
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 FY16 Operating Budget for the Circuit Court is \$14,020,516, an increase of \$41,424 or 0.3 percent from the FY15 Approved Budget of \$13,979,092. Personnel Costs comprise 80.1 percent of the budget for 112 full-time positions and four part-time positions, and a total of 114.00 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 19.9 percent of the FY16 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***
- ❖ ***Healthy and Sustainable Neighborhoods***
- ❖ ***Vital Living for All of Our Residents***

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 FY15 estimates reflect funding based on the FY15 approved budget. The FY16 and FY17 figures are performance targets based on the FY16 recommended budget and funding for comparable service levels in FY17.

ACCOMPLISHMENTS AND INITIATIVES

- ❖ ***In FY14, Montgomery County Circuit Court processed 36,041 filings and 36,301 terminations, 646 more terminations than in FY13, resulting in a clearance rate of 101%.***
- ❖ ***The Court met or exceeded case processing performance standards set by the Maryland Judiciary in FY14 for Family-Limited Divorce cases and Termination of Parental Rights cases.***
- ❖ ***In FY14, the Court improved its case processing performance in Civil cases (95% to 97%), Child in Need of Assistance Shelter cases (72% to 81%), and Child in Need of Assistance Non-Shelter cases (66% to 89%).***
- ❖ ***The Court opened the South Tower on April 28, 2014, adding 10 courtrooms, 8 hearings rooms, and office space for the Family Division, the Family Law Self-Help Center, and the Juvenile Division.***
- ❖ ***For the first six months of FY15, the Court processed 15,796 filings and 16,258 terminations, respectively. The annual filings and terminations for FY15 (compared to FY14) are estimated to increase by 8% reaching 39,062 filings and 39,348 terminations.***
- ❖ ***The Court annually updates its web-based performance dashboard that displays 10 nationally-recognized trial court performance measures (CourTools) developed by the National Center for State Courts. In FY15, the Court presented data in support of the court employee satisfaction measure, which highlights results from the Court's first annual survey of court employees. More information can be found at: <http://www.montgomerycountymd.gov/circuitcourt/court/publications/publications.html>.***
- ❖ ***The Adult Drug Court commemorated its 10th Anniversary on November 12, 2014. Since the program's inception, 148 participants have graduated.***

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- ❖ **During the first half of FY15, the Court opened a newly-renovated Jury Lounge, now located on the second floor of the North Tower. Other projects currently underway include construction of the Child Waiting Area in the South Tower and, in the North Tower, renovations to the Clerk of the Court's office and the office space for the retired judges. These projects are expected to be completed before the end of the fiscal year.**
 - ❖ **The Court will be performing more detailed analyses of its Juvenile Delinquency cases and reviewing select cases where an extraordinary cause postponement was granted to determine if efficiencies are to be gained in case processing.**
 - ❖ **The U.S. Census estimates that by 2040 one in five of the county's residents will be 65 years or older (compared to one in ten in 2000). To meet the anticipated needs of this segment of the county's population, the Court anticipates the continuation of its Adult Guardianship Grant program. This program is designed to help guardians successfully fulfill their responsibilities.**
 - ❖ **The Adult Drug Court will continue to support the mission of eliminating drug abuse, crime, the consequences of crime, thereby increasing public safety by leveraging new initiatives in the areas of education and life skills. The GED program will be improved to include supportive services and partnerships will be forged with the local business community to provide career-based employment opportunities for qualified participants.**
 - ❖ **The Maryland Electronic Courts (MDEC) case management and electronic filing system was deployed in Fall 2014. The Court will continue to analyze the technical challenges associated with integrating this eventual statewide case management system with the functionality of its own case management system as well as its differentiated case management policies.**
 - ❖ **Based on the information obtained from its first employee satisfaction survey, the Court will define and implement several administrative initiatives related to employee development and the management of court operations. The initiatives will further develop the skills of court personnel in an effort to improve upon the quality service currently delivered to internal and external customers. Gains in operational efficiency are anticipated to occur without hindering the Court's ability to administer justice in an honest and fair manner.**
 - ❖ **Productivity Improvements**
 - **Updated policies and practices related to the Family Differentiated Case Management (DCM) plan. The existing Family DCM plan will be modified to allow for specified cases to be assigned to an individual Circuit Court Judge and Family Division Support Team for the totality of the litigation process, in essence One Family, One Judge. The approach was recognized by the National Council of Juvenile and Family Court Judges as one of the key elements to provide expedited and coordinated resolutions for cases involving children, youth and families. It is anticipated that any stress created when families are shuttled between different departments and courtrooms to resolve a variety of issues will be reduced with this approach. In addition, case progression is anticipated to be more efficient since the assigned judge will already be familiar with the family's general situation.**
 - **The Court's Jury Office will transition from a two-step to a one-step process in jury selection; join a statewide jury management system; install kiosks to streamline the juror check-in process; and convert to cash payment for jury service.**
 - **The Court is undertaking several initiatives aimed at improving services to self-represented litigants who visit the Court for assistance. One initiative focuses on examining the front and back-office processes in the Family Law self-Help Center to address increased demand and evaluate service delivery. Another project is to increase the type of information collected from the client intake form to better inform the Court's understanding of the quality of service delivery.**
 - **The Court has automated the process of collecting and analyzing the 'To Be Assigned' docket. Overall, the percentage of 'To Be Assigned' cases reached between April 2011 and June 2014 is 98%. This analysis enables the Court to better manage its workload through more efficient scheduling and better management of resources.**

