



# 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 FY17 Operating Budget for the Circuit Court is \$14,361,847, an increase of \$313,981 or 2.24 percent from the FY16 Approved Budget of \$14,047,866. Personnel Costs comprise 80.74 percent of the budget for 112 full-time position(s) and four part-time position(s), 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 19.26 percent of the FY17 budget.

## Linkage to County Result Areas

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

- ◆ **Healthy and Sustainable Neighborhoods**
- ◆ **A Responsive, Accountable County Government**
- ◆ **Vital Living for All of Our Residents**

## Department Performance Measures

Performance measures for this department are included below (where applicable), with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY16 estimates reflect funding based on the FY16 approved budget. The FY17 and FY18 figures are performance targets based on the FY17 recommended budget and funding for comparable service levels in FY18.

## Initiatives

- ★ Continue to expand the Adult Guardianship Grant program to meet anticipated needs of the County's aging populations. The program enhances the resources and supports afforded to guardians to ensure successful fulfillment of their responsibilities.
- ★ Enhance the Adult Drug Court GED program by providing support services and partnering with Montgomery College. The Circuit Court expects to hire a career resource specialist to provide career-based employment opportunities for qualified participants.
- ★ A task force has been established to create a Mental Health Court that will assist defendants with mental health issues to access services necessary to support their individual needs. It is also anticipated that this problem-solving court will ensure that appropriate resources are provided to impacted defendants while administering justice in an efficient and effective manner.
- ★ The Maryland Electronic Courts (MDEC) case management and electronic filing system began statewide deployment in Fall 2014. The Court will analyze the technical challenges associated with integrating this statewide case management system with the functionality of its own case management system and differentiated case management policies. In FY17, the Court plans to prepare for MDEC by documenting business processes and meeting with key stakeholders about their processes that intersect with court operations; establishing requirements for critical interfaces with Justice Partners; implementing a "Plan to Scan" initiative to make the task of future scanning easier to manage; and standardizing court forms.

## Accomplishments

- ☑ Processed 35,374 filings and 35,566 terminations in FY15, resulting in a clearance rate of 101 percent.

- ✓ Met or exceeded case processing performance standards set by the Maryland Judiciary in FY15 for Family-Limited Divorce cases, Child In Need of Assistance (CINA) Non-Shelter, and Termination of Parental Rights (TPR) cases.
- ✓ Improved case processing performance in Juvenile Delinquency cases (92% to 95%), Family Law (Non-Limited Divorce) (94% to 95%), and CINA Non-Shelter cases (89% to 100%) in FY15. The Circuit Court's case processing performance in Criminal (94%), Family Law (Limited Divorce) (99%), and TPR (100%) remained unchanged from FY14.
- ✓ Transitioned the jury management system from an in-house system to a statewide jury management system; implemented four kiosks to support juror self-serve check-in; and instituted a cash payment process for juror stipend disbursement.
- ✓ Implemented and expanded a variety of Family Division services such as a low- or no-cost attorney referral service, limited scope representation in family cases, and an Adult Guardianship Assistant Program.
- ✓ Completed Phase II renovations to the Circuit Court building including renovations to the Clerk of the Court's office and the office space for retired judges. Final Phase III renovation projects are expected to be complete in 2017.
- ✓ Opened a waiting area for children called "Kids Spot." Between July 1, 2015 and February 29, 2016, a total of 763 children have enjoyed the Kids Spot facilities.
- ✓ Updated the web-based performance dashboard that displays 10 nationally-recognized trial court performance measures (CourTools) developed by the National Center for State Courts.

## Productivity Improvements

- ★ A review of juvenile case processing performance in FY15 prompted the Court to review and modify policies related to postponement practices. Updates to the Juvenile Differentiated Case Management (DCM) plan are expected to be finalized in FY16 and the Circuit Court will perform more detailed analyses of performance with a focus on the frequency, type, and length of postponements.
- ★ Implementation of the One Family, One Judge policy enables the Court to provide expedited and coordinated resolutions for cases involving children, youth, and families by assigning complex family cases to an individual Circuit Court Judge and Family Division Support Team for the totality of the litigation process.
- ★ Improvements to front and back-office processes in the Family Division Services and information collection efforts in the Self-Help Center have resulted in streamlined services for self-represented litigants (SRLs).

