

PS COMMITTEE #1
April 29, 2013

Worksession

MEMORANDUM

April 25, 2013

TO: Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst *SJF*

SUBJECT: **Worksession: Circuit Court**
FY14 Operating Budget
FY13-18 CIP Amendment: Judicial Center Annex

Those expected for this worksession:

The Honorable Judge John W. Debelius III, Administrative Judge, Montgomery County Circuit Court
Pam Harris, Circuit Court Administrator
Corey Orlosky, Office of Management and Budget

The Executive's recommendation for the Circuit Court is attached at ©1-7.

Overview

For FY14, the Executive recommends total expenditures of \$12,813,876 for the Circuit Court, an 0.8% increase from the FY13 approved budget.

	FY12	FY13	FY14	% Change
	Actual	Approved	CE Recommended	FY13-FY14
Expenditures				
General Fund	\$9,755,480	\$10,330,453	\$10,671,495	3.3%
Grant Fund	\$2,333,256	\$2,381,482	\$2,142,381	-10.0%
TOTAL Expenditures	\$12,088,736	\$12,711,935	\$12,813,876	0.8%
Positions:				
Full-time	112	111	111	0.0%
Part-time	9	9	9	0.0%
TOTAL Positions	121	120	120	0.0%
Total FTEs	106.4	116.5	116.5	0.0%

The FY14 County Executive’s recommendation is a net increase of \$101,941, which funds the following identified same service adjustments.

Identified Same Service Adjustments		
Increase Cost: FY14 Compensation Adjustment		\$280,723
Increase Cost: Group Insurance Adjustment		\$91,594
Increase Cost: Retirement Adjustment		\$23,532
Increase Cost: Other Labor Contract Costs		\$8,922
Increase Cost: Motor Pool Adjustment		\$4,961
Increase Cost: Printing and Mail Adjustment		\$3,365
	Total Increases:	\$413,097
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum		(\$184,555)
	Total Decreases:	(\$184,555)
NET SAME SERVICES ADJUSTMENT TOTAL:		\$228,542

FY14 Expenditure Issues

Contract to Staff Child Waiting Area at Judicial Center Annex (\$112,500)

The Judicial Center Annex will include a Child Waiting Area for court users who do not have a place to leave their kids while seeking information, legal advice, or a resolution by court order. It is slated to open January 2014, providing supervision from 8am to 5pm. According to Circuit Court staff, the County Executive and County Council supported the concept that the annex include a center where children would not be exposed to the harsher attributes of court operations. Court users such as victims of domestic violence may not have a place to leave their children while they are at the courthouse. In FY12, the Circuit Court had 670 domestic violence cases, of which many children were present at various hearings with their parents. Children who are present in court can be subjected to additional trauma as they hear the violent details of the case. There were also 8,700 self-represented divorcing litigants, many of whom brought their children when seeking legal advice from the Self-Help Center.

Circuit Court staff have been meeting with the Office of Child Care to discuss the facility and any licensure that may be required. The OCC has advised that since parents will physically be in the building, it is not necessary to have a fully-licensed day care facility. The Department of Health and Human Services is assisting the Circuit Court with securing a contract with Family Services, Inc., which can provide sufficient staffing at an annual cost of \$175,000.

The Committee may wish to ask if the Circuit Court has space currently set aside for the waiting area. Is there an estimate of the number and ages of children who would likely need supervision each day? How many staff will be providing care? What happens if the waiting area becomes too crowded? What happens when court goes past 5pm and witnesses or plaintiffs have children in the waiting area?

Court Evaluator Positions

Over the past several years, Court evaluator positions have been cut or lapsed due to County budget constraints. **There are currently eight court evaluator positions**, which include one Senior Court Evaluator carrying a 50% caseload in addition to supervisory responsibilities, six full-time, and one part-time Court Evaluators.

These positions evaluate family case filings and proffer a neutral and professional opinion based on what is in the best interest of the children. In cases of divorce and child custody determinations, each adult party typically has retained counsel that advocates their respective positions. The Court Evaluator focuses solely on the best interest of the children involved. Information obtained and presented by the Court Evaluator to the judicial officer helps provide information necessary to determine the best outcome of the case. The Court advises that judges and masters are not receiving the information necessary to make the best decisions concerning child custody litigation.

Last year, the Court also advised that based on prior year caseloads, the ideal number of Court Evaluator positions would be 15.2. The FY13 approved budget restored one full-time and two part-time court evaluator positions. This year, the projected optimal number of Court Evaluators has increased to 16.5 due to continually-increasing caseloads. The Court estimates that current staff hours available to handle cases is 14,560 a year. Staff are already providing 1,300 hours more than what is currently available. There are no new additional court evaluator positions contained in the FY14 recommended budget.

Council Staff Comments: Council staff believes caseloads are too high for current staff to provide optimal information to judges and masters handling family case filings. Council staff recommends adding one Court Evaluator position (\$94,000) to the Reconciliation List.

Grants

Over the past several years, the Circuit Court has lost a variety of family grant funding. The Court advises that since FY08, it has lost the following grants:

CINA/TRP Mediation	\$22,540
Juvenile Drug Court	\$20,000
Psychological Evaluations	\$45,700
Supervised Visitation:	\$88,000

Council staff is concerned these cuts are having substantive impacts on the delivery of core services, including some, such as mediation, that actually help avoid more costly trials. The two most recent grants lost impacted the Child Custody and Access Mediation Program and a grant that funded Supervised Visitation.

