

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Joseph M. Getty
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 53
Juvenile Interrogation Protection Act
DATE: January 12, 2022
(1/27)
POSITION: Oppose as drafted

The Maryland Judiciary opposes Senate Bill 53 as drafted. This bill would amend the Courts and Judicial Proceedings Article and the Criminal Procedure Article regarding notice to the parent or guardian that a child is taken into custody and the interrogation of that child, in both delinquency and criminal cases.

The Judiciary has no position on the policy aims of this legislation but opposes the language on page 3, lines 23 through 25, which dictate to the Court of Appeals the manner in which it must adopt Rules wholly within the Court's authority. This provision with its specificity is an interference with the Court's exercise of its rule-making authority. Under Article IV § 18(a) of the Maryland Constitution, the Court of Appeals is empowered to regulate the practice and procedure in, and the judicial administration of, the courts of this State.

cc. Hon. Jill Carter
Judicial Council
Legislative Committee
Kelley O'Connor