Circuit Court

MISSION STATEMENT

The mission of the Circuit Court is to serve Sixth Judicial Circuit residents in the determination of litigation in serious criminal matters and more substantive civil cases in accordance with the Constitution; to administer justice in a fair, timely, and efficient manner; and to adjudicate domestic and child support cases.

BUDGET OVERVIEW

The total recommended FY09 Operating Budget for the Circuit Court is $13,246,360, an increase of $682,340 or 5.4 percent from the FY08 Approved Budget of $12,564,020. Personnel Costs comprise 78.9 percent of the budget for 109 full-time positions and ten part-time positions for 108.9 workyears. Operating Expenses account for the remaining 21.1 percent of the FY09 budget.

LINKAGE TO COUNTY RESULT AREAS

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

- ***A Responsive, Accountable County Government***

ACCOMPLISHMENTS AND INITIATIVES

- ***Met or exceeded the State's case processing time standards for family and juvenile delinquency cases in FY07.***

- ***Closed a higher percentage of civil, family, and juvenile delinquency cases within the State's time standards in FY07 than the statewide average.***

- ***Able to maintain case processing performance for most types of cases during FY06 and FY07 despite an 800 case increase in the number of cases handled.***

- ***Achieved an overall case clearance rate (the number of case terminations divided by the number of filings) of 98% in FY07, far exceeding the national average of 91%. The Court has been able to maintain a high clearance rate for all four major types of cases (Civil, Criminal, Domestic Relations, and Juvenile Delinquency) for the past seven fiscal years.***

- ***Graduated thirteen adult Drug Court participants in November, 2007. Since the Drug Court began in December, 2004, 33 individuals have successfully completed the program by participating in Drug Court for at least 18 months, completing treatment, and remaining drug and alcohol free for at least 9 months. Currently, 46 persons are participating in this very successful initiative.***

- ***Will replace seven aging digital servers used to record audio testimony from all Court sessions; these are critical to the functioning of the Court.***

- ***Productivity Improvements***

  - ***The Court will purchase a new digital system for conducting daily backups of the enormous amount of digital data produced by the Court, backups currently performed using tape devices. The new equipment will lower costs, provide greater functionality, and improve employee productivity (the lengthy current backup process intrudes on regular work hours, constraining system resources).***

  - ***The Circuit Court is analyzing its caseload to provide insights on the goals and management of the Court. Improvements will be based on: (1) an examination of all types of postponements in order to accurately assess the impact of postponements on case processing time; (2) an examination of whether certain case sub-types consistently close within standard and, if so, whether and how these case sub-types affect the average case processing time for within-standard cases and the percentage of cases closed within standard; (3) an analysis of the high occurrence of schedule-related trial postponements for criminal cases that was observed in FY07; (4) a review of the quality control process for each type of case to identify and implement necessary changes; and (5) an examination of the impact of mediation and other court programs on case processing time.***

PROGRAM CONTACTS

Contact Pamela Harris of the Circuit Court at 240.777.9100 or John Greiner of the Office of Management and Budget at 240.777.2765 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

Administration

The Administrative Office of the Circuit Court serves as a conduit for many operations of the court. The Court Administrator's role is to facilitate the administrative functions of the court and to develop policies to enhance systems performance while maintaining the independence of the judiciary. Basic functions performed by the Court Administrator and staff include the following: fiscal administration of the budget; human resources; caseflow management and statistics; technology management; information management; jury management; space management; intergovernmental liaison; and public information.

FY09 Recommended Changes

	Expenditures	WYs
FY08 Approved	**2,653,100**	**5.4**
Increase Cost: Senior Court Researchers	127,040	1.4
Increase Cost: Increase Funding to Purchase an Enterprise Backup Solution	24,730	0.0
Increase Cost: Central Duplicating Deficit Recovery Charge	1,530	0.0
Decrease Cost: Elimination of One-Time Items Approved in FY08	-41,500	0.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-180,190	-0.3
FY09 CE Recommended	**2,584,710**	**6.5**

Adjudication

Adjudication encompasses support staff for the judiciary and Differentiated Case Management (DCM). Conceptually, this division monitors case assignment (criminal, civil, and family cases); provides expedited case disposition for incarcerated offenders; and provides judicial supervision consistent with the complexity of each case filed. Adjudication/DCM improves the efficiency of case processing and reduces the demand for judicial intervention at various stages of litigation. To minimize case delay, each case is assigned to an appropriate track that allows for the performance of pre-trial tasks and allocates the appropriate level of judicial intervention. Tracks are monitored for performance and are evaluated based on established performance measures.