Family Grant Budget Adjustment (-\$239,101)

In FY13, funding for the Family Law Grant was reduced by \$245,766. This grant had funded the in-house Child Custody and Access Mediation Program that offers parents involved in separation, divorce, and child custody cases an opportunity to discuss and resolve issues involving their children, such as primary residential care, decision making and access. The program had four mediators. The Court has created a mediation program using outside resources in an attempt to maintain the services, but indicates funding is severely limited. It is unknown at this point whether the outside mediation program will be as successful as the in-house program with respect to reserving judicial resources for more complex issues that must proceed to trial.

Supervised Visitation

The Court also lost funding for the Supervised Visitation program in FY13, which funded contractual services that provided supervised visitation of children in volatile custody cases. The Court advises the last contract for services was \$88,000. The original vendor discontinued business, and when the Court re-bid for services, one bid came in at \$112,000 - \$224,640 depending upon the number of slots utilized. The Court cancelled the bid process due to lack of sufficient funding.

Judicial Center Annex CIP Amendment

The County Executive recommends one change to the approved Judicial Center Annex PDF in the FY13-18 CIP. In FY14, \$4,457,000 of General Obligation Bond funding was replaced with Land Sale proceeds.

Council Staff Recommendation

Council staff is concerned about several cuts within the Circuit Court that directly impact service delivery to children and families. As noted earlier, Council staff recommends one Court Evaluator position be added to the Reconciliation List (\$94,000). Council staff is also concerned with the loss of grant funding for other services. Council staff recommends placing on the Reconciliation List: the Mediation Program for \$245,000; and the Supervision Program for \$170,000 (based on the mid-point of the last bid received). ***The Committee may wish to consider delaying the opening of the Child Visit Area for six months, and funding it in FY15 instead of FY14. This would free up \$112,000 to partially fund these recommended items.***

Council staff recommends approval of the rest of the budget as submitted by the Executive.

This packet contains

Recommended FY14 Operating Budget

Circuit Court Responses

Judicial Center Annex PDF – Executive’s Recommended FY13-18 CIP

Judicial Center Annex PDF – Approved FY13-18 CIP

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Circuit Court

MISSION STATEMENT

The mission of the Circuit Court is to serve Sixth Judicial Circuit residents in the determination of litigation in serious criminal matters, substantive civil cases, domestic and child support cases in accordance with the Constitution while administering justice in an honest, fair, and efficient manner.

BUDGET OVERVIEW

The total recommended FY14 Operating Budget for the Circuit Court is \$12,813,876, an increase of \$101,941 or 0.8 percent from the FY13 Approved Budget of \$12,711,935. Personnel Costs comprise 80.5 percent of the budget for 111 full-time positions and nine part-time positions. A total of 116.50 FTEs includes these positions as well as any seasonal, temporary, and positions charged to or from other departments or funds. Operating Expenses account for the remaining 19.5 percent of the FY14 budget.

LINKAGE TO COUNTY RESULT AREAS

While this program area supports all eight of the County Result Areas, the following are emphasized:

- ❖ ***A Responsive, Accountable County Government***

DEPARTMENT PERFORMANCE MEASURES

Performance measures for this department are included below, with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY13 estimates reflect funding based on the FY13 approved budget. The FY14 and FY15 figures are performance targets based on the FY14 recommended budget and funding for comparable service levels in FY15.

ACCOMPLISHMENTS AND INITIATIVES

- ❖ ***The Court maintained FY11 performance in Termination of Parental Rights (TPR) cases.***
- ❖ ***The Circuit Court maintained FY11 performance in FY12 for Child In-Need of Assistance (CINA) Non-Shelter cases, meeting the standard set by the Maryland Judiciary.***
- ❖ ***In FY12, the Circuit Court maintained performance on Domestic Relationship cases despite an increase in overall caseload. The performance also exceeded target.***
- ❖ ***The Court will open a Child Waiting Area in FY14 to provide an area for children of citizens having business with the court to wait during court proceedings.***
- ❖ ***Productivity Improvements***
 - ***The Court is planning to undertake a number of other analyses to better understand and improve services, including:***
 - ***Collecting and analyzing foreclosure filings and terminations on a monthly basis to provide insights on potential modifications to case processing that may be required to accommodate the Court's caseload.***
 - ***Evaluation of a pilot program initiated by the Maryland Sentencing Commission to determine whether an automated sentencing guideline system offers a more efficient way to perform a core Court function.***
 - ***Examining case processing performance by case sub-type to identify whether certain sub-types consistently close within or over standard time.***
 - ***Establishing a feedback system where concerns or errors uncovered are discussed with all appropriate personnel.***
 - ***The Court developed a database to track the efforts of court evaluators in their review and evaluation of custody and visitation issues raised in family cases. This data will be evaluated and the results discussed to ensure efficient use of evaluator resources.***

- The Circuit Court implemented civil settlement conference under a Differentiated Case Management (DCM) plan. Data gathered from this new procedure will be used to govern future modifications.

PROGRAM CONTACTS

Contact Pamela Harris of the Circuit Court at 240.777.9100 or Corey Orlosky of the Office of Management and Budget at 240.777.2762 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

Administration

The Administrative Office of the Circuit Court serves as a conduit for many operations of the Court. The Court Administrator's role is to facilitate the administrative functions of the Court and to develop policies to enhance systems performance while maintaining the independence of the judiciary. Basic functions performed by the Court Administrator and staff include the following: fiscal administration of the budget; human resources; caseload management and statistics; technology management; information management; jury management; space management; intergovernmental liaison; and public information.

