

Department of Legislative Services  
Maryland General Assembly  
2023 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 1070  
Judiciary

(Delegate McComas, *et al.*)

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Courts - Expert Witnesses - Licensed Certified Social Workers-Clinical

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This bill authorizes a licensed certified social worker-clinical who is licensed under the Maryland Social Workers Practice Act and qualified as an expert witness to testify on ultimate issues, including insanity, competency to stand trial, and matters within the scope of the social worker's special knowledge, in any court or administrative hearing.

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Fiscal Summary

**State Effect:** General fund expenditures for the Office of the Public Defender may decrease minimally to the extent the bill reduces costs associated with expert witness fees in some cases. Otherwise, the bill is not anticipated to materially affect State finances or operations.

**Local Effect:** The bill is not anticipated to materially affect local government finances or operations.

**Small Business Effect:** Minimal.

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Analysis

**Current Law:** Under § 9-120 of the Courts and Judicial Proceedings Article, a *psychologist* licensed under the "Maryland Psychologists Act" and qualified as an expert witness may testify on ultimate issues, including insanity, competency to stand trial, and matters within the scope of that psychologist's special knowledge, in any case in any court or in any administrative hearing.

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## **Additional Information**

**Prior Introductions:** Similar legislation has been introduced within the last three years. See HB 1177 of 2022.

**Designated Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts); Office of the Public Defender; Maryland State's Attorneys' Association; Maryland Department of Health; Office of Administrative Hearings; Department of Legislative Services

**Fiscal Note History:** First Reader - March 5, 2023  
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