2015 State of the Court Report

Montgomery County Circuit Court

50 Maryland Avenue
Rockville, Maryland 20850

As was requested by the Maryland Judiciary and the Judicial Council, please accept Montgomery County Circuit Court's 2015 State of the Court Report. The Report was completed by the court's leadership team and dialog is ongoing in relation to the initiatives and activities identified herein. The court looks forward to further discussion and collaboration with the Maryland Judiciary on these and other initiatives to ensure the effective and efficient administration of justice not only in Montgomery County Circuit Court but statewide.

Section I. Identifying Information

a. Montgomery County Circuit Court
b. Montgomery County/Rockville
c. Circuit Court
d. Fiscal Year (FY) 2015
e. October 16, 2015

Section II. Executive Summary

During Fiscal Year (FY) 2015, Montgomery County Circuit Court processed over 35,000 case filings and a comparable number of terminations, as well as held almost 38,000 hearings and 1,400 trials. In addition, the court processed 10,000 business licenses, issued 6,000 marriage licenses, and performed 5,700 civil ceremonies. The court annually examines a variety of external and internal factors that may impact the administration of justice.[1] Fluctuations in county demographics, for example, may influence the initiatives identified and resourced for a particular fiscal year. The court has identified several initiatives to support the needs of a diverse resident population ranging from accommodations to assist patrons with physical and cognitive limitations to those in need of elder care/guardianship. Annual increases in the number of visits to the court's Family Law Self-Help Center since FY2013 also suggest a continued focus on the needs of self-represented litigants.

During FY2015, the court embarked on a number of initiatives, which include but are not limited to:

- Transitioned to a statewide jury management system (Jury+), as well as implemented four kiosks to support juror 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.
- Instituted a new policy regarding self-represented litigants' access to court files, changed the procedure for handling emergency duty matters that involve self-represented litigants and their access to judges' chambers, and modified the bond refunds procedure.
- Created additional lead worker and supervisor positions in the Family and Civil Departments and conducted major personnel changes in the Criminal Department.
- Completed Phase II renovations to the courthouse.
- Performed a risk assessment of the court's case management system.
- Created a waiting area for children whose families have business with the court.
- Reviewed and updated the court's human resource programs and developed various wellness programs for court staff.

A sampling of the initiatives that the court intends to undertake includes:

- Create a Mental Health Court.
- Implement an electronic search warrant process.
- Implement a One-Family-One-Judge system in family case management.
- Improve coordination among various departments in assisting self-represented litigants to understand court processes and services in family cases.
- Implement a number of court management systems including CONNECT, Marriage in Maryland (MIM), and E-license.
- Improve the court employee orientation and cross training programs.
- Digitize some of the court documents that are in hard copies or in microfilm.

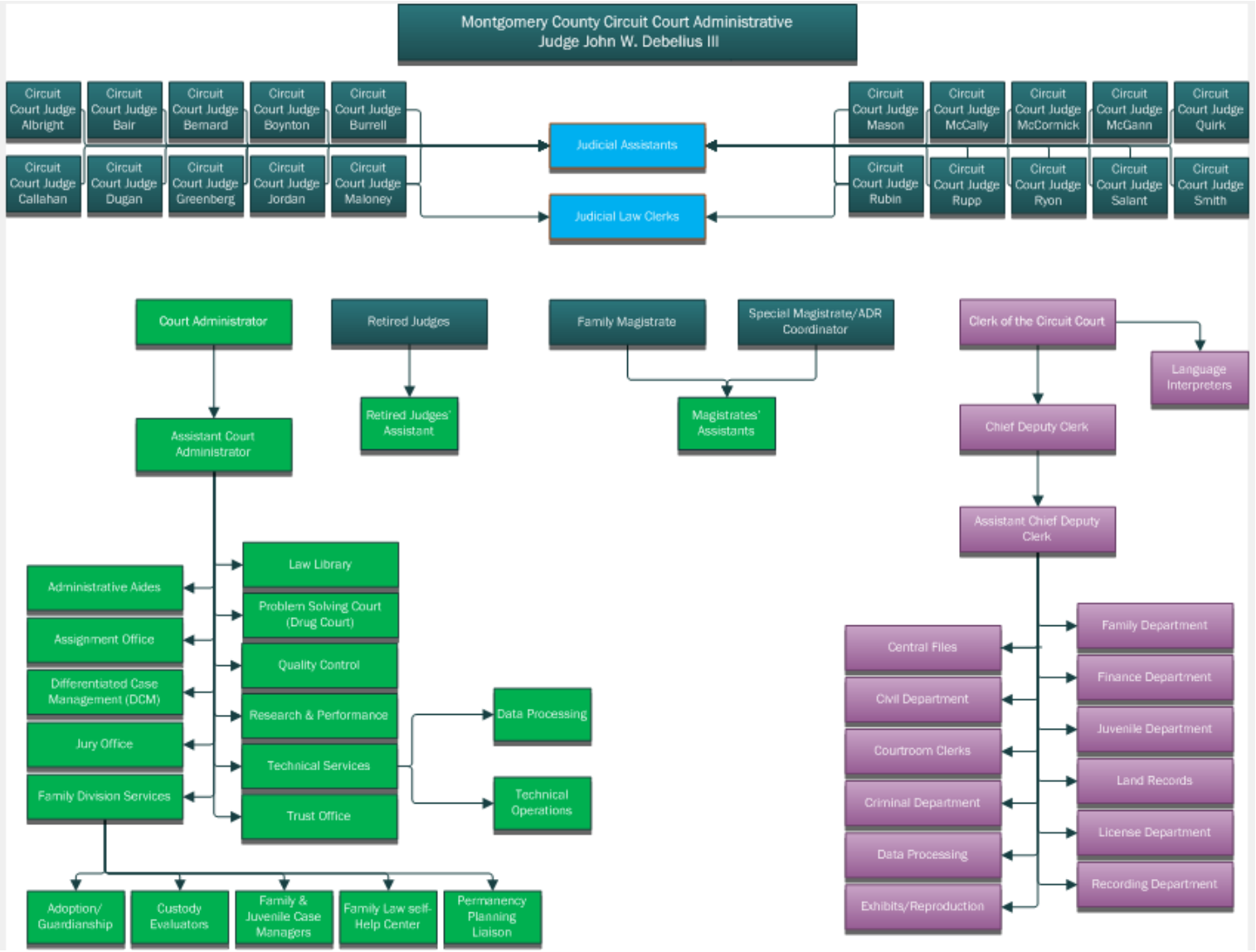
[1] See Appendix II for links to annual workload and case processing reports.