FY09 Recommended Changes

	Expenditures	WYs
FY08 Approved	**2,640,830**	**30.0**
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	167,400	0.0
FY09 CE Recommended	**2,808,230**	**30.0**

Family Masters

Family Division Masters are qualified individuals appointed by the Judges of the bench to hear family matters and make reports and recommendations based on testimony and analysis of the testimony received at hearing. A Family Division Judge will continue to review the recommendations and sign orders resulting from the recommendations of the Family Masters.

FY09 Recommended Changes

	Expenditures	WYs
FY08 Approved	**987,220**	**9.0**
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	93,290	0.0
FY09 CE Recommended	**1,080,510**	**9.0**

Case Assignment

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

criminal jury demands and appeals; civil, juvenile and family trial assignments; civil, family and juvenile motions; and bench warrants. The Assignment Office also manages all court sheet information, locates all files for assigned calendars, reviews each file, and delivers files to various court hearing rooms.

FY09 Recommended Changes

	Expenditures	WYs
FY08 Approved	**1,086,670**	**14.0**
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	90,350	0.0
FY09 CE Recommended	**1,177,020**	**14.0**

Jury

The Jury Office manages prospective and active jurors for civil and criminal proceedings. In accordance with Maryland Courts and Judicial Proceedings, Title 8, every citizen has the opportunity to serve as a juror and the obligation to serve when summoned. The Jury Commissioner and staff dispatch questionnaires to prospective jurors using information gathered from Voter Registration and Motor Vehicle Administration listings. The Commissioner maintains a qualified jury pool from the individuals who are determined to be qualified as jurors under Maryland Courts and Judicial Proceedings § 8-207.

FY09 Recommended Changes

	Expenditures	WYs
FY08 Approved	**753,730**	**4.0**
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	18,380	0.0
FY09 CE Recommended	**772,110**	**4.0**

Family Services Support

Family Services Support handles adoption investigations and child custody/visitation evaluations. After the establishment of a Court Order, independent evaluations for child custody/visitation and adoption investigations are conducted by court staff possessing substantial experience in social science or suitable credentials in the field of social work. The evaluator meets with the litigants and children and conducts interviews with professionals and collateral references to ascertain the appropriate custodial situation for the children.

FY09 Recommended Changes

	Expenditures	WYs
FY08 Approved	**764,700**	**7.8**
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	21,770	0.0
FY09 CE Recommended	**786,470**	**7.8**

Technical Services

Technical Services manages the central recording location that electronically records all courtroom and hearing room proceedings for the Judicial Center and Gray Courthouse. All video conferencing between the Circuit Court, District Court, Montgomery County Detention Center, and Montgomery County Correctional Facility is handled through this division. This equipment is used on a daily basis in order to conduct bond hearings via a video connection. Copies of court transcripts and cassettes are purchased through this division. The Court's website and internal servers for the Court and Clerk's Office are administered by Technical Services.

FY09 Recommended Changes

	Expenditures	WYs
FY08 Approved	**757,120**	**10.0**

	Expenditures	WYs
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	93,090	0.0
FY09 CE Recommended	**850,210**	**10.0**

Law Library

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

FY09 Recommended Changes

	Expenditures	WYs
FY08 Approved	**465,460**	**3.0**
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	28,700	0.0
FY09 CE Recommended	**494,160**	**3.0**

Trust and Guardianships

The Trust Office administers the case files for fiduciary entities, which consist primarily of guardianships, required to comply with the reporting requirements set forth in the Maryland Court Rules, Title 10, Guardians and Other Fiduciaries. The reports required to be filed include the Inventory and Information Report and Annual Fiduciary Report for guardianships of the property of a minor or disabled person and the Annual Report for guardianships of the person of a disabled person. The Trust Clerk examines the Annual Fiduciary Reports filed and prepares the Report of Trust Clerk for the court.

