



FY2015 Statistical Digest

Montgomery County Circuit
Court

Administrative Office of Montgomery County
Circuit Court

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Ensuring Accountability and Public Trust: Continual and Collaborative Review of Court Performance

Montgomery County Circuit Court manages and tracks the progress of its cases, monitoring in particular, its caseload and case processing performance to ensure that court operations are both effective and efficient. Montgomery County Circuit Court is a leader in case management, as well as data quality and case processing analysis. The court's performance is comparable to several other Maryland jurisdictions as similar case management practices and monitoring systems have been implemented statewide.

Despite the resource challenges of the past several years, including budget reductions, the Hon. John W. Debelius III, Circuit and County Administrative Judge, the Hon. Barbara Meiklejohn, Clerk of the Court, and Court Administrator Judy K. Rupp have reaffirmed their commitment to maintaining and enhancing court operations to fulfill the court's mission of administering justice in an honest, fair, and efficient manner. Resources are allocated to ensure that case information is collected and recorded in a manner that provides an accurate reflection of the court events. Further, all concur that the court's management decisions, in particular those regarding case processing, should be based on systematic analyses of data that it collects, rather than relying upon anecdotes or assumptions.

Understanding how court performance relates and responds to the county's demographic profile, its economic climate, as well as budgetary constraints, is critical to the efficient management of the court's caseload and allows the court to anticipate and prepare for the future needs of the community. To achieve these goals, court leaders engage in close communication, collaboration, and coordination.

Responsibility for upholding the court's core mission must - and does - extend beyond the executive leadership team to all court staff. Court leadership has fostered strong staff awareness of and commitment to the importance of recording and collecting data that reflects the court's performance and has instilled the understanding that, while there is a large amount of paperwork associated with each case, the circuit court is not merely processing paper but rather serving the residents of Montgomery County with legal matters that affect their lives.

Montgomery County Statistics and their Impact on the Circuit Court Caseload

This section of the statistical digest highlights some characteristics of Montgomery County residents served by the Montgomery County Circuit Court. Understanding the county's population, in particular, its socio-demographic characteristics and trends, helps the court develop programs and services that meet the current and future needs of county residents. Furthermore, by monitoring these trends, the court is in a better position to make informed decisions related to the resources required to support the efficient and effective administration of justice.

Population of Montgomery County

Since the U.S. Census Bureau conducted the last census in 2010, Montgomery County's population has exceeded one million. In 2015 its estimated population is 1,040,116, adding 63,900 residents (a 6.5% increase) since 2010 (971,777).¹ The county has remained the most populous jurisdiction in the state since 1989 and remained at the 40th most populous county in the United States based on the 2013 and 2014 Census estimates, moving up from the 41st position in 2011 and 2012 and 42nd position in 2010.²

Montgomery County is also the only Maryland jurisdiction with a population over 1 million, accounting for 17.3% of the state's six-million population. Montgomery County has over 130,000 more residents than Prince George's County (909,500), the next most populous county in the state (see Table 1). Between 2010 and 2015, Montgomery County's population increased by 6.5%, close to 64,000. The size of the increase is by far the largest of Maryland's 24 jurisdictions, followed by a 43,600 increase (5.0%) in Prince George's County; a 25,000 increase (3.1%) in Baltimore County; and a 24,900 increase (4.6%) in Anne Arundel County.³ The average percentage growth rate of the county's population was 1.4% per year between 1990 and 2000, which declined to 1.1% during 2000s but improved to 1.3% between 2010 and

¹ U.S. Census Bureau, *Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015*, (http://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml#_af=04/04/2016), accessed on 4/10/2016).

² Based on the calculation of the U.S. Census Bureau's data (*Incorporated Places and Minor Civil Divisions Datasets: Subcounty Resident Population Estimates: April 1, 2010 to July 1, 2013*, downloaded from <https://www.census.gov/popest/data/cities/totals/2014/SUB-EST2014.html>, accessed on 4/10/2016)

³ Based on the calculation of data from *Annual Estimates of the Resident Population for Counties: April 1, 2010 to July 1, 2015* (U.S. Census Bureau), (<http://www.census.gov/popest/data/counties/totals/2015/CO-EST2015-01.html>, accessed on 12/23/2014)

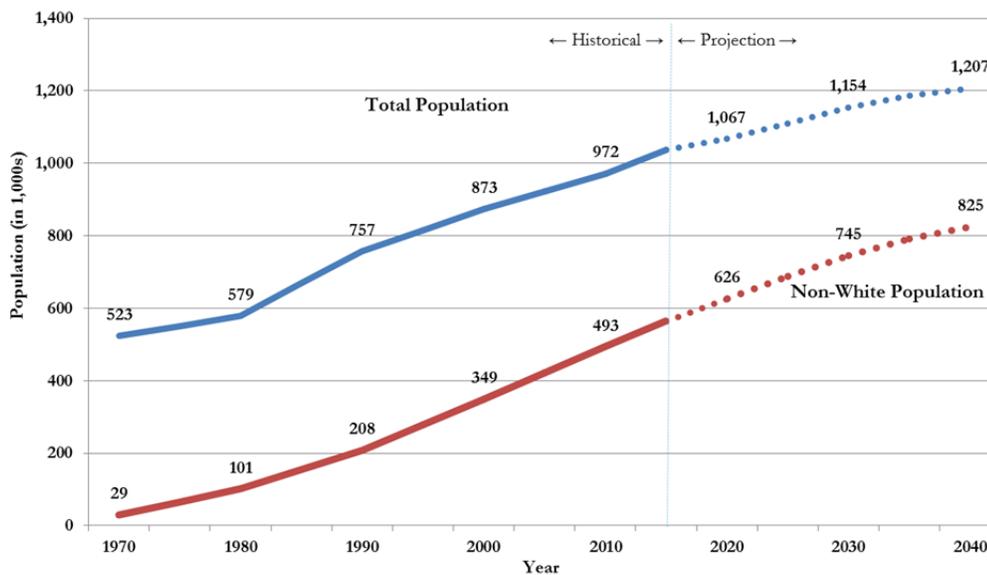
2015. While the rate is no longer as large as 2.7% per year as it was during the 1980s, the county's population is still expected to continue rising reaching 1.2 million residents by 2040.⁴

Table 1. Total Resident Population for Maryland's Five Largest Jurisdictions, 1990, 2000, 2010 and 2015

	Resident Population				1990-2000		2000-2010		2000-2015	
	1990	2000	2010	2015	Change	%Change	Change	%Change	Change	%Change
Maryland	4,799,770	5,311,034	5,788,409	6,006,401	511,264	10.7%	477,375	9.0%	217,992	3.8%
Montgomery	765,476	877,478	976,179	1,040,116	112,002	14.6%	98,701	11.2%	63,937	6.5%
Prince George's	725,896	803,111	875,277	909,535	77,215	10.6%	72,166	9.0%	34,258	3.9%
Baltimore County	694,782	755,598	806,171	831,128	60,816	8.8%	50,573	6.7%	24,957	3.1%
Baltimore City	735,632	649,086	621,180	621,849	-86,546	-11.8%	-27,906	-4.3%	669	0.1%
Anne Arundel	428,877	491,670	539,308	564,195	62,793	14.6%	47,638	9.7%	24,887	4.6%

Sources: Maryland State Data Center, Maryland Department of Planning, *2014 Maryland and Statistical Handbook (Table 1A. Total Resident Population for Maryland's Jurisdictions, April 1, 2010 thru July 1, 2014)*. (http://planning.maryland.gov/msdc/md_statistical_handbook14.pdf, accessed on 04/04/2016); U.S. Census Bureau, Population Division (2010 and 2015 data), *Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015*, (http://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml#, 04/04/2016)

Figure 1. Historical and Projected Total Population, Montgomery County, 1970-2040



Sources: Maryland State Data Center, Maryland Department of Planning, *Demographic and Socio-Economic Outlook: Montgomery County (Revisions, July 2014)*. (<http://planning.maryland.gov/MSDC/County/mont.pdf>, accessed on 4/04/2016)

One of the leading forces behind the county's current population growth is the much greater number of births (13,300 births per year between 2000 and 2013, on average) than deaths (on average 5,500 per year for the same period),⁵ resulting in an average net increase of 7,800 in the county's population. A second contributing factor is the influx of new residents, in particular, those from other countries (on average

⁴ Maryland State Data Center, Maryland Department of Planning, *Demographic and Socio-Economic Outlook: Montgomery County (Revisions, July 2014)*. (<http://planning.maryland.gov/MSDC/County/mont.pdf>, accessed on 4/04/2016).

⁵ Maryland Department of Planning, April 2015, *2014 Maryland Statistical Handbook (Table 1J. Total Births in Maryland, 2000 – 2013, and Table 1K. H. Total Deaths in Maryland, 2000 – 2013)*. (http://www.mdp.state.md.us/msdc/md_statistical_handbook14.pdf, accessed on 4/11/2016)

9,500 international immigrants per year between 2000 and 2014). On average, between 2000 and 2014, 5,600 per year individuals also moved out of the county to somewhere else in the United States, resulting in an average net increase of 3,800.⁶

Impact on the Circuit Court Caseload

Of the case types that Montgomery County Circuit Court hears (civil, criminal, family, and juvenile delinquency and child welfare), family law cases, which deal with divorce and other family law-related matters, are more likely to be closely associated with the county's population trends than other types of cases. In fact, the number of family law case filings (original and reopened) steadily increased from 12,300 in FY2000 to 15,100 in FY2010, reflecting the county's population growth.⁷ However, the growth of family law case filings halted, fluctuating around 14,700 from FY2011 and FY2015. Thus, the trend in family law case filings no longer closely follows the county's population growth, suggesting that it may also be impacted by various factors such as shifts in the composition of the population in terms of age, race/Hispanic origin, nationality, the county's economic climate, and legislative changes regarding marriage issues. While family filings surpassed civil filings, that trend reversed in FY2008 and FY2010 when the court's civil filings exceeded family filings due to large increases in foreclosure filings. As the foreclosure filings returned to their pre-surge level in FY2011, the court processed more family case filings than civil filings.

Racial and Ethnic Diversity - Minorities are Majority Population⁸

Along with the population growth, Montgomery County has been experiencing increased racial and ethnic diversity in its population. Between 2000 and 2010, the county population increased by more than 98,000 from 873,300 to 971,800.⁹ During the same period, the number of non-Hispanic white residents declined by 40,600 from 524,300 to 478,800, whereas the numbers of county non-white residents who largely consist of black or African American or Asian, and/or of Hispanic origin, increased by 143,900 (a 41%

⁶ Maryland Department of Planning, April 2015, *2014 Maryland Statistical Handbook* (Table 1G. International Migration for Maryland's Jurisdictions, 2000 – 2014, Table 1H. Domestic Migration for Maryland's Jurisdictions, 2000 – 2014). (http://www.mdp.state.md.us/msdc/md_statistical_handbook14.pdf, accessed on 4/7/2016)

⁷ The county's fiscal year stretches from July 1st to June 30th.

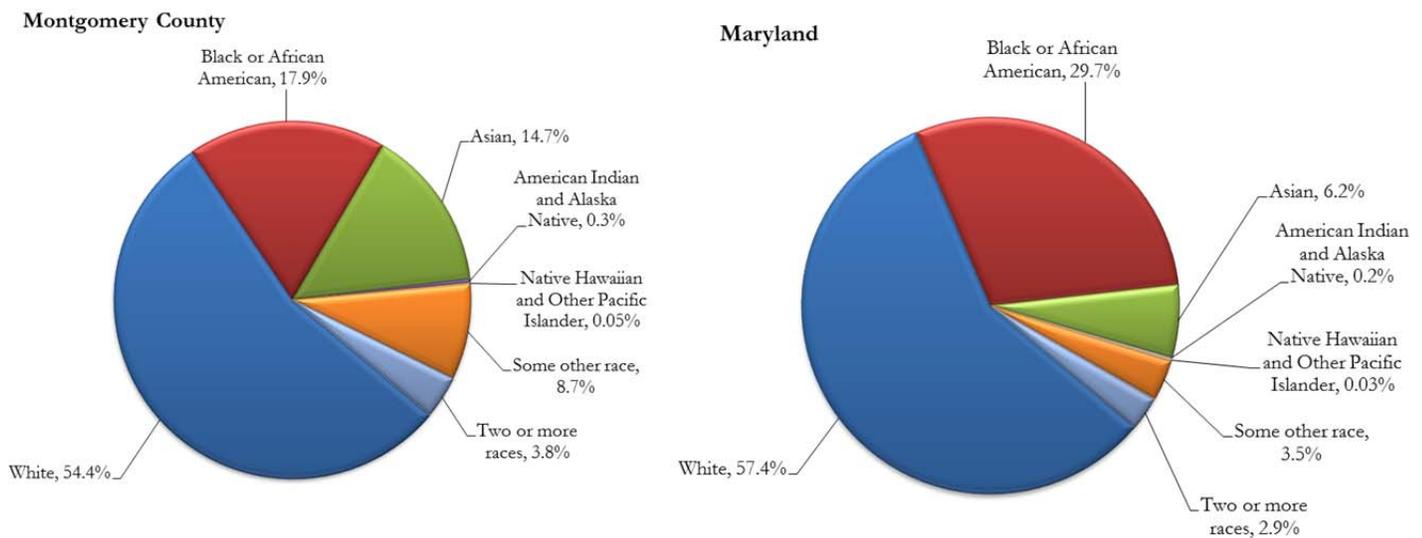
⁸ The analysis in this section uses population data and estimates from the U.S. Census, which collects race and Hispanic or Latino origin in two separate questions. Accordingly, individuals of any race could be of Hispanic origin, and those who are of Hispanic origin could be of any race.

⁹ U.S. Census Bureau, Profile of General Population and Housing Characteristics: 2000 and 2010, Census 2000 and 2010 Summary Files 1 (SF 1) 100-Percent Data (table created through the US Census *American FactFinder Advanced Search*, <http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>, accessed on 2/12/2014. From the *FactFinder's* Advanced Search menu, type 'Montgomery County, Maryland' in the 'state, county or place' box and hit 'GO', then select year as 2000 or 2010 under 'Topic: year' from the left side bar menu, and select the 'Profile of General Demographic Characteristics: 2000' table.)

increase) from 349,100 to 493,000 residents, accounting for 50.7% of the county population in 2010.¹⁰ As show in Figure 1, this trend is expected to continue, and two thirds of the county residents are expected to be non-White or Hispanic (alone and two or more races) by 2035.

Figure 2 presents the racial composition of the county’s estimated population and that of Maryland for 2014. While the percentage of Montgomery County residents who are White (55.5%, including both Hispanic and non-Hispanic origin) is comparable to the statewide percentage (57%), the percentage of black or African American residents is substantially lower (18% for the county versus 30% statewide). In contrast, the percentage of Asian residents in the county (15%) is much greater than the statewide percentage (6%). In fact, 41% of the state’s Asian population resides in Montgomery County. Of the county’s 151,900 Asian residents, over 44,000 are Asian Indians and another 43,500 are Chinese. Combined, these two Asian populations account for 58% of the county’s Asian population. Also over-represented among the county’s population are individuals with some other race alone (90,000, 9% in the county compared to 4% statewide), again underscoring the diversity of Montgomery County residents.