## Program Contacts

Contact Judy Rupp of the Circuit Court at 240.777.9103 or Jennifer Nordin of the Office of Management and Budget at 240.777.2779 for more information regarding this department's operating budget.

## Program Descriptions

### 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.

FY17 Recommended Changes	Expenditures	FTEs
<b>FY16 Approved</b>	<b>642,450</b>	<b>7.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(92,691)	(1.00)
<b>FY17 Recommended</b>	<b>549,759</b>	<b>6.00</b>

### 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 FY14	Actual FY15	Estimated FY16	Target FY17	Target FY18
Case Filings (includes re-opened cases)					
Criminal (including District Court appeals)	6,160	6,421	6,767	6,826	6,885
Civil (including Registrar of Wills, District Court appeals)	12,515	11,906	13,555	13,648	13,743
Domestic Relations	14,607	15,583	15,411	15,580	15,750
Juvenile (including Delinquency, CINA, and TPR)	2,759	2,464	2,586	2,365	2,145
<b>TOTAL Case Filings</b>	<b>36,041</b>	<b>35,374</b>	<b>38,319</b>	<b>38,419</b>	<b>38,523</b>
Case Terminations (includes re-opened cases)					
Criminal	6,176	6,497	6,792	6,853	6,913
Civil	12,765	12,109	13,683	13,790	13,897
Domestic Relations	14,477	14,668	15,477	15,663	15,850
Juvenile	2,883	2,292	2,686	2,485	2,283
<b>TOTAL Case Terminations</b>	<b>36,301</b>	<b>35,566</b>	<b>38,638</b>	<b>38,791</b>	<b>38,943</b>
Case Clearance Rate (includes re-opened cases)					
Criminal	100%	101%	100%	100%	100%
Civil	102%	102%	101%	101%	101%
Domestic Relations	99%	101%	100%	101%	101%
Juvenile	104%	93%	104%	105%	106%
<b>OVERALL Case Clearance Rate</b>	<b>101%</b>	<b>101%</b>	<b>101%</b>	<b>101%</b>	<b>101%</b>
Total Trials	1,558	1,415	1,603	1,645	1,686

FY17 Recommended Changes	Expenditures	FTEs
<b>FY16 Approved</b>	<b>3,249,640</b>	<b>10.20</b>
Increase Cost: Maintenance and Support for the Case File Tracking System (FileTrail and RFID readers)	3,200	0.00
Shift: Telecommunications to the Telecommunications Non-Departmental Account	(90,000)	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.	354,471	0.00
<b>FY17 Recommended</b>	<b>3,517,311</b>	<b>10.20</b>

## 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 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.

FY17 Recommended Changes	Expenditures	FTEs
<b>FY16 Approved</b>	<b>3,362,677</b>	<b>30.00</b>

FY17 Recommended Changes	Expenditures	FTEs
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(237,874)	1.00
<b>FY17 Recommended</b>	<b>3,124,803</b>	<b>31.00</b>

## 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 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.

FY17 Recommended Changes	Expenditures	FTEs
<b>FY16 Approved</b>	<b>1,339,599</b>	<b>15.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(151,554)	(1.00)
<b>FY17 Recommended</b>	<b>1,188,045</b>	<b>14.00</b>

## 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.

FY17 Recommended Changes	Expenditures	FTEs
<b>FY16 Approved</b>	<b>762,347</b>	<b>4.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(14,022)	0.00
<b>FY17 Recommended</b>	<b>748,325</b>	<b>4.00</b>