The Trial Court Researchers, funded in part by the Trial Court Research Partnership Grant, provide research and statistical support for judiciary-wide research projects; prepare reports based on statistics and other data collected from the Montgomery County Circuit Court; establish links to national research/statistical sources relative to courts; and analyze court-wide programs, functions, and organizations to determine whether current management systems accomplish objectives efficiently.

Program Performance Measures	Actual FY11	Actual FY12	Estimated FY13	Target FY14	Target FY15
Case Filings (includes re-opened cases)					
Criminal (including District Court appeals)	7,417	6,808	6,978	7,082	7,186
Civil (including Registrar of Wills, District Court appeals)	12,225	11,958	14,603	14,849	15,096
Domestic Relations	14,791	15,089	15,463	15,697	15,932
Juvenile (including Delinquency, CINA, and TPR)	4,411	3,706	3,382	3,178	2,973
TOTAL Case Filings	38,844	37,561	40,426	40,806	41,187
Case Terminations (includes re-opened cases)					
Criminal	7,405	6,715	6,962	7,062	7,162
Civil	16,855	12,498	15,059	15,359	15,658
Domestic Relations	15,146	15,244	15,590	15,854	16,118
Juvenile	4,631	3,674	3,460	3,279	3,099
TOTAL Case Terminations	44,037	38,131	41,071	41,554	42,038
Case Clearance Rate (includes re-opened cases)¹					
Criminal	100%	99%	100%	100%	100%
Civil	138%	105%	103%	103%	104%
Domestic Relations	102%	101%	101%	101%	101%
Juvenile	105%	99%	102%	103%	104%
OVERALL Case Clearance Rate	113%	102%	102%	102%	102%
Total Trials	1,639	1,607	1,753	1,817	1,881

¹ Clearance rate measures how efficiently a court is processing its caseload by dividing the number of cases terminated by the number of case filings for a given time period (expressed in terms of percentage).

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	2,681,441	9.60
Increase Cost: FY14 Compensation Adjustment	280,723	0.00
Add: Contract to staff Child Waiting Area at the new Judicial Center Annex	112,500	0.00
Increase Cost: Group Insurance Adjustment	91,594	0.00
Increase Cost: Retirement Adjustment	23,532	0.00
Increase Cost: Other Labor Contract Costs	8,922	0.00
Increase Cost: Motor Pool Adjustment	4,961	0.00
Increase Cost: Printing and Mail Adjustment	3,365	0.00
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum	-184,555	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	-240,384	-0.05
FY14 CE Recommended	2,782,099	9.55

Adjudication

Adjudication encompasses support staff for the Judiciary and DCM. Conceptually, this division monitors case assignment (criminal, civil, and family cases), provides expedited case disposition for incarcerated offenders, and provides judicial supervision consistent with the complexity of each case filed. Adjudication and DCM improves the efficiency of case processing and reduces the demand for judicial intervention at various stages of litigation. To minimize case delay, each case is assigned to an appropriate track that

allows for the performance of pre-trial tasks and allocates the appropriate level of judicial intervention. Tracks are monitored for performance and are evaluated based on established performance measures.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	2,932,955	31.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	116,004	0.00
FY14 CE Recommended	3,048,959	31.00

Family Division Masters

Family Division Masters are qualified individuals appointed by the Judges of the bench to hear family matters and make reports and recommendations based on testimony and analysis of the testimony received at hearing. A Family Division Judge will continue to review the recommendations and sign orders resulting from the recommendations of the Family Division Masters.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	826,249	8.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	16,711	0.00
FY14 CE Recommended	842,960	8.00

Case Assignment

The Assignment Office schedules and maintains all hearings, trials, and motion dates as well as special event dates for Judges and Family Division Masters of the Court, and ensures that these events are scheduled in accordance with the Court's Differentiated Case Management plans. The Assignment Office maintains all scheduling information related to criminal indictments and informations; criminal jury demands and appeals; civil, juvenile, and family trial assignments; civil, family, and juvenile motions; and bench warrants. The Assignment Office also manages all courtroom information sheets, locates all files for assigned calendars, reviews each file, and delivers files to various court hearing rooms.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	1,153,758	14.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	69,146	0.00
FY14 CE Recommended	1,222,904	14.00

Jury

The Jury Office manages prospective and active jurors for civil and criminal proceedings. In accordance with Maryland Courts and Judicial Proceedings, Title 8, every citizen has the opportunity to serve as a juror and the obligation to serve when summoned. The Jury Commissioner and staff dispatch questionnaires to prospective jurors using information gathered from voter registration and Motor Vehicle Administration listings. The Jury Commissioner maintains a qualified jury pool from the individuals who are determined to be qualified as jurors under Maryland Courts and Judicial Proceedings § 8-207.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	693,277	4.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	33,687	0.00
FY14 CE Recommended	726,964	4.00

Family Division Services

This program provides a variety of services for children and families, most of them funded by the Family Law Grant. Services include case managers that provide day-to-day management of cases between Family Division Masters, judges, counsel, and litigants; custody mediation involving litigants in an effort to obtain a settlement of custody issues prior to litigation; the Family Law Self Help Center (formerly the Pro Se Project) staffed by attorneys and paralegals to help individuals representing themselves in uncomplicated family law cases involving divorce, custody and child support; psychological evaluations when psychological testing is necessary as an adjunct to arriving at a decision in the best interest of the children; best interest attorney (formerly guardian ad litem) appointments to specifically represent the interests of children; and operating expenses associated with managing the division.

