

AGENDA ITEM #48
May 10, 2010

Worksession

MEMORANDUM

May 5, 2010

TO: County Council
FROM: Susan J. Farag, Legislative Analyst
SUBJECT: **Worksession:** FY11 Operating Budget 
Circuit Court

Summary of Public Safety Committee Recommendations

The Public Safety Committee met on April 15 and May 3 to discuss the Court's FY11 Operating Budget. The Committee voted 3-0 to recommend approval of the budget as submitted by the Executive, but expressed concern over the recent notification that the Court will lose \$225,000 under a State Family Law grant. The Committee asked that Court staff forward detailed information on what services this grant currently funds. The items are detailed on © 16-18.

This packet contains

May 3, 2010 Memo on the Circuit Court Operating Budget	© 1-2
April 13, 2010 Memo on the Circuit Court Operating Budget	3-7
Recommended FY11 Operating Budget	8-15
Detailed Information on Court Programs Funded by the State Family Law Grant	16-18

PS COMMITTEE #4
May 3, 2010

Worksession

MEMORANDUM

April 29, 2010

TO: Public Safety Committee

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

SUBJECT: **Worksession: FY11 Operating Budget *continued***
Circuit Court

Those expected for this worksession:

Pam Harris, Circuit Court Administrator
John Greiner, Office of Management and Budget

Summary of April 15, 2010 Worksession

Judge Debelius and Court staff briefed the Committee on various issues facing the Court, including the fact that the General Assembly did not approve an additional judgeship. Discussion also covered updates on various grants, including the juvenile and adult drug court grants, and the family law grant. The Committee asked whether any of these items concerned the Court. Ms. Harris indicated she was concerned that the family law grant will be reduced by approximately 15% (\$300,000) in FY11. They should know its status in about two weeks. **According to the Court, the State has not made a final determination on grant amount or award as of April 29. Court staff expect the cut to be less than the previously mentioned \$300,000, but even an estimate is not known at this time.**

Judge Debelius commented that right now, approximately 5% of cases actually result in trials. Depending on what cuts are taken by the Court, service reduction could lead to an increased number of cases going to court. If that number inches up to 7 or 8%, the Court will face serious cost concerns. Mr. Berliner asked what percentage of the budget actually pays for the cases that go to trial? Jude Debelius advised that they don't have that number off hand, but that the highly complex cases result in fewer trials, and very simple cases result in more trials. Mr. Berliner also asked about mandatory mediation. Judge Debelius indicated that while the Court strongly encourages it, the Court cannot require it, and cannot require parties to pay for it. Ms. Harris indicated that family cases are about 60% of the workload. If the Court takes a cut from the State, mediation may go by the wayside, inevitably increasing trials.

The County Executive's FY10 and FY11 Budget Adjustments

The CE's recommended budget adjustments (April 22, 2010) contains one specific change to the Court's FY11 Operating Budget, reducing expenditures by \$75,000. The Executive's Memo indicates that this reduction is to be taken as "increased lapse or another reduction to be determined by the Circuit Court." **The Committee should understand how the Executive made the decision to reduce Court expenditures by \$75,000 and where the savings will actually be achieved. Since the Court was already facing serious concerns with a potential reduction of up to \$300,000 in the Family Law grant, what type of operational impact will this additional reduction have on the Court?**

The CE has instructed all departments to aggressively liquidate prior year and current year contract encumbrances to reach a goal of \$35 million in liquidations. According to the CE's memo, they have achieved about half of this goal and continue to find cuts. The Executive branch advises it will provide the Council with additional information including the affected contracts within the next two weeks. **Council staff advises that is unknown at this time whether any contract liquidations may impact the Court. The Committee may wish to ask the Court which contracts, if any, will be liquidated and what type of impact that will have on operations.**

This packet contains

April 13, 2010 Memo on the Circuit Court Operating Budget	© 1-5
Recommended FY11 Operating Budget	6-13

F:\John_FY11 Budget - Operating and CIP\Committee Packets\Circuit Court.doc

PS COMMITTEE #1
April 15, 2010

Worksession

MEMORANDUM

April 13, 2010

TO: Public Safety Committee
FROM: Susan J. Farag, Legislative Analyst
SUBJECT: **Worksession: FY11 Operating Budget
Circuit Court**

Those expected for this worksession:

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

The Executive's recommendation for the Circuit Court is attached at ©1-8.