## 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.

<b>FY17 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY16 Approved</b>	<b>738,417</b>	<b>9.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	80,145	0.00
<b>FY17 Recommended</b>	<b>818,562</b>	<b>9.00</b>

## 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.

<b>FY17 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY16 Approved</b>	<b>933,326</b>	<b>10.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	207,922	1.00
<b>FY17 Recommended</b>	<b>1,141,248</b>	<b>11.00</b>

## 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.

<b>FY17 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY16 Approved</b>	<b>436,987</b>	<b>3.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	3,319	0.00
<b>FY17 Recommended</b>	<b>440,306</b>	<b>3.00</b>

## 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.

<b>FY17 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY16 Approved</b>	<b>167,302</b>	<b>2.50</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	43,174	0.00
<b>FY17 Recommended</b>	<b>210,476</b>	<b>2.50</b>

## 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 Researcher assigned to the Administration Program. This individual provides research, analysis, statistical support, and related reports on County and judiciary-wide research projects.

The Montgomery County Adult Drug Court is funded by the State through a grant from the Office of Problem Solving Courts. 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 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.

FY17 Recommended Changes	Expenditures	FTEs
<b>FY16 Approved</b>	<b>2,415,121</b>	<b>23.30</b>
Increase Cost: Grant Fund Adjustments	207,891	0.00
<b>FY17 Recommended</b>	<b>2,623,012</b>	<b>23.30</b>

## Budget Summary

	Actual FY15	Budget FY16	Estimate FY16	REC FY17	%Chg Bud/Rec
<b>COUNTY GENERAL FUND</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	6,281,954	6,644,553	6,470,351	6,965,800	4.8 %
Employee Benefits	2,367,094	2,382,017	2,242,844	2,252,381	-5.4 %
<b>County General Fund Personnel Costs</b>	<b>8,649,048</b>	<b>9,026,570</b>	<b>8,713,195</b>	<b>9,218,181</b>	<b>2.1 %</b>
Operating Expenses	2,713,494	2,606,175	2,554,771	2,520,654	-3.3 %
<b>County General Fund Expenditures</b>	<b>11,362,542</b>	<b>11,632,745</b>	<b>11,267,966</b>	<b>11,738,835</b>	<b>0.9 %</b>
<b>PERSONNEL</b>					
Full-Time	89	89	89	89	---
Part-Time	3	3	3	3	---
FTEs	90.78	90.70	90.70	90.70	---
<b>REVENUES</b>					
Magistrates	161,835	170,660	20,000	170,660	---
State Interpreter Fee Reimbursement	267,427	314,709	314,709	314,709	---
State Jury Fee Reimbursement	400,860	404,245	404,245	404,245	---
<b>County General Fund Revenues</b>	<b>830,122</b>	<b>889,614</b>	<b>738,954</b>	<b>889,614</b>	<b>---</b>
<b>GRANT FUND - MCG</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	1,507,411	1,618,794	1,618,794	1,807,270	11.6 %
Employee Benefits	473,794	579,757	579,757	570,346	-1.6 %
<b>Grant Fund - MCG Personnel Costs</b>	<b>1,981,205</b>	<b>2,198,551</b>	<b>2,198,551</b>	<b>2,377,616</b>	<b>8.1 %</b>
Operating Expenses	199,445	216,570	216,570	245,396	13.3 %
<b>Grant Fund - MCG Expenditures</b>	<b>2,180,650</b>	<b>2,415,121</b>	<b>2,415,121</b>	<b>2,623,012</b>	<b>8.6 %</b>
<b>PERSONNEL</b>					
Full-Time	23	23	23	23	---
Part-Time	1	1	1	1	---

