

Chapter 181

(House Bill 186)

AN ACT concerning

Courts – Court Dog ~~Therapy~~ Program – Veterans Treatment Courts

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

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 9–501 to be under the amended subtitle “Subtitle 5. Court Dog ~~Therapy~~ Program”
Annotated Code of Maryland
(2020 Replacement Volume)

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

Article – Courts and Judicial Proceedings

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

9–501.

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

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

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

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

(ii) Been teamed with a facility dog handler.

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

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

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

(5) “Program” means the Court Dog [and Child Witness] ~~THERAPY~~ Program.

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

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

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

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

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

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

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

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

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

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

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

(2) The Program shall be [in]:

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

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

(3) Participation in the Program shall be voluntary.

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

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

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

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

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

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

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

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

(II) A MEETING WITH AN ATTORNEY; OR

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

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

(1) Develop a plan to implement the Program;

(2) Establish 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 **OR A VETERAN PARTICIPATING IN A VETERANS TREATMENT COURT**; and

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

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

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

Approved by the Governor, May 18, 2021.