

"Person" § 1-101 "Public record" § 10-611

10-623. JUDICIAL REVIEW.

(A) PETITION AUTHORIZED.

WHENEVER A PERSON OR GOVERNMENTAL UNIT IS DENIED INSPECTION OF A PUBLIC RECORD, THE PERSON OR GOVERNMENTAL UNIT MAY FILE A COMPLAINT WITH THE CIRCUIT COURT FOR THE COUNTY WHERE:

(1) THE COMPLAINANT RESIDES OR HAS A PRINCIPAL PLACE OF BUSINESS; OR

(2) THE PUBLIC RECORD IS LOCATED.

(B) DEFENDANT.

(1) UNLESS, FOR GOOD CAUSE SHOWN, THE COURT OTHERWISE DIRECTS AND NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE DEFENDANT SHALL SERVE AN ANSWER OR OTHERWISE PLEAD TO THE COMPLAINT WITHIN 30 DAYS AFTER SERVICE OF THE COMPLAINT.

(2) THE DEFENDANT:

(I) HAS THE BURDEN OF SUSTAINING A DECISION TO DENY INSPECTION OF A PUBLIC RECORD; AND

(II) IN SUPPORT OF THE DECISION, MAY SUBMIT A MEMORANDUM TO THE COURT.

(C) COURT.

(1) EXCEPT FOR CASES THAT THE COURT CONSIDERS OF GREATER IMPORTANCE, A PROCEEDING UNDER THIS SECTION, INCLUDING AN APPEAL, SHALL:

(I) TAKE PRECEDENCE ON THE DOCKET;

(II) BE HEARD AT THE EARLIEST PRACTICABLE DATE;

AND

(III) BE EXPEDITED IN EVERY WAY.

(2) THE COURT MAY EXAMINE THE PUBLIC RECORD IN CAMERA TO DETERMINE WHETHER ANY PART OF IT MAY BE WITHHELD UNDER THIS PART III OF THIS SUBTITLE.

(3) THE COURT MAY:

(I) ENJOIN THE STATE OR A UNIT, OFFICIAL, OR EMPLOYEE OF THE STATE FROM WITHHOLDING THE PUBLIC RECORD;

(II) PASS AN ORDER FOR THE PRODUCTION OF THE PUBLIC RECORD THAT WAS WITHHELD FROM THE ~~COMPLAINANT~~ COMPLAINANT; AND