Overview

For FY11, the Executive recommends total expenditures of \$12,285,690 for the Circuit Court, a 5.7% reduction from the FY10 approved budget.

	FY09 Actual	FY10 Approved	FY11 CE Recommended	% Change FY10-FY11
Expenditures				
General Fund	\$10,128,772	\$10,410,980	\$9,744,330	-6.4%
Grant Fund	\$2,675,884	\$2,621,970	\$2,541,360	-3.1%
TOTAL Expenditures	\$12,804,656	\$13,032,950	\$12,285,690	-5.7%
Positions:				
Full-time	109	110	111	0.9%
Part-time	10	10	10	0.0%
TOTAL Positions	119	120	121	0.8%
WORKYEARS	108.9	109.9	106.7	-2.9%

The FY11 CE recommendation is a net decrease of \$747,260. This includes additional personnel and operating expenses totaling \$156,840, offset by the following identified same services adjustments.

Identified Same Service Adjustments	
Increase Cost: Retirement Adjustment	\$77,690
Increase Cost: Group Insurance Adjustment	\$51,930
Total Increases:	\$129,620
Decrease Cost: Motor Pool Rate Adjustment	(\$30)
Decrease Cost: Printing and Mail Adjustment	(\$16,230)
Decrease Cost: Annualization of FY10 Personnel Costs	(\$17,070)
Decrease Cost: Reduction in Paper, Printing, Mail Expenses	(\$30,920)
Decrease Cost: Consultant Services	(\$61,700)
Decrease Cost: Reclassify Vacant Court Evaluator Position	(\$69,000)
Decrease Cost: Professional & Technical Services	(\$150,000)
Decrease Cost: Lapse Family Division Master Position	(\$165,720)
Decrease Cost: Turnover Savings	(\$177,300)
Decrease Cost: Furlough Days	(\$265,140)
Decrease Cost: Adult Office of Problem Solving (Grants)	(\$6,800)
Decrease Cost: Juvenile Office of Problem Solving (Grants)	(\$24,560)
Decrease Cost: Family Law Grant (Grants)	(\$49,250)
Total Decreases:	(\$1,033,720)
NET SAME SERVICES ADJUSTMENT TOTAL:	(\$904,100)

Changes with service impacts and other issues are discussed below.

FY11 Expenditure Issues

General Fund Appropriation

Court Evaluator Positions

During Round II of the FY10 Savings Plan, the Court froze two vacant part-time Court Evaluator positions. These positions had been intentionally left vacant at the end of FY09 in anticipation of additional cuts. However, the average caseload has increased from 11 to 15 since the two positions have been vacant. These positions conduct independent evaluations for child custody/visitation and adoption investigations and staff much have substantial experience in social science or social work. The Court advises that if this function is not appropriately staffed, there could be significant delays in processing family cases. **The Committee may wish to ask the Court for more detail on this function and how the FY10 Savings Plan reductions have impacted outcomes.**

Lapse Family Master Position in FY11 (-165,720)

This position is currently filled but is expected to become vacant at the end of the fiscal year. The Court indicates it is hopeful the State will fill the vacancy using State funds, which would avoid any negative impacts from this reduction. **The Court can provide an update on the status of this position, whether the State intends to fill it using State funding, and if not, what type of impact its vacancy will have on caseload, etc. in FY11.**

New Administrative Assistant Position for New Judge (\$87,360)

In 2009, the General Assembly approved one new judgeship for the County. This new judge was sworn in on Friday, March 19, 2010 and stated with the Circuit Court on Monday, March 22, 2010. The Court advises that it generally requires two support staff positions to provide assistance to a judge and handle additional – one Administrative Assistant (grade 18) and one Administrative Assistant (grade 14) in the Assignment Office.

Since the judge was sworn in during the latter part of FY10, the Court has absorbed most of the associated one-time operating expenses within its budget. The recommended FY11 budget does however contain \$87,360 for one new administrative assistant position.

Operating Expenses for New Judge (\$13,480)

While most of the operating expenses associated with a new judgeship were absorbed within the FY10 budget, several items are reflected in the FY11 budget, including: judicial robe, copy machine rental, office supplies, postage, printing, telephone charges, stationary, etc. and updates for library books.

Hot Backup Site for HP3000 Case Management System (\$50,000)

The Circuit court uses the HP3000 case management system for the storage of its docket entries for civil, criminal, family, and juvenile cases. It is also used for scheduling day-to-day court cases, jury management, report generation, and processing almost 30 different incoming/outgoing interfaces to local and state agencies. The FY11 recommended budget contains \$50,000 to provide an off-site hot system replica of the HP3000 case management system.

