

PS COMMITTEE # 1
April 20, 2016

MEMORANDUM

April 18, 2016

TO: Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst 

SUBJECT: **FY17 Operating Budget: Circuit Court**
FY17-22 Capital Improvement Program: Judicial Center Annex

Those expected to attend this worksession include:

Judge John W. Debelius, Administrative Judge, Montgomery County Circuit Court
Judy Rupp, Circuit Court Administrator
Jennifer Nordin, Office of Management and Budget (OMB)

Budget Summary:

- Two new judgeships have been approved by the State this year.
- The Circuit Court prepares for Maryland Electronic Courts (MDEC), a state-wide integrated case management system used by all courts.
- Family Division Magistrate position remains lapsed from FY16, despite increased caseload.

Overview

For FY17, the Executive recommends total expenditures of \$14,361,847, a 2.2% increase over the FY16 approved budget.

	<i>FY15 Actual</i>	<i>FY16 Approved</i>	<i>FY17 Recommended</i>	<i>% Change FY16-17</i>
<i>Expenditures by fund</i>				
General Fund	\$11,362,542	\$11,632,745	\$11,738,835	0.9%
Grant Fund	\$2,180,650	\$2,415,121	\$2,623,012	8.6%
<i>Total Expenditures</i>	\$13,543,192	\$14,047,866	\$14,361,847	2.2%
<i>Positions</i>				
Full-Time	112	112	112	0.0%
Part-Time	4	4	4	0.0%
<i>FTEs</i>	114.01	114.01	114.01	0.0%

The FY17 County Executive recommendation is a net increase of \$313,981, which reflects the following identified same service adjustments:

<i>Identified Same Service Adjustments</i>	
Increase Cost: FY17 Compensation Adjustment	\$181,070
Increase Cost: Group Insurance Adjustment	\$57,625
Increase Cost: Reclassifications and Salary Adjustments	\$31,367
Increase Cost: Maintenance and Support for the Case File Tracking System	\$3,200
Increase Cost: Printing and Mail	\$1,431
Increase Cost: Grant Fund Adjustments	\$207,891
<i>Total Increases:</i>	\$482,584
Decrease Cost: Motor Pool Adjustment	(\$152)
Decrease Cost: Annualization of FY16 Personnel Costs	(\$8,358)
Decrease Cost: Retirement Adjustment	(\$70,093)
Shift: Telecommunications to the Telecommunications NDA	(\$90,000)
<i>Total Decreases:</i>	(\$168,603)
NET SAME SERVICES ADJUSTMENT TOTAL:	\$313,981

FY17 Expenditure Issues

Two New Judgeships

The Maryland General Assembly just approved SB117, which provides two new Circuit Court judgeships to Montgomery County in FY17. This will increase the total number of judges from 22 to 24. Based on current judicial needs assessment, the FY16 projected need for judges is 25.8. This assessment looks at population per judge, filings per capita, and filings per judge.

The associated cost for two new judgeships is \$263,836 in FY17, which reflects the cost of one administrative assistant for each new judge, as well as furniture, supplies, and equipment associated with chambers and courtroom. Historically the Circuit Court has worked with OMB to request a supplemental appropriation for the expenditures associated with new judgeships.

Maryland Electronic Courts (MDEC)

The Maryland Electronic Courts (MDEC) project (©14-16) will create a single Judiciary-wide integrated case management system that will be used by all the courts in the state court system. Courts will collect, store and process records electronically, and will be able to access complete records instantly as cases travel from District Court to Circuit Court and on to the appellate courts.

MDEC has two main components: the ability to e-file cases, and case management. MDEC is being rolled-out state-wide to Circuit Courts, and is currently being implemented on the Eastern Shore. The roll-out to Montgomery County was initially expected in February 2018, but is now expected to be at least six months later. The Circuit Court will have a more accurate idea of the implementation schedule later in July.

To prepare for this transition, the Court has reclassified one position to a Business Analyst in preparation for MDEC. The Court has also issued a solicitation for a gap analysis to understand what MDEC will provide and what the Court may have to continue to supplement. It will also identify any necessary workflow changes. Council staff will monitor updates throughout the next fiscal year.