- Conduct an on-line access and fairness survey.

Court leadership appreciates the opportunity to highlight issues worth considering by the Maryland Judiciary. A few of the legislative concerns that require further discussion on a statewide level include:

- Contested judicial elections.
- Review process related to structured settlement buyout petitions.
- Communication strategy for rule and statute changes.

Section III. Organizational Structure of the Court



Section IV. Annual Goals and Objectives

The court's annual goals and objectives are derived from department-level business plans designed to integrate the court's priorities with those set forth in the *Strategic Plan for the Maryland Judiciary, 2015-2020*. The Clerk of the Court and each department manager within Court Administration submitted a business plan identifying their annual goals and objectives. Listed below are the major initiatives that will be undertaken by the court.

Provide Access to Justice

1. Investigate and Implement a Mental Health Court – A task force has been established to create a Mental Health Court that will assist defendants with mental health issues to access the 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 administrating justice in an efficient and effective manner. A report will be provided to the Administrative Judge by December 31, 2015 detailing the court's plan for implementation.
2. Implement One Judge, One Family Case Management – In cases meeting the identified criteria, one judge will be assigned for the life of a family case. Eligibility for this program will be determined by case managers, evaluated by Family Magistrates for appropriateness and then assigned to a judge within the Family rotation. This continuity of case assignment will provide efficiency and support to the family and will adjudicate matters in a fair, consistent and timely manner. This program will be evaluated for effectiveness and to identify improvement opportunities over the first two years of implementation.
3. Conduct an On-Line Access & Fairness Survey - The National Center for State Court's Access and Fairness survey (CourTool Measure 1) was administered at the court in 2006 to court patrons to assess their perceptions of court accessibility and treatment in terms of fairness, equity, and respect. The court plans to administer this survey once again in an effort to not only inform future court initiatives but also determine whether any changes in perception exist.
4. Provide Information to Self-Represented Litigants to Understand Court Processes and Services in Family Cases - The Clerk of the Court and Court Administration will evaluate all packets, brochures, information sheets, website information and instructional guides to ensure they are clear, concise and easy to understand. All documents, where appropriate, will be translated into Spanish. Where none exist, departments will create tools to make court processes and procedures easier for self-represented litigants to understand and navigate.

Be Responsive and Adaptable to Changing Community Needs

1. Adult Guardianship Pilot Program – The Family Division will continue to identify the needs of adult guardians and determine how best to meet those needs. After the first year of operating the Adult Guardianship Pilot Program, improvement opportunities have been identified including additional services to assist guardians fulfill their obligations through the implementation of chat lines and text messages, as well as FAQs and 'quick answers' displayed on the court's website.
2. Special Immigrant Juvenile Status (SIJS) Caseload – The SIJS caseload (101 cases in FY14 and 258 in FY15) in Montgomery County continues to grow. The court had identified additional resources to provide case screening and management to closely monitor and oversee case events to ensure timely resolution of all issues.

3. Increase the Scope of the Family Law Self-Help Center to Include Expungements of Juvenile Records and Post-Termination Requests - Over the past two years, the Family Law Self-Help Center has expanded its services to include assistance with guardianship filings, which has been a great benefit to litigants who need this service during a very difficult time. During the next year, it is anticipated that the Center will expand its services again to address (1) issues of juvenile expungement, and (2) records requests in certain juvenile cases where jurisdiction has been terminated. In both scenarios, the vast majority of requests are from former respondents, now engaging with the court as an adult, self-represented litigant. The assistance of the Center's attorneys as it relates to the proper drafting of the request and certificate of service would be beneficial to both the requesting party and the court as it would provide a clear, streamlined process in an area that is currently left to the individual skill of the unrepresented party.

Communicate Effectively with Stakeholders

1. Juvenile DCM Review – Due to declining case processing performance in juvenile cases, the DCM Coordinator has been tasked with evaluating and identifying the root cause(s) of the declining performance through engaging all stakeholders – internal and external – and reviewing the current Juvenile DCM plan. Input from external stakeholders is especially important with the small juvenile bar in Montgomery County. The effort is planned for completion prior to the start of the next judicial rotation to ensure that judges entering the rotation are informed of process improvement changes.
2. MDEC Interfaces with Justice Partners – The transition to MDEC offers an opportunity to extend the efficiencies gained with processing electronic data to justice partners' processes external to the court. Early engagement and discussion regarding the identification of data interchanges, interface systems, and changes to external justice partners' systems is critical. Given anticipated budgetary impacts associated with possible system changes, early outreach detailing concrete scope and requirements information is paramount. Interfaces will only be evaluated after MDEC functionality and data elements can be shared with justice partners.