The Court is working with the Department of Technology Services (DTS) to implement the backup system, using RPS, a vendor currently under County contract to provide off-site storage of mission critical systems, servers, and storage of backup media as well as disaster recovery and COOP initiatives. RPS submitted a quote based on the requirements within the County contract. The \$50,000 will be an ongoing annual charge. The State's Judicial Information Systems as well as the County's DTS personnel have been contacted and are aware of the initiative and support the off-site backup of HP3000. The installation and configuration of the backup will be done by internal staff.

Grants

The FY11 budget contains various reductions in grant funding, specifically for adult and juvenile drug courts, as well as the Family Law Grant.

Juvenile and Adult Drug Courts: For FY11, the Adult Office of Problem Solving grant has been reduced by \$6,800, and the Juvenile Office of Problem Solving grant has been reduced by \$24,560. These reductions have resulted in the reduction of funding of the Secure Continuous Remote Alcohol Monitor (SCRAM) bracelets. Consequently, fewer participants will be able to use this service. The SCRAM bracelets are an essential component to monitor a participant's sobriety. The reward process for the Drug Court Programs have also been impacted by the reduced grant funds, and fewer incentives will be offered. This may have an impact on the participants' behavior and objectives of the enrollee's treatment plans. Reduction in funding may result in more offenders being incarcerated, although that cannot be quantified at this time.

Family Law Grant:

The Family Law Grant has been reduced by \$49,250 for FY11. The Court advises that the reductions have decreased support services provided to families involved in custody, visitation, and domestic disputes. The reductions limit the number of families who can benefit from Court-sponsored supervised visitation programs. Reduced funding also limits the compensation paid to attorneys appointed as Best Interest Attorneys to represent children. The Court advises that further reductions may also impact the legal representation received by children in these cases. Additionally, the grant reductions limit the amount of compensation being paid to psychologists who perform psychological evaluations.

Other Issues

Bill 874 Introduced in Maryland General Assembly for Another Judgeship

Senate Bill 874 was introduced in the General Assembly this session, which would add an additional judgeship to Montgomery County and increase the complement from 22 to 23. At the time this packet was written, no action had been taken on the bill. **The Court can provide an update of the status of this bill and the implications that either its passage or failure may have on Court administration over the next year.**

Council Staff Recommendation

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

6

This packet contains

Recommended FY11 Operating Budget
State Senate Bill 874, Additional Judgeship

©

1-8

9-12

F:\John_FY11 Budget - Operating and CIP\Committee Packets\Circuit Court.doc

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 and more substantive civil cases in accordance with the Constitution; to administer justice in a fair, timely, and efficient manner; and to adjudicate domestic and child support cases.

BUDGET OVERVIEW

The total recommended FY11 Operating Budget for the Circuit Court is \$12,285,690, a decrease of \$747,260 or 5.7 percent from the FY10 Approved Budget of \$13,032,950. Personnel Costs comprise 80.6 percent of the budget for 111 full-time positions and ten part-time positions for 106.7 workyears. Operating Expenses account for the remaining 19.4 percent of the FY11 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 FY10 estimates incorporate the effect of the FY10 savings plan. The FY11 and FY12 targets assume the recommended FY11 budget and FY12 funding for comparable service levels.