Family Division Services also handles adoption investigations and child custody and visitation evaluations. After the establishment

of a Court Order, independent evaluations for child custody and visitation, and adoption investigations are conducted by Court staff possessing substantial experience in social science or suitable credentials in the field of social work. The evaluator meets with the litigants and children and interviews professionals and collateral references to ascertain the appropriate custodial situation for the children.

The Juvenile Division is also a part of Family Division Services and is responsible for oversight of delinquency petitions, CINA petitions, TPR petitions, Voluntary Placement petitions, and Petitions for Peace Orders. These matters, which are governed by strict statutory timeframes, require a high degree of judicial oversight by the Court on a long term basis.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	646,327	8.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	-54,409	0.00
FY14 CE Recommended	591,918	8.00

Technical Services

Technical Services manages the central recording location that electronically records all courtroom and hearing room proceedings for the Judicial Center and Grey Courthouse. All video conferencing between the Circuit Court, District Court, Montgomery County Detention Center, and Montgomery County Correctional Facility is handled through this division. This equipment is used on a daily basis in order to conduct bond hearings via a video connection. Copies of court transcripts and cassettes are purchased through this division. The Court's website and internal servers for the Court and Clerk's Office are administered by Technical Services.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	823,744	10.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	26,043	0.00
FY14 CE Recommended	849,787	10.00

Law Library

The Law Library supports the research activities of the Court, the Bar, and the public. The Library has a comprehensive collection of law, including U.S. statutes and the codes of Maryland, Washington, D.C., Virginia, and local ordinances. It has a complete collection of judicial opinions and a variety of subject treatises and reference materials. The Law Library also offers free access to the major on-line legal databases. Library staff are available to answer questions regarding the library and its collection but cannot give legal opinions or advice. The staff will provide limited assistance over the telephone and by e-mail.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	404,448	3.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	22,673	0.00
FY14 CE Recommended	427,121	3.00

Trust and Guardianships

The Trust Office administers the case files for fiduciary entities (primarily guardianships) required to comply with the reporting requirements set forth in the Maryland Court Rules, Title 10, Guardians and Other Fiduciaries. The reports required to be filed include the Inventory and Information Report and Annual Fiduciary Report for guardianships of the property of a minor or disabled person and the Annual Report for guardianships of the person of a disabled person. The Trust Clerk examines the Annual Fiduciary Reports filed and prepares the Report of Trust Clerk for the Court.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	168,258	2.50
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	10,524	0.00
FY14 CE Recommended	178,782	2.50

Grants

The Family Law Grant is funded by the State and provides services to families to reduce conflict and introduce the parties involved in litigation to problem-solving techniques to help reduce future litigation. See the Family Division Services Program for a description of the services supported by this grant.

The Trial Court Research Partnership Grant supports two Trial Court Researchers assigned to the Administration Program. These individuals provide research, analysis, statistical support, and related reports on County and judiciary-wide research projects.

The Montgomery County Juvenile and Adult Office of Problem Solving grants are funded by the State. The mission of the Juvenile Drug Court is to reduce substance abuse and delinquent conduct among youthful offenders by providing them and their families with intensive, comprehensive, individualized services. The mission of the Adult Drug Court is to eliminate drug abuse, crime, and their consequences by forging continuing partnerships with the Court, health treatment providers, concerned community organizations, and law enforcement. By leveraging its partnerships and its authority, the Court directs substance-abusing offenders into evaluation and treatment to achieve personal responsibility and productive citizenship.

The Rule of Law Grant is designed to improve the capacity of international legal institutions to implement reform. This initiative has been instrumental in the development of educational programs for bar associations, judges, lawyers, administrators, and - more recently - the executive and legislative branches of government. It has promoted the adoption of alternative dispute resolution methods, provided instruction in the use of technology, and trained legal professionals to effectively implement reforms to bring justice to citizens and help ensure a more democratic society.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	2,381,478	26.40
Reduce: Adjust Family Grant Budget	-239,101	0.05
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	5	0.00
FY14 CE Recommended	2,142,382	26.45

BUDGET SUMMARY

	Actual FY12	Budget FY13	Estimated FY13	Recommended FY14	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	5,497,787	5,882,668	6,031,340	6,085,155	3.4%
Employee Benefits	1,952,187	2,251,532	2,102,860	2,269,261	0.8%
County General Fund Personnel Costs	7,449,974	8,134,200	8,134,200	8,354,416	2.7%
Operating Expenses	2,305,506	2,196,253	2,196,253	2,317,079	5.5%
Capital Outlay	0	0	0	0	---
County General Fund Expenditures	9,755,480	10,330,453	10,330,453	10,671,495	3.3%
PERSONNEL					
Full-Time	89	89	89	89	---
Part-Time	5	5	5	5	---
FTEs	79.80	90.10	90.10	90.05	-0.1%
REVENUES					
Master's Salary Reimbursement	288,848	299,436	299,436	306,658	2.4%
Miscellaneous Revenues	-14,926	0	0	0	---
State Interpreter Fee Reimbursement	310,589	314,709	314,709	314,709	---
State Jury Fee Reimbursement	432,165	404,245	404,245	404,245	---
County General Fund Revenues	1,016,676	1,018,390	1,018,390	1,025,612	0.7%
GRANT FUND MCG					
EXPENDITURES					
Salaries and Wages	1,692,958	1,607,742	1,607,742	1,343,354	-16.4%
Employee Benefits	459,619	590,799	590,799	621,974	5.3%
Grant Fund MCG Personnel Costs	2,152,577	2,198,541	2,198,541	1,965,328	-10.6%
Operating Expenses	180,679	182,941	182,941	177,053	-3.2%
Capital Outlay	0	0	0	0	---
Grant Fund MCG Expenditures	2,333,256	2,381,482	2,381,482	2,142,381	-10.0%
PERSONNEL					
Full-Time	23	22	22	22	---
Part-Time	4	4	4	4	---
FTEs	26.60	26.40	26.40	26.45	0.2%
REVENUES					
State Grants	2,333,256	2,381,482	2,381,482	2,142,381	-10.0%
Grant Fund MCG Revenues	2,333,256	2,381,482	2,381,482	2,142,381	-10.0%
DEPARTMENT TOTALS					
Total Expenditures	12,088,736	12,711,935	12,711,935	12,813,876	0.8%
Total Full-Time Positions	112	111	111	111	---
Total Part-Time Positions	9	9	9	9	---
Total FTEs	106.40	116.50	116.50	116.50	---
Total Revenues	3,349,932	3,399,872	3,399,872	3,167,993	-6.8%

