

AS EXPRESSLY AUTHORIZED BY LAW, NOT TO DISCLOSE KNOWINGLY ANY INFORMATION OBTAINED WHILE SERVING IN THIS GRAND JURY PROCEEDING."

COMMITTEE NOTE: Subsections (a), (c), and (d) of this section are new language substituted for former CJ §§ 2-503(b)(1) and 8-213, former Public Local Laws, Art. 14 [Howard County], § 7.304, former Public Local Laws, Art. 16 [Montgomery County], § 12-22 (referring to a grand jury clerk who, under § 12-23, must be a court reporter), and the first clause of the former fourth sentence of Public Local Laws, Art. 4 [Baltimore City], § 7-7. The substitution revises Public Local Laws as statewide provisions.

Subsections (b) and (e) of this section are new and added for completeness.

The reference in subsection (a) of this section to "expressly authorized by law" recognizes specific instances in which disclosure is allowed. E.g., CS §§ 9-607 and 9-608 and the second clause of the former fourth sentence of Public Local Laws, Art. 4 [Baltimore City], § 7-7 revised CJ § 8-417 as to reports on investigations other than of correctional facilities. See also Md. Rule 4-642(c).

The substitution deletes, in subsections (c) and (d) of this section, the former references to the oath being taken "before the clerk of the circuit court" and before "the clerk of the circuit court for Baltimore City".

The substitution uses, in subsection (c) of this section, the term "court reporter", instead of the former, more limited references to a "stenographer" and "clerk appointed under ... the preceding section", to encompass other types of reporters.

The substitution also uses, in subsection (c) of this section, the word "ordered" instead of the former word "appointed", to conform to revised CJ § 2-503, which contemplates the designation of a grand jury reporter from among court reporters regularly employed by or under contract with a circuit court, instead of appointment by a jury judge or other circuit court judge. As to a jury judge, see revised CJ § 8-204.

As to oaths administered to a witness before a grand jury, see revised CJ § 9-118.

As to "oath" including an affirmation, see Art. 1, § 9 of the Code.

8-416. RECORD.

(A) DUTY OF COURT REPORTER.

A COURT REPORTER ORDERED TO TAKE TESTIMONY GIVEN BEFORE A GRAND JURY SHALL TAKE AND TRANSCRIBE THE TESTIMONY.

(B) TRANSCRIPT.