Measure	Actual FY08	Actual FY09	Estimated FY10	Target FY11	Target FY12
Multi-Program Measures					
Percentage of Cases Closed within State Time Standard¹					
Civil (standard = 98% within 548 days)	95	96	NA	NA	NA
Criminal (standard = 98% within 180 days)	86	96	NA	NA	NA
Domestic Relations I (standard = 90% within 365 days)	90	92	NA	NA	NA
Domestic Relations II (standard = 98% within 730 days)	99.6	99.4	NA	NA	NA
Juvenile (standard = 98% within 90 days)	95	96	NA	NA	NA
Child in Need of Assistance (CINA) - Shelter (standard = 100% within 30 days)	80	69	NA	NA	NA
CINA - Non-Shelter (standard = 100% within 60 days)	90	81	NA	NA	NA
Termination of Parental Rights (TPR) (standard = 100% within 180 days)	61	95	NA	NA	NA
Actual Pending Caseload / Pending Caseload Goal²					
Civil	0.68	0.86	NA	NA	NA
Criminal	0.98	1.09	NA	NA	NA
Domestic Relations	0.77	0.79	NA	NA	NA
Juvenile Delinquency	1.88	NA	NA	NA	NA
CINA - Shelter	3.00	NA	NA	NA	NA
CINA - Non-Shelter	1.67	NA	NA	NA	NA
Termination of Parental Rights	1.80	NA	NA	NA	NA
Case Filings (includes re-opened cases)					
Criminal (including District Court appeals)	6,832	6,953	6,277	6,324	6,372
Civil (including Registrar of Wills, District Court appeals)	14,908	16,790	14,274	14,595	14,918
Domestic Relations	14,741	14,900	14,784	15,023	15,262
Juvenile (including Delinquency, CINA, and TPR)	4,153	4,495	3,290	2,981	2,674
TOTAL Case Filings	40,634	43,138	38,625	38,923	39,226
Case Terminations (includes re-opened cases)					
Criminal	6,755	6,870	6,282	6,326	6,372
Civil	13,307	14,060	12,522	12,593	12,665
Domestic Relations	14,715	14,582	14,679	14,926	15,173
Juvenile	4,289	4,482	3,205	2,909	2,613
TOTAL Case Terminations	39,066	39,994	36,688	36,754	36,823
Case Clearance Rate (includes re-opened cases)					

	Actual FY08	Actual FY09	Estimated FY10	Target FY11	Target FY12
Criminal	99%	99%	100%	100%	100%
Civil	89%	84%	88%	86%	85%
Domestic Relations	100%	98%	99%	99%	99%
Juvenile	103%	100%	97%	98%	98%
OVERALL Case Clearance Rate	96%	93%	95%	94%	94%
Total Trials	1,477	1,499	1,403	1,455	1,505

¹ Due to the nature of this performance measure, results for FY10-FY12 have not been projected.

² Based on actual case filings. Values less than 1.0 reflect processing efficiency. Due to the nature of this performance measure, results for FY10 - FY12 have not been projected.

ACCOMPLISHMENTS AND INITIATIVES

- ❖ *Improved or maintained performance regarding the timely processing of cases in FY09 for civil, criminal, domestic relations, juvenile delinquency, and termination of parental rights (TPR) cases, despite a 6% increase in the number of case filings and one vacant judgeship.*
- ❖ *Closed 92% of family cases within the State's time standard of 365 days, which is 2 percentage points above the State's goal of closing 90% of such cases within 365 days. The Court closed 96% of civil cases within the State time standard of 548 days, a 1% improvement over FY08 despite large increases in foreclosure case filings. This is the Court's best performance for civil cases since these statistics were first compiled in 2001.*
- ❖ *Improved markedly in the handling of TPR cases in FY09: 95% of these cases were processed within the State time standard of 180 days, vs. 61% in FY08. This improvement reflects the success of several initiatives that the Court implemented specifically to improve the processing of child welfare cases, as well as efforts by the Department of Health and Human Services to streamline the tracking of such cases.*
- ❖ *The processing of juvenile delinquency cases also improved in FY09 (96% of such cases were terminated within the State's 90 day time standard, up 1% from FY08), reflecting new procedures to more accurately track certain events related to juvenile delinquency cases.*
- ❖ *The Circuit Court achieved an overall case clearance rate (the number of case terminations divided by the number of original and re-opened case filings) of 93% in FY09. The Court has maintained closure rates at or near 100% for criminal, domestic relations, and juvenile cases for the last eight fiscal years.*
- ❖ *The Maryland General Assembly has authorized a twenty-second judge for the Circuit Court. The new judge will start in March 2010.*
- ❖ *Productivity Improvements*
 - *The Court implemented a number of initiatives in mid-2008 to improve the processing of child welfare cases, including improved service to parties, revised scheduling and postponement practices, and enhanced communications between the Court and various external agencies. As a result, the number of TPR cases closed within the State time standard of 180 days increased from 61% in FY08 to 95% in FY09.*
 - *The Circuit Court is undertaking an analysis of juror utilization to assess the effectiveness of current jury management practices, using a performance measure developed by the National Center for State Courts.*
 - *The Court is conducting an in-depth analysis of case processing performance against its Differentiated Case Management time standards to determine the point at which case processing performance begins to falter. This will provide an early indication of problems and will signal the need to take pre-emptive efforts to prevent declines in performance as measured by the State's time standards.*
 - *The Circuit Court is automating its data collection process for cases placed on the "To Be Assigned" docket to be able to identify the number of these cases and their outcomes in order to better manage the Court's workload.*
 - *Other studies underway to better understand - and improve - the Court's case processing performance include: examining the extent to which cases ultimately make it to trial and the point at which cases begin to drop out (to help improve scheduling and to ensure that judges' time is efficiently utilized); studying the performance of specially assigned cases to see how they affect overall case processing performance; examining postponements to assess their effect on case processing time; and analyzing case processing performance by case sub-type to identify the effect of each sub-type on case processing performance.*