FY09 Recommended Changes

	Expenditures	WYs
FY08 Approved	**179,470**	**2.5**
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	14,740	0.0
FY09 CE Recommended	**194,210**	**2.5**

Grants

The Family Law Grant is supported by State funding and provides services to families to reduce conflict and introduce the parties involved in litigation to problem-solving techniques to help reduce future litigation. This program provides for case managers that provide day-to-day management of cases between Family Masters, judges, counsel and litigants; custody mediation involving litigants in an effort to obtain a settlement of custody issues prior to litigation; the Pro Se Project staffed by attorneys and paralegals to help individuals representing themselves in uncomplicated family law cases involving divorce, custody and child support; supervised visitation providing a structured setting for visitation between children and their parents; psychological evaluations when psychological testing is necessary as an adjunct to arriving at a decision in the best interest of the children; guardian ad litem appointments to specifically represent the interests of children; and operating expenses associated with managing the division.

FY09 Recommended Changes

	Expenditures	WYs
FY08 Approved	**2,275,720**	**22.5**
Decrease Cost: Family Law Grant Adjustment	-42,980	0.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	265,990	-0.4
FY09 CE Recommended	**2,498,730**	**22.1**

BUDGET SUMMARY

	Actual FY07	Budget FY08	Estimated FY08	Recommended FY09	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	5,303,810	6,132,280	5,820,900	6,213,640	1.3%
Employee Benefits	1,714,994	1,834,380	1,829,500	2,013,760	9.8%
County General Fund Personnel Costs	***7,018,804***	***7,966,660***	***7,650,400***	***8,227,400***	***3.3%***
Operating Expenses	2,483,115	2,321,640	2,424,950	2,520,230	8.6%
Capital Outlay	32,489	0	0	0	—
County General Fund Expenditures	***9,534,408***	***10,288,300***	***10,075,350***	***10,747,630***	***4.5%***
PERSONNEL					
Full-Time	86	86	86	88	2.3%
Part-Time	7	7	7	6	-14.3%
Workyears	85.5	85.5	85.5	84.8	-0.8%
REVENUES					
Juror Fees State Reimbursement	357,155	400,000	388,480	380,000	-5.0%
Masters Salary Reimbursement	511,947	552,000	482,497	482,497	-12.6%
Interpreter Fees State Reimbursement	494,647	450,000	540,931	540,931	20.2%
County General Fund Revenues	***1,363,749***	***1,402,000***	***1,411,908***	***1,403,428***	***0.1%***
GRANT FUND MCG					
EXPENDITURES					
Salaries and Wages	1,554,765	1,560,010	1,673,420	1,712,320	9.8%
Employee Benefits	482,656	422,510	422,740	508,870	20.4%
Grant Fund MCG Personnel Costs	***2,037,421***	***1,982,520***	***2,096,160***	***2,221,190***	***12.0%***
Operating Expenses	744,538	293,200	296,470	277,540	-5.3%
Capital Outlay	0	0	0	0	—
Grant Fund MCG Expenditures	***2,781,959***	***2,275,720***	***2,392,630***	***2,498,730***	***9.8%***
PERSONNEL					
Full-Time	18	18	18	21	16.7%
Part-Time	8	8	8	4	-50.0%
Workyears	25.7	22.7	22.7	24.1	6.2%
REVENUES					
Family Law Grant	2,021,007	2,127,030	2,232,630	2,359,780	10.9%
State Judiciary	0	12,500	0	0	—
State Grant - Juvenile Drug Court Program	118,500	0	0	0	—
State Grant - Adult Drug Court Program	171,375	0	0	0	—
Trial Court Research Partnership	160,000	136,190	160,000	138,950	2.0%
Rule of Law	-8,776	0	0	0	—
Renovations Grant	99,878	0	0	0	—
Electronic Document Imaging Grant	200,000	0	0	0	—
Drug Treatment Court Commission Grant	7,475	0	0	0	—
Grant Fund MCG Revenues	***2,769,459***	***2,275,720***	***2,392,630***	***2,498,730***	***9.8%***
DEPARTMENT TOTALS					
Total Expenditures	**12,316,367**	**12,564,020**	**12,467,980**	**13,246,360**	**5.4%**
Total Full-Time Positions	**104**	**104**	**104**	**109**	**4.8%**
Total Part-Time Positions	**15**	**15**	**15**	**10**	**-33.3%**
Total Workyears	**111.2**	**108.2**	**108.2**	**108.9**	**0.6%**
Total Revenues	**4,133,208**	**3,677,720**	**3,804,538**	**3,902,158**	**6.1%**