Figure 2. Population Composition by Race, Montgomery County and Maryland, 2014



Source: Maryland Department of Planning. 2014

American Community Survey: Jurisdictions with a Population over 65,000 for 2014 Single Year, (http://planning.maryland.gov/msdc/American_Community_Survey/2014ACS.shtml, accessed on 4/05/2016).

Another major driving force behind Montgomery County’s diversity is the large influx of individuals of Hispanic or Latino origin. Irrespective of race, a little over 100,000 of Montgomery County residents in 2000 were of Hispanic or Latino origin. As of the 2010 U.S. Census, the county’s Hispanic or Latino residents increased by 64,800 to 165,400 (a 64.4% increase), increasing their representation from 11.5% to

¹⁰ Maryland State Data Center, Maryland Department of Planning, *Demographic and Socio-Economic Outlook: Montgomery County (Revisions, January 2014)*. (<http://planning.maryland.gov/MSDC/County/mont.pdf>, accessed on 1/14/2015)

17.0% since 2000. According to the 2014 Census estimates, 192,900 (19%) of the county residents are of Hispanic origin, accounting for 35% of the state's residents of Hispanic origin. The county's Hispanic population has become the second largest minority population after black or African American population (184,800 if black or African American alone or 200,800 in combination with one or more other race), surpassing the Asian population (151,900 if Asian alone or 169,100 in combination with one or more other race).¹¹

Increase in Foreign-Born Residents

As indicated above, one of the major forces behind the county's population growth is the large influx of individuals who were born outside the United States. Based on the 2014 U.S. Census American Community Survey estimate, 342,800 or nearly one third of Montgomery County residents are foreign-born.¹² As shown in Table 2, since 2000, the number of foreign-born residents increased by almost 110,000 (a 47% increase) while the county's overall population and the residents born in the United States increased by 18% and 7%, respectively. In fact, foreign-born residents account for 70% of the county's population increase between 2000 and 2014. Compared to the state overall, the representation of foreign-born residents in Montgomery County is much greater (15% versus 33%), and nearly 40% of such individuals reside in the county.¹³

In terms of the U.S. citizenship status of foreign-born Montgomery County residents, 51% (173,200) are naturalized U.S. citizens, whereas the remaining 49% (169,400) are not U.S. citizens. In terms of the region of birth among foreign-born residents, in 2000, 38% of the county's foreign-born residents were from Asia and another 35% from Latin America. Combined, these two groups constituted over 70% of the county's foreign-born population. Between 2000 and 2014, the number of residents in both groups increased. However, the increase of residents born in Latin America was greater (41,100, a 50% increase) than that of residents born in Asia (36,600, a 41% increase). As a result, in 2014, both those born in Latin America and those born in Asia account for slightly over one-third of the county's foreign-born residents, respectively (36% and 37%). In terms of the rate of increase, the number of residents born in Africa more than doubled between 2000 and 2014 from 25,800 to 56,500.

¹¹ Maryland Department of Planning, 2016. *2014 American Community Survey: Jurisdictions With a Population Over 65,000 for 2014 Single Year*, (http://planning.maryland.gov/msdc/American_Community_Survey/2014ACS.shtml, accessed 4/11/2016)

¹² Maryland Department of Planning. *2014 American Community Survey: Jurisdictions with a Population Over 65,000 for 2014 Single Year (DP02: SELECTED SOCIAL CHARACTERISTICS IN THE UNITED STATES)*, (http://planning.maryland.gov/msdc/American_Community_Survey/2014ACS.shtml, accessed on 4/05/2016).

¹³ Maryland Department of Planning. *2014 American Community Survey: Jurisdictions with a Population Over 65,000 for 2014 Single Year (DP02: SELECTED SOCIAL CHARACTERISTICS IN THE UNITED STATES)*, (http://planning.maryland.gov/msdc/American_Community_Survey/2014ACS.shtml, accessed on 4/05/2016).

Table 2. Foreign-Born Population in Montgomery County by World Region of Birth, 2014 and 2000*

	Montgomery County						Maryland, 2014		% in Montgomery County
	2014		2000		2000-14 Change		Number	%	
	Number	%	Number	%	Number	%			
Total population	1,030,447		873,341		157,106	18%	5,976,407		17%
Native	687,574	67%	640,345	73%	47,229	7%	5,085,968	85%	14%
Foreign born	342,873	33%	232,996	27%	109,877	47%	890,439	15%	39%
Foreign born Population by U.S. Citizen Status									
U.S. Citizen	173,233	51%	100,658	43%	72,575	72%	434,791	49%	40%
Not a U.S. Citizen	169,640	49%	132,338	57%	37,302	28%	455,648	51%	37%
Foreign born Population by Region of Birth									
Asia	125,728	37%	89,128	38%	36,600	41%	295,074	33%	43%
Latin America	122,999	36%	81,911	35%	41,088	50%	347,627	39%	35%
Africa	56,543	16%	25,776	11%	30,767	119%	143,109	16%	40%
Europe	32,569	9%	32,352	14%	217	1%	93,069	10%	35%
Northern America	3,947	1%	2,981	1%	966	32%	9,187	1%	43%
Oceania	1,087	0.3%	848	0.4%	239	28%	2,373	0.3%	46%

* Excludes Individuals born at sea

Source: Maryland Department of Planning. *2014 American Community Survey: Jurisdictions with a Population over 65,000 for 2014 Single Year (DP02: SELECTED SOCIAL CHARACTERISTICS IN THE UNITED STATES)*, (http://planning.maryland.gov/msdc/American_Community_Survey/2014ACS.shtml, accessed on 4/05/2016).

The diversity of nativity and the increased representation of foreign-born residents among the county's population are also reflected in the wide spectrum of languages spoken by its residents. As shown in Table 3, according to the 2014 American Community Survey, 383,500 (40%) of the county's residents who are five years and older speak a language other than English at home, more than double of that of Prince George's County (177,400, 19%), which has the second highest number of individuals speaking a language other than English. In addition, 140,800 Montgomery County residents (14% of the total residents aged 5 and older and 37% of those who reported that they speak a language other than English at home) reported that they speak English less than 'very well'.

The percentage of Montgomery County residents who speak languages other than English at home (40%) is substantially greater than that statewide (17%) and the U.S. (21%). There are also a greater percentage of county residents who reported speaking English less than 'very well': 15% for Montgomery County compared to 6% for Maryland and 9% for the U.S. However, among those who speak languages other than English at home, the percentage of individuals who reported speaking English less than 'very well' is comparable among Montgomery County (37%), statewide (37%) and the U.S. (41%),¹⁴ indicating that the percent of Montgomery County residents who do not speak English at home but are proficient in the

¹⁴ U.S. Census, 2015. *2013 American Community Survey 1-Year Estimates, Montgomery County, Maryland and United States (DP02: Selected Social Characteristics In The United States)* (created through the US Census *American FactFinder Advanced Search*, <http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>, accessed on 1/14/2015)

language is equivalent to the state and the national levels. This also underscores that sheer size of foreign-language speaking residents in the county's population.

While the percentage of individuals with limited English proficiency among non-English speaking Montgomery County residents is similar to the state and national averages, the sheer volume of such individuals (140,800) in the county makes language/communication-related issues more critical in the county than other jurisdictions since close to 40% of individuals with limited English proficiency in the state reside in the county. This is particularly important for the court in its efforts to ensure that all parties understand court proceedings, are able to communicate with judges and other parties involved in the case, and have necessary assistance available, such as interpreting services, as needed.

Table 3. Montgomery County Population Five Years or Older by Language Spoken at Home and English Proficiency, 2014

	Montgomery County			Maryland,		United States,	
	Number	%	% in MC	Number	%	Number	%
Population five years and older	963,325		17%	5,609,124		299,084,046	
English only	579,841	60%	12%	4,648,102	83%	235,905,559	79%
Language other than English	383,484	40%	40%	961,022	17%	63,178,487	21%
Speak English less than 'very well'	140,766	15%	39%	360,266	6%	25,592,758	9%
% Among Language other than English		37%			37%		41%

Source: Maryland Department of Planning. *2014 American Community Survey: Jurisdictions with a Population over 65,000 for 2014 Single Year (DP02: Selected Social Characteristics in the United States)*,

(http://planning.maryland.gov/msdc/American_Community_Survey/2014ACS.shtml, accessed on 4/10/2016)

Impact on the Circuit Court Caseload

Montgomery County Circuit Court has re-examined many aspects of its operations given the increased diversity in the county's population to ensure community needs are being met as it relates to access to justice. The court experienced a substantial increase in the number of requests for foreign-language interpreting services for hearings, trials, and other ancillary programs. Figure 3 shows the number of invoices that the court received for foreign-language interpreter services between FY2000 and FY2015. The court's foreign-language interpreter services increased rapidly from slightly over 400 invoices in FY2000 to over 1,700 in FY2006-FY2007, followed by an equally steep decline to 1,200 in FY2009. Since FY2010, the number of invoice has been constant between 1,200 and 1,300.

The increase in interpreter services experienced in early 2000 is attributed to service needs for Spanish speaking residents as well as residents who speak foreign languages other than Spanish. In mid-2000, while the number of Spanish interpreter service invoices leveled off, the number of non-Spanish foreign-language invoices continued to rise through FY2008 reaching the same level as that of Spanish interpreter services. In FY2008, the number of invoices for Spanish interpreting services declined by almost 30% to

649 when the court hired five part-time Spanish interpreters, who do not need to submit invoices for the interpretation services they provide. As a result, the number of invoices for Spanish interpreting services, which accounted for over 50-60% of the interpreter invoices in the years immediately preceding the hiring of Spanish staff interpreters, further declined to 256 in FY2009 and remained around 300 in FY2010 and FY2013. However, the number of Spanish language service invoices increased by over 100 (39%) from 288 to 399 between FY2013 and FY2015.

Figure 3. Numbers of Foreign-Language and Spanish Interpreter Service Invoices Submitted,* FY2000-2015



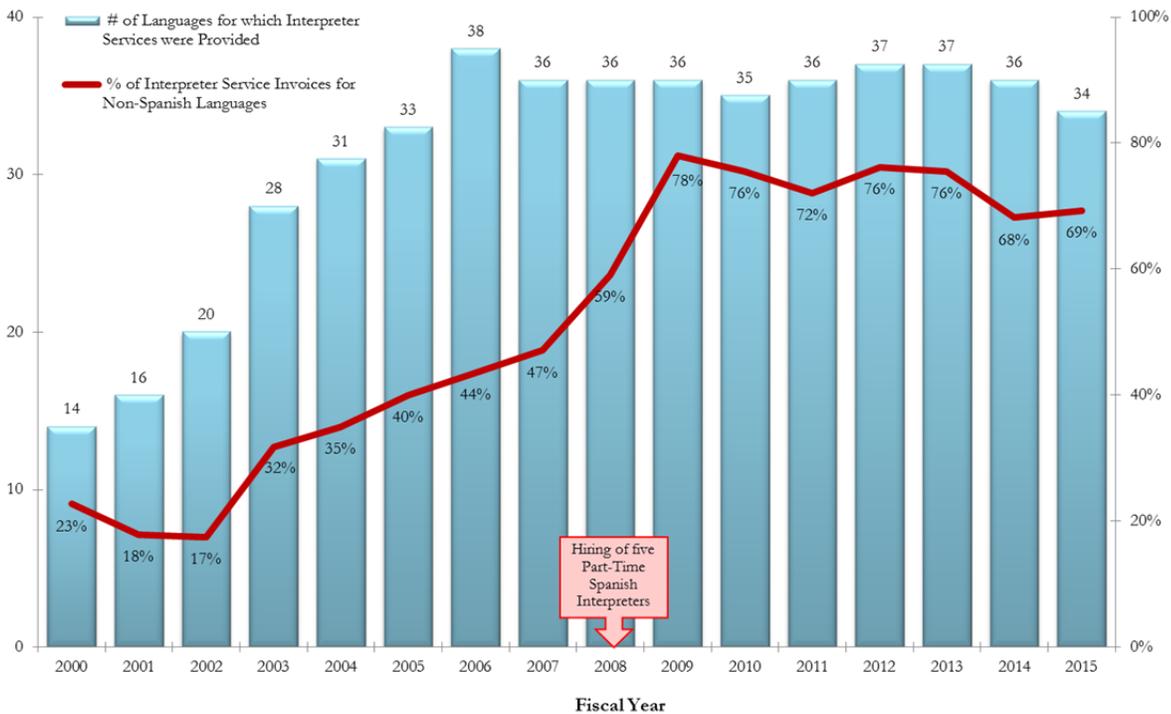
Note: These numbers are based on the invoices submitted by interpreters who provided foreign-language interpreting services.
 * Excludes 1,668 interpreter services that do not involve foreign-language interpretations (such as American Sign Language, Real Time Captioning, CART Services, Cued Speech and Caption Reporting) and those for which language information is not available (such as interpreter services for co-parenting classes). Since (in most cases) interpreters submit an invoice per day rather than per service, the actual number of services is much greater than the number of invoices submitted. Also, note that part of the FY2008 and FY2009 - FY2015 data do not reflect the services provided by the five Spanish interpreters hired as court employees since they do not submit invoices for the services they provided.

Figure 4 illustrates the magnitude of language diversity reflected as the number of foreign languages for which the court provided interpreter services. The number of languages increased substantially from 15 languages in FY2000-2001 to 38 languages in FY2006 and has remained fairly constant. Please note that several languages are grouped into a single language category (such as Chinese, which includes Cantonese, Mandarin, Fukienese, Taishanese, Hainanese, and Fuzhou, etc.). In addition, there are instances albeit rare when the court is unable to locate an interpreter for a particular language. Accordingly, the actual number

of foreign languages for which spoken language services are requested may be even greater and may exceed 50.

The figure also displays the percentage of interpreter service invoices for non-Spanish languages. After a steady increase from 32% to 47% between FY2003 and FY2007, corresponding to the similar upward trend depicted in Figure 3, the percentage of interpreter invoices for non-Hispanic languages jumped to 59% in FY2008 and then to 78% in FY2009. This sudden increase is due to the hiring of Spanish staff interpreters who do not file invoices for their services, thus reducing the number of Spanish-language invoices. The demand for Spanish language interpreter services (see Figure 3) would have been much higher than that for non-Hispanic language services if the workload of the Spanish staff interpreters had been included in the FY2008 through FY2015 figures.

Figure 4. Number of Foreign-Languages for which Interpreter Services were Provided and Percentage of Interpreter Service Invoices Submitted for Non-Spanish Languages,* FY2000-FY2015



Note: These numbers are based on the invoices submitted by interpreters who provided services.

* Excludes 1,668 invoiced interpreter services that do not involve foreign-language interpretations (such as American Sign Language, Real Time Captioning, CART Services, Cued Speech and Caption Reporting) or those for which the specific language information is not available (such as interpreter services for co-parenting classes).

For FY2000-FY2015, the most frequently requested language for interpreter services in terms of the number of invoices submitted is Spanish, which accounted for 49% of all the invoices, and the distant second is Chinese (9%), followed by Vietnamese (8%), French (7%), Ethiopian (Amharic and Tigrina)

(6%), and Korean/Hangul (5%). Combined, these six languages account for 84% of the total foreign language interpreter service invoices.

