



MARYLAND LEGISLATIVE LATINO CAUCUS

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TO: Delegate Luke Clippinger, Chair
Delegate David Moon, Vice Chair
Judiciary Committee Members

FROM: Maryland Legislative Latino Caucus

DATE: January 25, 2023

RE: HB0133 Court Proceedings - Remote Public Access and Participation

The MLLC supports HB0133 - Court Proceedings - Remote Public Access and Participation 2023

The MLLC is a bipartisan group of Senators and Delegates committed to supporting legislation that improves the lives of Latinos throughout our state. The MLLC is a crucial voice in the development of public policy that uplifts the Latino community and benefits the state of Maryland. Thank you for allowing us the opportunity to express our support of HB0133.

In 2020, the Supreme Court of Maryland authorized remote access to courtrooms, facilitating the courts' performance of core functions during the pandemic.¹ The First Amendment and Sixth Amendments to the U.S. Constitution guarantee open public access to court proceedings.² As the world becomes more virtual due to the pandemic, it is imperative that rights keep up with the times to ensure fairness and transparency.³ Ensuring that the public has audio-visual remote access to all criminal and civil proceedings unless otherwise exempted by law would ensure that the public has safe, affordable, and meaningful opportunities to observe their legal system at work.⁴ This allows for greater accountability by the courts, fosters civic engagement, and gives public accessibility for loved ones, especially those in low-income communities who face the challenges of coming to court (e.g., the cost of transportation, taking time off from work, and child care).⁵

Those facing charges, particularly Black and brown community members, are frequently subject to unequal, unfair, and inhumane treatment by actors within the criminal legal system.⁶ In Maryland courts, Latinos face many challenges during proceedings. Even with certified interpreters, it is sometimes very difficult, and perhaps impossible, to adequately address the translation needs of some Hispanic/Latino immigrants due to their lack of prior education or their unique dialect.⁷ Additionally, Latino litigants generally perceive less fairness than do white litigants.⁸ The ability of the public, especially organizations like

¹ *Campaign for Remote Court Access: Public Hearings Should be Truly Public!* Courtwatch PG. (2023). <https://courtwatchpg.com/legislative-campaign>.

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Fairness Commission, Report of the Commission on Racial and Ethnic Fairness in the Judicial Process, 1–189 (2004). Annapolis, MD. <https://www.courts.state.md.us/sites/default/files/import/publications/pdfs/raciaethnicfairness04.pdf>.

⁸ Ibid.

Courtwatch PG, to properly observe court proceedings is key to ensuring accountability across the system.⁹

This bill addresses issues of accountability and equal access by requiring each court in Maryland to provide remote audio-visual public access to all court proceedings. It would authorize remote participation in a court proceeding by a nonparty from the general public and provide for the reporting and resolution of the malfunctioning of an audio–visual public access system.

For these reasons, the Maryland Legislative Latino Caucus respectfully requests a favorable report on HB0133.

⁹ *Campaign for Remote*. (Internet).