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To: Members of the House Judiciary Committee

From: Katherine Kelly Howard
Past President, Maryland State Bar Association

Date: February 26, 2020

Subject: **HB 1009 – Adjudicatory Hearings - Attorney Security Passes for Attorneys in Good Standing**

Position: **SUPPORT (with Sponsor Amendments)**

The **Maryland State Bar Association (MSBA)** **SUPPORTS** House Bill 1009 – **Adjudicatory Hearings - Attorney Security Passes for Attorneys in Good Standing**, with amendments offered by the Sponsor and the MSBA (attached).

As introduced, House Bill 1099 would direct the Administrative Office of the Courts (AOC) to work in conjunction with the MSBA to establish guidelines for the issuance of attorney security passes for attorneys in good standing to enter state court facilities without security screening. (Those attorneys in good standing need not be members of the MSBA, a voluntary membership association). The purpose of establishing the Attorney Security Pass program is to facilitate efficient court operation, by providing expedited access to court facilities by trial attorneys, who are officers of the court.

Under the bill, the MSBA may manage and administer a program for the issuance of attorney security passes, including by (1) communicating to attorneys the criteria and procedures for obtaining a pass and (2) collecting fees directly related to the management and administration of the program. Additionally, the Department of General Services (DGS), in consultation with MSBA, must adopt regulations providing for the acceptance of attorney security passes at each State facility under the jurisdiction of DGS that houses a unit of State government responsible for conducting administrative hearings.

With amendments offered by the Sponsor, the bill would provide that such attorneys would not bypass security screening, but would be provided “expedited admittance,” similar to “TSA-Pre-Check” screening in airports, as administered by the U.S. Transportation Security Administration. Moreover, the Sponsor/MSBA



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amendments grant discretion to sheriffs and bailiffs at court facilities the discretion to grant or deny access to holders of the security passes, and to confiscate those passes when appropriate.

For the reasons stated above, the MSBA supports HB 1009, with Sponsor amendments, and urges a favorable Committee report.

For further information, please contact Richard Montgomery, MSBA Director of Legislative Relations, at (410) 269-6464 or richard@msba.org