Figure 5. Total and Average Charges for Foreign Language Interpreter Services,* FY2000-FY2015



* Expenditures are based on the invoices submitted by interpreters who provided foreign-language interpreting services. Interpreter services that do not involve foreign-language interpretations (such as American Sign Language, Real Time Captioning, CART Services, Cued Speech and Caption Reporting) and those for which language information is not readily available (1,668 invoices).

The costs associated with interpreter services is worthy of note. The line graph in Figure 5 shows the amount of funds used to support foreign language interpreter services based on the invoices submitted. The trend generally follows that of the number of invoices submitted shown in Figure 3, except for FY2004 - FY2007 when the total invoice charges continued to rise. In particular, between FY2006 and FY2007, total invoice charges jumped from \$330,000 to \$450,000 while the number of invoices tapered off between FY2007 and FY2008. Total charges substantially declined in FY2008 and FY2009 due to the hiring of Spanish interpreters, and have remained at the FY2004-FY2005 level between FY2010 and FY2014. In recent years, however, total charges have begun rising, exceeding \$350,000 in FY2015, as the number of invoices also increased.

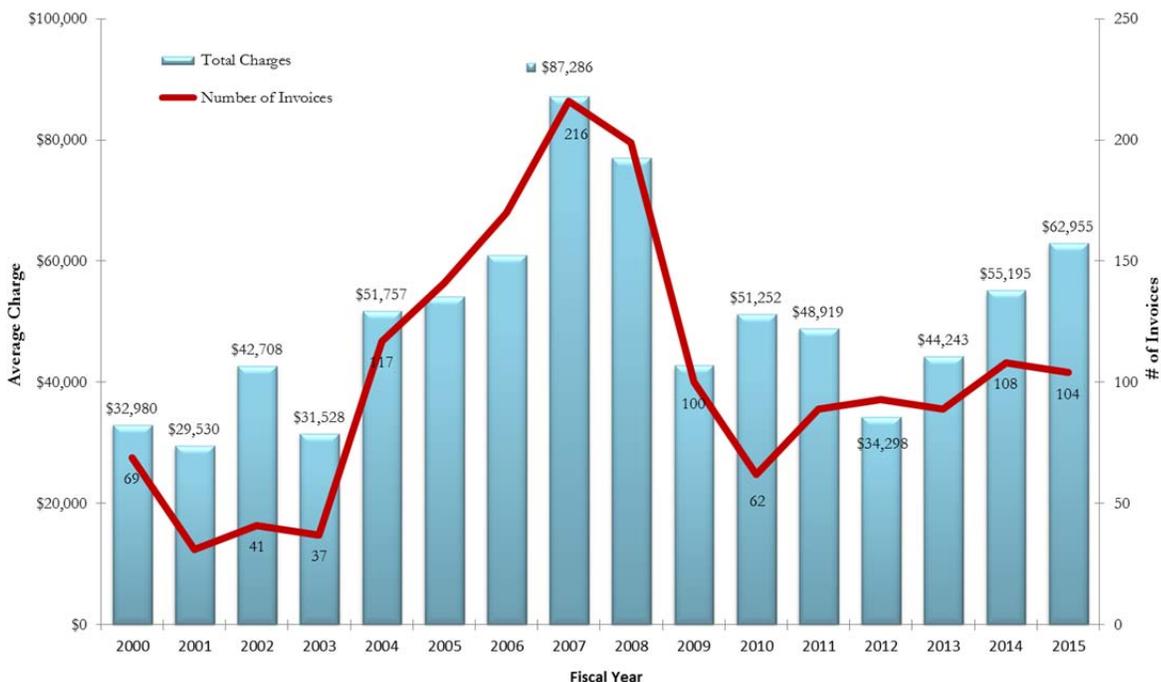
The trend in the average charge, shown in the bar graph portion of the figure, explains the sudden FY2006-FY2007 increase. Between the two fiscal years, the average charge for foreign language interpreter services increased by \$70 from \$190 to \$261 while the number of invoices increased only by six (from 1,731 to 1,737 invoices). In fact, the court received four of the 10 most expensive invoices in

FY2007, all for African languages. The average charge remained between \$220 and \$230 after FY2007 though it rose to \$250 in FY2015.

In addition to providing foreign language interpreter services, Montgomery County Circuit Court offers Americans Disabilities Act (ADA)-related language services for eligible individuals, such as translation using American Sign Language, caption reporting, and communication access real-time translation (CART) services. Thus, by fully complying with the ADA requirements to make reasonable accommodations for residents/litigants with disabilities, the court ensures equal access to justice.

Figure 6 provides the number of invoices submitted to the court and total charges for ADA-related interpreting services. Between FY2000 and FY2015, 1,668 invoices were processed. The trend of total charges fairly closely follows the number of invoices, increasing from \$30,000 per year in FY2003 to \$87,000 in at FY2007, declining to \$40,000 in FY2009, and fluctuating around \$40,000-\$50,000 since then. However, in the past fiscal years, the total charges substantially increased. In particular in FY2015, while the number of invoices slightly declined to 104 from 108 in FY2014, the total charges increased by almost \$8,000 from \$55,200 to \$63,000.

Figure 6. Total Charges and Number of Invoices for ADA-Related Interpreting Services, FY2000-FY2015

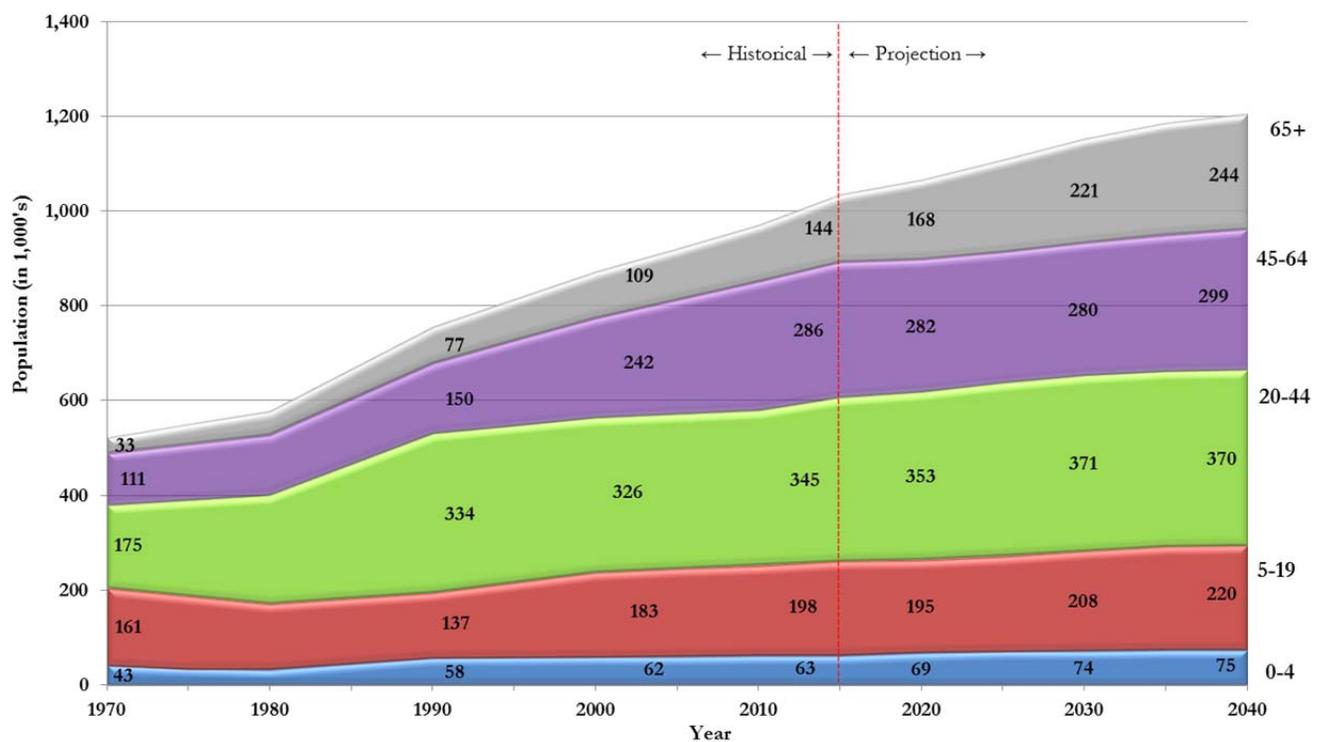


* Expenditures are based on the invoices submitted by interpreters who provided interpreting services that do not involve foreign-language interpretations, such as American Sign Language, Real Time Captioning, CART Services, Cued Speech and Caption Reporting.

Maturing County population¹⁵

Like many other communities in the nation, the population of Montgomery County is maturing with the aging of the “Baby Boomer” population (those born between 1946 and 1964). Over the past three decades, the median age of the county’s population increased from 28 in 1970, 32 in 1980, 34 in 1990, 37 in 2000, and 39 (38.5) in 2010. Since then the median age has been gradually rising, reaching 38.7 in 2014.¹⁶ The county’s median age is expected to increase not only as the dominating post-World War II baby boomers age but also because of improving life expectancy of older generations, though the continuing influx of younger individuals to the county will slow that trend.

Figure 7. Historical and Projected Montgomery County Population by Age Group, 1970 – 2040



Source: State Data Center, Maryland Department of Planning, *Demographic and Socio-Economic Outlook: Montgomery County (Revisions, July 2014)*. (<http://planning.maryland.gov/MSDC/County/mont.pdf>, accessed on 4/05/2016)

Another trend among this segment of the population relates to increased life expectancy: 78.7 years for males and 81.1 years for females in 2011.¹⁷ Figure 8 provides the population of Montgomery County by

¹⁵ All the data described in this section was derived from the U.S. Decennial Census and Census American Community Survey (for 2013), 2015. *Profile of General Demographic Characteristics: 2000 and 2010 Census 2000 Summary Files (SF 1) 100-Percent Data, 2012 and 2013 American Community Survey* (<https://www.census.gov/prod/www/decennial.html>, accessed on 1/26/2015).

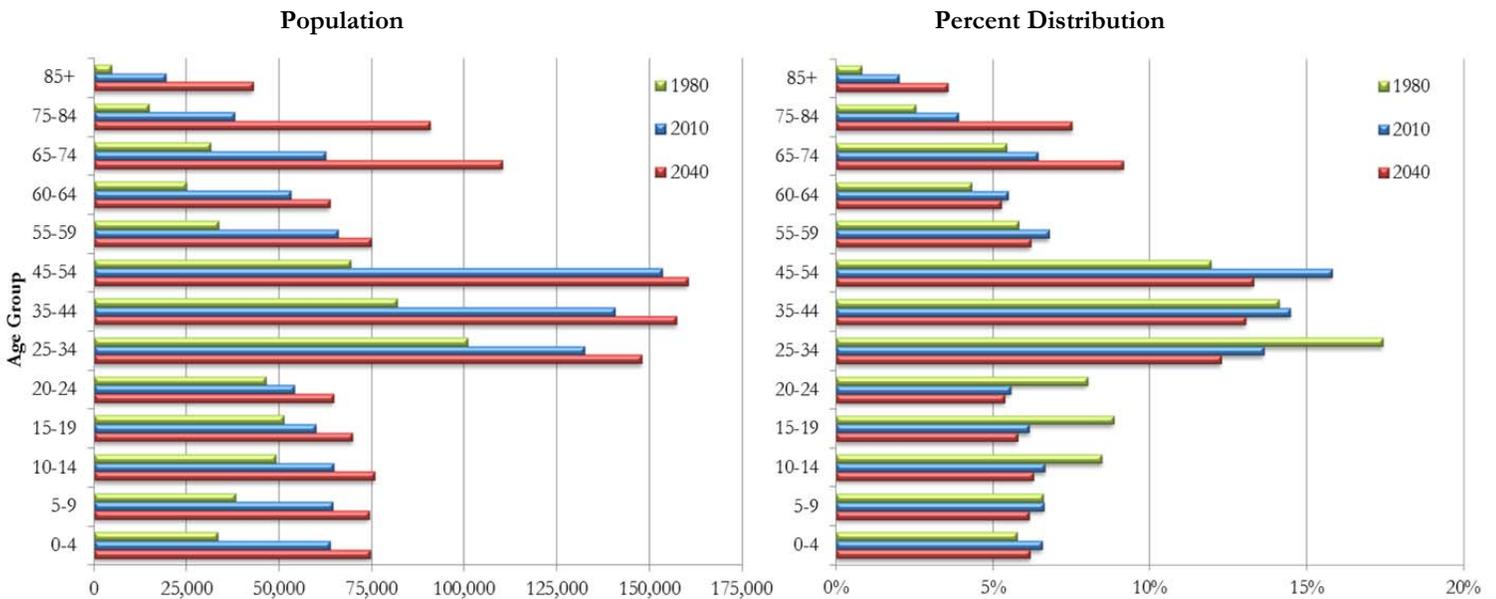
¹⁶ U.S. Census Bureau, Population Division, *Annual Estimates of the Resident Population for Selected Age Groups by Sex for the United States, States, Counties, and Puerto Rico Commonwealth and Municipalities: April 1, 2010 to July 1, 2014*.

¹⁷ Hoyert DL, Xu JQ. *Deaths: Preliminary data for 2011*. National Vital Statistics Reports; Vol. 61, No. 6. Hyattsville, MD: National Center for Health Statistics. 2012. ([http://www.cdc.gov/nchs/data/nvsr/nvsr61_06.pdf](http://www.cdc.gov/nchs/data/nvsr/nvsr61/nvsr61_06.pdf), accessed on 2/10/2014)

age group for 1980, 2010 and 2040 (estimated) on the left and the percent distribution of the population by age group for the same three years on the right.

The aging of the county’s population is also evident from an ever-increasing proportion of its segment aged 65 years and older. As shown in Figure 7, this age group represented only 6% (32,600) of the county’s population in 1970. By 2000 the number tripled to 98,200, accounting for 11% of the county’s residents. Between 2000 and 2010, the number of residents 65 years and older increased by 20% to 119,800, representing 12% of the county’s total population. In 2014, 163,300 (16%) of the county’s residents are aged 65 years and older.¹⁸ By 2040, this portion of the county’s residents is expected to reach 254,500, accounting for 21% of the county’s overall population.

Figure 8. Montgomery County Population by Age Group, 1980, 2010, and 2040 (Estimated)



Source: Maryland Department of Planning. *2014 Total Population Projections for Non-Hispanic White and All Other by Age, Sex and Race (7/8/14)*. (http://www.mdp.state.md.us/msdc/S3_Projection.shtml, accessed on 3/05/2016)

The chart on the left shows that between 1980 (light green bars) and 2010 (blue bars), the county’s population growth took place across all age groups but in particular aged 45-54 and 35-44 groups, contributing an increase of 125,000 residents. Between 2010 and 2040 (red bars), while the county’s population is expected to grow across all age groups, the largest population growth is expected among individuals aged 65 and older, accounting for an increase of over 75,000 residents. According to the 2014

¹⁸ U.S. Census Bureau, Population Division, *Annual Estimates of the Resident Population for Selected Age Groups by Sex for the United States, States, Counties, and Puerto Rico Commonwealth and Municipios: April 1, 2010 to July 1, 2014*.

Census estimates, 62,100 county residents are 74 years of age or older, compared to 57,200 in 2010 and 48,100 in 2000. Furthermore, 22,400 are at least 85 years of age in 2014, compared with 19,400 in 2010 and 13,000 in 2000.¹⁹ Given the improved life expectancy and universal health care coverage for the nation's elderly population through Medicare, this segment of the county's population is expected to continue increasing.

