



**Maryland | Delaware | DC Press Association**

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To: Judicial Proceedings Committee

From: Rebecca Snyder, Executive Director, MDDC Press Association

Date: February 6, 2026

**Re: MDDC UNFAVORABLE SB 426**

The Maryland-Delaware-DC Press Association (MDDC) represents a diverse membership of news media organizations. Our membership includes large metro dailies such as *The Washington Post* and *The Baltimore Sun*, hometown newspapers such as *The Star Democrat* and *Dorchester Star*, specialty publications such as *The Daily Record* and *Baltimore Jewish Times*, and leading online news organizations such as *Baltimore Banner*, *Maryland Matters*, and *Baltimore Brew*. Our membership spans both for-profit and nonprofit models and reflects the full ecosystem of local journalism that Marylanders depend on every day. Our members rely on public records to inform Marylanders about how government power is exercised.

The Press Association opposes SB 426, which would restrict access to divorce applications, financial records, records of divorce settlements and custody orders to a person in interest or their attorney.

We believe it is important to maintain public access to divorce filings and related court records under the Maryland Public Information Act. This is not an argument against privacy. It is an argument for preserving the long-standing principle that courts operate in public, with narrowly tailored protections where harm is demonstrable and justified.

### **Judicial transparency and public confidence**

Maryland courts have long recognized that justice must be open to public scrutiny. Divorce proceedings, like all civil cases, involve the exercise of state authority. Judges issue binding orders affecting property, finances, parental rights, and personal liberty. Public access to filings and rulings allows Marylanders to see how the law is applied, promotes consistency across cases, and reinforces confidence that outcomes are not arbitrary, biased, or improper.

A categorical exemption for divorce records would remove a significant portion of judicial decision-making from public oversight.

### **Accountability in decisions affecting children**

Family court decisions often determine custody, visitation, and child support—areas where the state acts directly in the lives of children. Public access helps ensure that custody determinations follow statutory “best interest of the child” standards and that judges, evaluators, and court-appointed professionals act appropriately and consistently.



**We believe a strong news media is central to a strong and open society.**

Without transparency, systemic issues—including inequities, bias, or failures to protect children—are far more difficult to identify and address.

### **Protection against abuse of the legal system**

Open records help deter and expose misuse of divorce proceedings, including false allegations, concealment of assets, or repeated litigation used to harass a former spouse. Transparency makes it harder to weaponize the court system without accountability and provides a check against patterns of abuse that can otherwise remain hidden.

### **Equal treatment and fairness**

Public access supports the principle that similarly situated litigants should be treated similarly. Attorneys, researchers, journalists, and self-represented parties rely on court records to understand how statutes are applied in real cases and to identify disparities based on wealth, gender, or access to representation.

If divorce records are effectively sealed by default, meaningful comparison—and meaningful evaluation of fairness—becomes impossible.

### **Existing protections already balance privacy**

Maryland law already provides targeted safeguards that address legitimate privacy and safety concerns. Courts may seal records in cases involving domestic violence or credible threats of harm. Sensitive personal identifiers are routinely redacted. Judges retain discretion to limit access when specific harms outweigh the public interest. These tools allow for case-by-case protection without eliminating transparency altogether.

### **Consistency with broader civil court practice**

Divorce is a civil proceeding. Exempting these records would be inconsistent with how Maryland treats other civil matters that also involve deeply personal information, including bankruptcy, probate disputes, and civil litigation alleging harm or misconduct. Creating a broad exemption risks setting a precedent that could further erode the open-courts doctrine.

### **Importance to journalists and public oversight**

Historically, access to divorce records has enabled reporting on conflicts of interest involving public officials, financial disclosures relevant to ethics and corruption investigations, and broader patterns in family court practices. Without access, the public loses an important window into how power operates behind closed doors. Maintaining public access does not mean encouraging voyeurism. The legal standard has never been whether records are comfortable to read, but whether access serves a legitimate public purpose. Courts have consistently recognized that discomfort alone is not sufficient justification for secrecy.

Divorce proceedings involve the allocation of rights and responsibilities, the exercise of government authority, and decisions with lasting legal consequences. For that reason, transparency—not secrecy—must remain the default.

Privacy concerns can and should be addressed through narrow, tailored protections, which currently exist. This bill could undermine public confidence in the courts and weaken Maryland's long-standing commitment to open government.

We urge the committee to preserve public access to these records under existing law with an unfavorable report.