FY14 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY13 ORIGINAL APPROPRIATION	10,330,453	90.10
Changes (with service impacts)		
Add: Contract to staff Child Waiting Area at the new Judicial Center Annex [Administration]	112,500	0.00
Other Adjustments (with no service impacts)		
Increase Cost: FY14 Compensation Adjustment [Administration]	280,723	0.00
Increase Cost: Group Insurance Adjustment [Administration]	91,594	0.00
Increase Cost: Retirement Adjustment [Administration]	23,532	0.00
Increase Cost: Other Labor Contract Costs [Administration]	8,922	0.00
Increase Cost: Motor Pool Adjustment [Administration]	4,961	0.00
Increase Cost: Printing and Mail Adjustment [Administration]	3,365	0.00
Technical Adj: Adjust FTEs due to rounding	0	-0.05
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum [Administration]	-184,555	0.00
FY14 RECOMMENDED:	10,671,495	90.05



	Expenditures	FTEs
GRANT FUND MCG		
FY13 ORIGINAL APPROPRIATION	2,381,482	26.40
Changes (with service impacts)		
Reduce: Adjust Family Grant Budget [Grants]	-239,101	0.05
FY14 RECOMMENDED:	2,142,381	26.45

PROGRAM SUMMARY

Program Name	FY13 Approved		FY14 Recommended	
	Expenditures	FTEs	Expenditures	FTEs
Administration	2,681,441	9.60	2,782,099	9.55
Adjudication	2,932,955	31.00	3,048,959	31.00
Family Division Masters	826,249	8.00	842,960	8.00
Case Assignment	1,153,758	14.00	1,222,904	14.00
Jury	693,277	4.00	726,964	4.00
Family Division Services	646,327	8.00	591,918	8.00
Technical Services	823,744	10.00	849,787	10.00
Law Library	404,448	3.00	427,121	3.00
Trust and Guardianships	168,258	2.50	178,782	2.50
Grants	2,381,478	26.40	2,142,382	26.45
Total	12,711,935	116.50	12,813,876	116.50

FUTURE FISCAL IMPACTS

Title	CE REC.			(S000's)		
	FY14	FY15	FY16	FY17	FY18	FY19
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY14 Recommended	10,671	10,671	10,671	10,671	10,671	10,671
No inflation or compensation change is included in outyear projections.						
Elimination of One-Time Items Recommended in FY14	0	-25	-25	-25	-25	-25
Items recommended for one-time funding in FY14, including start-up costs at the Child Waiting Area in the Judicial Center Annex, will be eliminated from the base in the outyears.						
Labor Contracts	0	402	523	523	523	523
These figures represent the estimated cost of general wage adjustments, new service increments, and associated benefits.						
Labor Contracts - Other	0	0	-9	-9	-9	-9
These figures represent other negotiated items included in the labor agreements.						
Additional Maintenance and Support Services in the New Annex	0	51	2	2	2	2
These costs are to cover additional expenditures related to CourtSmart maintenance and support services.						
Administrative Support Duties in the New Annex - Receptionist for Family Division Master's Office, Grade 9	0	66	66	66	66	66
Judicial Center Annex - Operating Costs for Child Waiting Area in the Annex	0	87	87	87	87	87
These costs are for annualization of operating expenses for Child Waiting Area.						
Subtotal Expenditures	10,671	11,252	11,315	11,315	11,315	11,315



Circuit Court Operating Budget Questions – FY14

Administration

1. Please describe the new contractual staff for Child Waiting Area in the Judicial Center Annex (number of people, hours, start date, etc.).

While planning the annex, the County Executive and County Council supported the concept that the annex include a center where children would not be exposed to the harsher attributes of court operations. For instance, court users such as victims of domestic violence do not have a place to leave their children while seeking information, legal advice or a resolution by court order. Citizens visiting the court on a daily basis are sometimes subjected to candid questioning by staff, attorneys and/or judges. In FY12, we had approximately 670 Domestic Violence cases filed of which many children were present at various hearings with their care giving parent as many lack sufficient resources to hire a sitter. Currently, the children present in court are subjected to additional trauma as they are hear the violent details as they are conveyed during the intake process, or to the attorneys assisting them and to the court. Additionally, in FY12 we had 8,700 self-represented divorcing litigants, many who brought their children with them to seek legal advice from our Self-Help Center.