The right-side of Figure 8, which compares the percent distribution of the county's population by age group for 1980, 2010, and 2040, features the distinctive age profile of the county population for each year, in part reflecting the aging of the baby-boom generation. The 1980 population is characterized with a higher proportion of individuals aged 10 to 34 years, compared with the 2010 and 2040 populations. The distinctive feature of the 2010 population is that it has a higher percentage of residents aged 45 to 54 years than the two comparison populations. In contrast, the 2040 population is expected to have a much higher proportion of residents aged 65 years and older.

Impact on the Circuit Court Caseload

One of the issues that the county will face is the increasing number of residents in need of assistance with disabilities. According to the 2013 U.S. Census estimates, over 17% of the county residents aged 65 to 74 years and 27% of those aged 75 and over reported having some kind of ambulatory disability, compared with 0.5% among those aged between 5 and 34 years old and 3% among those between 35 and 64 years.²⁰ As the county's population ages, it is likely that the court will experience some shift in its caseload, including an increase in appointment of guardianship cases and elder abuse cases.²¹

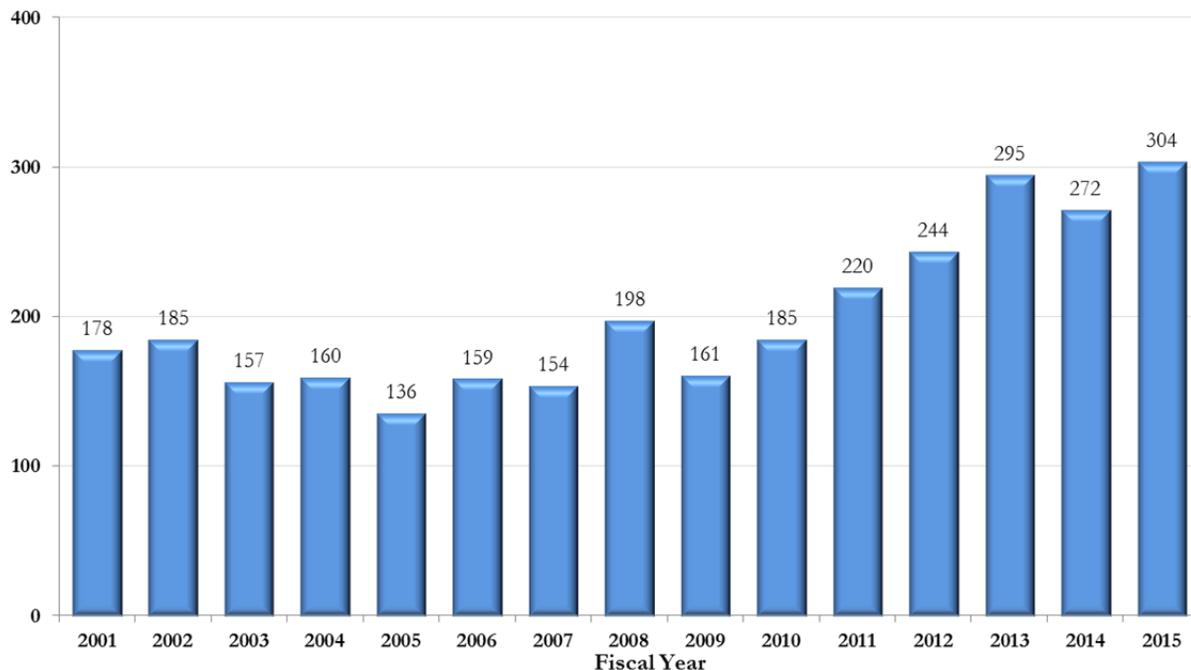
Figure 9 presents the number of petitions for Adult Guardianship filed with Montgomery County Circuit Court between FY2001 and FY2015. The filings, which fluctuated between the mid- to high 100s between FY2001 and FY2007, have been on the rise since FY2009, reaching 244 petitions a year in FY2012 and 304 in FY2015.

¹⁹ U.S. Census Bureau, 2015. *2013 American Community Survey, DP05: ACS Demographic and Housing Estimates*. (created through the *American FactFinder Advanced Search*, <http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>, accessed on 1/26/2015)

²⁰ U.S. Census, 2015. *2013 American Community Survey 1-Year Estimates: Sex by Age by Ambulatory Difficulty - Universe: Civilian noninstitutionalized population 5 years and over*. (created through the *American FactFinder Advanced Search*, <http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>, accessed on 1/30/2015)

²¹ Center for Elders and the Courts. *Elder Abuse: Basics* (<http://www.eldersandcourts.org/Elder-Abuse/Basics.aspx>, accessed on 3/12/2014)

Figure 9. Number of Adult Guardianship* Petitions Filed, FY2001 - FY2015



*Adult guardianship petitions include those for the wards (individuals under the care and control of their guardians appointed by the court) aged 18 and older.

Source: Montgomery County Circuit Court, Data Processing, 2016.

Crime Statistics

As shown in Figure 10, the number of crimes reported by the Montgomery County Police Department has been in decline since calendar year 2008.²² The number of reported crimes was fairly constant around 70,000 between calendar year 2001 and 2008 with a slight decline in 2004 and 2005 to 66,500 and 67,400, respectively. After peaking at 72,500 in 2008, the number of crimes declined by 14,400 (19.9%) in three years to 58,100 in 2011 and remained at that level in 2012. In 2013, the number further declined to 52,900. Between 2008 and 2013, the number of reported crimes declined by 27%. However, the number of reported crimes increased slightly in past two years, exceeding 52,000 in 2015.

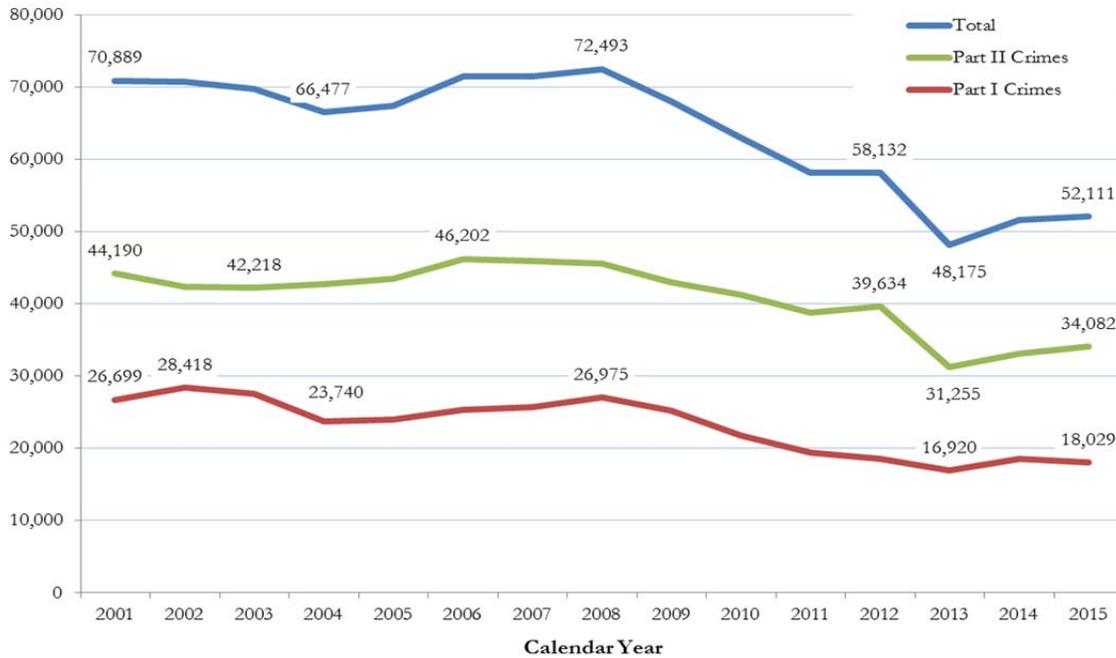
The figure also provides the breakdown of crimes by crime type (Part I and Part II).²³ The reduction in the number of crimes since 2008 was brought about equally by the reduction of both types of crimes, although the number of Part II crimes slightly increased from 38,700 to 39,600 between 2011 and 2012, only to decrease below the 2011-level to 35,700. The number of Part I crimes continued to decline from

²² Montgomery County Police, *Crime Statistics -Yearly Crime Stats*, (<http://www.montgomerycountymd.gov/pol/crime/stats.html>, accessed on 4/6/2016).

²³ FBI's Uniform Crime Reporting (UCR) Program divides offenses into Part I and Part II crimes. See the UCR Offense Definitions (<http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2011/crime-in-the-u.s.-2011/offense-definitions>) for the offenses included under Part I and Part II crimes.

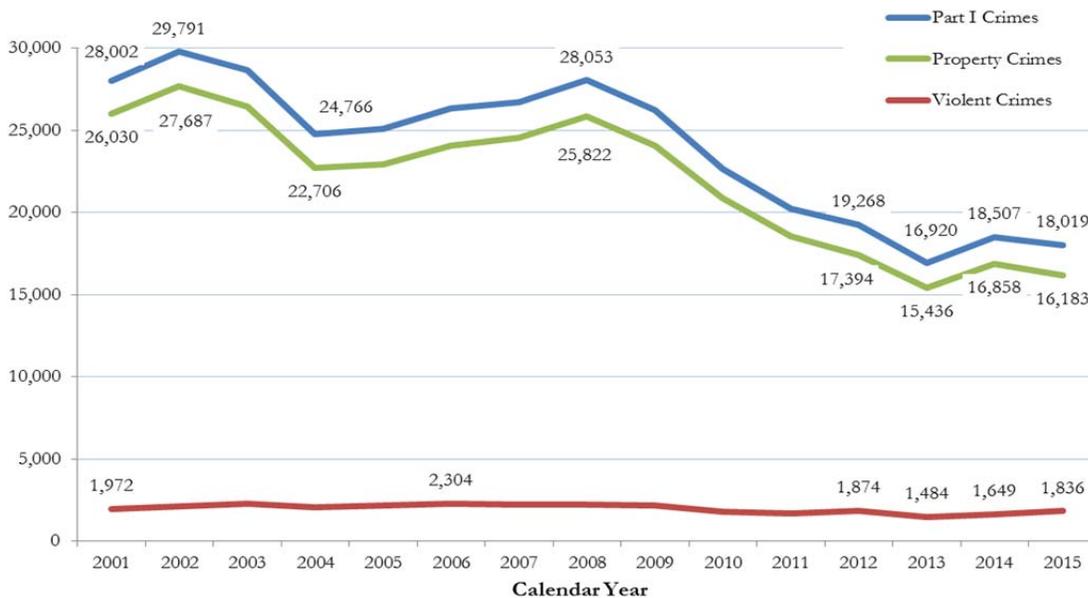
27,000 in 2008 to 16,900 in 2013. In 2014, both Part I and II crimes increased slightly. In 2015, Part II crimes continued to increase, reaching 34,000 whereas Part I crimes declined from 18,500 to 18,000.

Figure 10. Number of Overall, Part I and Part II Crimes Reported in Montgomery County, Calendar Year (CY) 2001-2015



Sources: Montgomery County Police, *Crime Statistics -Yearly Crime Stats*, (<http://www.montgomerycountymd.gov/pol/crime/stats.html>, accessed on 4/6/2016)

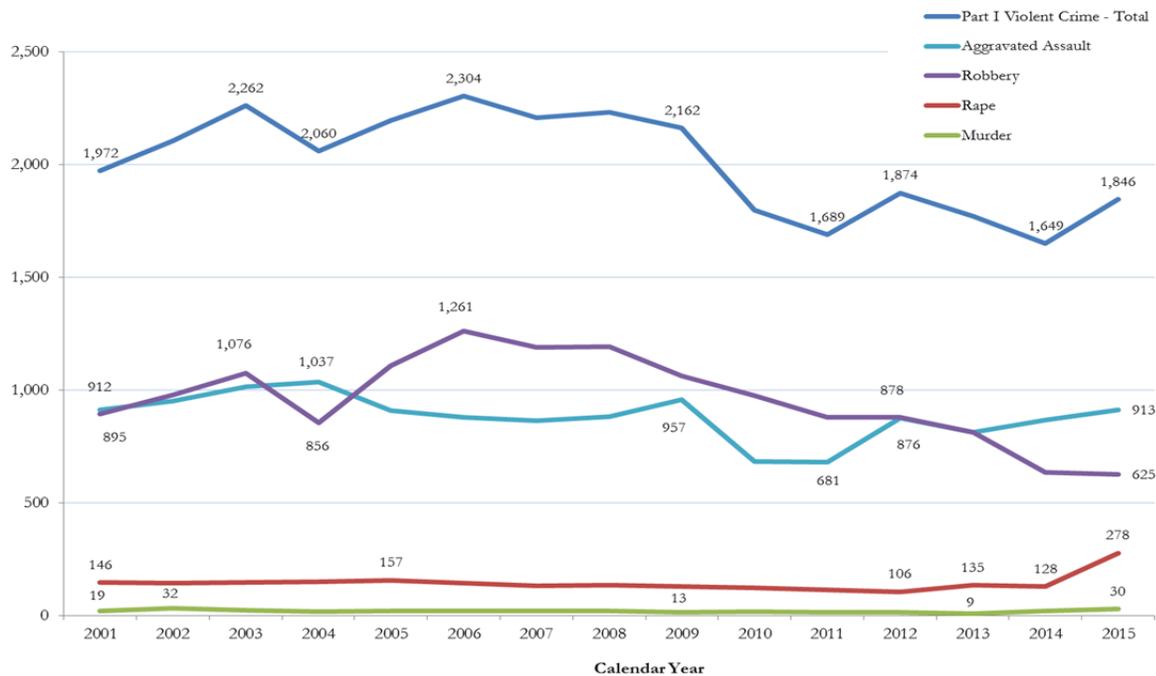
Figure 11. Number of Reported Part I Violent and Property Crimes, 2001-2015



Sources: Governor's Office of Crime Control & Prevention, *County Crime Stats*. (<http://www.goccp.maryland.gov/msac/crime-statistics.php>, accessed on 4/6/2016); Montgomery County Police, *Annual Crime Reports, 2014 and 2015* (2014 and 2015 data) (<http://www.montgomerycountymd.gov/pol/crime/stats.html>, accessed on 4/6/2016)

Figure 11 presents the trend of reported Part I crimes and its breakdown between violent crimes (murder, rape, robbery, and aggravated assault) versus property crimes from 2001 to 2015. During this 15-year period, the overall number of Part I crimes declined from 30,000 to 18,000; in particular the number of the crimes has been steadily declining since 2008. As the figure shows, the overall trend of Part I crimes in Montgomery County is determined by that of property crimes, which account for over 90% of the reported Part I crimes in the county.