PROGRAM CONTACTS

Contact Pamela Harris of the Circuit Court at 240.777.9100 or John Greiner of the Office of Management and Budget at 240.777.2765 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.

<i>FY11 Recommended Changes</i>	Expenditures	WYs
FY10 Approved	2,503,740	4.3
Add: Hot Backup Site for HP3000 Case Management System	50,000	0.0
Add: Operating Expenses for New Judge	13,480	0.0
Add: Maintenance of Existing Video Conferencing Equipment	6,000	0.0
Decrease Cost: Motor Pool Rate Adjustment	-30	0.0
Decrease Cost: Printing and Mail Adjustment	-16,230	0.0
Decrease Cost: Reduction in Paper, Printing, and Mail Expenses	-30,920	0.0
Decrease Cost: Consultant Services	-61,700	0.0
Decrease Cost: Professional & Technical Services	-150,000	0.0
Miscellaneous adjustments, including furloughs, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-78,290	-0.2
FY11 CE Recommended	2,236,050	4.1

Adjudication

Adjudication encompasses support staff for the judiciary and Differentiated Case Management (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/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.

<i>FY11 Recommended Changes</i>	Expenditures	WYs
FY10 Approved	2,733,820	30.0
Add: Administrative Assistant for New Judge	87,360	1.0
Miscellaneous adjustments, including furloughs, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-98,080	-1.2
FY11 CE Recommended	2,723,100	29.8

Family 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 Masters.

<i>FY11 Recommended Changes</i>	Expenditures	WYs
FY10 Approved	899,240	8.0
Decrease Cost: Lapse Family Division Master Position	-165,720	-1.0
Miscellaneous adjustments, including furloughs, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-22,150	-0.3
FY11 CE Recommended	711,370	6.7

Case Assignment

The Assignment Office schedules and maintains all hearings, trials, and motion dates as well as special docket dates for Judges and Family Masters. The Assignment Office maintains all scheduling information related to criminal indictment and information; 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.

<i>FY11 Recommended Changes</i>	Expenditures	WYs
FY10 Approved	1,177,020	14.0
Miscellaneous adjustments, including furloughs, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-44,300	-0.5
FY11 CE Recommended	1,132,720	13.5

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.

<i>FY11 Recommended Changes</i>	Expenditures	WYs
FY10 Approved	772,110	4.0
Miscellaneous adjustments, including furloughs, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-12,660	-0.1
FY11 CE Recommended	759,450	3.9

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 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; supervised visitation providing a structured setting for visitation between children and their parents; 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/visitation evaluations. After the establishment of a Court Order, independent evaluations for child custody/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, Children in Need of Assistance (CINA) petitions, Termination of Parental Rights (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.

<i>FY11 Recommended Changes</i>	Expenditures	WYs
FY10 Approved	786,470	8.0
Decrease Cost: Reclassify Vacant Court Evaluator Position	-69,000	0.0
Miscellaneous adjustments, including furloughs, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-25,370	-0.3
FY11 CE Recommended	692,100	7.7

Technical Services

Technical Services manages the central recording location that electronically records all courtroom and hearing room proceedings for the Judicial Center and Gray 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.

<i>FY11 Recommended Changes</i>	<i>Expenditures</i>	<i>WYs</i>
FY10 Approved	850,210	10.0
Miscellaneous adjustments, including furloughs, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-31,640	-0.4
FY11 CE Recommended	818,570	9.6

Law Library

The Law Library supports the research activities of the court, the local bar association, and the public. The Law Library's collection of American Law is comprehensive in scope. In addition to Maryland and Federal materials, the collection includes the National Reporter System, as well as a variety of books needed for the practice of law in Maryland. Library staff are available to answer questions regarding the library and its collection. Assistance with research is limited to directing patrons to appropriate sources. Library staff do not perform legal research, render legal opinions, or comment on court procedures.