Since parents will physically be in the building, this center will be a "Drop-In Center" similar to that of a play area in a mall setting. COMAR regulations provide a supervision ratio of: 1) three children, ages two and under per adult; 2) ten children ages two to five per adult; and 3) fifteen children, ages five to thirteen per adult. A number of meetings have taken place with various employees at HHS since the planning stages of the annex. Considering the facility and various operational requirements, HHS provided the original estimate of \$175,000 per year for contractual services. We also contacted Mr. Carl Eggleston, Regional Manager, Office of Child Care to discuss the facility and any licensing that may be required under COMAR regulations. Mr. Eggleston has assured us that since the parents will physically be in the building, it was not necessary to have a fully licensed day care facility. HHS is assisting us in securing a contract for this service and indicated that they currently



have a contract with Family Services, Inc. who could provide sufficient staff at the annual cost of \$175,000. The hours of operation will be from 8:00 a.m. to 5:00 p.m. beginning January 1, 2014.

Family Division Services

2. How many domestic relations masters do you have now? Based on caseload, what is the ideal number to have?

The Circuit Court currently has four full time domestic relations masters and one part time master who hear child support, domestic cases scheduled for one day or less, and uncontested domestic issues. When we received the additional judgeship position (#22), we devoted an additional judge to the family case docket thus reducing the workload on the family division Masters. The current masters' workload at present is adequate.

3. Evaluator positions have been cut or lapsed for several years now, although one full-time and two part-time evaluator positions were added in FY13. How many filled evaluator positions do you have now? What is the current caseload for each filled position? What is an ideal number of evaluators based on overall caseload?

One full-time and two part-time evaluator positions were restored in FY13. Excluding vacancies, there currently are eight court evaluators on staff. One Senior Court Evaluator carries a 50% caseload in addition to her supervisory responsibilities, six full-time and one part time (50%). With the eight court evaluators, the current staff hours available are 14,560.

In FY12 the evaluators generated 14,920 hours of assessments, evaluations, adoption reviews and investigations. That number exceeds current available work hours by 360 hours for those items alone. Adding in daily intake (10 hours per week = 520 hours) and co-parenting classes (70 sessions per year x six hours per session = 420 hours), these items total 1,300 hours above what is currently available.

The total number of Track 3 family cases with a custody charge in FY12 was 596. If an evaluation order was rendered in every track three case with contested custody issue and recognizing that evaluator staff can perform three evaluations per month considering their current duties, ideally we would require 16.5 evaluators to handle that caseload (596 cases/36 evaluations =16.5).

Grants

4. Please describe grant funding changes over the past year, and what impact changes will have, if any, moving forward into FY14.

In FY13 funding for the Family Law Grant was reduced by \$245,766.46. The Circuit Court did not receive sufficient funding to provide all the services that have been provided by the grant in the past. For instance, the in-house mediation program staff was eliminated, however, \$58,500 was retained to attempt to fill the void by creating a mediation program using outside resources. Currently, mediations are scheduled two to four weeks from the initial scheduling hearing. Resolution of custody and access issues at such an early juncture in the life of a case saves litigants the emotional strain and cost of litigation, while conserving judicial resources for more complicated matters that must proceed to trial. Litigants are required to go before the Family Division Master in open court and report the results of the mediation, which provides the Court and ultimately the Administrative Office of the Courts with verifiable statistical information.

We are not sure at this time if this program will be as successful as our in-house program was in the past. The new mediation program started at the end of January, 2013 and is severely fund limited. While we plan to seek additional grant funding for the continuation of this program, it is unknown whether the court will have sufficient funding to continue this program into FY14. Mediators are paid \$200.00 per case for the one time mediation service, which is a tremendous cost benefit to all stakeholders in the litigation process. Without sufficient funding, this

program will not be offered and a significant benefit to the litigants who utilize this service will be lost.

In FY13 funding was reduced by 8.6 % for the Trial Court Partnership and Rule of Law Grants. The Trial Court Partnership Grant is used to fund personnel costs and its insufficient funding was absorbed by the General Fund. The operational impact for the decrease in funding for The Rule of Law Grant will minimize the activities for Rule of Law initiatives.

In FY13 the Circuit Court requested grant funding for the Adult and Juvenile Drug Courts in the amount of \$322,474.00, however, the actual grant award from The Office of Problem Solving Courts was considerably less. Funding received for FY13 was \$145,000.00. Limitations on available funds together with the level of funding requests made it impossible to fund the grant at its requested level. Therefore, the Circuit Court eliminated two full-time Oxford House Outreach Worker positions, funding for an Assistant State's Attorney position was reduced and training and travel funds were eliminated.

Judicial Center Annex

5. What is the estimated date of completion and start of operation for the Judicial Center Annex? Please describe plans to occupy and use the building and the impact that will have on operations, staffing, etc., if any.

The estimated completion time for the Annex is fall of 2013. The existing building renovation should be complete by winter of 2015.

6. **CIP Question:** Please describe \$4,457,000 of General Obligation Bond funding that was replaced with Land Sale proceeds in FY14. Are the land sale proceeds from the sales of specific properties? If so, which ones?

OMB indicated that the the Land Sale proceeds are not from the sale of specific projects. They are a result of proceeds from several properties over several years.