PROGRAM CONTACTS

Contact Judy Rupp of the Circuit Court at 240.777.9103 or Elyse Greenwald of the Office of Management and Budget at 240.777.2768 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; case flow 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 FY13	Actual FY14	Estimated FY15	Target FY16	Target FY17
Case Filings (includes re-opened cases)					
Criminal (including District Court appeals)	6,380	6,160	6,799	6,866	6,935
Civil (including Registrar of Wills, District Court appeals)	12,280	12,515	13,921	14,059	14,197
Domestic Relations	14,596	14,607	15,435	15,623	15,812
Juvenile (including Delinquency, CINA, and TPR)	3,573	2,759	2,907	2,697	2,485
TOTAL Case Filings	36,829	36,041	39,062	39,245	39,429
Case Terminations (includes re-opened cases)					
Criminal	6,444	6,176	6,803	6,869	6,936
Civil	11,036	12,765	14,009	14,158	14,305
Domestic Relations	14,428	14,477	15,474	15,679	15,883
Juvenile	3,747	2,883	3,062	2,878	2,694
TOTAL Case Terminations	35,655	36,301	39,348	39,584	39,818
Case Clearance Rate (includes re-opened cases)					
Criminal	101%	100%	100%	100%	100%
Civil	90%	102%	101%	101%	101%
Domestic Relations	99%	99%	100%	100%	100%
Juvenile	105%	104%	105%	107%	108%
OVERALL Case Clearance Rate	97%	101%	101%	101%	101%
Total Trials	1,586	1,558	1,627	1,675	1,722

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	3,248,990	10.28
Decrease Cost: Office Supplies	-3,609	0.00
Reduce: Mediation Services	-3,900	0.00
Reduce: Supervised Visitation Center for the non-custodial parent	-11,200	0.00
Reduce: Arbitration Services	-12,250	0.00
Decrease Cost: Furniture and facilities-related items	-23,543	0.00
Decrease Cost: Rental and Maintenance/Technical Services & Technology Equipment	-30,862	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.	58,664	-0.08
FY16 CE Recommended	3,222,290	10.20

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.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	3,277,559	32.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	85,118	-2.00
FY16 CE Recommended	3,362,677	30.00

Family Magistrates

Family Magistrates are qualified individuals appointed by the Judges of the Circuit Court to hear family matters and make reports and recommendations based on testimony and analysis of the testimony received at hearing. Family Division Judges continue to review the recommendations, make rulings and issue orders based on the recommendations of the Family Magistrates and any exceptions filed.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	794,938	7.00
Decrease Cost: Lapse one Domestic Relations Master to reflect current workload	-173,419	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.	20,931	0.00
FY16 CE Recommended	642,450	7.00

Case Assignment

The Assignment Office schedules and maintains all hearings, trials, and motion dates as well as special event dates for Judges and Family Magistrates 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.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	1,277,137	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.	62,462	1.00
FY16 CE Recommended	1,339,599	15.00

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 may serve as a juror and must 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.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	744,347	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.	18,000	0.00
FY16 CE Recommended	762,347	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 Magistrates, 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 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, as well as 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.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	709,701	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.	28,716	1.00
FY16 CE Recommended	738,417	9.00

Technical Services

Technical Services manages the central recording location that electronically records all courtroom and hearing room proceedings for the Circuit Court. 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 are purchased through this division. The Court's website and internal servers for the Court and Clerk's Office are administered by Technical Services.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	901,917	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.	31,409	0.00
FY16 CE Recommended	933,326	10.00

Law Library

The Law Library supports the research activities of the Court, the Bar, and the public and is the only law library open to the public in Montgomery County. 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.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	436,937	3.00
Decrease Cost: Funding for Library Books for Circuit Court's Law Library	-9,600	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.	9,649	0.00
FY16 CE Recommended	436,986	3.00

Trust and Guardianships

The Trust Office administers the case files for fiduciary entities (primarily guardianships) who are 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.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	191,531	2.50
Decrease Cost: Lapse one Data Preparation Operator to reflect current workload	-30,187	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.	5,959	0.00
FY16 CE Recommended	167,303	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 one 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 Adult Office of Problem Solving grant is funded by the State. 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.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	2,396,035	23.23
Increase Cost: Grant Fund Adjustments	19,086	0.07
FY16 CE Recommended	2,415,121	23.30

