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## MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

### MEMORANDUM

**TO:** House Government, Labor, And Elections Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** House Bill 1192  
State Board of Sign Language Interpreters – Membership and  
Licensing  
**DATE:** March 2, 2026  
(3/10)

### INFORMATIONAL COMMENT PAPER WITH REQUESTED AMENDMENTS

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The Judiciary respects the separation of powers doctrine and acknowledges the policy-making authority of the legislative branch. As such, the Judiciary has no position on the policy aims of this legislation.

The Judiciary, however, notes the below concerns and requests that the Committee consider several amendments.

**Video Remote Interpreting.** There is a provision of the original Sign Language Interpreter Act which remains a concern and which the Judiciary recommends be amended. The current statute requires an individual be licensed by the SBSLI before providing sign language interpretation in the state including individuals who are providing video remote interpreting (VRI) services. State Gov't § 9-2418. The Judiciary requests the statute be amended to either **exempt video remote interpreting from the requirements of a Maryland license or permit the adoption of regulations** that require a nationally recognized certification for interpreting in a video remote setting.

*Use of National Call Center for VRI.* The Maryland Judiciary contracts with a vendor that provides on-demand video-remote ASL interpreter services. The vendor provides services 24-hours a day, 7 days a week to meet the exigent needs of deaf court visitors by tapping into a national network of certified ASL interpreters. If a Maryland license is required, the Judiciary will lose access to this important on-demand service as few interpreters outside the state will have a Maryland license and will have little incentive to acquire one.

*24/7 Judiciary Services.* Access to a national or regional call center is essential to ensure access to video remote interpreting on demand when needed to support the 24/7 operations of the Maryland courts. This will facilitate the effective and appropriate use of on-demand services at service counters and for walk-in services including court help centers, clerk's counters, and commissioner stations.

Members of the public may appear before the courts to apply for or respond to emergency proceedings including protective orders, peace orders, emergency custody proceedings, and initial appearances. District Court commissioners, for example, are available 24 hours a day, 7 days a week. Commissioners conduct initial appearances, issue charging documents, set and accept bonds, and determine conditions of pretrial release for individuals arrested within the District Court's jurisdiction. Commissioners also hear petitions for peace and protective orders during hours when the courts are otherwise closed. Courts are obliged to hear these matters within strict timelines.

*Communicating Postponements.* In addition, there are times when no interpreter has been requested or when an interpreter is not available. The court may need to be able to explain the situation to a deaf or hard of hearing individual, or to communicate effectively so the matter can be reset. The court needs to be able to use on demand services like VRI interpreters in these instances.

*Usage.* In fiscal year 2025, the Judiciary used a vendor to provide on demand remote ASL services for 307 sessions. VRI services are available on demand at clerk's counters, court help centers, commissioner stations, and when there are exigent circumstances requiring a sign language interpreter on short notice. Services are available 24 hours a day, 7 days a week to ensure the Judiciary can respond quickly and efficiently to the needs of the public.

**SBSLI Membership.** The Judiciary recommends two amendments to the membership provision of the bill.

First, the Judiciary recommends that Board membership be modified to include three rather than two members from the education, health, and legal fields to ensure that all stakeholder areas can participate.

In addition, the Judiciary would recommend the language regarding the representative from the legal field be modified to require the member be **appointed**

**by the Maryland Judiciary** as one of the largest users of interpreter services in the state. The term “legal” can be interpreted to mean many things. The Judiciary will be significantly impacted by the forthcoming licensing regulations. Having the ability to participate in crafting those requirements will help ensure that courts can effectively administer justice while meeting the needs of individuals requiring sign language interpreters. In fiscal year 2025, the Judiciary provided ASL interpreters in more than 1,500 courtroom proceedings statewide. This represents nearly 8% of all interpreter requests, making ASL the second most requested language after Spanish.

**Judiciary Must Balance Critical Needs in Providing Accommodations.** As the Maryland General Assembly revisits the Sign Language Interpreter Act, the Judiciary recommends additional changes to the underlying statute which have remained a concern since the statute was enacted in 2023. The statute requires the SBSLI to adopt regulations that “allow deaf and hard of hearing individuals to determine whether they prefer sign language interpreter services being provided in a video remote interpreting setting or through in-person interpreting.” State Gov’t § 9-2415(b)(3). The Judiciary requests that the statute be amended to provide for a reasonable accommodation in accordance with the ADA.

As currently drafted the statute requires the Board to promulgate regulations requiring public entities to provide a specific accommodation as determined by the consumer, rather than the reasonable accommodation required by the ADA.

- o Under the ADA the courts are already required to give deference, when possible, to the type of accommodation requested.
- o Federal regulations clarify that public entities are not required to make fundamental alterations to services or programs; and
- o Public entities are not required to provide accommodations that cause a financial or administrative burden.

The Maryland Judiciary must balance a broad range of factors in weighing accommodation requests including exigent circumstances effecting individual and public safety, the preservation of evidence, statutory deadlines, the constitutional rights of individuals before the court, and the needs and limitations of multiple parties, agencies, and professionals. The proposed modification would align Maryland law with the ADA and support the effective administration of justice.

cc. Hon. Heather Bagnall  
Judicial Council  
Legislative Committee  
Kelley O’Connor