FY13-18
RECOMMENDED

Judicial Center Annex (P100300)

Category Public Safety
 Sub Category Other Public Safety
 Administering Agency General Services (AAGE29)
 Planning Area Rockville

Date Last Modified 1/9/13
 Required Adequate Public Facility No
 Relocation Impact None
 Status Under Construction

Total	Thru FY12	Rem FY12	Total 6 Years	FY 13	FY 14	FY 15	FY 16	FY 17	FY 18	Beyond 6 Yrs
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EXPENDITURE SCHEDULE (\$000s)

Planning, Design and Supervision	25,338	19,810	0	5,528	3,148	1,311	844	225	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	5,636	0	3,498	2,138	1,625	36	477	0	0	0	0
Construction	106,193	17,625	12,426	76,142	44,793	15,046	16,303	0	0	0	0
Other	3,491	38	436	3,017	1,509	1,508	0	0	0	0	0
Total	140,658	37,473	16,360	86,825	51,075	17,901	17,624	225	0	0	0

FUNDING SCHEDULE (\$000s)

Current Revenue: General	330	330	0	0	0	0	0	0	0	0	0
G.O. Bonds	130,691	37,143	16,360	77,188	51,075	13,444	12,444	225	0	0	0
Land Sale	4,457	0	0	4,457	0	4,457	0	0	0	0	0
Recordation Tax Premium	5,180	0	0	5,180	0	0	5,180	0	0	0	0
Total	140,658	37,473	16,360	86,825	51,075	17,901	17,624	225	0	0	0

OPERATING BUDGET IMPACT (\$000s)

Energy				4,280	0	856	856	856	856	856
Maintenance				4,405	0	881	881	881	881	881
Program-Staff				1,180	0	236	236	236	236	236
Program-Other				900	0	200	175	175	175	175
Net Impact				10,765	0	2,173	2,148	2,148	2,148	2,148

APPROPRIATION AND EXPENDITURE DATA (000s)

Appropriation Request	FY 14	1,147
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		139,511
Expenditure / Encumbrances		109,369
Unencumbered Balance		30,142

Date First Appropriation	FY 03
First Cost Estimate	
Current Scope	FY 12 140,658
Last FY's Cost Estimate	140,658

Description

This project provides for the planning, design, and construction of a Montgomery County Judicial Center Annex, the Montgomery County Judicial Center HVAC renovation, and other needed renovations to Montgomery County Judicial Center at 50 Monroe Street, Rockville, Maryland. Associated requirements for items such as phasing, parking, and security will also be funded through this project. The Judicial Center will be renamed The Montgomery County Circuit Court.

Estimated Schedule

Construction for the HVAC upgrades was completed in April 2011. The Judicial Center Annex construction will be complete late summer 2013 and the Judicial Center renovation will be complete fall 2014.

Justification

There are currently 21 Circuit Court Judges. The Judicial Center's 17 courtrooms are all assigned. Four Circuit Court Judges are assigned to other courthouses; three Juvenile Division Judges are housed in the Grey Courthouse and one in the historic Red Brick Courthouse. There are no remaining courtroom spaces available in the three courthouses leaving no room for new Circuit Court judicial positions. The October 2003 needs assessment completed by URS Corporation projected that to handle the projected number of court filings, 28 judicial positions would be needed in 2015; 31 in 2020; and 34 in 2025. A projection was also made regarding the staff needed to support these positions in the Circuit Court, Clerk of the Court, Register of Wills, State's Attorney, and Sheriff's offices. The following studies have been completed as a part of this project: Judicial Center Annex Project Report (URS/ Fentress - 2003), Courtroom Utilization Study (URS/Fentress - 2003), Planning Drawings for Phases 1 and 2 of a Judicial Center Annex (URS - 2003). The project has also been included in studies completed for the Rockville Core Plan. Courtrooms are designed to meet National Center for State Court standards.

Other

The Executive Branch provided the Council's Public Safety Committee with a progress briefing on the revised program of requirements validation, design of the HVAC renovations, and design development of the Annex. The Judicial Center Annex will be constructed with 10 new courtrooms, four of which replace the existing courtrooms in the Grey Courthouse and Red Brick Courthouse. This project was first included in the Capital Improvements Program in FY03. It was assumed that the annex could be designed to meet long-term needs and then built in two phases to reduce short-term costs. Later studies by Department of Public Works and Transportation determined that two-phase construction of the annex presents significant issues in terms of construction complexity and total project costs. Planning and design development for other County buildings in the Rockville Core as identified in the Government Core Facilities Optimization Master Plan Study are funded through Project No. 360901, Montgomery County Government Complex. An architect was selected in 2007.

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Judicial Center Annex (P100300)

Fiscal Note

\$4,457,000 of General Obligation Bond funding was replaced with Land Sale proceeds in FY14.

Disclosures

A pedestrian impact analysis has been completed for this project.

Coordination

Circuit Court, Sheriff's Office, State Attorney's Office, Register of Wills, Clerk of the Circuit Court, Department of General Services, Department of Technology Services, County Council, Criminal Justice Coordinating Commission, City of Rockville, , , Special Capital Projects Legislation [Bill No. 23-06] was adopted by Council June 13, 2006.