<i>FY11 Recommended Changes</i>	<i>Expenditures</i>	<i>WYs</i>
FY10 Approved	494,160	3.0
Miscellaneous adjustments, including furloughs, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-9,490	-0.1
FY11 CE Recommended	484,670	2.9

Trust and Guardianships

The Trust Office administers the case files for fiduciary entities, which consist primarily of 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.

<i>FY11 Recommended Changes</i>	<i>Expenditures</i>	<i>WYs</i>
FY10 Approved	194,210	2.5
Miscellaneous adjustments, including furloughs, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-7,910	-0.1
FY11 CE Recommended	186,300	2.4

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.

<i>FY11 Recommended Changes</i>	<i>Expenditures</i>	<i>WYs</i>
FY10 Approved	2,621,970	26.1

	Expenditures	WYS
Decrease Cost: Adult Office of Problem Solving	-6,800	0.0
Decrease Cost: Juvenile Office of Problem Solving	-24,560	0.0
Decrease Cost: Family Law Grant	-49,250	0.0
FY11 CE Recommended	2,541,360	26.1

BUDGET SUMMARY

	Actual FY09	Budget FY10	Estimated FY10	Recommended FY11	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	5,769,374	6,156,250	5,744,950	5,564,900	-9.6%
Employee Benefits	1,884,952	1,993,720	1,888,150	2,107,820	5.7%
County General Fund Personnel Costs	7,654,326	8,149,970	7,633,100	7,672,720	-5.9%
Operating Expenses	2,334,642	2,261,010	2,363,860	2,071,610	-8.4%
Capital Outlay	139,804	0	0	0	—
County General Fund Expenditures	10,128,772	10,410,980	9,996,960	9,744,330	-6.4%
PERSONNEL					
Full-Time	88	87	87	88	1.1%
Part-Time	6	6	6	6	—
Workyears	84.8	83.8	83.8	80.6	-3.8%
REVENUES					
Juror Fees State Reimbursement	413,830	380,000	423,360	423,360	11.4%
Masters Salary Reimbursement	358,191	300,000	228,940	288,930	-3.7%
Interpreter Fees State Reimbursement	265,732	300,000	296,440	296,440	-1.2%
County General Fund Revenues	1,037,753	980,000	948,740	1,008,730	2.9%
GRANT FUND MCG					
EXPENDITURES					
Salaries and Wages	1,677,179	1,711,860	1,744,780	1,669,370	-2.5%
Employee Benefits	509,630	562,340	562,340	555,580	-1.2%
Grant Fund MCG Personnel Costs	2,186,809	2,274,200	2,307,120	2,224,950	-2.2%
Operating Expenses	489,075	347,770	399,160	316,410	-9.0%
Capital Outlay	0	0	0	0	—
Grant Fund MCG Expenditures	2,675,884	2,621,970	2,706,280	2,541,360	-3.1%
PERSONNEL					
Full-Time	21	23	23	23	—
Part-Time	4	4	4	4	—
Workyears	24.1	26.1	26.1	26.1	—
REVENUES					
Adult Office of Problem Solving	0	125,600	118,800	118,800	-5.4%
Family Law Grant	2,183,564	2,274,620	2,390,290	2,225,370	-2.2%
State Grant - Adult Drug Court Program	99,764	0	0	0	—
Trial Court Research Partnership	178,743	178,720	178,720	178,720	—
Rule of Law	15,827	15,830	15,830	15,830	—
Renovations Grant	14,696	0	0	0	—
Electronic Document Imaging Grant	121,208	0	0	0	—
Juvenile Office of Problem Solving	15,382	27,200	2,640	2,640	-90.3%
MACRO Grant	46,700	0	0	0	—
Grant Fund MCG Revenues	2,675,884	2,621,970	2,706,280	2,541,360	-3.1%
DEPARTMENT TOTALS					
Total Expenditures	12,804,656	13,032,950	12,703,240	12,285,690	-5.7%
Total Full-Time Positions	109	110	110	111	0.9%
Total Part-Time Positions	10	10	10	10	—
Total Workyears	108.9	109.9	109.9	106.7	-2.9%
Total Revenues	3,713,637	3,601,970	3,655,020	3,550,090	-1.4%

