



## CIRCUIT COURT FOR HARFORD COUNTY COURT DOG PROGRAM



### Plan and Procedures for Having a Facility Dog or a Therapy Dog Assist a Child Witness in a Criminal or a Civil Case

#### I. INTRODUCTION

The Court Dog Program is operational in the Circuit Court for Harford County.<sup>1</sup> The program's procedures and requirements may differ between counties; therefore, please read through the requirements for the county where your case is going to be heard.

The purpose of the Court Dog Program is to provide a Facility Dog or a Therapy Dog to accompany a Child Witness in a circuit court proceeding or other related court process, meeting, or interview. The party seeking to have a Child Witness testify will determine whether the Child Witness is eligible to use the Court Dog Program. If the party determines that the Child Witness is eligible, that party must coordinate for the use of the Facility Dog or the Therapy Dog and ensure that its Handler meets the requirements below and submit the proper documentation to the Court as prescribed by the procedures set forth herein.

#### II. COURT DOG PROGRAM PARTICIPATION REQUIREMENTS

##### QUALIFICATIONS

To participate in the Court Dog Program, the witness must be a Child Witness. The dog accompanying the Child Witness must be a Facility Dog or a Therapy Dog. The Facility Dog or the Therapy Dog must be accompanied by its respective Handler.

A "Child Witness" means a witness who is a minor when the witness testifies in a court proceeding.

A "Facility Dog" means a dog that has:

- (i) Graduated from a program of an assistance dog organization that is a member of a nationally recognized assistance dog association; and
- (ii) Been teamed with a Facility Dog Handler.

A "Therapy Dog" means a dog that has:

- (i) Received training to provide affection and comfort to individuals who need emotional support;
- (ii) Been teamed with a Therapy Dog Handler; and
- (iii) (1) Graduated from a program operated by an organization that registers or certifies therapy dogs and their handlers to meet or exceed the standards of practice in animal-

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<sup>1</sup> Md. Code Ann., Cts. & Jud. Proc. § 9-501 (West 2021). At this time, the Circuit Court for Harford County does not have a veterans treatment court; therefore, the Court Dog Program in the Circuit Court for Harford County is limited to cases involving a Child Witness. However, if the Circuit Court creates a veterans treatment court, the Circuit Court will make modifications to allow veterans to utilize the program.

assisted interventions; or (2) Been specially trained to provide emotional support to witnesses testifying in judicial proceedings without causing a distraction.

If the Child Witness needs the assistance of a Facility Dog or a Therapy Dog, you may request the services of PAWS for People at (302) 351-5622 or another organization that trains Handlers and their Facility Dogs or Therapy Dogs.

A “Facility Dog Handler” means a person who has received training on offering the person’s animal for assistance purposes from an organization accredited by Assistance Dogs International or an equivalent organization.

A “Therapy Dog Handler” means a person who has received training on offering the person’s animal for assistance purposes from an organization that insures, registers, or certifies therapy dogs and their handlers.

In addition, to be a Facility Dog Handler or a Therapy Dog Handler, the person must have received training on court protocol and policies, including the expected role of an animal assistance team and how not to interfere with evidence collection or the effective administration of justice.

“Handler” means a “Facility Dog Handler” or a “Therapy Dog Handler.”

**Confidentiality Requirements:** Handlers must maintain the confidentiality of all information, both written and verbal, including, but not limited to, information received during the Handler’s scope of interaction with the Child Witness, whether such information is about the Child Witness or the case in which the Child Witness is involved.

#### **DOCUMENTATION & APPROVAL BY ADMINISTRATIVE JUDGE REQUIRED**

The party requesting the use of a Facility Dog or a Therapy Dog must produce documentation and obtain approval by the administrative judge that the dog is qualified *prior to* and before the dog may enter the courthouse. A dog that is not approved will not be allowed into the courthouse.