Improve Systems and Processes

1. Juvenile Case Processing – The Family Services Division wishes to explore the feasibility of 'day of trial' mediation for those CINA cases where adjudicatory postponement requests have been denied. A few benefits of this approach include allowing the parties one more opportunity to not only narrow the issues in their case but also achieve a mutually agreed upon resolution prior to the adjudicatory hearing where the resolution will by placed upon them by the court. The court also wishes to explore the possibility of training mediators in child welfare cases by developing a locally-delivered course.
2. Family & Juvenile Case Management – The Family Services Division has unified the family and juvenile case managers under one supervisory structure to share best practices and cross-train staff to better utilize court resources. The strengthening of this group will result in a collaborative approach to case management ensuring case issues are addressed early and case time standards are met.
3. Family Law Self-Help Center – As the percentage of litigants who opt to represent themselves increases the court must adapt its services in a meaningful and relevant way. During the coming year the court will continue efforts started during the past year to streamline and simplify the front desk sign-in process for the Family Division. Currently, a total of five different services are

funneled through a single reception area with multiple sign-in processes. Moving to an electronic format that is integrated with the court's computerized scheduling system will ease confusion for litigants and congestion at the front desk. The use of technology and the implementation of an appointment system will be considered for potential relief for long wait periods currently experienced for services offered by the Center.

4. MDEC – County Budget Requests – Understanding the current schedule of MDEC implementation in Montgomery County as February 2018, fiscal impacts will begin in 2017. The County has recently committed to providing Capital Improvement Program funds which are earmarked for expenses incurred by the court. Court staff continues to meet with the Montgomery County Department of Technology Services and the Office of Management and Budget to ensure proper planning takes place in anticipation of the development, conversion, integration and interface costs that will be incurred as a result of the new case management, scheduling, and task management functions of MDEC.

Section V. Projects and Initiatives[2]

<u>Clerk of the Court</u>

FY2015 Initiatives

- Human Resources
  - Created additional Lead Worker and Supervisor positions in Family and Civil Departments
    - Performed major personnel changes in Criminal Department
    - Equipped all staff with computers and gave all employees access to e-mail
  - Policy and Procedures
    - Instituted a new policy regarding self-represented litigants having unrestricted access to court files
    - Changed the procedure for handling emergency duty matters that involve self-represented litigants and their access to Judges' chambers
    - Changed the bond refunds procedure
- Facility
  - Completed renovations of the Family Department front counter area
- Customer Service
  - Added computers for the public to access Maryland Case Search at the Information Desk, Central Files and the Family Department
  - Created an appointment system for passport applications
  - Removed all paper indices in Land Records
- Other
  - Instituted Dunbar Security to transport daily deposits to the bank
  - Changed mail procedures, USPS now delivers and picks up mail

Planned FY2016 Initiatives

- Improve Systems and Processes
  - Implement a new HR system (CONNECT) (January 2016)
  - Prepare for MDEC
  - Implement Marriage in Maryland (MIM)
  - Implement E-license
  - Digitize marriage books and microfilm for License Department and Equity Books for Land Records
- Assure the Highest Level of Service
  - Update department manuals
  - Improve the court employee orientation program and cross train employees
- Use Resources Wisely
  - Prepare for major renovations for Civil, Criminal and License Departments
- Be Responsive and Adaptable to Changing Community Needs
  - Prepare for the creation of a Mental Health Court

[2] See Appendix I for statistics on select operations of the Clerk of the Court and Court Administration.

Court Administration

FY2015 Initiatives

- Created Kids Spot, a waiting area for children whose families have business with the court
  - 421 children have enjoyed this service since opening in April 2015
- Developed free or low-cost wellness programs for court staff to get up and move throughout their workday (Yoga, Pilates, Zumba, a walking exercise around the courthouse and stair climbing)
- Completed Phase II renovations of the court's North Tower (completing the jury lounge, office space for retired judges and the court researchers, and redesigning the Grand Jury room)
- Reviewed and updated the court's HR systems and employee development
- Held an Employee Emergency Preparedness Week to increase employee safety and emergency awareness and preparedness
- Revised the court's COOP plan, re-identified floor wardens, and conducted a fire drill
- In preparation for MDEC transition in 2018, initiated dialogues with county representatives of justice partners and identified funds to cover possible expenses to be incurred during the transition
- Assisted the court in implementing a low-or no-cost attorney referral service and limited scope representation in family cases
- Implemented a court-wide intranet to facilitate communication among groups, provide court-wide announcements and helpful information for all employees.

Planned FY2016 Initiatives

- Use Resources Wisely
  - Provide court staff with training for project management
  - Complete the courthouse renovation planned for FY16 (renovations of the lobby level of the building and the law library, technology upgrades in the main courtroom, and creation of a training room for professional development)
- Be Responsive and Adaptable to Changing Community Needs
  - Assist in the development of a mental health court.
- Improve Systems and Processes
  - Develop a system to capture and calculate the court's case processing performance and report selected metrics to judicial officers and court staff monthly or quarterly
  - In preparation for MDEC transition in 2018, continue discussions with justice partners about data exchanges and interoperability, as well as the anticipated funds to cover possible expenses incurred during the transition

Court Administration - Quality Control (QC), Administrative Aids (AA) and Differentiated Case Management (DCM)

FY2015 Initiatives

- Case Management/Processing:
  - Developed a new Assignment Office dispositioning process
  - Created new Juvenile FCCIP codes for federal reporting
  - Assisted in updating the Juvenile's DCM Plan
  - Resolved a programming gap related to criminal pre-trial postponements
  - Resolved Substitute Trustee issues in Foreclosure Cases
- Operations:
  - Implemented Paperless Audits
  - Updated court documents, including Postponement Manual and Docket Cheat Sheet
  - Developed QC Intranet Page
  - Participated in the MDEC Initiative

- Moved Quality Control Meetings from weekly meetings by case type to a comprehensive monthly meeting
- Acquired the family open case report duty and the family case audits from Family Division Case Managers

