

**MARYLAND JUDICIAL CONFERENCE**  
**GOVERNMENT RELATIONS AND PUBLIC AFFAIRS**

Hon. Mary Ellen Barbera  
Chief Judge

187 Harry S. Truman Parkway  
Annapolis, MD 21401

**MEMORANDUM**

**TO:** Senate Judicial Proceedings Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** Senate Bill 335  
Courts – Nongovernmental Corporate Parties – Disclosure  
Statements  
**DATE:** January 27, 2021  
(2/2)  
**POSITION:** Oppose, as drafted

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The Maryland Judiciary opposes Senate Bill 335, as drafted. This legislation creates Courts and Judicial Proceedings Article § 6-412, which would require that a nongovernmental corporate party shall, with its first appearance, pleading, petition, motion, response, or other request, file two copies of a disclosure statement that identifies certain corporate ownership details including: (1) any parent corporation and any publicly held corporation owning 10% or more of its stock; (2) any member or owner in a joint venture or LLC; (3) all partners in a partnership or LLP; (4) any corporate member if the party is any other unincorporated association, or (5) a statement that there is no such corporation. If any of the information required to be disclosed changes, the party is required to file a supplemental statement.

In addition, the bill states that “this section shall be interpreted in a manner that is consistent with the Federal Rules of Civil Procedure.” Maryland has its own extensive Rules of Procedure and it would be inappropriate to dictate that Maryland state courts follow the Federal Rules of Civil Procedure, which govern civil proceedings in the United States district courts. Moreover, those Rules are subject to ongoing updates and modification so it would be unusual to codify compliance with a standard that is constantly evolving.

Finally, it is unclear why it is necessary for a nongovernmental corporate party to file two copies with the court.

cc. Hon. Charles Sydnor  
Judicial Council  
Legislative Committee  
Kelley O’Connor