Figure 12. Number of Part I Violent Crimes Reported by Type, 2001-2015



Sources: Governor's Office of Crime Control & Prevention, *County Crime Stats*. (<http://www.goccp.maryland.gov/msac/crime-statistics.php>, accessed on 4/6/2016); Montgomery County Police, *Annual Crime Reports, 2014 and 2015* (2014 and 2015 data) (<http://www.montgomerycountymd.gov/pol/crime/stats.html>, accessed on 4/6/2016)

Figure 12 presents a detailed trend of reported Part I violent crimes by crime type (murder, rape, robbery, and aggravated assault) for 2001 through 2015. The number of violent crimes increased from 1,972 in 2001 to 2,304 in 2006 but has been declining since then except for between 2011 and 2012, when the number increased from 1,689 to 1,874. Between 2012 and 2014, the number declined to 1,665 and 1,649, respectively. In 2015, there was a 12% increase in Part I Violent Crimes to 1,846. The two main crime types – robbery and aggravated assault – account for over 90% of reported violent crimes and thus drive the overall trend of the county’s violent crimes.

The numbers of murder and rape, both of which are much smaller than that of robbery or aggravated assaults, have also been in gradual decline. Rapes reported in the county ranged from 140 to 150 per year in the early 2000s; however, after peaking at 157 in 2005, the number declined to 106 in 2012 and

increased slightly to 130 in 2013. However, the number more than doubled from 128 in 2014 to 278 in 2015. According to the Montgomery County Police Department, the observed large increase is due to changes in definition of the offense and reporting protocol. Thus, in 2015, Maryland enacted the new definition of rape established by the FBI, whose definition of rape is much broader than the previous one. Also in 2015, the police department modified the reporting on this category to include child abuse cases involving rape.²⁴ Reported murders in Montgomery County, which were highest (32) in 2002, fluctuated around 20 per year between 2001 and 2008 and have since declined to no more than 16 in recent years. In 2013, the number of reported murders further declined to nine (9). However, in 2014 the number of murder doubled to 19 and increase by more than 10 (a 58% increase) to 30 in 2015.

Table 4 compares the number and the rate of occurrences (per 1,000 residents) of Part I crimes reported in 2014 by the type of crimes (violent versus property crimes), which are more likely to be brought to the Montgomery County Circuit Court. While large jurisdictions as a group represent 66% of the state’s 2014 population, the percentage of Part I crimes reported by those jurisdictions among Part I crimes reported statewide is overrepresented, accounting for 73% of the state’s Part I crimes and 78% of Part I violent crimes reported.

Table 4. Number of Part I Crimes Reported for Large Jurisdictions in Maryland, CY2014

Jurisdiction	Population	Number of Crimes and Crime Rates					
		Part I Crimes		Violent Crimes		Property Crimes	
		N	Rate*	N	Rate*	N	Rate*
Montgomery	1,030,476	18,475	17.9	1,738	1.7	16,737	16.2
Anne Arundel	560,286	15,737	28.1	2,263	4.0	13,474	24.0
Baltimore City	623,711	38,321	61.4	8,432	13.5	29,889	47.9
Baltimore County	827,794	26,618	32.2	4,042	4.9	22,576	27.3
Prince George’s	903,357	30,671	34.0	4,128	4.6	26,543	29.4
Large Jurisdictions	3,945,624	129,822	32.9	20,603	5.2	109,219	27.7
Statewide	5,975,346	176,912	29.6	26,373	4.4	150,539	25.2
% Montgomery	17%	10%		7%		11%	
% Large Jurisdictions	66%	73%		78%		73%	

* Crime rates are calculated per 1,000 residents.

Sources: Population(Calendar Year 2014): U.S. Census Bureau, Population Division, *Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015* (http://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml#, accessed on 4/10/2016); Number of Crimes (Calendar Year 2014): Maryland Governor's Office for Crime Control and Prevention, *Crime in Maryland: 2014 Uniform Crime Report*, (<http://goccp.maryland.gov/msac/documents/2014-crime-in-maryland-ucr.pdf>, accessed on 4/10/2016)

Despite having the largest population in the state, the overall crime rate of Montgomery County (17.9 Part I crimes per 1,000 residents, 17.7 in 2013) is much smaller than that of any other large jurisdiction whose rates range from 28.1 to 61.4 with the average of 32.9 and the statewide average (29.6). Thus,

²⁴ See Montgomery County Police, *Annual Crime Report, 2015* (<http://www.montgomerycountymd.gov/pol/crime/stats.html>, accessed on 4/6/2016, pages 4 and 5). According to the report, 89% (133) of the increase was attributed to the changes mentioned above. Resulting number of rape reported in CY2015 is 145, which is comparable to the early 2000 level.

those crimes are underrepresented in Montgomery County. Specifically, whereas 17% of the state population resides in the county, only 10% of Part I and 7% of Part I violent crimes are accounted for by the county. In fact, Montgomery and Anne Arundel Counties are the only jurisdictions of the six large jurisdictions in the state with a Part I crime rate lower than the statewide average. Further, Montgomery County’s crime rates are substantially lower than those of Anne Arundel County (28.1). This is particularly noteworthy for violent crimes (murder, rape, robbery, and aggravated assault); Montgomery County’s violent crime rate is 1.7 crimes per 1,000 residents, less than half of that of Anne Arundel County (4.0 crimes per 1,000 residents).

Impact on the Circuit Court Caseload

Montgomery County’s lower-than-average violent crime rate appears also to be reflected in the number of criminal cases filed with the Court. During FY2014, 6,160 criminal cases (original and reopened) were filed with Montgomery County Circuit Court, which is slightly lower than the total criminal filings for Anne Arundel County Circuit Court (6,760 filings), which serves a population that is about 55% of Montgomery County’s population. Accordingly, the county’s per capita criminal case filing rate is much smaller (6.0 case filings per 1,000 residents) than that of other large jurisdictions in the state (13.4), as well as the statewide average (13.7).

Table 5. Number of Part I Crimes Reported (CY2014) and Criminal Case Filings (FY2014) for Large Jurisdictions in Maryland

Jurisdiction	Population	Case Filings and Filing Rate [†]							
		Overall		Informations & Indictments		District Court Appeals		District Jury Trial Prayers	
		N	Rate*	N	Rate*	N	Rate*	N	Rate*
Montgomery	1,030,476	6,160	6.0	4,688	4.5	1,240	1.2	333	0.3
Anne Arundel	560,286	6,757	12.1	4,347	7.8	580	1.0	1,763	3.1
Baltimore City	623,711	10,314	16.5	4,965	8.0	879	1.4	4,384	7.0
Baltimore County	827,794	19,758	23.9	8,383	10.1	943	1.1	10,282	12.4
Prince George’s	903,357	9,959	11.0	3,675	4.1	350	0.4	5,765	6.4
Large Jurisdictions	3,945,624	52,948	13.4	26,058	6.6	3,992	1.0	22,527	5.7
Statewide	5,975,346	82,007	13.7	38,734	6.5	5,573	0.9	36,708	6.1
% Montgomery	17%	8%		12%		22%		0.9%	
% Large Jurisdictions	66%	65%		67%		72%		61%	

* Case filing rate are calculated per 1,000 residents.

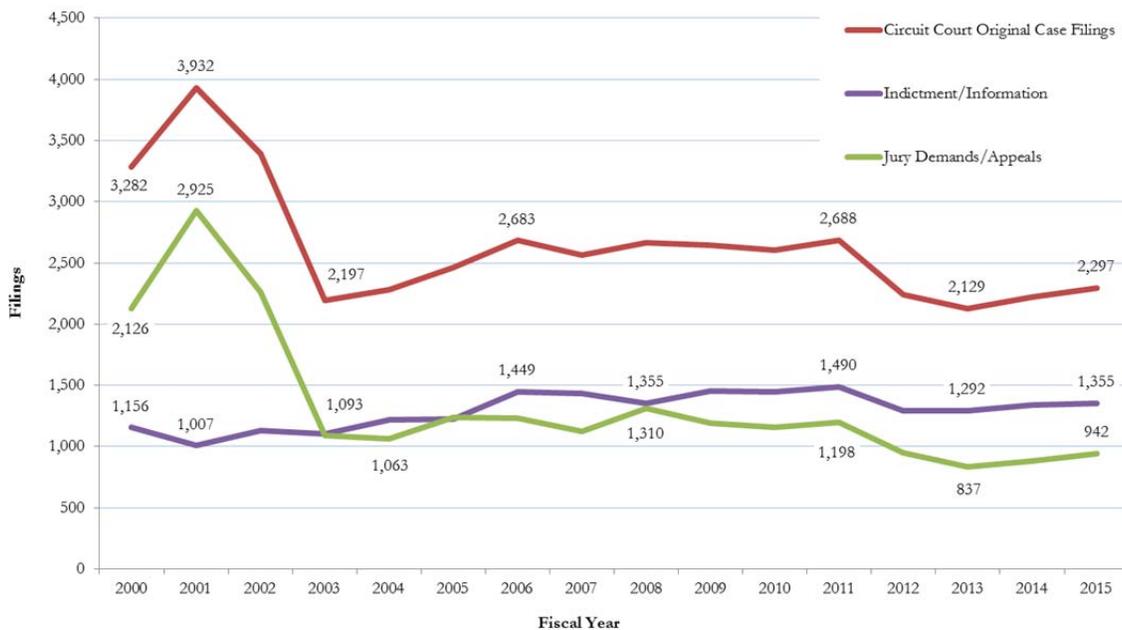
† Includes original and reopened filings

Sources: Population (Calendar Year 2014): U.S. Census Bureau, Population Division, *Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2015* (http://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml#, accessed on 4/10/2016); Criminal Case Filings (FY2014): Maryland Judiciary, *Maryland Judiciary FY2014 Annual Statistical Abstract* (<http://www.courts.state.md.us/publications/annualreport/reports/2014/fy2014statisticalabstract.pdf>, accessed on 4/10/2016)

Interestingly, when filings of indictments and informations – cases originated from a circuit court thus cases with serious offenses – are compared, some of the jurisdictional differences become less evident or

disappear. For example, Montgomery County’s filing rate for indictments and informations is comparable to those of Anne Arundel and Baltimore City Circuit Courts and is greater by 1,000 filings than that of Prince George’s County. Since the county’s population is substantially greater than other jurisdictions, its filing rate (4/5 filings per 1,000 residents) is smaller than that of other large courts, except for Prince George’s County Circuit Court. Instead, Montgomery County Circuit Court has a larger number of the District Court appeals than any other large-jurisdiction court though its per-capita filings (1.2 filings per 1,000 residents) are comparable to those of other large jurisdictions except for Prince George’s County (0.4 filings per 1,000 residents). In contrast, the number of the District Court jury trial prayers filed with Montgomery County Circuit Court (333 filings with the filing rate of 0.3 filings per 1,000 residents) is far smaller than any other large-jurisdiction court (5.7 filings per 1,000 residents). This is due to the strict instant jury trial policy to hold jury trials on the same day, depending upon juror availability, implemented in Montgomery County Circuit Court since the early 2000s to process jury trial prayers on the same day as they are filed.

Figure 13. Circuit Court Original Criminal Case Filings by Case Type, FY2000-FY2015



Source: Montgomery County Circuit Court, Data Processing

Figure 13 presents the trends of *original* criminal case filings at Montgomery County Circuit Court from FY2000 to FY2015. As indicated above, the court’s criminal caseload consists of two types of cases: those filed in the court as criminal indictments and informations and those forwarded from the District Court upon a demand for a jury trial or an appeal, over 80% of which come as appeals. The number of the court’s overall original filings declined from 3,900 in FY2001 to 2,200 in FY2003 when the court

implemented an instant jury trial policy to hold trials on the same day that demands for jury trials are made in the District Court. As a result, the percentage of the court's original criminal case filings forwarded from the District Court declined from 74% in FY2001 to 47% in FY2004 and continued to decline, reaching 39% in FY2013 though it slightly increased to 40% in FY2014 and FY2015. Between FY2003 and FY2011 the number of filings increased from 2,200 to 2,700 but declined to the FY2003 level in the following years.

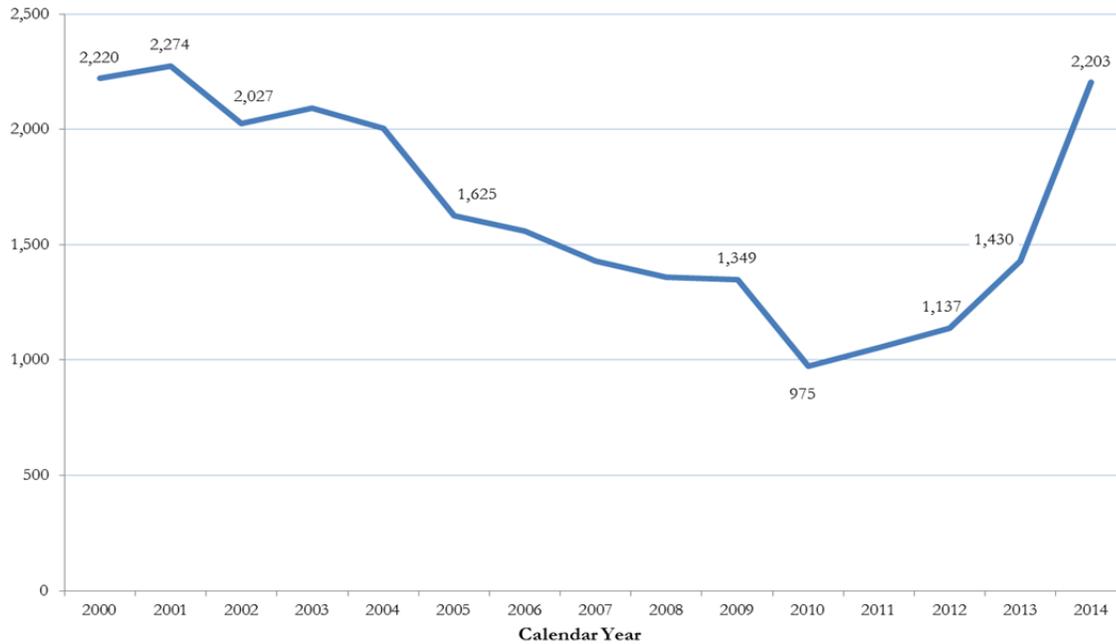
The number of criminal cases filed as indictments or informations in the Circuit Court gradually increased from around 1,090 in FY2003 to 1,490 in FY2011. This number declined to 1,290 in FY2012 and remained unchanged in FY2013, slightly increased to 1,340 in FY2014 and 1,350 in FY2015. Filings of cases tracked as complex (cases with serious offenses such as homicide, rape, first and second degree sex offenses, child abuse, major fraud, arson, and DNA cases) increased by almost 75% from 200 in FY2000 to 348 in FY2010 though they slightly declined to 266 in FY2012 (also 266 in FY2013) but increased to 289 in FY2014 and 343 in FY2015.

Domestic Violence Statistics

Figure 14 presents the number of domestic violence (DV) incidents reported in Montgomery County between 2000 and 2014 based on the *Uniform Crime Report (UCR)*. The number of DV incidents declined from 2,220 in 2000 to 980 in 2010, followed by increases over the next few years to 1,430 in 2013 and 2,203 in 2014. The observed large increases are due to the expanded definition of domestic violence under HB116/SB647 that was signed into law (Family Law Article §4-501) in 2012 to improve recording and tracking of DV crimes. This new and expanded definition of DV was first used in the 2013 reporting. Prior to the law change, the only reported relationship for DV crimes were spouses (husband and wife) and cohabitant. Under the new law, 10 additional relationships are included.²⁵

²⁵ Maryland Statistical Analysis Center, Governors' Office of Crime Control and Prevention, *Crime in Maryland – Uniform Crime Report, Year 2014*. (<http://goccp.maryland.gov/msac/documents/2014-crime-in-maryland-ucr.pdf>, accessed on 4/10/16). See pages 52-54. According to the report, of the 27,785 and 27,242 DV incidents reported statewide for 2013 and 2014 respectively, 61% (16,817) and 55% (15,055) met the previous definition of DV. If we apply those rates to the Montgomery County's numbers reported for 2013 (1,430) and 2014 (2,203), we obtain 866 and 1,217 DV cases that would meet the 'old' definition of DV.