Planned FY2016 Initiatives

- Improve Systems and Processes
  - Review the case processing of the Special Immigrant Juvenile Status cases and assist in developing a case management plan for those cases
  - Update the Juvenile DCM Plan
  - Assist the court in implementing the one-family one-judge policy in family cases

Court Administration - Trust Office
Planned FY2016 Initiatives

- Provide Access to Justice:
  - Develop fillable forms for reporting
  - Develop an e-mail attachment of MD Rules pertinent to guardianship
- Communicate effectively with stakeholders and build partnerships
  - Expand the use of electronic communications with guardians and attorneys
- Improve Systems and Processes
  - Review the National Probate Court Standards on best practices to improve the effectiveness of guardianship process
  - Develop audit/review plans based on a risk assessment of problems and issues regarding the administration of the guardianship estate
- Assure Highest Level of Service
  - Review and revise the current Trust Office's procedures and handouts
  - Develop a training program for newly-appointed guardians and an online training class for out-of-state guardians
  - Develop an electronic survey to the public and bar association to identify areas in need of improvement
- Be Accountable
  - Developed audit/review plans based on a risk assessment of problems and issues regarding the administration of the guardianship estate
- Build Partnerships
  - Visit Anne Arundel County Circuit Court Trust Office to observe its operations under MDEC

Court Administration - Technical Services/Data Processing
FY2015 Initiatives

- Completed the integrated audio visual systems in the South Tower courtrooms and hearing rooms, the jury lounge, and the judicial conference room
- Expanded the court Wi-Fi in the South Tower
- Installed jury check-in kiosks and Jury+ application
- Expanded docket displays in the South Tower
- Upgraded network switches throughout the courthouse
- Installed test/development, Virtual Machine, FTP, and File servers
- Updated the court's IT strategic plan and aligned it with current and future budgets
- Performed a HP risk assessment
- Processed 298 transcripts

Planned FY2016 Initiatives

- Use Resources Wisely
  - Implement new employee performance appraisal process, goal setting process and workflow process
  - Restructure staff roles and responsibilities and provide training to align positions with new job descriptions
  - Provide staff with training to develop skills that align with the Court's direction and staff's career goals
  - Initiate brown bag IT lunch sessions
- Improve Systems and Processes
  - Replace backup and archiver digital recording servers
  - Expand drive storage SAN disk array
  - Implement a new electronic content management system (ECMS)
  - Upgrade portable AV equipment in North Tower
  - Replace network backup tape library unit
  - Purchase develop/test environment NTier server for HP
  - Implement automated financial invoicing and record keeping
  - Update TS core responsibilities and systems applications document
  - Update IT Strategic Plan, fixed asset inventory and technology budget spreadsheet
  - Investigate new procurement laws and procedures

Court Administration - Drug Court

FY2015 Initiatives

- Introduced a new screening and assessment process to accept high risk, high need participants who meet an intensive outpatient level of care
- Initiated quarterly social activities to provide the program participants with opportunities to have fun without using drugs or alcohol
- Revised the program's participant handbook and the admission documents
- Updated the program's sanction menu
- Expanded referral venues for program participation beyond judges, attorneys, and probation agents

Planned FY2016 Initiatives

- Improve Systems and Processes
  - Complete the Drug Court Policy and Procedure Manual (by February 1, 2016)
  - Review *Drug Court Best Practices Volumes I and II* to ensure program is operating based on the most up-to-date research (by October 19, 2015)
- Be Accountable
  - Establish guidelines for determining program success (by December 1, 2015) and provide reports in January2016
  - Conduct an anonymous annual survey with current participants regarding various services provided through the program (The survey instrument completed by December 15, 2015 and distributed to participants no by January 15, 2016; survey results disseminated to the team within six weeks of receipt)
  - Prepare an annual report that highlights successes and tracks use of funding from donations. This should occur in August each year with the first report being completed in August 2016
- Assure Highest Level of Service
  - Establish a curriculum for monthly trainings with Case Managers (by March 1, 2016)

- Create overall plan for clients within 30 days of admission based on individual needs. (Template for Case Management Plan should be completed by March 1, 2016 with full implementation by April 1, 2016.)
- Hire the next Montgomery College GED instructor (by November 2, 2015) and Hire Career Resource Specialist (by November 30, 2015)

Court Administration - Law Library (MCCCLL)
FY2015 Initiatives

- Collaborated with court and county offices to improve handouts and forms and establish lines of communication: A Maryland real estate form book, a request to release funds form, clerk office information packets

Planned FY2016 Initiatives

- Assure Highest Level of Service
  - Create library space designated for self-represented litigants (SRLs)
  - Review current SRL collection for potential gaps, improve SRL titles and form books and develop collection guides and SRL-oriented research guides
  - Develop public terminals' interface to include library guides, forms, and websites such as People's Law Library of Maryland
  - Develop the collection to serve seniors, lower-income populations and non-English speakers
  - Provide library staff with opportunities to learn new access to justice skills and procedures
  - Provide a welcoming and well-organized research space for all patrons
  - Update continuing legal education collection to reflect MSBA's current course offerings
  - Create seminars and events that demystify the law, promote library resources, highlight contributions of diverse groups, and promote the court and the library
- Use Resources Wisely
  - Reduce online, print and supply expenses
  - Upgrade and redefine role of library assistant/aide
- Improve Systems and Processes
  - Improve ADA services by providing large print reading machine, text-voice software, and headphones
  - Revise existing records to adapt to new cataloging standards and languages
  - Update library manual (focusing on book processing and binding)
  - Add new, more pertinent databases and monitor existing databases for usage and relevancy
  - Redesign the library's webpage
- Build Partnerships
  - Promote collaborations and information referrals between public libraries and the MCCCLL, including advising public librarians on how to handle basic legal reference requests
  - Engage community groups by outreaching to and collaborating with county groups on legal-related programming and exhibits and writing journal articles