Family Division Magistrate

Circuit Court currently has four full-time magistrates and one part-time magistrate. One of the full-time magistrate positions was lapsed in FY16, for a savings of \$173,419. The position is still lapsed and the Circuit Court is in discussions with the State Court Administrator for State funding to fill the position with a Juvenile Magistrate.

The overall caseload for Family Division Magistrates (formerly referred to as Domestic Relations Masters), continue to increase. In FY14, Magistrates conducted 4,254 hearings, which was the third highest number since FY05. This total increased to 4,385 hearings in FY15. Of those hearings held, magistrates conducted 346 *pendente lite* hearings (up from 326 in FY14), 1,221 support hearings (down from 1,355 in FY14), and 390 contempt hearings (up from 386 in FY14).

Council staff recommends adding \$170,000 in FY17 to fill the currently-lapsed Family Division Magistrate position. Caseload continues to increase, and the types of cases can be complex. It is unclear whether any State funding gained would be on a recurring basis. If it is not, this type of magistrate position would be difficult to fill.

Grant Funding (\$207,891)

Total grant funding increases by \$207,891 for FY17. This reflects increased funding in the Family Law Grant (\$179,509.50), the Trial Court Research Grant (\$1,812.90), and a request for \$61,630.51 in the Drug Court Grant (will not be received until mid-June). The Rule of Law Grant did not change. The grant funding changes do not impact services.

Judicial Center Annex Update (FY17-22 CIP)

Phases 1 (Annex) and 2 (Renovation) are almost entirely completed. The Court has approximately 40 punch list items remaining. They are in final negotiations with the Contractor to close out the project. The contract for 1st floor interior renovation and the miscellaneous ADA repair work has been finalized. Construction will begin in April 2016 and be completed by September 2017. Construction for the Garage Helix at Maryland Avenue repairs and other miscellaneous structural repairs will begin September 2016 and be completed by August 2017.

The recommended PDF for the Judicial Center Annex indicates that \$9.9 million is unencumbered. This figure reflects an accounting errors. There is a \$2,150,132 unencumbered balance as of April 11, 2016, The entirety of the remaining funds will be spend on 1st floor renovations, miscellaneous ADA repair work, Garage Helix repairs, and other miscellaneous costs such as permits, commissioning, testing, etc.

Council Staff Recommendation

Council staff recommends adding \$170,000 for the Family Division Magistrate position, and approval of the rest of the FY17 operating budget and the FY17-22 CIP as submitted by the Executive.

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Circuit Court

Mission Statement

The mission of the Circuit Court is to serve Sixth Judicial Circuit residents in the determination of litigation in serious criminal matters, substantive civil cases, domestic and child support cases in accordance with the Constitution while administering justice in an honest, fair, and efficient manner.

Budget Overview

The total recommended FY17 Operating Budget for the Circuit Court is \$14,361,847, an increase of \$313,981 or 2.24 percent from the FY16 Approved Budget of \$14,047,866. Personnel Costs comprise 80.74 percent of the budget for 112 full-time position(s) and four part-time position(s), and a total of 114.00 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 19.26 percent of the FY17 budget.

Linkage to County Result Areas

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

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

Department Performance Measures

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

Initiatives

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

Accomplishments

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

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

Productivity Improvements

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

Program Contacts

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

Program Descriptions

Family Magistrates

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

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

Administration

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

The Trial Court Researchers, funded in part by the Trial Court Research Partnership Grant, provide research and statistical support for judiciary-wide research projects; prepare reports based on statistics and other data collected from the Montgomery County Circuit Court; establish links to national research/statistical sources relative to courts; and analyze court-wide programs, functions, and organizations to determine whether current management systems accomplish objectives efficiently.

