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To: Members of the House Judiciary Committee
From: Maryland State Bar Association (MSBA)
Subject: HB 664 – Court Personnel - Protection of Personal Information (Judge Andrew F. Wilkinson Judicial Security Act)
Date: January 29, 2024
Position: **Favorable with Amendment**

The Maryland State Bar Association (MSBA) supports **House Bill 664 - Court Personnel - Protection of Personal Information (Judge Andrew F. Wilkinson Judicial Security Act)**. HB 664 authorizes a certain protected individual or the Office of Information Privacy in the Administrative Office of the Courts to request that a governmental entity or person not publish personal information of the individual on the Internet, social media, or social networks or remove the information from any existing publication; specifies certain procedures for the protection of personal information of a protected individual; authorizes certain relief for a violation of the Act.

MSBA represents more attorneys and judges than any other organization across the state in all practice areas. Through its advocacy committees and various practice-specific sections, MSBA monitors and takes positions on legislation that protects the legal profession, preserves the integrity of the judicial system, and ensures access to justice for Marylanders.

Enhancing judicial security and preserving the rule of law is critical to MSBA and the entire legal profession. Most recently, MSBA mourns the killing of Judge Andrew F. Wilkinson, Circuit Court Judge for Washington County and longtime MSBA member. Judge Wilkinson's murder follows escalating threats and violence faced by Maryland state and federal judges, attorneys, and courthouse personnel on a routine basis.

The judiciary serves a vital function of upholding the rule of law and serving as a pillar of our democracy and freedom. We must preserve judicial integrity and independence, allowing judges to make impartial decisions without fear of violent threats and harmful physical recourse. Attacks on the judiciary can also have a chilling effect on the recruitment and retention of judges, as attorneys must weigh their calling to the highest level of professional service with their personal safety. We must offer specific protections to our judges to preserve the justice system they represent.

The remedies outlined in HB 664 are carefully drawn to protect the judiciary while balancing the public's right to information and legitimate business needs. The bill would protect the safety of judges and their families through a practical, straightforward approach to enhance judicial safety. The bill is not overly

burdensome, as it limits “personal information” to categories included in recently-enacted federal legislation and similar bills in other states to protect this population. The bill provides a reasonable process and response time to request and remove the information of “protected individuals” and offers appropriate relief, damages, and criminal penalties for violations of the Act. The Office of Information Privacy within the Administrative Office of the Courts, with the authority to shield judicial addresses and to request and respond to personal information requests, will be instrumental in appropriately supporting the needs of the judiciary in implementing this bill.

Judicial security cannot be resolved through the passage of one bill alone. Broad-based efforts to assess both immediate and long-term security needs, including courthouse construction and modernization projects and security recruitment and training programs, must be pursued through the proposed task force. MSBA strongly endorses the establishment of the Task Force to Ensure the Safety of Judicial Facilities and respectfully suggests that “*a representative of the Maryland State Bar Association, designated by the President of the Association,*” be appointed and included. With membership of thousands of practitioners and judges from across the state, MSBA can provide valuable expertise and firsthand accounts of security deficiencies and needs of courthouses in various Maryland jurisdictions.

Every judicial officer in the state must be able to decide cases without fear for their safety or for their family.

For these reasons, MSBA strongly supports HB 664 and urges a **favorable report with the proposed amendment**.

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