Court Administration - Family Division Services

FY2015 initiatives

- Implemented Adult Guardianship Assistant Program for guardians with disabled adults who are under the court's guardianship
- Expanded services of the Family Law Self Help Center to include assistance with guardianship filings
- Improved customer service of the Family Division front desk by streamlining and simplifying the sign-in process

- Developed FCCIP-related HP codes to more accurately capture CINA and TPR events

Planned FY2016 Initiatives

- Improve Systems and Processes
  - Implement a one-family one-judge policy in family cases
  - Review court's processing of Special Immigrant Juvenile Status cases
  - Review the feasibility of 'day of trial' mediation for those CINA cases when adjudicatory postponement requests have been denied
  - Update juvenile case management handbook
- Build Partnerships
  - Raise awareness of the Adult Guardianship Assistant Program through meeting with community stakeholders and increasing program volunteers
- Assure the Highest Level of Service
  - Design a training program for newly appointed guardians
  - Expand Family Law Self Help Center's services to address issues of juvenile expungement, and records requests in juvenile cases where jurisdiction has been terminated
- Use Resources Wisely
  - Unify family & juvenile case management under one supervisor
  - Streamline Family Division front desk processes via cross-training of personnel and consolidation of supervisory structure

Court Administration - Assignment Office
Planned FY2016 Initiatives

- Improve Systems and Processes
  - Improve accuracy of information entered in the court's case management system
  - Implement a new electronic content management system
  - Improve the operations of promptly setting court dates upon notification and sending notices of court dates to proper and complete address
- Assure the Highest Level of Service
  - Develop training for staff assisting self-represented litigants

Court Administration - Research and Performance
FY2015 Initiatives

- Developed business processes to support implementation of a statewide jury management system, requirements for kiosk screens for juror check-in, and cash quality assurance processes for juror payment
- Performed various statistical analyses (FY2014 annual caseflow assessment, a preliminary analysis of FY2015 case processing performance, Kids Spot exit survey)
- Completed the FY2014 Statistical Digest
- Analyzed the court's Family Law Self-Help Center's intake data to better understand patrons' needs and the Center's services delivered
- Coordinated efforts to improve and streamline the front office check-in process for Family Division Services
- Participated on a work group to improve the reporting of court metrics statewide
- Submitted two research papers for publication

Planned FY2016 Initiatives

- Provide Access to Justice
  - Develop an online survey modeled after the NCSC's CourTool 1 – Access and Fairness - to examine patrons' perceptions of court access and procedural fairness.

- Be Accountable
  - Assist court departments in the development of performance measures to track the progress of identified initiatives. Develop quarterly case-type specific processing performance reports for judges as well as court staff.
  - Conduct data analysis and report of:
    - FY2015 case processing performance
    - Party representation status in civil and family cases
    - Kids Spot service utilization
- Improve Systems and Processes
  - Work with the Jury Office to start utilizing various Jury+ Jury Management Reports
  - Continue redesign of Family Division Services front office check-in/waiting room

Court Administration - Jury Office

FY2015 Initiatives

- Implemented the statewide jury management system (Jury+)
- Implemented four kiosks to support juror check-in
- Instituted case payment for jurors' stipend

Planned FY2016 Initiatives

- Communicate Effectively with Stakeholders
  - Engage with Jury Commissioners statewide to discuss key Jury Management reports available in Jury+
- Assure the Highest Level of Service
  - Celebrate 'Juror Appreciation' day
- Be Accountable
  - Identify key jury management reports to assist with Jury Office and juror management
  - Annually report juror yield and utilization. Communicate results to internal and external stakeholders
- Improve Systems and Processes
  - Modify jury kiosks to support Grand Juror check-in
  - Ensure updates are made to the Jury Office manual (as appropriate)

Section VI. Operations

A. Staffing

Judges and Magistrates:

- Judges – 22
- Magistrates – 5

Clerk of the Court – 181

- Clerk of the Court – 6
- Central Files and Exhibits – 8
- Civil Department – 31
- Courtroom Clerks Department – 34
- Criminal Department – 15
- Data Processing – 3
- Family Department – 32
- Finance Department – 6
- Juvenile Department – 15
- Land Records (non-judicial) – 24
- License (non-judicial) – 7

Court Administration – 114.5

- Court Administration – 4
- Family Magistrate – 1
- Special Magistrate – 1
- Family Magistrate Staff – 5
- Judicial Assistants – 22
- Administrative Aids – 2
- Assignment Office – 14
- Data Processing – 4
- Differentiated Case Management – 1
- Drug Court – 3
- Family Division Services – 30 (Non-Grant – 9, Grant – 21)
- Jury Office – 4
- Law Library – 3
- Quality Control/DCM – 6
- Research – 2
- Technical Services – 11
- Trust Office – 2.5

B. Technology

- Please refer to Section V (pages 11 and 12), Technical Services/Data Processing current and planned initiatives.

C. Training

- Employee development
- Project Management Professional (PMP) Boot Camp
- MDEC prep meetings (technical staff)
- Technical
- Human Resources/Management-Supervisor

Section VII. Facilities

A. Space

The $140 million Judicial Center Annex project has completed Phases 1 and 2. Phase 1 included HVAC upgrades to the existing, North Tower building as well as the completion of the South Tower building bringing the joined facility to 590,000 square feet consisting of 27 courtrooms, 8 hearing rooms, office space for 320 employees, conference rooms for interviews, mediation and attorney/client meetings, and an expanded self-help center.