Figure 14. Domestic Violence Incidents Reported in Montgomery County, 2000-2014



Note: the increase in the number of reported incidence in 2013 is in part due to expanding the definition of domestic violence to include 10 additional relationships. See Prevention, *Crime in Maryland – Uniform Crime Report, Year 2013*

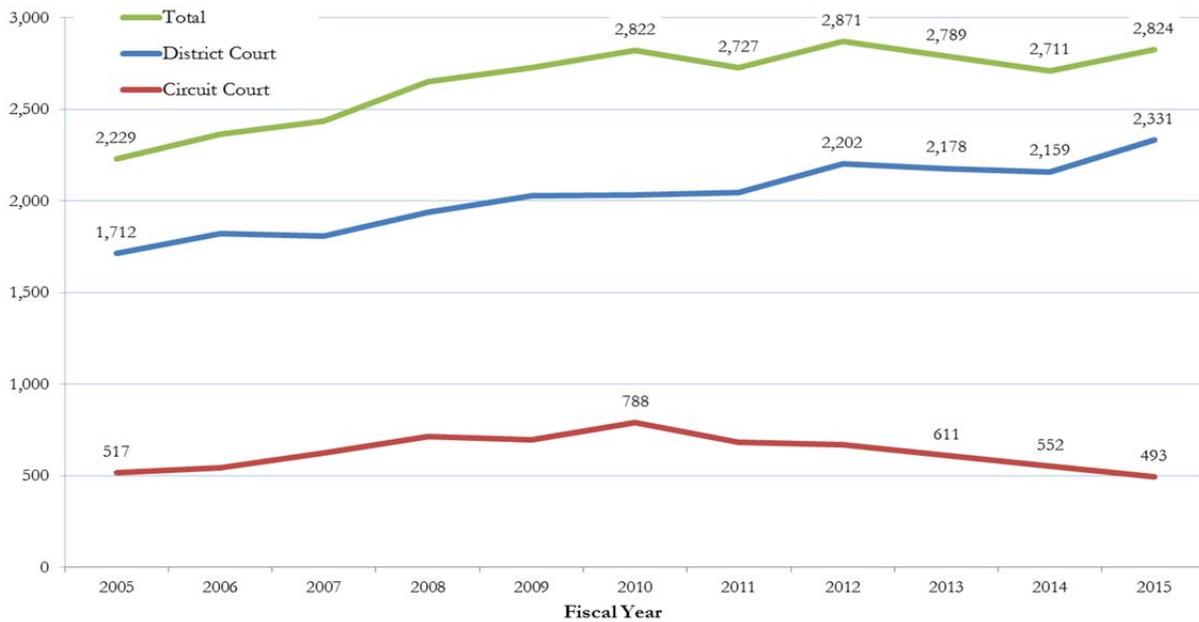
(http://www.goccp.maryland.gov/msac/documents/2013_Crime_in_Maryland_UCR.pdf, accessed on 2/02/15).

Source: Maryland Statistical Analysis Center, Governors' Office of Crime Control and Prevention, *Crime in Maryland – Uniform Crime Report, Years 2004, 2005, 2010, 2012 and 2013*. (<http://www.goccp.maryland.gov/msac/msac.php>, accessed on 2/02/15)

In contrast to the trend in the county's DV incidents, which appears to show a declining trend, the number of original filings of DV petitions for a protective order in Montgomery County Circuit Court and the District Court (Rockville/Silver Spring locations), shown in Figure 15, exhibits a gradual increase from 2,200 to 2,800 between FY2005 and FY2010. For the past five years, the number has been fairly constant between 2,700 and 2,900 filings per year. Approximately 75% of DV petitions are filed in the District Court, with the remaining 25% filed in the Circuit Court although that ratio shifted in the last few years.

The diverging trend between the number of protective order petitions filed and the number of DV incidents reported to the police, as well as the gap between the two numbers (the number of petitions for protective order and DV incidents), may be due to the fact that parties involved in a single incident may file petitions separately seeking protection from one another. An individual may also file multiple petitions over time. Furthermore, petitions filed in the Circuit Court include some that have been transferred from the District Court due to existing family law cases in the Circuit Court involving the parties or have been appealed by a party. The observed divergence might also be an indication of latent domestic violence cases that are not reported to the police, where victims may be proceeding directly to court to obtain protective orders.

Figure 15. Domestic Violence Case Filings (Original) in Montgomery County, Circuit and District Courts, FY2005-FY2015



Note: Circuit Court DV filings also include those DV cases that were transferred from the District Court by jurisdictional transfer or appeal.

Sources: Circuit Court data: Montgomery County Circuit Court, Data Processing; District Court data: District Court of Maryland, *Statistics, FY2005-2015*, (<http://www.courts.state.md.us/district/about.html#stats>, accessed on 4/13/16)

While Montgomery County Circuit Court and the District Court serve as the primary source of legal assistance for protection from domestic violence, county residents often seek other types of assistance in addressing these situations. As reported in the Court’s annual report,²⁶ Montgomery County’s Family Justice Center (FJC) provides information and services (both legal and non-legal) to residents seeking domestic violence assistance. The FJC also provides assistance to domestic violence victims in completing court paperwork, obtaining legal assistance, and serves as a remote site for victim attendance and testimony using video-conference technology to host hearings on ex-parte temporary protection order petitions conducted by the county’s Circuit Court and District Court (Rockville location).

²⁶ http://www.montgomerycountymd.gov/circuitcourt/Resources/Files/Publications/FY2010_2011_Annual_Report.pdf

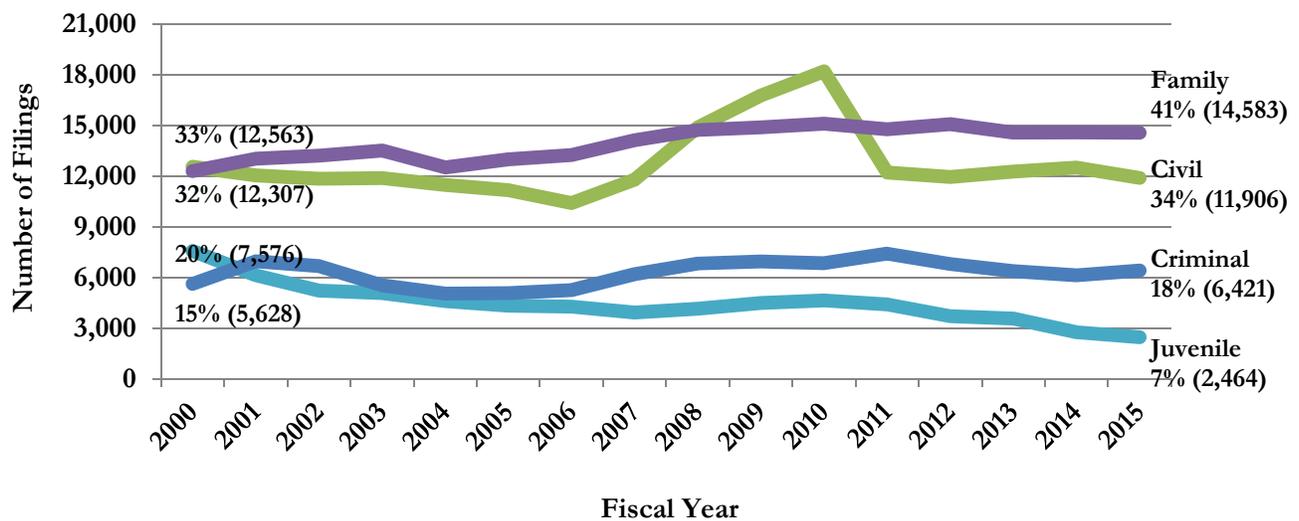
Workload and Case Processing Analysis

Montgomery County Circuit Court is committed to its mission – administering justice in an honest, fair, and efficient manner. As part of its efforts to ensure accountability, the court continually reviews its workload and case processing performance to identify areas in need of improvement. For example, researchers conduct analyses of the court’s data and present results to judges, other court personnel, and stakeholders on a regular basis in an effort to facilitate data-driven approaches to court and case management.

Workload Analysis

Key workload metrics that the court reviews include the number of filings, terminations, hearings, and trials that occur annually in civil, criminal, family, and juvenile cases. The following figures highlight information related to these key workload factors.

Figure 16. Number of Cases Filed by Case Type, FY2000 - FY2015



Source: Montgomery County Circuit Court, Data Processing. Transfer of the juvenile court from the District Court to Montgomery County Circuit Court occurred in 2002. Data for fiscal years prior to 2003 was obtained from the Maryland Judiciary.

Montgomery County Circuit Court case filings (original and reopen) averaged 37,445 between FY2000 and FY2015, ranging from a low of 33,200 filings in FY2006 to a high of 44,800 filings in FY2010 (results not displayed). Figure 16 displays the total number of filings by case type between FY2000 and FY2015. Family and Criminal filings have increased over the past 16 years by 18% and 14%, respectively. Civil

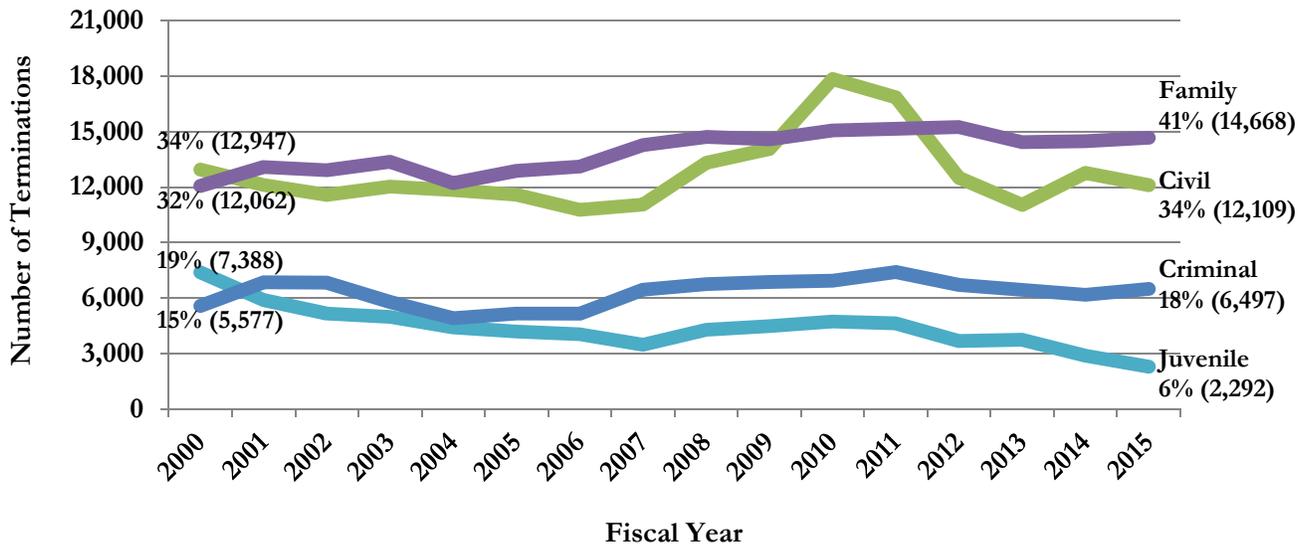
filings exhibited a substantial increase between FY2007 and FY2010 from 11,806 to 18,225 filings mainly due to a large increase in foreclosure filings. In FY2011, civil filings dropped by 33% to 12,225 and remained at that level since FY2013. The 67% decline in juvenile filings between FY2000 and FY2015 is worthy of note. Between FY2000 and FY2007, the number of juvenile filings declined by 48% from 7,600 to 3,900 with an annual average decline of 521 filings per year. Juvenile filings subsequently declined by 47% from FY2010 to FY2015, with an annual average decline of 437 filings per year.

Table 6. Filing Percentages by Case Type, FY2000 - FY2015

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Civil	33%	32%	32%	33%	34%	33%	31%	33%	37%	39%	41%	31%	32%	33%	35%	34%
Family	32%	34%	36%	38%	37%	39%	40%	39%	36%	35%	34%	38%	40%	40%	41%	41%
Juvenile	20%	16%	14%	14%	14%	13%	13%	11%	10%	10%	10%	11%	10%	10%	8%	7%
Criminal	15%	18%	18%	15%	15%	15%	16%	17%	17%	16%	15%	19%	18%	17%	17%	18%

As shown in Table 6, across case types between FY2000 and FY2015, filings initiated from a family or civil petition/complaint comprised a minimum of 65% to a maximum of 76% of the court’s overall filings. The representation of civil filings among all court case filings increased from 33% in FY2007 to 41% in FY2010, reflecting the large influx of foreclosure filings during that period. As a result of this change in civil filings, between FY2007 and FY2010, the percentage of family filings among all case filings declined from 39% to slightly over one-third (34%). Between FY2012 and FY2015, however, family cases comprised 40% of all original and reopened filings. Criminal and juvenile (including delinquency and child welfare) filings have remained relatively constant over time, each representing less than 20% of the court’s total case filings.

Figure 17. Number of Cases Terminated by Case Type, FY2000 - FY2015



Source: Montgomery County Circuit Court, Data Processing. Transfer of the juvenile court from the District Court to Montgomery County Circuit Court occurred in 2002. Data for fiscal years prior to 2003 was obtained from the Maryland Judiciary.

Montgomery County Circuit Court case terminations (original and reopen) averaged 37,342 between FY2000 and FY2015, ranging from a low of 33,086 filings in FY2007 to a high of 44,600 filings in FY2010 (results not displayed). Figure 17 highlights the total number of case terminations by case type between FY2000 and FY2015. The termination trends are similar to the filing trends displayed in Figure 16. Family and Criminal terminations have increased over the past 16 years by 22% and 17%, respectively. Juvenile terminations experienced a 69% decline in terminations between FY2000 and FY2015 comparable to the 67% decline experienced in filings during the same period. The decline in civil and juvenile terminations is greater than the decline experienced in filings between FY2000 and FY2015 (5% vs. 5% for civil; 69% vs. 67% for juvenile). Between FY2000 and FY2007, the number of juvenile terminations declined by 53% from 7,400 to 3,500, with an annual average decline of 558 filings per year. Since FY2007, juvenile terminations increased slightly to 4,300 in FY2008 and over 4,700 in FY2010. Over the past five years, however, there has been an annual average decline of 488 terminations per year.