FY13-18
APPROVED

Judicial Center Annex -- No. 100300

Category
Subcategory
Administering Agency
Planning Area

**Public Safety
Other Public Safety
General Services
Rockville**

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

January 08, 2012
No
None.
Under Construction

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY11	Est. FY12	Total 6 Years	FY13	FY14	FY15	FY16	FY17	FY18	Beyond 6 Years
Planning, Design, and Supervision	23,971	17,943	500	5,528	3,148	1,311	844	225	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	5,636	0	3,498	2,138	1,625	36	477	0	0	0	0
Construction	107,560	86	31,332	76,142	44,793	15,046	16,303	0	0	0	0
Other	3,491	11	463	3,017	1,509	1,508	0	0	0	0	0
Total	140,658	18,040	35,793	86,825	51,075	17,901	17,624	225	0	0	0

FUNDING SCHEDULE (\$000)

Current Revenue: General	330	330	0	0	0	0	0	0	0	0	0
G.O. Bonds	135,148	17,710	35,793	81,645	51,075	17,901	12,444	225	0	0	0
Recordation Tax Premium	5,180	0	0	5,180	0	0	5,180	0	0	0	0
Total	140,658	18,040	35,793	86,825	51,075	17,901	17,624	225	0	0	0

OPERATING BUDGET IMPACT (\$000)

Maintenance				4,405	0	881	881	881	881	881	
Energy				4,280	0	856	856	856	856	856	
Program-Staff				1,180	0	236	236	236	236	236	
Program-Other				900	0	200	175	175	175	175	
Net Impact				10,765	0	2,173	2,148	2,148	2,148	2,148	

DESCRIPTION

This project provides for the planning, design, and construction of a Montgomery County Judicial Center Annex, the Montgomery County Judicial Center HVAC renovation, and other needed renovations to Montgomery County Judicial Center at 50 Monroe Street, Rockville, Maryland. Associated requirements for items such as phasing, parking, and security will also be funded through this project. The Judicial Center will be renamed The Montgomery County Circuit Court.

ESTIMATED SCHEDULE

Construction for the HVAC upgrades was completed in April 2011. The Judicial Center Annex construction will be complete late summer 2013 and the Judicial Center renovation will be complete fall 2014.

JUSTIFICATION

There are currently 21 Circuit Court Judges. The Judicial Center's 17 courtrooms are all assigned. Four Circuit Court Judges are assigned to other courthouses; three Juvenile Division Judges are housed in the Grey Courthouse and one in the historic Red Brick Courthouse. There are no remaining courtroom spaces available in any of the three courthouses leaving no room for new Circuit Court judicial positions. The October 2003 needs assessment completed by URS projected that to handle the projected number of court filings, 28 judicial positions would be needed in 2015; 31 in 2020; and 34 in 2025. A projection was also made regarding the staff needed to support these positions in the Circuit Court administrative, Clerk of the Court, Register of Wills, State's Attorney, and Sheriff's offices.

The following studies have been completed as a part of this project: Judicial Center Annex Project Report (URS/ Fentress - 2003), Courtroom Utilization Study (URS/Fentress - 2003), Planning Drawings for Phases 1 and 2 of a Judicial Center Annex (URS - 2003). The project has also been included in studies completed for the Rockville Core Plan. Courtrooms are designed to meet National Center for State Court standards.

OTHER

The Executive Branch provided the Council's Public Safety Committee with a progress briefing on the revised program of requirements validation, design of the HVAC renovations, and design development of the Annex. The Judicial Center Annex will be constructed with 10 new courtrooms, four of which replace the existing courtrooms in the Grey Courthouse and Red Brick Courthouse.

This project was first included in the Capital Improvements Program in FY03. It was assumed that the annex could be designed to meet long-term needs and then built in two phases to reduce short-term costs. Later studies by Department of Public Works and Transportation determined that two-phase construction of the annex presents significant issues in terms of construction complexity and total project costs.

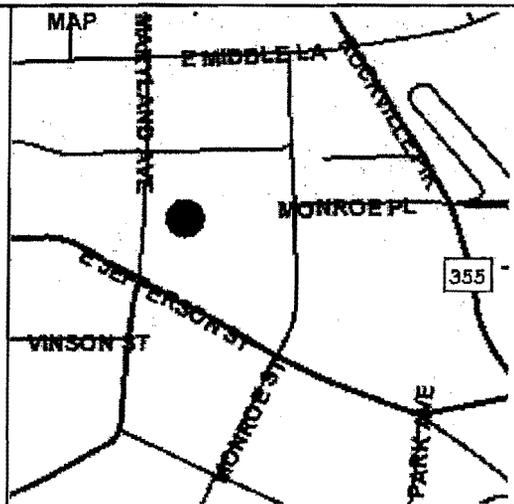
Planning and design development for other County buildings in the Rockville Core as identified in the Government Core Facilities Optimization Master Plan Study are funded through Project No. 360901, Montgomery County Government Complex.

APPROPRIATION AND EXPENDITURE DATA		
Date First Appropriation	FY03	(\$000)
First Cost Estimate	FY12	140,658
Current Scope		
Last FY's Cost Estimate		139,833
Appropriation Request	FY13	4,598
Appropriation Request Est.	FY14	1,030
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		134,913
Expenditures / Encumbrances		114,837
Unencumbered Balance		20,076
Partial Closeout Thru	FY10	0
New Partial Closeout	FY11	0
Total Partial Closeout		0

COORDINATION

- Circuit Court
- Sheriff's Office
- State Attorney's Office
- Register of Wills
- Clerk of the Circuit Court
- Department of General Services
- Department of Technology Services
- County Council
- Criminal Justice Coordinating Commission
- City of Rockville

Special Capital Projects Legislation [Bill No. 23-06] was adopted by Council June 13, 2006.



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Judicial Center Annex -- No. 100300 (continued)

An architect was selected in 2007.

OTHER DISCLOSURES

- A pedestrian impact analysis has been completed for this project.