

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Joseph M. Getty
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Health and Government Operations Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 419
State Government – Information Technology - Cybersecurity
DATE: February 9, 2022
(2/22)
POSITION: Oppose

The Maryland Judiciary opposes House Bill 419. HB 419 proposes an addition to the State Government Article creating the Office of Security Management within DoIT headed by a Chief Information Security Officer appointed by the governor. The Office is responsible for cybersecurity strategy and policy for the executive branch. The bill also requires the three branches of government, including the Judiciary, to certify annually to DoIT that it is in compliance with the established minimum standards if it uses the network established by DoIT.

This bill raises separation of power concerns as it applies to the Judiciary as it impedes the Judiciary's independence. Article IV, §18(b)(1) identifies the Chief Judge of the Court of Appeals as the administrative head of the Maryland Judiciary. The power to administer the Judiciary is not an implied or inherent power but is an express constitutional power of the Chief Judge. This constitutional authority includes managing the Judiciary's personnel and IT system.

Additionally, Judicial Information Systems currently works with the Department of Information Technology on cybersecurity issues and topics as appropriate.

cc. Hon. Adrienne Jones
Judicial Council
Legislative Committee
Kelley O'Connor