



APPLICATION FOR GUARDIANSHIP ACCESS TO ELECTRONIC CASE RECORDS
Md. Rule 20-109(b)

NOTE: Use this form if, in a guardianship case under Md. Code, Estates & Trusts Article, you are a party, other interested person as defined in the Estates and Trust Article, or the designated registered user (DRU) of a corporation or other business entity as set forth in Maryland Rule 20-109(b). Use form MDJ-004 or MDJ-0004-DRU for all other case types.

- 1. Date of Application:
2. First Name of applicant: Last Name of applicant:
3. Name of organization, corporation, or other entity (if any):
4. Address: Home: Business:
5. Telephone Numbers: Home: Business: Cell:
6. Registered E-mail Address:
7. Cases to which you are requesting access:

Table with 2 columns: CASE NUMBER and APPLICANT STATUS. Rows a-e with checkboxes for Guardian, Other Party, Other Interested Person, and DRU per Rule 20-109(b).

I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief. I have read, understand, and agree to the confidentiality agreement on pages 3 and 4 of this document.

Application Date

Signature

IF APPLICANT IS A DRU: I have attached a copy of the written designation required by Rule 20-109(b) to this application. \*Notarization is not required if 1) you appear in person & provide valid, government-issued photo I.D. to the clerk, or 2) you are an attorney-guardian or a public guardian (employee of a local Department of Social Services or local Agency on Aging).

State of (or City of Baltimore)

On this day of, 20, before me, the undersigned officer, personally appeared

Name(s) of person(s) who make acknowledgment

known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to within the instrument and acknowledged that the instrument was executed same for the purposes therein contained.

In witness hereof I hereunto set my hand and official seal.

Signature of Notary Public

Name of Notary Public typewritten or printed

Notary Public

My Commission expires:

(Notary Seal)

(Court Use Only)

Verified applicant's status

Application is: Approved in full Denied in full Approved as to case(s)

Denied as to case(s): because

Applicant is not entitled by law to access.

Date

Clerk

Clerk to send approved application to ServiceNow (https://mdcourts.service-now).

## Policy and Procedure

### (a) Purpose and scope

(1) The purpose of this policy is to define an application process for parties requesting remote access to electronic case records. **Note** that there are specific access forms for (1) an access request made in a guardianship case (MDJ-004AG); (2) an access request made by a designated registered user of a corporation or other business entity (MDJ-004DRU); (3) an access request made by a judiciary contractor (MDJ-004C); and (4) an access request made by a guardianship investigator (MDJ-004GI).

(2) This policy applies to any applicant who is seeking to access electronic case records remotely.

Note: every case may not have electronic case records available.

### (b) Requirements

Submission of application: One form must be submitted per court. If an applicant is requesting access to cases in District Court and circuit court, one form must be submitted to each court.

### (c) Application review

Upon receipt of the application, the clerk's office shall review the application and ensure that the application complies with all requirements.

### (d) Notification on application

#### (1) Approval

If the party's application is approved, the clerk shall forward the original application and approval to Judicial Information Systems (JIS). Upon receipt, JIS will elevate the portal access privileges of the applicant's account. JIS will then notify the applicant, via email, that the application is approved and that the applicant is now able to remotely access electronic case records in the case requested.

#### (2) Denial

If the clerk determines that the applicant is not entitled by law to access to the case file, the clerk shall deny the application. The clerk shall return the original application to the applicant and send a copy of the denied application to JIS.

### (e) Appeal of denial

(1) Any appeal of a denied application must be made by filing a motion in the case in which the applicant is seeking remote access.

### (f) Record keeping

(1) JIS shall retain a copy of all applications.



## **CONFIDENTIALITY AGREEMENT FOR APPLICANTS OF ENHANCED ACCESS**

Access to confidential information maintained by the Maryland Judiciary is governed by statute and rule. Confidential information includes information that the Judiciary is prohibited from disclosing (information that, by law, rule, or policy, is not accessible without authorization). Confidential information may include information that is legally privileged, case data and information, personnel data, financial data, trade secrets, proprietary information, procurement data, administrative records, or any information properly designated as confidential by management of the Judiciary.

You have applied to have access to confidential information. It is essential that you understand and acknowledge the critical importance of ensuring that you do not improperly disclose or misuse the confidential information you may receive or produce as a result of your access to this information. To ensure that confidential information is kept confidential, and in consideration of your application for access to this information, please read and sign this agreement:

I hereby agree and acknowledge:

1. That I will hold confidential information received or produced in strict confidence and will exercise reasonable care to prevent disclosure to others.
2. That I will not intentionally reproduce, disclose, access, or attempt to access any confidential information I have acquired unless it is absolutely necessary for the performance of my function(s) for which I am requesting enhanced access.
3. That if I inadvertently mishandle, improperly divulge, or improperly acquire confidential information, I will immediately inform the clerk's office of the court location that grants the enhanced access request.
4. That the Maryland Judiciary shall, at all times, be considered the owner of all research, notes, data, data bases and applications, computations, estimates or other information, documents, or work product obtained or created, and of any memoranda, reports or other work product resulting therefrom; and that I will not use or share any of these materials or information during or after the case is concluded except as necessary to perform my role in the case or as expressly allowed by the Maryland Judiciary.
5. That upon the conclusion of the role for which I am granted enhanced access, I will return to the Maryland Judiciary all work product and confidential documents that I created or to which I had access during the term of such access, including but not limited to, reports, manuals, computer programs, and all other materials relating in any way to the Judiciary's records; and that I will not allow any third party to examine or make copies of my work product or confidential documents.
6. That upon termination of the access granted, I will destroy any confidential Judiciary-related information that I may have stored, during the period of my access, on my personal devices or in any other manner including, but not limited to, hard copy, external storage devices, or cloud-based storage not in the custody or control of the Judiciary.

7. That violation of any provision of this Agreement may result in:
  - (i) immediate termination of the enhanced access to the confidential access,
  - (ii) civil liability, and
  - (iii) criminal liability.
8. That this Agreement shall be governed by the laws of the State of Maryland without any regard to conflict of laws principles.