All requests for the use of a facility dog or a therapy dog must be made no later than thirty (30) days prior to the trial, hearing, or other proceeding where the facility dog or therapy dog will be utilized.

Any objection to the use of a facility dog or a therapy dog must be made, in writing, no later than fifteen (15) days after the request is made.

**The person requesting the use of a Facility Dog or a Therapy Dog must submit the following documentation:**

- (1) Form Requesting Use of a Facility Dog or a Therapy Dog in a Criminal or Civil Case Involving a Child Witness.
- (2) Documentation that the Facility Dog or the Therapy Dog has met the required respective qualifications.
- (3) Proof of liability insurance for the Facility Dog or the Therapy Dog and the Handler for work-related purposes.
- (4) Certificate of completion of Handler’s respective training.

- (5) Acknowledgment of Protocol and Policies and Oath of Confidentiality for the Use of a Facility Dog or a Therapy Dog in a Criminal or Civil Case Involving a Child Witness form (to be agreed to and signed by the Handler). The requesting party may submit this form for the Handler, but it is the Handler's responsibility to sign and act according to the oath.

### **III. PROCEDURES FOLLOWING APPROVAL**

Once a request has been approved, the Court will designate a courthouse coordinator who will make arrangements including, but not limited to:

1. Coordinating with Chambers staff an advance walk-through of the courtroom where the Child Witness will give their testimony;
2. Setting up a neutral third party to accompany the Facility Dog or the Therapy Dog and the Handler with the Child Witness; and
3. Escorting the Facility Dog or the Therapy Dog and the Handler to and from the entrance of the courthouse to an appropriate waiting area before being invited into the courtroom.

### **IV. GENERAL COURTROOM/CHAMBERS PROTOCOL**

Prior to the trial date, the requesting party is responsible for coordinating with the courthouse coordinator a time for the Facility Dog or the Therapy Dog and the Child Witness to be introduced to the space where the testimony will be given. At this time, the Handler will be given instructions on where they should be located during the testimony and where they should wait before and after the testimony. The Handler must always be present with the Facility Dog or the Therapy Dog while in the courthouse.

It is imperative that the Facility Dog or the Therapy Dog does not interfere with the administration of justice. Where the Facility Dog or the Therapy Dog should be located during testimony depends on the location of the witness box, the age and maturity of the Child Witness, the length and nature of the testimony, the relationship between the Child Witness and the Facility Dog or the Therapy Dog, and whether the Facility Dog or the Therapy Dog can refrain from being a distraction. For most situations, having the Facility Dog or the Therapy Dog within arm's reach of the Child Witness should be acceptable.

### **V. SPECIFIC PROTOCOL FOR HANDLERS**

The Handler and the Facility Dog or the Therapy Dog team must be covered by a liability insurance policy for work-related purposes.

It is never appropriate for the Handler to meet with the Child Witness after their testimony. In general, the Handler will avoid being alone with the Child Witness and the Facility Dog or the Therapy Dog. A neutral third party must be present when the Handler and the Facility Dog or the Therapy Dog are with the Child Witness. This is to minimize risk of liability of all those participating in the Court Dog Program.

The courthouse is a busy public building. Handlers must be mindful of others and must attempt to minimize contact with the public and courthouse employees.

Handlers are responsible for the well-being of the Facility Dog or the Therapy Dog while in the courthouse. Handlers must bring all items that the Facility Dog or the Therapy Dog may need, such as treats, food, toys, water, waste bags, etc. Handlers must also bring documentation of (1) the administrative judge's approval for the use of a Facility Dog or a Therapy Dog, (2) proof that they and the Facility Dog or the Therapy Dog are qualified, and (3) the contact information of court staff provided to them by the courthouse coordinator.