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

FY17 Recommended Changes	Expenditures	FTEs
FY16 Approved	3,249,640	10.20
Increase Cost: Maintenance and Support for the Case File Tracking System (FileTrail and RFID readers)	3,200	0.00
Shift: Telecommunications to the Telecommunications Non-Departmental Account	(90,000)	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	354,471	0.00
FY17 Recommended	3,517,311	10.20

Adjudication

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

FY17 Recommended Changes	Expenditures	FTEs
FY16 Approved	3,362,677	30.00

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

Case Assignment

The Assignment Office schedules and maintains all hearings, trials, and motion dates as well as special event dates for Judges and Family Magistrates of the Court, and ensures that these events are scheduled in accordance with the Court's Differentiated Case Management plans. The Assignment Office maintains all scheduling information related to criminal indictments and information; criminal jury demands and appeals; civil, juvenile, and family trial assignments; civil, family, and juvenile motions; and bench warrants. The Assignment Office also manages all courtroom information sheets, locates all files for assigned calendars, reviews each file, and delivers files to various court hearing rooms.

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

Jury

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

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

Family Division Services

This program provides a variety of services for children and families, most of them funded by the Family Law Grant. Services include case managers that provide day-to-day management of cases between Family Magistrates, judges, counsel, and litigants; custody mediation involving litigants in an effort to obtain a settlement of custody issues prior to litigation; the Family Law Self Help Center (formerly the Pro Se Project) staffed by attorneys to help individuals representing themselves in uncomplicated family law cases involving divorce, custody and child support; psychological evaluations when psychological testing is necessary as an adjunct to arriving at a decision in the best interest of the children; best interest attorney (formerly guardian ad litem) appointments to specifically represent the interests of children; and operating expenses associated with managing the division.

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

The Juvenile Division is also a part of Family Division Services and is responsible for oversight of delinquency petitions, CINA petitions, TPR petitions, Voluntary Placement petitions, and Petitions for Peace Orders. These matters, which are governed by strict statutory timeframes, require a high degree of judicial oversight by the Court on a long term basis.

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

Technical Services

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

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

Law Library

The Law Library supports the research activities of the Court, the Bar, and the public and is the only law library open to the public in Montgomery County. The Library has a comprehensive collection of law, including U.S. statutes and the codes of Maryland, Washington, D.C., Virginia, and local ordinances. It has a complete collection of judicial opinions and a variety of subject treatises and reference materials. The Law Library also offers free access to the major on-line legal databases. Library staff are available to answer questions regarding the library and its collection but cannot give legal opinions or advice. The staff will provide limited assistance over the telephone and by e-mail.

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

Trust and Guardianships

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

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

Grants

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The Family Law Grant is funded by the State and provides services to families to reduce conflict and introduce the parties involved in litigation to problem-solving techniques to help reduce future litigation. See the Family Division Services Program for a description of the services supported by this grant.

The Trial Court Research Partnership Grant supports one Trial Court Researcher assigned to the Administration Program. This individual provides research, analysis, statistical support, and related reports on County and judiciary-wide research projects.

The Montgomery County Adult Drug Court is funded by the State through a grant from the Office of Problem Solving Courts. The mission of the Adult Drug Court is to eliminate drug abuse, crime, and their consequences by forging continuing partnerships with the Court, health treatment providers, concerned community organizations, and law enforcement. By leveraging its partnerships and its authority, the Court directs substance-abusing offenders into evaluation and treatment to achieve personal responsibility and productive citizenship.

The Rule of Law Grant is designed to improve the capacity of international legal institutions to implement reform. This initiative has been instrumental in the development of educational programs for bar associations, judges, lawyers, administrators, and the executive and legislative branches of government. It has promoted the adoption of alternative dispute resolution methods, provided instruction in the use of technology, and trained legal professionals to effectively implement reforms to bring justice to citizens and help ensure a more democratic society.