	Actual FY15	Budget FY16	Estimate FY16	REC FY17	%Chg Bud/Rec
FTEs	23.23	23.30	23.30	23.30	---
<b>REVENUES</b>					
State Grants	2,857,814	2,415,121	2,415,121	2,623,012	8.6 %
<b>Grant Fund - MCG Revenues</b>	<b>2,857,814</b>	<b>2,415,121</b>	<b>2,415,121</b>	<b>2,623,012</b>	<b>8.6 %</b>
<b>DEPARTMENT TOTALS</b>					
<b>Total Expenditures</b>	<b>13,543,192</b>	<b>14,047,866</b>	<b>13,683,087</b>	<b>14,361,847</b>	<b>2.2 %</b>
<b>Total Full-Time Positions</b>	<b>112</b>	<b>112</b>	<b>112</b>	<b>112</b>	<b>---</b>
<b>Total Part-Time Positions</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>---</b>
<b>Total FTEs</b>	<b>114.01</b>	<b>114.00</b>	<b>114.00</b>	<b>114.00</b>	<b>---</b>
<b>Total Revenues</b>	<b>3,687,936</b>	<b>3,304,735</b>	<b>3,154,075</b>	<b>3,512,626</b>	<b>6.3 %</b>

## FY17 Recommended Changes

Expenditures FTEs

### COUNTY GENERAL FUND

**FY16 ORIGINAL APPROPRIATION** **11,632,745 90.70**

**Other Adjustments (with no service impacts)**

Increase Cost: FY17 Compensation Adjustment	181,070	0.00
Increase Cost: Group Insurance Adjustment	57,625	0.00
Increase Cost: Reclassifications and Salary Adjustments	31,367	0.00
Increase Cost: Maintenance and Support for the Case File Tracking System (FileTrail and RFID readers) [Administration]	3,200	0.00
Increase Cost: Printing and Mail	1,431	0.00
Decrease Cost: Motor Pool Adjustment	(152)	0.00
Decrease Cost: Annualization of FY16 Personnel Costs	(8,358)	0.00
Decrease Cost: Retirement Adjustment	(70,093)	0.00
Shift: Telecommunications to the Telecommunications Non-Departmental Account [Administration]	(90,000)	0.00

**FY17 RECOMMENDED** **11,738,835 90.70**

### GRANT FUND - MCG

**FY16 ORIGINAL APPROPRIATION** **2,415,121 23.30**

**Other Adjustments (with no service impacts)**

Increase Cost: Grant Fund Adjustments [Grants]	207,891	0.00
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**FY17 RECOMMENDED** **2,623,012 23.30**

## Program Summary

Program Name	FY16 APPR		FY17 REC	
	Expenditures	FTEs	Expenditures	FTEs
Family Magistrates	642,450	7.00	549,759	6.00
Administration	3,249,640	10.20	3,517,311	10.20
Adjudication	3,362,677	30.00	3,124,803	31.00
Case Assignment	1,339,599	15.00	1,188,045	14.00
Jury	762,347	4.00	748,325	4.00
Family Division Services	738,417	9.00	818,562	9.00
Technical Services	933,326	10.00	1,141,248	11.00
Law Library	436,987	3.00	440,306	3.00
Trust and Guardianships	167,302	2.50	210,476	2.50
Grants	2,415,121	23.30	2,623,012	23.30

Program Name	FY16 APPR Expenditures	FTEs	FY17 REC Expenditures	FTEs
<b>Total</b>	<b>14,047,866</b>	<b>114.00</b>	<b>14,361,847</b>	<b>114.00</b>

**Future Fiscal Impacts**

Title	CE RECOMMENDED (\$000s)					
	FY17	FY18	FY19	FY20	FY21	FY22

**COUNTY GENERAL FUND**

**EXPENDITURES**

<b>FY17 Recommended</b>	<b>11,739</b>	<b>11,739</b>	<b>11,739</b>	<b>11,739</b>	<b>11,739</b>	<b>11,739</b>
No inflation or compensation change is included in outyear projections.						
<b>Labor Contracts</b>	<b>0</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
<b>Subtotal Expenditures</b>	<b>11,739</b>	<b>11,819</b>	<b>11,819</b>	<b>11,819</b>	<b>11,819</b>	<b>11,819</b>