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Anne Arundel County

Health and Government Operations
Committee



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THE MARYLAND HOUSE OF DELEGATES ANNAPOLIS, MARYLAND 21401

Honorable Members of the Judiciary Committee,

In follow-up to my presentation of HB 1316 on Wednesday, February 28, 2024, I am writing to provide some additional information. This bill is designed to expedite the tenant holdover trial process for active-duty service members being deployed back to their primary residence. Furthermore, it allows the use of private process servers to post court notices in cases where sheriffs or constables encounter challenges in meeting the mandated 10-day timeframe.

During the committee hearing, Delegate Charlotte Crutchfield voiced her appreciation for the intent of the legislation, citing her own experience in a similar situation. She raised a valid question regarding the inclusion of “Process Servers” to perform duties typically granted solely to Sheriff’s Departments. This addition was informed by discussions with multiple Sheriff’s Departments across the state, including Anne Arundel County’s Sheriff Sesker. Sheriff Sesker expressed the department’s staffing limitations in handling a substantial number of citations and subpoenas on an ongoing basis. Delegating some civil documents to a third party, under circumstances where the Sheriff’s Office cannot meet time requirements, would significantly aid the Department.

The overwhelming statistics and workload detailed by the Anne Arundel County Sheriff’s Office underscore the immense burden placed on law enforcement officers, especially in the service of arrest warrants, criminal summons, and civil papers. This situation is not unique to one jurisdiction, but rather indicative of broader systemic issues faced by law enforcement agencies across the state. The sheer volume of 53,453 civil papers received by the Anne Arundel County Sheriff’s Office from the Anne Arundel Circuit Court in the last year further highlights the strain on the system, given that all papers must be served within specific time constraints.

The Sheriff’s Office is confronted with a shortage of personnel, with insufficient staffing levels to handle the multitude of documents, including an inadequate 6 to 8 individuals assigned to manage 9,023 arrest warrants. Additionally, the 21% vacancy rate on the sworn side of the Sheriff’s Office, translating to 18 unfilled positions out of 118 allotted, exacerbates the challenges in meeting the demands of the current system. Efforts to fill these vacancies have been hindered by a continuous cycle of hiring and attrition, resulting in a negative net gain.

The proposal to integrate private process servers, as outlined in HB1316, presents a pragmatic solution to alleviate the strain on the Sheriff’s Office. By authorizing private process servers to handle court notices during resource constraints faced by sheriffs or constables, we can ensure a more efficient and timely process for all involved parties.

I respectfully request your careful consideration of the compelling need for this bill, which not only benefits our active-duty service members but also addresses the practical challenges faced by overburdened statewide Sheriff Offices. Your support for HB1316 will significantly contribute to a more streamlined and effective judicial process.

Thank you for your time and consideration.

Brian Chisholm

Delegate Brian Chisholm