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

Budget Summary

	Actual FY15	Budget FY16	Estimate FY16	REC FY17	%Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	6,281,954	6,644,553	6,470,351	6,965,800	4.8 %
Employee Benefits	2,367,094	2,382,017	2,242,844	2,252,381	-5.4 %
County General Fund Personnel Costs	8,649,048	9,026,570	8,713,195	9,218,181	2.1 %
Operating Expenses	2,713,494	2,606,175	2,554,771	2,520,654	-3.3 %
County General Fund Expenditures	11,362,542	11,632,745	11,267,966	11,738,835	0.9 %
PERSONNEL					
Full-Time	89	89	89	89	—
Part-Time	3	3	3	3	—
FTEs	90.78	90.70	90.70	90.70	—
REVENUES					
Magistrates	161,835	170,660	20,000	170,660	—
State Interpreter Fee Reimbursement	267,427	314,709	314,709	314,709	—
State Jury Fee Reimbursement	400,860	404,245	404,245	404,245	—
County General Fund Revenues	830,122	889,614	738,954	889,614	—

GRANT FUND - MCG

EXPENDITURES					
Salaries and Wages	1,507,411	1,618,794	1,618,794	1,807,270	11.6 %
Employee Benefits	473,794	579,757	579,757	570,346	-1.6 %
Grant Fund - MCG Personnel Costs	1,981,205	2,198,551	2,198,551	2,377,616	8.1 %
Operating Expenses	199,445	216,570	216,570	245,396	13.3 %
Grant Fund - MCG Expenditures	2,180,650	2,415,121	2,415,121	2,623,012	8.6 %
PERSONNEL					
Full-Time	23	23	23	23	—
Part-Time	1	1	1	1	—

	Actual FY15	Budget FY16	Estimate FY16	REC FY17	%Chg Bud/Rec
FTEs	23.23	23.30	23.30	23.30	—
REVENUES					
State Grants	2,857,814	2,415,121	2,415,121	2,623,012	8.6 %
Grant Fund - MCG Revenues	2,857,814	2,415,121	2,415,121	2,623,012	8.6 %

DEPARTMENT TOTALS

Total Expenditures	13,543,192	14,047,866	13,683,087	14,361,847	2.2 %
Total Full-Time Positions	112	112	112	112	—
Total Part-Time Positions	4	4	4	4	—
Total FTEs	114.01	114.00	114.00	114.00	—
Total Revenues	3,687,936	3,304,735	3,154,075	3,512,626	6.3 %

FY17 Recommended Changes

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY16 ORIGINAL APPROPRIATION	11,632,745	90.70
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY17 Compensation Adjustment	181,070	0.00
Increase Cost: Group Insurance Adjustment	57,625	0.00
Increase Cost: Reclassifications and Salary Adjustments	31,367	0.00
Increase Cost: Maintenance and Support for the Case File Tracking System (FileTrail and RFID readers) [Administration]	3,200	0.00
Increase Cost: Printing and Mail	1,431	0.00
Decrease Cost: Motor Pool Adjustment	(152)	0.00
Decrease Cost: Annualization of FY16 Personnel Costs	(8,358)	0.00
Decrease Cost: Retirement Adjustment	(70,093)	0.00
Shift: Telecommunications to the Telecommunications Non-Departmental Account [Administration]	(90,000)	0.00
FY17 RECOMMENDED	11,738,835	90.70
GRANT FUND - MCG		
FY16 ORIGINAL APPROPRIATION	2,415,121	23.30
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: Grant Fund Adjustments [Grants]	207,891	0.00
FY17 RECOMMENDED	2,623,012	23.30

Program Summary

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

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

Future Fiscal Impacts

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

COUNTY GENERAL FUND

EXPENDITURES

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

Circuit Court Operating Budget Questions – FY17

Note: Circuit Court's first Public Safety Committee meeting is scheduled for 4/20 at 9:30am in 3CCR. Please provide responses to these questions by April 14. Thanks!

1. The FY17 recommended budget shifts telecommunications to a new NDA. The total amount shifted is \$90,000.

Is this the entirety of your telecom budget?

No, the Circuit Court's FY 17 budget includes \$27,200 for cellular phone line charges (63604) and other communication services (63634).

What types of services or equipment are funded by the \$90,000?

The services funded are the office phones used throughout the North and South Towers.