## **VI. THE DAY-OF-TRIAL PROTOCOL**

It is critical that the Facility Dog or the Therapy Dog and its Handler arrive **on time**, preferably before the Child Witness. The designated courthouse coordinator should greet the Handler and the Facility Dog or the Therapy Dog upon their arrival and notify Chambers. The coordinator will then escort the Facility Dog or the Therapy Dog and its Handler to a pre-determined waiting area where the Child Witness and the Facility Dog or the Therapy Dog will meet. The Handler must try to avoid contact between the Facility Dog or the Therapy Dog with the jury at all times.

At the direction of the coordinator, the Facility Dog or the Therapy Dog should be placed out of the jury's view while still allowing the Child Witness easy therapeutic access to the Facility Dog or the Therapy Dog without causing a distraction.

If at **any time** during the testimony the Facility Dog or the Therapy Dog begins to vocalize or create a distraction from the proceedings, for either the jury or the Child Witness, the Court has wide discretion to address it by any appropriate means, including by taking a brief recess while the Handler attends to the Facility Dog or the Therapy Dog.

After the Child Witness's testimony is complete, the Court should take a recess and allow the jury to leave the courtroom before the Handler, the Facility Dog or the Therapy Dog, and the Child Witness leave the courtroom.

Please file the completed forms and documentation  
with the Court for the administrative judge's review.

For questions regarding the Court Dog Program, please contact the Court Administrator  
by phone at (410) 638-3169 or by mail at Circuit Court for Harford County  
c/o Court Administrator, 20 West Courtland Street, Bel Air, MD, 21014.



**CIRCUIT COURT FOR HARFORD COUNTY**

**Requesting Use of a Facility Dog or a Therapy Dog in a  
Criminal or Civil Case Involving a Child Witness**

Case name: \_\_\_\_\_ Case Number: \_\_\_\_\_

Party requesting the use of a Facility Dog or a Therapy Dog: \_\_\_\_\_

Name, age, and gender of the Child Witness: \_\_\_\_\_|\_\_\_\_\_|\_\_\_\_\_

Date and time the Child Witness is expected to testify: \_\_\_\_\_

Estimated length of time the Facility Dog or the Therapy Dog is needed: \_\_\_\_\_

Brief description of the need for a Facility Dog or a Therapy Dog:

\_\_\_\_\_

The name and contact information of the Handler and their Facility Dog or their Therapy Dog:

\_\_\_\_\_

The length of time that the Handler and the Facility Dog or the Therapy Dog have served as a service team:

\_\_\_\_\_

Please provide a statement regarding the established relationship, if any, between the Child Witness and the Facility Dog or the Therapy Dog. If no relationship has been established, please provide the anticipated meeting date to build the relationship. Establishing a bond is critical to the therapeutic effectiveness of the Facility Dog or the Therapy Dog.

\_\_\_\_\_

Additional information, if any, the Court should know about the Handler and the Facility Dog or the Therapy Dog team:

\_\_\_\_\_

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**CIRCUIT COURT FOR HARFORD COUNTY**

**Acknowledgment of Protocol and Policies and Oath of Confidentiality for  
the Use of a Facility Dog or a Therapy Dog in a Criminal or Civil  
Case Involving a Child Witness**

**ACKNOWLEDGEMENT OF PROTOCOL AND POLICIES**

I, \_\_\_\_\_ (please print name), do hereby affirm/swear that I have read and understood the foregoing policies and procedures for Facility Dog Handlers and Therapy Dog Handlers in the Circuit Court for Harford County, Maryland, and will uphold and abide by them to the best of my ability.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**OATH OF CONFIDENTIALITY**

I, \_\_\_\_\_ (please print name), solemnly swear/affirm that I will maintain the confidentiality of all the information, including but not limited to information pertaining to victims/witnesses and their families, whether written, verbal, or non-verbal, received through the scope of my service as a Facility Dog Handler or a Therapy Dog Handler.

I hereby pledge that I will not disclose to any person or entity any information or records connected with any case in which I am a Facility Dog Handler or a Therapy Dog Handler.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please file the completed forms and documentation with the Court for the administrative judge's review.

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