FY11 RECOMMENDED CHANGES

	Expenditures	WYs
COUNTY GENERAL FUND		
FY10 ORIGINAL APPROPRIATION	10,410,980	83.8
Changes (with service Impacts)		
Add: Administrative Assistant for New Judge [Adjudication]	87,360	1.0
Add: Hot Backup Site for HP3000 Case Management System [Administration]	50,000	0.0
Add: Operating Expenses for New Judge [Administration]	13,480	0.0
Add: Maintenance of Existing Video Conferencing Equipment [Administration]	6,000	0.0
Other Adjustments (with no service impacts)		
Increase Cost: Retirement Adjustment	77,690	0.0
Increase Cost: Group Insurance Adjustment	51,930	0.0
Decrease Cost: Motor Pool Rate Adjustment [Administration]	-30	0.0
Decrease Cost: Printing and Mail Adjustment [Administration]	-16,230	0.0
Decrease Cost: Annualization of FY10 Personnel Costs	-17,070	0.0
Decrease Cost: Reduction in Paper, Printing, and Mail Expenses [Administration]	-30,920	0.0
Decrease Cost: Consultant Services [Administration]	-61,700	0.0
Decrease Cost: Reclassify Vacant Court Evaluator Position [Family Division Services]	-69,000	0.0
Decrease Cost: Professional & Technical Services [Administration]	-150,000	0.0
Decrease Cost: Lapse Family Division Master Position [Family Masters]	-165,720	-1.0
Decrease Cost: Reduction in Personnel Costs Through Turnover Savings	-177,300	0.0
Decrease Cost: Furlough Days	-265,140	-3.2
FY11 RECOMMENDED:	9,744,330	80.6
GRANT FUND MCG		
FY10 ORIGINAL APPROPRIATION	2,621,970	26.1
Other Adjustments (with no service impacts)		
Decrease Cost: Adult Office of Problem Solving [Grants]	-6,800	0.0
Decrease Cost: Juvenile Office of Problem Solving [Grants]	-24,560	0.0
Decrease Cost: Family Law Grant [Grants]	-49,250	0.0
FY11 RECOMMENDED:	2,541,360	26.1

PROGRAM SUMMARY

Program Name	FY10 Approved		FY11 Recommended	
	Expenditures	WYs	Expenditures	WYs
Administration	2,503,740	4.3	2,236,050	4.1
Adjudication	2,733,820	30.0	2,723,100	29.8
Family Masters	899,240	8.0	711,370	6.7
Case Assignment	1,177,020	14.0	1,132,720	13.5
Jury	772,110	4.0	759,450	3.9
Family Division Services	786,470	8.0	692,100	7.7
Technical Services	850,210	10.0	818,570	9.6
Law Library	494,160	3.0	484,670	2.9
Trust and Guardianships	194,210	2.5	186,300	2.4
Grants	2,621,970	26.1	2,541,360	26.1
Total	13,032,950	109.9	12,285,690	106.7

FUTURE FISCAL IMPACTS

Title	CE REC.					
	FY11	FY12	FY13	(5000's)		
	FY14	FY15	FY16			
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY11 Recommended	9,744	9,744	9,744	9,744	9,744	9,744
No inflation or compensation change is included in outyear projections.						
Grey Courthouse Security	0	217	172	128	128	128
These figures represent the impacts on the Operating Budget (maintenance, utilities, staff) of projects included in the FY11-16 Recommended Capital Improvements Program.						
Judicial Center Annex	0	0	621	2,411	2,411	2,411
These figures represent the impacts on the Operating Budget (maintenance, utilities, staff) of projects included in the FY11-16 Recommended Capital Improvements Program.						
Restore Personnel Costs	0	265	265	265	265	265
This represents restoration of funding to remove FY11 furloughs.						
Subtotal Expenditures	9,744	10,226	10,802	12,548	12,548	12,548

Juvenile Dependency Mediation

The court's Juvenile Dependency Mediation program has been in operation since Fiscal Year 2003. It provides Court-ordered mediation of Child in Need of Assistance (CINA) cases prior to adjudication, with mediation occurring anywhere from day 14 to day 21 in the life of a case. Early resolution of these matters translates directly into early service provision for the children and parents impacted by these petitions. Early service provision in turn enhances the chances for reunification with the parent or permanent placement elsewhere. In Fiscal Year 2009, 60.8% of eligible cases went to mediation. Of those cases that mediated, 54% reached a complete or partial agreement and 46% reached no agreement. These services were provided by a roster of approximately 30 trained mediators who are paid on an individual case basis with a rate of \$65/hour for a total of three hours per mediation. This non-adversarial means of resolving CINA cases prior to adjudication has become a model program for other jurisdictions in Maryland seeking to change the destructive dynamic associated with the traditional adversarial approach.