FY09 RECOMMENDED CHANGES

	Expenditures	WYs
COUNTY GENERAL FUND		
FY08 ORIGINAL APPROPRIATION	**10,288,300**	**85.5**
Other Adjustments (with no service impacts)		
Increase Cost: General Wage and Service Increment Adjustments	425,600	0.0
Increase Cost: Group Insurance Adjustment	90,270	0.0
Increase Cost: Increase Funding to Replace Seven Existing Digital Recording System Servers	90,000	0.0
Increase Cost: Retirement Adjustment	59,290	0.0
Increase Cost: Maintenance of CourtSmart Digital Recording System	50,000	0.0
Increase Cost: Annualization of FY08 Personnel Costs	49,890	0.0
Increase Cost: Maintenance for Electronic Document Management Imaging System (EDMS)	36,500	0.0
Increase Cost: Increase Funding to Purchase an Enterprise Backup Solution [Administration]	24,730	0.0
Increase Cost: Maintenance for Case File Tracking System	24,000	0.0
Increase Cost: Printing and Mail Adjustments	13,510	0.0
Increase Cost: Central Duplicating Deficit Recovery Charge [Administration]	1,530	0.0
Decrease Cost: Workforce Adjustment	0	-0.7
Decrease Cost: Motor Pool Rate Adjustment	-180	0.0
Decrease Cost: Elimination of One-Time Items Approved in FY08 [Administration]	-41,500	0.0
Decrease Cost: Turnover Savings	-364,310	0.0
FY09 RECOMMENDED:	**10,747,630**	**84.8**
GRANT FUND MCG		
FY08 ORIGINAL APPROPRIATION	**2,275,720**	**22.7**
Changes (with service impacts)		
Add: Trial Court Research Partnership Grant	138,950	0.0
Other Adjustments (with no service impacts)		
Increase Cost: Senior Court Researchers [Administration]	127,040	1.4
Decrease Cost: Family Law Grant Adjustment [Grants]	-42,980	0.0
FY09 RECOMMENDED:	**2,498,730**	**24.1**

PROGRAM SUMMARY

	FY08 Approved		FY09 Recommended	
	Expenditures	WYs	Expenditures	WYs
Administration	2,653,100	5.4	2,584,710	6.5
Adjudication	2,640,830	30.0	2,808,230	30.0
Family Masters	987,220	9.0	1,080,510	9.0
Case Assignment	1,086,670	14.0	1,177,020	14.0
Jury	753,730	4.0	772,110	4.0
Family Services Support	764,700	7.8	786,470	7.8
Technical Services	757,120	10.0	850,210	10.0
Law Library	465,460	3.0	494,160	3.0
Trust and Guardianships	179,470	2.5	194,210	2.5
Grants	2,275,720	22.5	2,498,730	22.1
Totals	12,564,020	108.2	13,246,360	108.9

FUTURE FISCAL IMPACTS

Title	CE REC. FY09	FY10	FY11	($000's) FY12	FY13	FY14
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY09 Recommended	**10,748**	**10,748**	**10,748**	**10,748**	**10,748**	**10,748**
No inflation or compensation change is included in outyear projections.						
Elimination of One-Time Items Recommended in FY09	**0**	**-115**	**-115**	**-115**	**-115**	**-115**
Items approved for one-time funding in FY09, including replacement of seven digital recording system servers and the purchase of an Enterprise Backup Solution, will be eliminated from the base in the outyears.						
Labor Contracts	**0**	**464**	**503**	**503**	**503**	**503**
These figures represent the estimated cost of general wage adjustments, service increments, and associated benefits.						
Central Duplicating Deficit Recovery Charge	**0**	**-1**	**-1**	**-1**	**-1**	**-1**
This per employee charge will be eliminated in FY10.						
Subtotal Expenditures	***10,748***	***11,096***	***11,135***	***11,135***	***11,135***	***11,135***