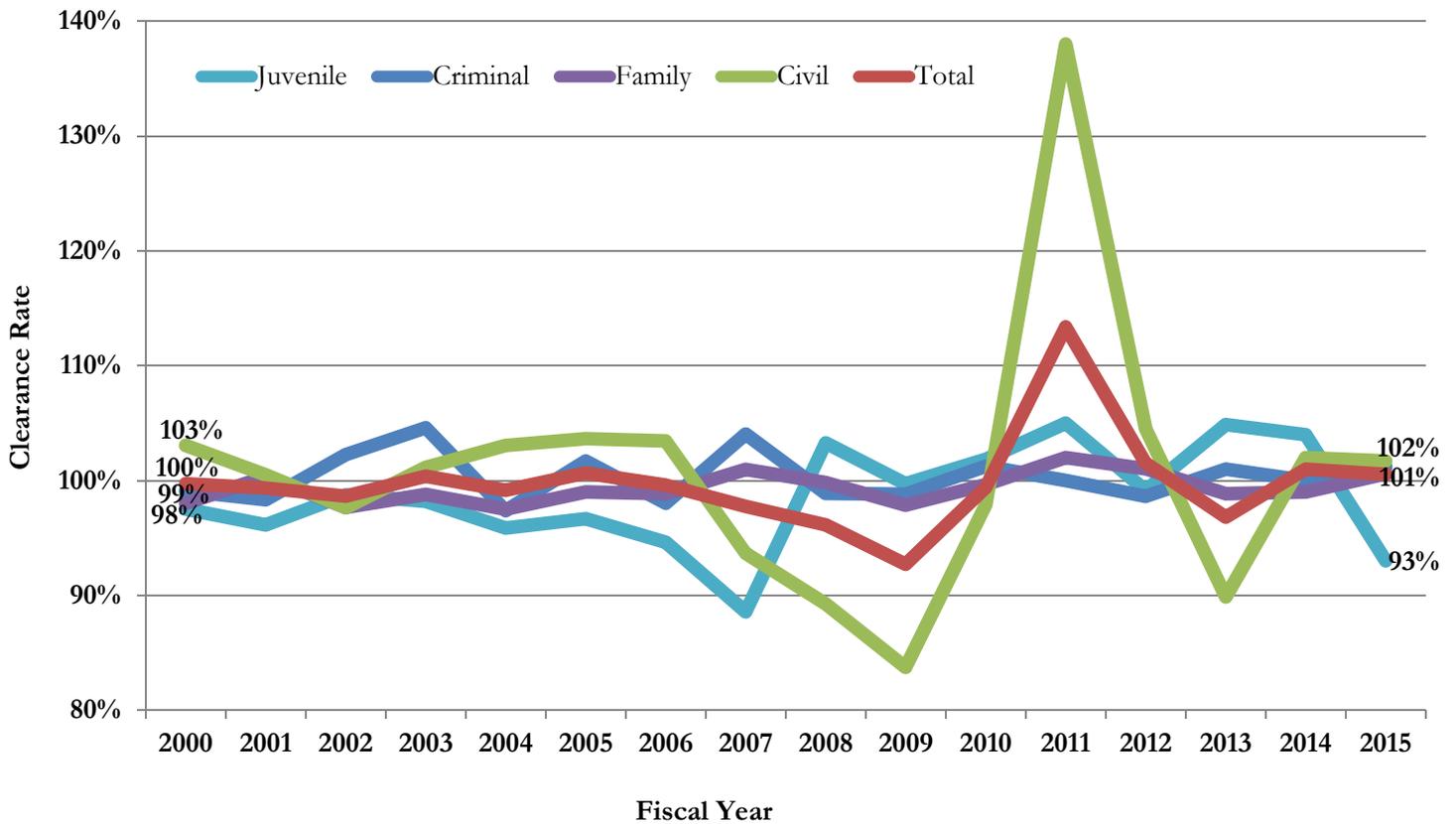
Table 7. Termination Percentages by Case Type, FY2000 - FY2015

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Civil	34%	32%	32%	33%	35%	34%	33%	31%	34%	35%	40%	38%	33%	31%	35%	34%
Family	32%	34%	35%	37%	37%	38%	40%	40%	38%	36%	34%	34%	40%	40%	40%	41%
Juvenile	19%	16%	14%	14%	13%	12%	12%	10%	11%	11%	11%	11%	10%	11%	8%	6%
Criminal	15%	18%	19%	16%	15%	15%	16%	18%	17%	17%	16%	17%	18%	18%	17%	18%

Case termination trends mirror total case filing trends. As shown in Table 7, across case types, slightly over two-thirds to three-quarters of case terminations are family and civil matters. In FY2010 and FY2011, 40% and 38% of the total terminations were civil matters, reflecting the court's efforts to process a large number of foreclosure cases, and slightly over one-third were family matters. Similar to the past three fiscal years, in FY2015 civil matters represented about a third of total terminations, whereas 41% of the total terminations were family matters. Since FY2000, no more than 20% of the total terminations have been criminal or juvenile (delinquency and child welfare) case terminations.

One of the ways to assess how efficiently courts are processing cases is to calculate the case clearance rate, which is calculated by dividing the number of terminations by filings for a given time period. A clearance rate over 100% indicates that a court has more case terminations than filings, suggesting higher case processing efficiency through addressing case backlog. In contrast, a clearance rate of less than 100% indicates that the court was not able to close as many cases as were filed.

Figure 18. Overall Case Clearance Rate (original and reopened): Overall and by Case Type, FY2000-2015



Source: Montgomery County Circuit Court, Data Processing. Transfer of the juvenile court from the District Court to Montgomery County Circuit Court occurred in 2002. Data for fiscal years prior to 2003 was obtained from the Maryland Judiciary.

According to the National Center for State Courts CourTool Measure #2 (Clearance Rates), courts should aspire to clear (i.e., dispose of) at least as many cases as have been filed/reopened/reactivated in a period by having a clearance rate of 100%.²⁷ Montgomery County Circuit Court’s clearance rate analysis considers reactivated cases within its universe of open cases.

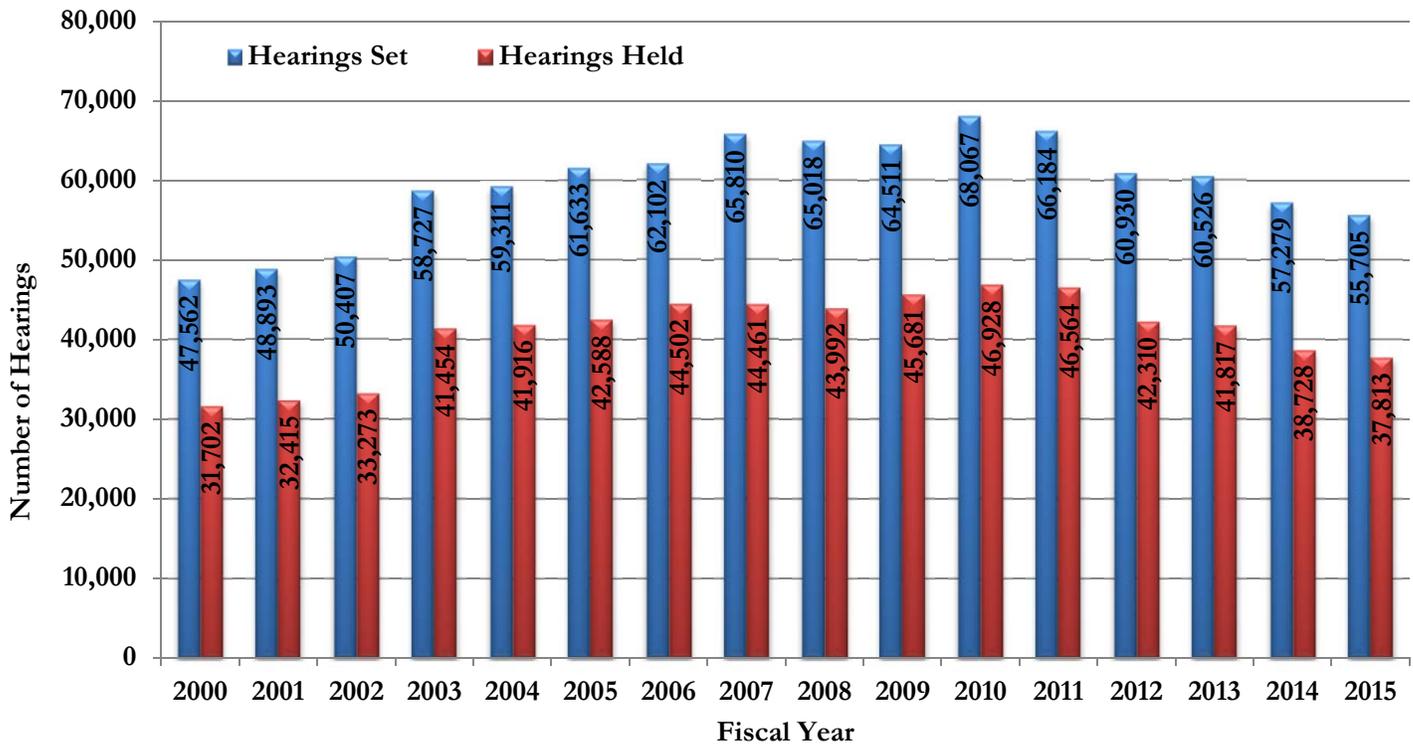
Figure 18 presents the court’s annual case clearance rates by case type for FY2000 through FY2015. By FY2015, the court’s overall clearance rate overall clearance rate was at 101%, ranging from a low of 93% in FY2009 to a high of 113% in FY2011. The minimum and maximum overall clearance rate values were largely driven by civil filings and terminations. For the past 16 years, 90% of the case type specific clearance rates were at 95% or above, and 73% were at 99% or above.

²⁷ Additional information on the National Center for State Courts’ CourTools is available from its website: <http://www.courttools.org/>.

The civil clearance rate had the most variability, ranging from a low of 84% in FY2008 to a high of 138% in FY2011. Despite continued increases in civil filings between FY2009 and FY2010 (approximately 9%), the civil clearance rate improved from 84% to 98%. The overall clearance rate improved to 113% in FY2011, and the improvement was driven primarily by the high civil clearance rate (138%). This improved civil clearance rate was due to the large drop in civil filings combined with a slight decline in civil terminations between FY2010 and FY2011.

In FY2012, the overall clearance rate was 102%, suggesting that the court was able to maintain an efficient level of case processing across case types. In FY2013, the overall clearance rate declined to 97%, which was the result of declines in the civil and family clearance rates. The decrease in the civil clearance rate was primarily driven by the declined clearance rate among original circuit court civil cases and Register of Wills cases. The family clearance rate decline was driven by reopened family filings/terminations. In FY2014 and FY2015, the court's clearance rate reached 101%, suggesting a reduction in the court's case backlog. Between FY2014 and FY2015, all case-type specific clearance rates increased or remained unchanged except for juvenile, which declined from 104% in FY2014 to 93% in FY2015. The original clearance rate for juvenile in FY2015 is 94% whereas the reopened clearance rate is 92%. When looking at the original, juvenile clearance rate by case type (delinquency, CINA, and TPR), it appears that the delinquency clearance rate may have the largest impact on the decline in the juvenile clearance rate reaching only 94.5% in FY2015 compared to 108.0% in FY2014. There was also a decline in the CINA clearance rate from 117.2% in FY2014 to 93.2% in FY2015.

Figure 19. Number of Hearings Set and Held, FY2000 - FY2015

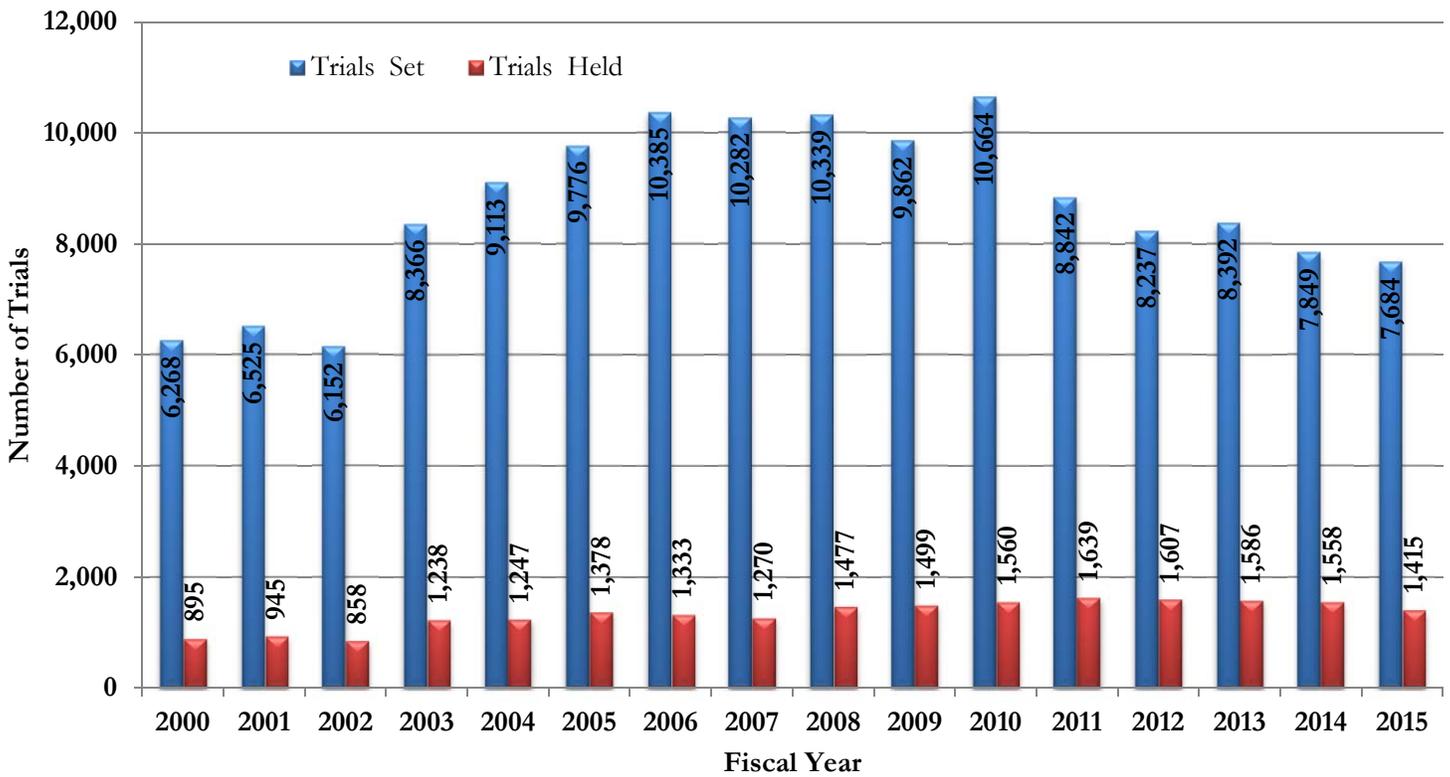


Source: Montgomery County Circuit Court, Data Processing. Transfer of the juvenile court from the District Court to Montgomery County Circuit Court occurred in 2002. Juvenile hearing data for fiscal years prior to FY2003 is not reflected due to differences in data collection approaches prior to the transfer.

Figure 19 displays the number of hearings set and held between FY2000 and FY2015. Since FY2000, the number of matters set for hearings increased by 17%, and the number of hearings held increased by 19% (when excluding juvenile hearings held in the District Court for FY2000-FY2002). There was a relatively large increase in hearings set and held (over 8,000 hearings) between FY2002 and FY2003. This increase is related to the transfer of juvenile jurisdiction from the District Court to the Montgomery County Circuit Court, as well as administrative changes made to judges' calendars in compliance with Maryland Rule 9-208.²⁸ Between FY2003 and FY2015, the court experienced a 5% drop in hearings set and a 9% decrease in hearings held, despite increases up until 2010. Due to how data related to hearings set and held are entered into the court's case management system, the hearings held may not correlate directly with those that are set. For example, some hearings that are ultimately held may not have been originally set as a hearing, but rather as a conference.

