCES OF THE UNITED STATES, OTHER THAN FOR TRAINING, AND WAS**  
3 **DISCHARGED OR RELEASED UNDER CONDITIONS OTHER THAN DISHONORABLE.**

4           **(9) “VETERANS TREATMENT COURT” MEANS A COURT–SUPERVISED,**  
5 **COMPREHENSIVE, AND VOLUNTARY TREATMENT–BASED PROGRAM FOR VETERANS.**

6           (b) (1) There is a Court Dog [and Child Witness] THERAPY Program.

7           (2) The Program shall be [in]:

8                   **(I) IN the circuit court of each county that participates in the**  
9 **Program; AND**

10                   **(II) IN THE DISTRICT COURT OF EACH COUNTY THAT**  
11 **PARTICIPATES IN THE PROGRAM, IF THE DISTRICT COURT OFFERS A VETERANS**  
12 **TREATMENT COURT PROGRAM.**

13           (3) Participation in the Program shall be voluntary.

14           (4) A participating court shall adhere to the procedures adopted in  
15 accordance with this section by the Administrative Office of the Courts.

16           (c) The [purpose] PURPOSES of the Program [is] ARE to:

17           **(1) IN A CIRCUIT COURT THAT PARTICIPATES IN THE PROGRAM,**  
18 **provide a facility dog or therapy dog to a child witness in [any] THE circuit court proceeding**  
19 **or other related court process, meeting, or interview in the State, including:**

20                   **[(1)] (I) An in camera review or other interaction with a judge or a**  
21 **magistrate;**

22                   **[(2)] (II) A meeting with an attorney, best interest attorney, privilege**  
23 **attorney, or other specialized attorney; or**

24                   **[(3)] (III) A meeting with a custody evaluator; AND**

25           **(2) IN A CIRCUIT COURT OR DISTRICT COURT THAT OFFERS A**  
26 **VETERANS TREATMENT COURT PROGRAM, PROVIDE A FACILITY DOG OR THERAPY**  
27 **DOG TO A VETERAN PARTICIPATING IN A VETERANS TREATMENT COURT**  
28 **PROCEEDING OR OTHER RELATED COURT PROCESS OR MEETING IN THE STATE,**  
29 **INCLUDING:**

30                   **(I) A STATUS REVIEW WITH A JUDGE OR MAGISTRATE;**

1                   **(II) A MEETING WITH AN ATTORNEY; OR**

2                   **(III) A MEETING WITH A PROBATION, PRETRIAL, OR COURT CASE**  
3 **MANAGER.**

4           (d) To accomplish the purpose of the Program, the Administrative Office of the  
5 Courts shall:

6                   (1) Develop a plan to implement the Program;

7                   (2) Establish the procedures that a party in a court proceeding must follow  
8 to request that a therapy dog and therapy dog handler or facility dog and facility dog  
9 handler assist a child witness **OR A VETERAN PARTICIPATING IN A VETERANS**  
10 **TREATMENT COURT**; and

11                   (3) Ensure that the details of the Program are publicly available.

12           (e) The Administrative Office of the Courts may adopt procedures to implement  
13 this section.

14           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2021.