

Reference Card The Maryland Rules provide that certain case information included in a court file should be kept confidential. In some cases, the custodian is required to deny public inspection if the custodian is aware of the existence of the information. The person providing the information is required to inform the custodian, in writing, that he or she is filing information that may be confidential. If the person does not notify the court official with whom the material is filed (the “custodian”), and the custodian is not otherwise aware of the restricted nature of the material, the custodian may release the information. Additionally, the custodian is required to limit or deny inspection of certain information upon written request. Finally, the rules permit a person to file a motion requesting that a judge limit or deny public inspection of any information in a court file.

In summary, information may be protected from public inspection automatically if the custodian is aware that it exists, or upon written request or by formal motion. The following short list encompasses the major types of information that may be protected from public inspection automatically, upon request or by motion. For details, see Maryland Rules 16-1001 et seq.

Public Inspection is Denied Automatically if the Custodian is Aware 16-1006- General Categories of Information

- Adoption cases
- Guardianship cases involving minors
- Child In Need of Assistance (CINA) cases/juvenile and/or delinquency cases
- Certain marriage information and information related to marriage licenses
- Certain types of attorney grievance information
- Criminal case information relating to:
 - Warrants and charging documents upon which warrants based- until after the passage of 90 days or upon service
 - Pre-sentence investigation reports
 - Grand jury investigations
 - Expunged information
 - Petitions for emergency evaluations
- Certain records containing medical information, invocation of marital privilege, information sealed by court order.
- Federal or state income tax returns

(over)

16-1007-Specific Information

- Identification of person reporting abuse of a vulnerable adult
- Home address and phone number of state and local government employees
- All but last 4 digits of a Social Security or Federal ID Number (except in “notice” records)
- Identity of person reviewing a sex offender/predator registration statement

16-1008-Remote Public Inspection (Outside the Courthouse, Internet, etc.)

- Remote public inspection of the name, address, telephone number, date of birth, e-mail address and employment of a victim or nonparty witness in a criminal or juvenile delinquency action or in cases involving domestic violence and peace orders.

Public Inspection Limited Upon Request to the Custodian or Judicial Officer 16-1009-Non-Remote Public Inspection

- Addresses and telephone numbers of victims and witnesses in criminal cases
- Addresses of Domestic Violence and Peace Order petitioners.

Public Inspection Limited or Permitted Upon Motion to a Judge 16-1009- Motions Related to Public Inspection — Remote and Non-remote

- Public inspection of otherwise public information may be denied by court order.
- Information not open to public inspection may be inspected only by court order.

If there is any question of confidentiality, you should notify the custodian, in writing at the time the information is given to the court. You may also want to consider, before filing anything with the court, whether information that you consider sensitive really needs to be filed.

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