Phase 2 included renovations to the existing office space in the North Tower. Renovations are either complete or approaching completion for a new, enlarged jury office and lounge, renovated space for recalled judges, upgrades to the Grand Jury room, completion of processing space for the Sheriff and office space for the State's Attorney's Office. The Clerk of the Court's administrative office was relocated and enlarged. The mail room was also enlarged and the terrace-level locker rooms were repainted and cleaned and have subsequently reopened.

As a result of cost savings, excellent project management and a fiscally conservative approach to contract execution, a Phase 3 is planned with the remaining Judicial Center Annex Project funds. Upgrades to office and counter space in the North Tower on the 1st floor are planned. Planned upgrades include expansion of the Assignment Office, additional waiting room for the License Department, renovations to the Law Library and renovations to the Civil, Appeals, and Criminal Departments. Construction is scheduled to begin in March and end by December 2016. Plans are to have the entire Judicial Center Annex project completed no later than February 2017.

B. Security

Security throughout the North and South towers of the courthouse remains strong. Screening stations are available at all three entrances, with visitors, interns and jurors entering through these screening stations. Two hundred sixty-eight cameras monitor activity inside and outside the facility as well as in the parking areas. Design of the South Tower included enhanced security features to ensure the safety of judges, magistrates and their staff. The Sheriff's Courthouse Security team works closely with the Clerk of the Court and Court Administration to coordinate security within the courthouse. The team ensures the safety of children located in the child waiting area, staff when an emergency evaluation occurs, prisoners during transport, and all individuals present in the courtroom. The Sheriff continues to proactively support security initiatives; therefore, there are no additional concerns or recommendations at this time.

Section VIII. Legislative Concerns and Recommendations

A. Concerns regarding the impact of contested judicial elections on judges and on courts

The most recent judicial election in Montgomery County was a contested one where four incumbent judges and one challenger ran for the available four seats. The current judicial election system of the state presents a few concerns. The need to campaign, which can be both costly and time consuming, creates dilemmas for judges in two respects. First, it takes away precious time from judges who otherwise would be spending time studying cases and preparing their adjudication. Second, and more seriously, the need to campaign for their election creates ethical dilemmas for judges and for attorneys. Many of the contributors to judicial campaigns are attorneys who will later appear in court before the judges or have business interests with significant cases that will be heard by the courts. These contributors may believe that they will receive sympathetic treatment by the judges. On the other hand, attorneys may also fear that not supporting the judges in their elections may result in unfavorable treatment by the court, thus prompting them to contribute to the campaigns. These financial contributions may present the appearance of potential injustice and may result in decreased public trust and confidence in the judicial system.

Voters frequently have little information to evaluate candidates for judicial races. While the initial appointment of circuit court judges requires exhaustive interviews and investigations, the election process allows anyone to challenge an incumbent as long as they meet eligibility requirements that have nothing to do with legal experience.[3] The court expresses its concern with Maryland's contested judicial elections.

Recommendation: Change Article IV of the Maryland Constitution that prescribes the state's judicial selection and retention methods to make the election and retention of circuit court judges the same system as the Court of Appeals and the Court of Special Appeals, which consists of gubernatorial appointment from a nominating commission with senate confirmation with retention election.

B. Concerns regarding the impact of structured settlement buyout

As reported in the recent investigative articles in Washington Post, the recent mass filings of structured settlement buyout petitions resembles what trial courts experienced during fraudulent foreclosure filings several years ago.

Recommendation: Legislative actions and administrative rule changes should be instituted to tighten the current review process.[4]

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[3] Minimal qualifications to run for judicial election include at least he/she is a U.S. and state citizen, a registered to vote in state elections, state resident 5 years and circuit resident 6 months, at least 30 years of age and a member of the Maryland bar.

[4] As reported by the Washington Post on October 9, 2015, the committee that advises the Maryland Court of Appeals approved reforms that could change how companies buy the rights to lawsuit payouts.

C. Concerns with the communication strategy related to rule and statute changes

Recommendation: Develop a unified system, utilizing both low- and high-technology, to reach out to all court staff including but not limited to judges, magistrates, Clerks of the Court, and Court Administrators regarding all changes to the Maryland Rules and statutes.

Section IX. External Relationships

A. Justice Partners – Committees, Initiatives, and Concerns

Committees

- Criminal Justice Coordinating Commission[5] (Administrative Judge)
- Disproportionate Minority Contact (DMC) Committee, which is responsible for developing, implementing, and monitoring local DMC reduction strategies. The DMC committees are comprised of stakeholders involved in the juvenile justice system who review local data on disproportionate levels of contact, generate ideas about underlying causes for disproportionalities, and identify potential solutions. (Juvenile Supervising Case Manager)
- Commission on Juvenile Justice, which is tasked with evaluating and making recommendations about procedures, programs, and legislation relating to juveniles and families involved in the juvenile justice system in Montgomery County. As part of its mission, the Commission makes periodic visits to juvenile facilities serving the County's juveniles and promotes understanding and knowledge in the community regarding juvenile needs and the effectiveness of programs. Commission members include stakeholders involved in the juvenile justice system, as well as members of the community. (Juvenile Supervising Case Manager)
- Integrated Justice Information System[6] (Technical Service Chief)
- Joint Technology Committee established by the Conference of State Court Administrators, the National Association for Court Management, and the National Center for State Courts to promote the use of technology as a means to improve the effectiveness and efficiency of justice nationwide.[7] (Coordinator, Research and Performance)

Initiatives

- MDEC interfaces:
  CaseSearch: updates sent for every case modified in the past 15 minutes;
  Domestic Violence cases: entered into state case management application, changes imported every 60 seconds to populate our case management system (Domestic Violence, Juvenile Peace Orders and Adult Peace Order appeals from District Court);
  VINE: Victim Information and Notification Everyday: nightly updates of upcoming in-court events;
  SAO: sends changes made to criminal cases in the past 15 minutes;
  Infax: refreshes lobby monitor information every five minutes;
  Montgomery County/Judiciary web page: update of today's in-court events;
  Montgomery County IJIS Inquiry: View offenders' criminal history and warrants ;
  MD District Court: nightly import of instant jury demands and appeals from District Court;
  Montgomery County CJCMS: sends changes made to criminal cases in the past 15 minutes (relieving SAO of manual updates);
  Juvenile Delinquency petition: imports data from JustWare (SAO case management system) (relieving Clerk's office of data entry);