²⁸ For additional information regarding Maryland Rule 9-208 please access the following link: <http://www.lexisnexis.com/hotttopics/mdcode/>, and access the Maryland Rules.

Figure 20. Number of Trials Set versus Held, FY2000 - FY2015



Source: Montgomery County Circuit Court, Data Processing. Transfer of the juvenile court from the District Court to Montgomery County Circuit Court occurred in 2002. Juvenile adjudication/trial data for fiscal years prior to FY2003 is not available.

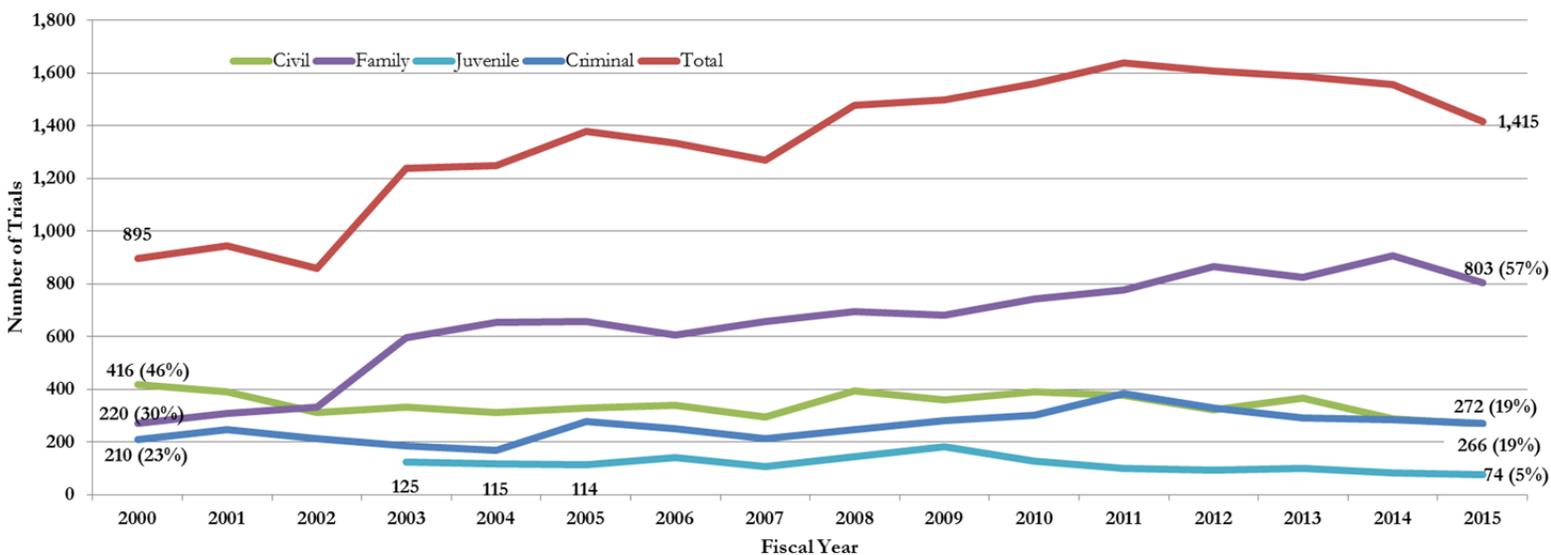
Figure 20 depicts the number of trials set and held between FY2000 and FY2015.²⁹ Since FY2000, the court experienced a 23% increase in the number of matters set for trial and a 58% increase in the number of trials held. As stated above, part of the increases in the numbers of trials set and held are due to the transfer of the jurisdiction over juvenile cases from the District Court to Montgomery County Circuit Court in FY2003. There was a noticeable decline in the number of trials set (17%) from 10,664 in FY2010 to 8,842 in FY2011. The decline in trials set continued in FY2012; however, it was less dramatic (7% decline). This drop is likely the result of efforts implemented as part of the revised criminal Differentiated Case Management (DCM) plan, which established 4-215 hearings aimed at scheduling trials on agreed-upon dates in criminal cases. With parties being actively involved in scheduling their trial dates, the need for postponements due to scheduling conflicts was anticipated to decline. The decline in trials set between FY2010 and FY2012 is also due in part to the implementation of settlement conferences in Track 3 civil cases, which allow parties another opportunity for resolution prior to setting the trial date. There was a slight increase in the number of trials set between FY2012 and FY2013 (2%) due to an increase (14%) in

²⁹ Depending on when the trial is set and held within the fiscal year, the trials held may not be of those set. For example, if a trial is held at the beginning of one fiscal year, it may have been set in the previous fiscal year.

criminal trial settings. Since FY2013, overall trial settings have declined to 7,684 in FY2015 (an 8% decline).

Figure 21 displays trials held by case type between FY2000 and FY2015. The greatest increases in the number of trials held occurred between FY2002 and FY2003 (an increase of 380 trials held (44%) from 858 to 1,238); FY2004 and FY2005 (an increase of 131 trials held (11%) from 1,247 to 1,378); and FY2007 and FY2008 (an increase of 207 trials held (16%) from 1,270 to 1,477). The increase in trials held between FY2002 and FY2003 is due to the transfer of the juvenile court but also due to a 79% increase in family trials held from 333 in FY2002 to 595 in FY2003 due to the aforementioned rule change in family law. The increase in trials held between FY2004 and FY2005 is driven by a 65% increase in the number of criminal trials held specifically court trials (as opposed to jury trials), which increased from 64 to 174 (172%). In FY2005, criminal trials held represent 20% of all trials held. The increase in trials held between FY2007 and FY2008 is driven by increases in civil and juvenile trials held by 33% and 36%, respectively. The number of trials held in all case types decreased between FY2013 and FY2015.

Figure 21. Number and Percentage of Trials Held by Case Type,³⁰ FY2000 - FY2015



Source: Montgomery County Circuit Court, Data Processing. Transfer of the juvenile court from the District Court to Montgomery County Circuit Court occurred in 2002. Juvenile adjudication/trial data for fiscal years prior to FY2003 is not available.

The trial utilization rate³¹ – the number of trials held of those set – ranged from a low of 12% in FY2007 to a high of 20% in FY2012 and FY2014. The trial utilization rate between FY2000 and FY2010 was 14%.

³⁰ Register of Wills (ROW) trials are included. There were two ROW trials in FY2011 and none in the remaining fiscal years represented.

Between FY2010 and FY2011, the first full year in which the majority of civil and criminal cases reaching trial had been filed under the revised DCM plans, the trial utilization rate increased from 15% to 19%. That rate remained unchanged between FY2011 and FY2014.

The court also performed a preliminary analysis of trial date certainty as defined by the National Center for State Courts (NCSC) in its CourTool Measure 5. According to the NCSC, trial date certainty is the number of times cases disposed by trial are scheduled for trial. One way to examine trial date certainty is by the proportion of cases that meet a specific performance goal set by the court. One possible benchmark, according to NCSC, is to have 90% of the court’s cases hold trial in no more than two trial settings among cases disposed by trial. Using this as a preliminary benchmark, Montgomery County Circuit Court meets that goal for trials overall and for family and civil trials specifically. In contrast, only 85% of criminal trials and 80% of juvenile adjudication hearings were held in no more than two settings.

Table 8. Number and Percentage of Cases with Trials Held within Two Trial Settings, FY2015³²

Case Type	Total	Within Two Trial Settings	
		N	%
Criminal	288	246	85.4%
Family	773	757	97.9%
Juvenile	98	78	79.6%
Civil	262	249	95.0%
Total	1,421	1,330	93.6%

The question about whether trials are held when initially set has yet to be fully explored. It is widely understood that due to the increased availability of Alternative Dispute Resolution (ADR), as well as the use of other means to resolve cases prior to trial (e.g., resolution and settlement conferences), trials serve as an effective, if relatively rarely utilized, mechanism for the resolution of cases that cannot be otherwise resolved. By encouraging the earliest appropriate resolution of cases, case management allows fewer trials to be set and, when set, held with greater certainty.

³¹ Trial utilization is different than trial rate, which reflects the percentage of trials held among original filings, which for FY2015 is 6.4% (across all case types).

³² Data should be considered preliminary as decisions rules related to the operationalization of cases for the ‘trial date certainty’ measure are ongoing.

Case Processing Analysis

As part of its effort to increase the efficiency of case processing operations and maintain cases at an optimum level, Montgomery County Circuit Court established a Differential Court Management (DCM) plan for each case type (civil, criminal, family, and juvenile) pursuant to the Maryland Rules of Procedure (Rule 16-202(b)). These plans establish performance guidelines for each case type, creating a schedule of deadlines and hearings related to the complexity of the case and dedicating increasing judicial resources as case complexity increases.

The DCM scheduling guidelines are more detailed than the statewide case processing performance standards and support the court's efforts to meet or exceed the statewide standards. The statewide performance standards, which were developed by the Maryland Judiciary in 2000, are utilized by all Maryland circuit courts and the District Court to evaluate their case processing performance and case processing efficiency. For circuit courts, case processing time standards are available for seven case types including civil, criminal, family, juvenile delinquency, child in need of assistance (CINA) shelter care, CINA non-shelter care, and termination of parental rights (TPR). The state case processing time standards present to the citizens of Montgomery County and Maryland the performance expectations of the judiciary as to the prompt resolution of cases in the furtherance of justice. In addition, the standards establish goals against which courts examine their operations.

Table 9. Statewide Caseflow Assessment Time Standards and Percent of Cases Closed within Time Standard: Statewide Goals, Montgomery County Performance and Statewide Average, FY2011 – FY2015

	Montgomery County Circuit Court Performance										Maryland Caseflow Time Standards		Maryland Statewide Percentage (weighted), FY2015
	FY2011		FY2012		FY2013		FY2014		FY2015		Percentage Goal	Case Time	
	%WST*	#	%WST	#	%WST	#	%WST	#	%WST	#			
Civil, overall	94%	10,534	94%	6,381	95%	5,763	97%	6,242	95%	6,106	98%	548	91%
Civil, w/o Foreclosures	<u>98%</u>	5,054	<u>98%</u>	4,492	<u>98%</u>	4,204	<u>99%</u>	3,956	<u>98%</u>	3,362	NA		NA
Criminal	96%	2,701	96%	2,183	95%	2,083	94%	2,094	94%	2,242	98%	180	84%
Limited Divorce, Family Law							<u>99%</u>	137	<u>99%</u>	310	98%NA	730	89%
Other, Family Law							94%	7,892	95%	7,866	98%	365	89%‡
Juvenile Delinquency	97%	1,092	95%	1,006	95%	861	92%	594	95%	628	98%	90	96%
CINA Shelter	79%	169	74%	125	72%	135	81%	139	57%	121	100%	30	72%
CINA Non-Shelter	<u>100%</u>	40	98%	81	66%	50	89%	56	<u>100%</u>	45	100%	60	93%
TPR	97%	37	97%	37	96%	27	<u>100%</u>	20	<u>100%</u>	27	100%	180	66%
Total (with Foreclosures)†		22,607		18,345									

* %WST: Percent of cases closed within the Maryland Caseflow Time Standards 17,063 17,174 17,345

† The number of family law terminations in FY2011-FY2013 is: 8,034; 8,532, and 8,144. These termination figures and associated performance percentages are not displayed because prior to FY2014 the Maryland Judiciary had slightly different time standards for family law cases. Please refer to the court's case processing reports for family law case processing performance prior to FY2014.

Note: The underlined %WST values indicate those that met the Maryland Judiciary's time standard performance goal.

As shown in Table 9, in FY2015, a total of 17,374 original terminations were analyzed: civil (6,106), criminal (2,242), family law (FL) – limited divorce (310), FL-other (7,866), juvenile delinquency (628), child in need of assistance (CINA) (166), and termination of parental rights (TPR) (27) cases. Of the 166 CINA cases, 121 are shelter cases and 45 are non-shelter cases.

A key measure of the annual case processing analysis is the percentage of cases terminated within the state-defined time standards. Between FY2014 and FY2015, FL-Other, juvenile delinquency, CINA non-shelter, and TPR case processing performance improved. Performance remained stable for the remaining case types except for civil and CINA shelter where performance declined. Additional analyses were undertaken by the court to better understand the decline in CINA shelter performance. As a result of the analysis and subsequent discussions with judicial and case management staff, a revision was made to the extraordinary cause postponement policy. Preliminary analysis of the first six months of FY2016 CINA shelter performance reveals an improvement over the performance achieved in the first six months of FY2015 (68% versus 57%, respectively).

According to the Maryland Judiciary, Montgomery County Circuit Court along with the circuit courts in Anne Arundel County, Baltimore City, Baltimore County, and Prince George's County are considered 'large' because their number of presiding judges is equal to or greater than ten. In FY2015, Montgomery County Circuit Court ranked first or second to the other 'large' jurisdictions across six case types or case sub-types (see Table 10). Montgomery County Circuit Court ranked (or shared) first in family, CINA non-shelter, and TPR case processing, and ranked second in criminal and civil case processing. The court ranked fifth in CINA shelter and Juvenile Delinquency case processing. It is important to note that some of the differences between jurisdictions are rather minimal, and jurisdictions may vary in their case processing procedures, which may ultimately contribute to differences in performance.

Table 10. Percentage of Cases Closed within the Time Standard by Case Type: Montgomery County vs. Four 'Large' Jurisdictions, FY2015

Rank	Civil		Limited Divorce (730 days)	Other Family Law (365 days)	Juvenile Delinquency	CINA Shelter	CINA Non-Shelter	TPR
1	Baltimore City (96%) Criminal	Montgomery (94%)	Montgomery (99%)	Montgomery (95%)	Prince George's (100%)	Prince George's (99%)	Montgomery (100%)	Montgomery (100%)
2	Montgomery (95%)	Anne Arundel (94%)	Anne Arundel (97%)	Anne Arundel (91%)	Baltimore City (96%)	Anne Arundel (86%)	Prince George's (100%)	Anne Arundel (100%)
3	Anne Arundel (93%)	Prince George's (91%)	Prince George's (97%)	Prince George (85%)	Anne Arundel (96%)	Baltimore City (68%)	Baltimore County (81%)	Prince George's (87%)
4	Baltimore County (91%)	Baltimore County (87%)	Baltimore City (78%)	Baltimore County (82%)	Baltimore County (96%)	Baltimore County (65%)	Anne Arundel (No Data)	Baltimore County (58%)
5	Prince George's (85%)	Baltimore City (72%)	Baltimore County (69%)	Baltimore City (79%)	Montgomery (95%)	Montgomery (57%)	Baltimore City (No Data)	Baltimore City (54%)

Note: Figures are obtained from the Maryland Judiciary's statewide case assessment report except for Montgomery County Circuit Court's figures, which are based on the performance of their entire complement of terminations for a particular fiscal year as opposed to a random sample of 500 terminations per case type.

*This document was prepared by
the Montgomery County Circuit
Court. If you have any questions
about its content, please contact
240-777-9100.*