



Senate Bill 43

Courts – Remote Public Access

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Judicial Proceedings Committee

Date: January 25, 2023

From: Sarah Sample

The Maryland Association of Counties (MACo) **SUPPORTS SB 43 WITH AMENDMENTS**. This bill would require counties across the state to fund and facilitate the installation of simultaneous remote audio-visual public access to all public proceedings taking place within the Circuit Court system.

Circuit Courts are fully funded by county governments but operated by the State, with only a finite number of expenses eligible for reimbursement from State funding. The required infrastructure to facilitate simultaneous audio-visual remote public access under SB 43 is expensive and difficult to install generally but especially in buildings with historic designations, like many of our Circuit Court locations. Storage capacity for the footage is an added cost not addressed in this legislation but a predictable byproduct as the recordings are likely subject to regulations regarding document retention and audit compliance.

MACo agrees that the potential to create greater ease of access and transparency in court proceedings would have a public benefit. These updates certainly stand to offset cost and stress for low-income individuals who are more likely to experience resource scarcity. The added layer of transparency would fortify the purpose and principle of a foundational institution. The COVID-19 pandemic has been a catalyst for bringing this pathway forward into focus from a technological standpoint. There are more resources available and a greater understanding of what is possible, but it is not without substantial cost to county governments as much of the required technology is state-of-the-art due to the acceleration of the industry since the onset of the COVID-19 pandemic.

MACo suggests the following amendment to help ensure SB 43 is successfully implemented with resources from the State for its courts:

- **On page 2, line 6, after “(A)” insert “PENDING THE AVAILABILITY OF FUNDING IN THE STATE BUDGET,”**

To realize the full potential and benefit of this opportunity, SB 43 could be streamlined if it is not encumbered by the financial challenges many counties face at the local level that are further compounded by the volatile and uncertain economic climate of the last three years. For this reason, MACo urges a **FAVORABLE WITH AMENDMENTS** report for SB 43.