Juvenile Permanency/TPR Mediation:

Mediation of cases at the Permanency Planning Stage in CINA cases (one year from original filing) and at the TPR stage began on an as-needed basis Fiscal Year 2005. Unlike CINA mediation, which is mandatory, Permanency/TPR mediation is optional and requires the consent of all parties. Each session typically runs three to six hours. Service is provided by a subset of CINA mediators who have been specially trained in the complicated issues surrounding permanency planning and the termination of parental rights. They are compensated at the same rate as CINA mediators. During Fiscal Year 2009, 33 cases went to mediation, with 54% reaching a full or partial agreement. Given that permanency planning hearings can be quite lengthy and that TPR trials are routinely set for three to five full court days, this mediation saves the court substantial time and resources while simultaneously empowering parents to assist in crafting a future for their children.

\$46,617.00 was allocated for both the Juvenile Dependency Mediation and Juvenile Permanency/TPR Mediation services in FY2010.

Facilitation

The Facilitator Program serves litigants before the Court's Family Division. It is staffed by experienced practicing attorneys who make themselves available on a \$75.00 per case basis to attempt settlement in cases at an early stage of the proceedings. Potential cases are identified by the Family Division Masters at the scheduling hearing and referred to the Facilitator, who is available in the courthouse for immediate assistance. The Facilitators are available from the beginning of scheduling hearings at 8:30 a.m. daily and frequently remain until the early afternoon to provide this service. If a settlement is reached, the parties return to the Master and an agreement is placed on the record. This excellent and relatively inexpensive service provided by experienced members of the Family Bar is highly successful. In Fiscal Year 2009, 284 of 457 cases (62.1%), reached a full or partial settlement of the issues. By completely resolving or narrowing issues, the facilitators help to conserve more resource intensive judicial hours expended for other matters.

\$37,000 was allocated for Facilitation services in FY2010.

Supervised Visitation

The Family Division has been offering supervised visitation services since 2001. This service is currently provided through Family Trauma Services, Inc., a contractual service provider. The focus of this program continues to be a supervised visitation plan designed to provide a structured setting for visitation between children and their parents, a critical need for the Family Division for families for whom, drug, alcohol, and physical abuse; mental illness; reunification of parent and child; or concerns about absconding may be at issue. A Family Division Services Administrative Aide serves as visitation coordinator; a Family Division Case Manager monitors cases participating in the program; and the Managing Court Evaluator reviews all reports and provides the mental health focus for cases assigned to the program. Up to twelve families participate in a visitation session every other week for six months, with sessions scheduled each week at a facility with, among other security measures, a security guard on the premises. The Court's program is often at capacity and maintains a waiting list for cases. Finally, if recommended and approved by the judge a five phase step down program is available for some families. This program involves increasingly less restrictive visitation over a period of time.

\$88,000.00 was allocated for Supervised Visitation services in FY2010

Best Interest Attorneys/Child Privilege Attorneys

During the course of a custody/visitation case there may come a point when a Best Interest Attorney (BIA) is needed in order to represent the best interests of a child. This tends to occur in high conflict cases where the child at issue is vulnerable due to either age, special needs etc. and cases where neither party is presenting as a viable option for

care and custody. Issues with the parties may include severe substance abuse, child abuse and/or neglect, severe mental illness to name a few. The BIA may be appointed by the court via a motion from either party or request by the court evaluator. Payment is assessed with regard to the parties' capability and, if indigent, the Family Law Fund may be accessed. Similarly, a Child's Privilege Attorney may be appointed to examine the issue of whether or not to waive the child's medical privilege. During Fiscal Year 2009, 174 Best Interest Attorneys and 59 Child's Privilege Attorneys were appointed.

\$50,000.00 was allocated for Best Interest Attorneys/Child Privilege Attorneys in FY2010.

Psychological Evaluations

Psychological Evaluations are sometimes requested by either the parties or the court evaluator when the mental health of either a party or child is at issue. Funding for this service is extremely limited and these evaluations are requested sparingly by the Court Evaluators' Office. Requests usually occur when the issues in the case surpass the scope of the office. A psychological evaluation is appropriately ordered when the behavior of a party presents as a risk to the child, others, or the party and no known diagnosis has been made. The payment for a psychological evaluation is assessed with regard to the parties' capability and, if indigent, the Family Law Fund accessed.

\$22,820.00 was allocated for Psychological Evaluations in FY2010.