[5] http://www.montgomerycountymd.gov/cjcc/duties.html
[6] http://www.montgomerycountymd.gov/OMB/Resources/Files/omb/pdfs/fy09/vol3/340200.pdf
[7] http://www.ncsc.org/about-us/committees/joint-technology-committee.aspx

Family Services Ordered: near real time update of in-court orders for services (to inform front desk and other key staff of imminent client appearance for services);
Motor Vehicle Administration (MVA): updates for traffic offenses (and criminal offenses reportable to MVA);
State Board of Elections: monthly advice of convicted felons;
Foster Care Court Improvement Project (FCCIP): updates entered in the past week.
Department of Housing and Community Development (DHCD): monthly advice of mediation fees collected;
Office of Administrative Hearings (OAH): daily notification of mediation requests (via JIS);
Warrant Transmissions to Public Safety (via JIS): advice of warrants issued, quashed, recalled, and served in the past 15 minutes.

- Maryland Automated Guidelines System (MAGS) is a web-based application developed by the Maryland State Commission on Criminal Sentencing Policy (MSCCSP) to enable courts to electronically complete and submit sentencing guidelines worksheets. Working with the MSCCSP, the circuit court developed a system to identify guideline-eligible cases, track worksheet initiation, electronic submission to the commission, and filing with the court. On a monthly basis, sentencing guidelines worksheet completion status reports are sent to judges to address any outstanding worksheets.

Concerns

- The Circuit Court continues to focus on sustaining the key relationships with its justice partners built over the years through mutual support and assistance. Concerns only exist due to the impacts of MDEC on interfaces currently established to share data among justice partners. The court remains committed to strong justice partner relationships to ensure efficiencies exist among the organizations.

B. Grants

- The Adult Drug Court receives two generous grants from the Rockville Rotary Club and the Bar Association of Montgomery County. Grant funds are designated for sustaining and expanding the GED program for Drug Court participants as well as the creation of a career placement program to identify long-term, sustained employment to assist participants with a greater likelihood of continued pro-social behavior and a reduction of repeat offending.

C. Community Outreach

- With generous donations from jurors, funds are made available to the Montgomery Miracles organization and the Department of Health and Human Services, Child Welfare. Montgomery Miracles is a 501(c)3 organization formed to provide Drug Court participants with assistance with rent, clothing for employment, emergency medical work, and other miscellaneous needs to support their successful completion of the program. To support court-related families involved in child welfare cases, funds also provide assistance for minor expenses to support children such as school supplies, sports equipment for participation in after school activities, and clothing needed to attend school and stay warm in the winter.

- Montgomery County Circuit Court Charity Committee. Every month, the Montgomery County Circuit Court Charity Committee selects a local non-profit organization that assists the needs of Montgomery County residents through donations from weekly 'Greens for Jeans' (donate cash for wearing jeans on Friday) and occasional special events. Since its inception in 2004, 'Greens for Jeans' has donated approximately $55,000 to Montgomery County charities.

Section X. Other Concerns/Issues

Montgomery County Circuit Court acknowledges and supports the priority areas of the Maryland Judiciary. A key priority area for the court is efficient and effective case management, in general, and as it relates to specialty dockets such as Special Immigrant Juvenile Status and the implementation of one-family/one-judge. The court further supports the implementation of the statewide case management system (MDEC) and looks forward to continued collaboration and discussion. As mentioned in previous sections, legislative concerns of the court include contested judicial elections, the handing of structured settlement buyout, and the need for a communications strategy on rule and statute changes. Provided below are additional points for consideration that are worthy of note:

- Judicial Needs - While the success of the initiatives identified herein is not dependent solely on an adequate number of judicial officers, an appropriate level of resources is required for a court to implement and sustain high performance, which is why the court requested an additional judgeship for FY2017. As the court strives to put programs in place to maximize judicial efficiency, it is clear that additional judgeships are needed over and above these efficiency measures. The court takes pride in its judicial needs analysis as a tool to help inform statewide decisions on resource needs.
- MDEC requirements – The Montgomery County Circuit Court would like clarity on the anticipated timeline for AOC outreach as it relates to scope and requirements for MDEC implementation at the court.
- Maryland Judiciary's Integrated Self-Help Center – With the implementation of the statewide integrated self-help center, Montgomery County Circuit Court looks forward to discussions related to the coordination of services (to the extent appropriate).
- Statewide Sentencing Guidelines Worksheet Completion Status Reports – It is recommended that statewide discussions occur about the development of standardized sentencing guidelines worksheet completion status reports for all circuit courts. These reports should be developed in coordination with the Maryland Sentencing Commission so that all aspects of worksheet completion status are reflected (including worksheets not initiated, not submitted, and not filed). As more courts utilize MAGS and transition to MDEC, a streamlined performance report is critical to ensure that courts are proactive in their management of sentencing guidelines worksheets as opposed to reactive when completion percentages are reported to the court by a justice partner. The completion of sentencing guidelines worksheets is critical not only because it informs sentencing policy statewide and is a viable judicial sentencing tool but also because it ultimately impacts the lives of defendants and community residents.