BUDGET SUMMARY

	Actual FY14	Budget FY15	Estimated FY15	Recommended FY16	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	5,755,943	6,616,302	6,242,751	6,644,553	0.4%
Employee Benefits	2,280,610	2,284,932	2,344,764	2,382,017	4.2%
County General Fund Personnel Costs	8,036,553	8,901,234	8,587,515	9,026,570	1.4%
Operating Expenses	2,412,273	2,681,823	2,681,822	2,578,825	-3.8%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	10,448,826	11,583,057	11,269,337	11,605,395	0.2%
PERSONNEL					
Full-Time	90	89	89	89	—
Part-Time	5	3	3	3	—
FTEs	91.05	90.78	90.78	90.70	-0.1%
REVENUES					
Magistrates	214,348	168,912	170,660	170,660	1.0%
Miscellaneous Revenues	55,235	0	0	0	—
State Interpreter Fee Reimbursement	291,122	314,709	314,709	314,709	—
State Jury Fee Reimbursement	377,710	404,245	404,245	404,245	—
County General Fund Revenues	938,415	887,866	889,614	889,614	0.2%
GRANT FUND MCG					
EXPENDITURES					
Salaries and Wages	1,559,289	1,660,475	1,660,475	1,618,794	-2.5%
Employee Benefits	533,144	558,507	558,507	579,757	3.8%
Grant Fund MCG Personnel Costs	2,092,433	2,218,982	2,218,982	2,198,551	-0.9%
Operating Expenses	149,595	177,053	177,053	216,570	22.3%
Capital Outlay	0	0	0	0	—
Grant Fund MCG Expenditures	2,242,028	2,396,035	2,396,035	2,415,121	0.8%
PERSONNEL					
Full-Time	22	23	23	23	—
Part-Time	4	1	1	1	—
FTEs	26.45	23.23	23.23	23.30	0.3%
REVENUES					
State Grants	2,128,161	2,396,035	2,396,035	2,415,121	0.8%
Grant Fund MCG Revenues	2,128,161	2,396,035	2,396,035	2,415,121	0.8%
DEPARTMENT TOTALS					
Total Expenditures	12,690,854	13,979,092	13,665,372	14,020,516	0.3%
Total Full-Time Positions	112	112	112	112	—
Total Part-Time Positions	9	4	4	4	—
Total FTEs	117.50	114.01	114.01	114.00	0.0%
Total Revenues	3,066,576	3,283,901	3,285,649	3,304,735	0.6%

FY16 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY15 ORIGINAL APPROPRIATION	11,583,057	90.78
<u>Changes (with service impacts)</u>		
Reduce: Mediation Services [Administration]	-3,900	0.00
Reduce: Supervised Visitation Center for the non-custodial parent [Administration]	-11,200	0.00
Reduce: Arbitration Services [Administration]	-12,250	0.00
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY16 Compensation Adjustment	362,229	0.00
Increase Cost: Retirement Adjustment	46,911	0.00
Increase Cost: Group Insurance Adjustment	26,830	0.00
Increase Cost: CourtSmart Maintenance Support/Services	1,987	0.00
Decrease Cost: Motor Pool Rate Adjustment	-1,188	0.00
Decrease Cost: Office Supplies [Administration]	-3,609	0.00
Decrease Cost: Printing and Mail	-8,833	0.00
Decrease Cost: Funding for Library Books for Circuit Court's Law Library [Law Library]	-9,600	0.00
Decrease Cost: Furniture and facilities-related items [Administration]	-23,543	0.00
Decrease Cost: Lapse one Data Preparation Operator to reflect current workload [Trust and Guardianships]	-30,187	0.00
Decrease Cost: Rental and Maintenance/Technical Services & Technology Equipment [Administration]	-30,862	0.00
Decrease Cost: Annualization of FY15 Personnel Costs	-107,028	-0.08
Decrease Cost: Lapse one Domestic Relations Master to reflect current workload [Family Magistrates]	-173,419	0.00
FY16 RECOMMENDED:	11,605,395	90.70
GRANT FUND MCG		
FY15 ORIGINAL APPROPRIATION	2,396,035	23.23
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: Grant Fund Adjustments [Grants]	19,086	0.07
FY16 RECOMMENDED:	2,415,121	23.30

PROGRAM SUMMARY

Program Name	FY15 Approved		FY16 Recommended	
	Expenditures	FTEs	Expenditures	FTEs
Administration	3,248,990	10.28	3,222,290	10.20
Adjudication	3,277,559	32.00	3,362,677	30.00
Family Magistrates	794,938	7.00	642,450	7.00
Case Assignment	1,277,137	14.00	1,339,599	15.00
Jury	744,347	4.00	762,347	4.00
Family Division Services	709,701	8.00	738,417	9.00
Technical Services	901,917	10.00	933,326	10.00
Law Library	436,937	3.00	436,986	3.00
Trust and Guardianships	191,531	2.50	167,303	2.50
Grants	2,396,035	23.23	2,415,121	23.30
Total	13,979,092	114.01	14,020,516	114.00

FUTURE FISCAL IMPACTS

Title	CE REC. FY16	FY17	FY18	(\$000's) FY19	FY20	FY21
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY16 Recommended No inflation or compensation change is included in outyear projections.	11,605	11,605	11,605	11,605	11,605	11,605
Labor Contracts These figures represent the estimated annualized cost of general wage adjustments, service increments, and associated benefits.	0	86	86	86	86	86
Subtotal Expenditures	11,605	11,691	11,691	11,691	11,691	11,691