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Bill: Senate Bill 121 - Personal Information - Public Servant Protections

Committees: Senate Education, Energy, Environment

Position: Informational

Date: February 10, 2026

The Maryland State Bar Association (MSBA) appreciates the opportunity to share information related to SB 121 - Personal Information - Public Servant Protections. 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.

MSBA supports the core concepts of the bill, expanding upon the Judge Andrew Wilkinson Judicial Security Act of 2024 and extending privacy protections beyond judges to a broader group of public-facing judicial officers, law enforcement officials, and elected officials, including attorneys within the Office of the Attorney General, the State Prosecutor, a State's Attorney or Assistant State's Attorney, and a U.S. Attorney or other federal prosecutor living in Maryland. The bill recognizes that threats of violence and physical harm against judicial officers and elected officials directly interfere with the administration of justice.

MSBA supports the ability of our members and all those who walk in and out of courthouses to present and engage in cases without fear. Quick access to digital tracking tools and personal information online has increased threats, swatting, and doxing against judges and attorneys. Our members involved in high-conflict matters regularly report instances of harassment and security threats related to their cases. For consistency, MSBA asks the Committee to consider including "an attorney employed by the Office of the State Prosecutor" and "an attorney employed by the Office of the Public Defender" in this group of protected persons, as these attorneys face similar exposure to threats and are key participants and public servants in the criminal justice system.

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MSBA seeks information on how to administer the protections and how to track protected persons and their information over time. While judges generally remain in the judicial profession for several years and may continue to serve as senior judges after retirement, prosecutors and public defenders regularly switch to other roles. Will the protection of their personal information be excluded permanently or will there be a notification process from their former employer to no longer exclude their personal information if they transition to a new job or retire?

The bill requires the removal of personal information by a government entity or person within 72 hours of a request, with the resulting remedies of a suit for damages and attorneys' fees for noncompliance. MSBA seeks information about the administrative capacity of compliance by smaller entities and private individuals to comply without adding in time for a grace period or good faith exception.

MSBA requests clarity on whether the personal information contemplated in the bill would include public and real property information available on websites including the Maryland Judicial Information Systems, Maryland Department of Assessments and Taxation (SDAT), county property tax sites, and Maryland Land Records (MDLandRec.net). Would a mechanism be included for the settlement industry to obtain shielded information needed to complete real property transactions for protected individuals, similar to their access for records for members of the judiciary through SB 575 in 2024?

The MSBA remains committed to the intent of SB 121 and is available to work with the sponsor to protect the security of legal professionals.

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