Section X. Conclusion

Montgomery County Circuit Court takes great pride in its position as a member and a partner of the Maryland Judiciary. With the publication of the Maryland Judiciary's *Strategic Plan*, an opportunity was created for trial courts to refocus judicial administration on achieving common goals; that is, fulfilling our shared purposes and responsibilities. The court translated the Maryland Judiciary's strategic goals and initiatives to the local trial court level. Department-level business plans were drafted that not only informed our State of the Court Report but also supported internal discussions about how best to sustain a learning, innovating, and high performing court. The plans allowed for initiatives to be defined and developed by the knowledge and experience of those at the front counters of the courthouse as well as those in the courtrooms. Through completing the Montgomery County Circuit Court's State of the Court Report, we have a clearer picture of where we've been, where we're going, and the challenges to success that we may face. The court looks forward to continued dialog and collaboration with the Maryland Judiciary as we navigate the future together.

Appendix I. Clerk of the Court and Court Administration Operational Statistics, FY2015

Clerk of the Court

Filings, Terminations, and Clearance Rate (including original, reopened, and Register of Wills)

	Overall	Civil	Criminal	Family	Juvenile Delinquency/ Child Welfare
Filings	35,433	11,906	6,480	14,583	2,464
Terminations	35,564	12,107	6,497	14,668	2,292
Clearance Rate	100%	102%	100%	101%	93%

- Non-Judicial Services:
  - Processed 10,443 business licenses
  - Issued 6,168 marriage licenses
  - Performed 5,774 civil ceremonies
  - Provided 2,575 notary services
  - Processed 2,237 passports

Court Administration

Quality Control Department

Completed 100% audits of originally closed civil, criminal and family cases required to be audited:

	Civil	Criminal	Family	Overall
Cases required audits	5,744	2,252	7,678	15,674
Cases audited	5,744	2,252	7,678	15,674
Overall Terminations	6,106	2,252	7,866	16,224
% audited	94%	100%	98%	97%

- Other Activities:
  - Monitor the progress of civil and criminal open cases to ensure their timely processing
  - Review and examine over-standard cases to determine the reasons for failing to meet time standards
  - Hold monthly quality control meetings to discuss issues in the court's business processes and identify and develop solutions
  - Provide data for internal and external data requests
  - Ensure quality of the data used for caseflow assessment, monthly data dashboards/reports, and internal and external data requests

Trust Office

- FY2015 Caseload
  - 2,063 active cases (include those cases pending permanent appointment)
  - 547 guardianship petitions filed
  - 202 case terminations; 16 case transfers
- FY2015 Workload

- Report audits and reviews
  - Guardian Inventory Reports: 233 filed
  - Trust Clerk Reports: 944 field
  - Fiduciary Reports: 968 filed and audited; 937 (97%) approved
  - Annual Reports of Person: 686 filed and reviewed; 681 (99%) approved
- Trials and Hearings:
  - 36 bench trials held
  - 612 hearings held (71 generated by Trust Clerk)
  - 502 show cause ordered to appoint a guardian (73 generated by Trust Clerk)

Drug Court

- 84 participants active an any point during FY2015
- 20 admitted to the program
- 23 graduated and 4 terminated from the program
- 940 hearings held (11.5 per client): 896 review hearings; 35 graduations or phase promotions; 7 Phase demotions; 1 Non-court phase movement; and 1 probation meeting

Family Division Services

- Family Law Self-Help Center: Processed 9,488 visits
  - Female: 5,503 (58%), Male: 3,978 (42%), Other/Unknown: 7 (0.07%)
  - African American/Black: 3,651 (38%); Hispanic/Latino: 4,589 (38%); White: 1,423 (15%); Asian/Pacific Islander: 552 (6%); Other/Unknown: 261 (3%)
  - English: 5,458 (58%), Spanish: 2,791 (29%), Other/Unknown: 1,239 (13%)
  - Custody/Access Mediations: 392 Referred, 193 Scheduled (49%), 124 Held (64%)
  - Domestic Violence Cases: 493 filed

Assignment Office

Hearings and Trials Set and Held

	Overall	Civil	Criminal	Family	Juvenile Delinquency/ Child Welfare
Hearings					
Set	55,527	8,497	16,186	22,539	7,964
Held	37,813	3,748	11,966	14,874	6,913
Held/Set	68%	66%	74%	66%	87%
Trials					
Set	7,502	1,164	2,701	1.947	1,690
Held	1,415	266	272	803	74
Held/Set	19%	23%	10%	41%	4%

Jury Office, FY2014 Operations[8]

	Questionnaires mailed	Summoned	Called in for service	Present	Voir Dire	Impaneled
Number of jurors	96,018	44,263	23,586	19,462	11,578	2,981
% of preceding category		46%	53%	80%	60%	26%

[8] Due to the jury management system transition during FY2015, the FY2015 is not available at the time of preparing this report.

Appendix II. Montgomery County Circuit Court Publications (sampling)

Differentiated Case Management Plans

The court's criminal, civil, family, and juvenile differentiated case management (DCM) plans are available online by accessing the following link:
http://www.montgomerycountymd.gov/circuitcourt/attorneys/dcm.html

National Center for State Courts (NCSC) CourTools Dashboard

The court developed a CourTools dashboard in 2009 to assess how well the court performs in relation to 10 national recognized metrics. The dashboard is accessible via the following link:

http://www.montgomerycountymd.gov/circuitcourt/Resources/Files/Publications/CourTools/CourTools.htm

Statistical Digest

On an annual basis, the court tracks and reports workload metrics as well as examines the impact of external factors (such as demographic trends) on its workload. The annual statistical digest may be accessed using the following link:

http://www.montgomerycountymd.gov/circuitcourt/court/Publications/publications.html

Case Processing Performance

The court examines its case processing performance on an annual basis and publishes its annual report on its website. The case processing performance reports since FY2007 are available by accessing the following link:

http://www.montgomerycountymd.gov/circuitcourt/court/Publications/publications.html