

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



KELLEY O'CONNOR
ASSISTANT STATE COURT
ADMINISTRATOR
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MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 1267
Public Safety – Extreme Risk Protective Orders – Review of Court
Records
DATE: February 15, 2024
(3/6)

COMMENT PAPER

The Judiciary respects the separation of powers doctrine and acknowledges that the legislature is the policy-making branch. As such, the Judiciary has no position on the policy aims of this legislation and defers to the legislative branch on such matters.

The Judiciary only writes for clarification. Current law, Public Safety section 5-602(a)(2) provides that “a petition for an extreme risk protective order may include, to the extent disclosure is not otherwise prohibited, health records or other health information regarding the respondent.” It is unclear whether health related information or records, as it pertains to the release for academic or policy research, should be redacted.

cc. Hon. Robbyn Lewis
Judicial Council
Legislative Committee
Kelley O'Connor