2. Please provide a brief update on the Child Custody and Access mediation program. Please provide case load data for 2016, including the percentage that reached full agreement, partial agreement, and no agreement.

During the first 3 quarters of FY16, a total of 215 cases were referred to mediation intake. Of those cases, 110 were screened out as inappropriate for mediation due to uneven representation (only one party has an attorney) or based on results from a domestic violence screening tool. Both of these factors ensure that mediation is a fair and appropriate forum for parties to resolve custody and access issues.

	FY16 YTD	FY15
Full Agreement	29%	35%
Partial Agreement	25%	17%
No Agreement	45%	48%

Future Need: As currently structured, the mediation program does not accommodate cases in a reopened posture. During the first 3 quarters of FY16, reopened matters constituted roughly 37% of all family filings. These cases are often characterized as higher conflict matters with a higher frequency of modification requests. In order to meet the needs of these litigants and simultaneously conserve judicial resources, the Court would like to expand its mediation program to include post judgment matters. The Court believes this could be accomplished at current funding levels.

3. Please provide a brief update on the Supervised Visitation Center.

During the first 3 quarters of FY16, 37 cases were ordered to Supervised Visitation resulting in approximately 222 visits as each case is scheduled for 6 sessions. In FY15, 47 cases were ordered to supervised visitation.

Future Need: The program was designed for 6 supervised visits to occur on a bi-weekly basis. This presents a 30 day gap between the final supervised visit and the scheduled review hearing, which is set 120 days from the order. The rationale for the gap was to accommodate those families that need the extra time to complete all six visits due to a cancellation caused by illness of a child, etc. However, many families proceed with no missed visits and then have a large gap between the last visit and the review hearing. To reduce the disruption to the visiting parent and the child, it is suggested that the structure of the program be changed from six to eight visits to provide continuity right up to the point of the review hearing. The Court believes this could be accomplished at the current funding level.

What is the total recommended funding level for FY17?
The funding level for FY17 is \$112,000.

4. Please provide a brief update on current workloads for Domestic Relations Masters. Family Division Magistrates (formerly referred to as Domestic Relations Masters) remain the backbone of the Family DCM system. During FY15, 4,462 DCM events were held by the Court. Of those hearing held, Magistrates conducted 4,385 (FY14 = 4,254). Magistrates conducted 346 *pendente lite* hearings (FY14 = 326), 1,221 support hearings (FY14 = 1,355) and 390 contempt hearings (FY14 = 386).

You had four full-time and one part-time master. Is this still correct?
Yes

Is one position still lapsed?
At this time, yes. We are in discussions with the State Court Administrator for State funding to fill this position with a Juvenile Magistrate.

Child Waiting Area:

5. Please provide a brief update on the Child Waiting Area.
The Kids Spot child waiting area opened on April 15, 2015. From April 2015 through February 2016, the center served 973 children. Attendance is highest during the summer months with August 2015 welcoming 192 children. 55% of the children served are 4 years old or younger. 32% of the children were Hispanic/Latin/Spanish origin. These families were assisted by our bi-lingual staff member. The average length of stay was 1 hour 15 minutes. Adults dropping their children off at Kids Spot cited business with Family Division Services (including Family Law Self-Help Center) as well as attendance at court proceedings.

What is the recommended budget for this item for FY17?

The recommended budget for FY17 is \$200,000.

Judges

6. Have any new judgeships been recommended by the State?

The State has recommended 2 new judgeships for Montgomery County Circuit Court.

What is your current number of judges?

The Circuit Court currently has 22 judges.

Is the current staffing level sufficient for caseload?

No. Based on judicial needs assessment, the FY16 projected need for Montgomery County Circuit Court was a total of 25.8 judges. Needs assessment is based on population per judge, filings per capita, and filings per judge.

If any new judgeships are approved, what are the associated costs?

The associated cost for two new judgeships would be \$214,676 in FY17 with salaries and wages lapsed 1 month to allow for judicial selection and appointment, \$210,972 in FY18 and \$218,168 in FY19.

Expenditure	FY17	FY18	FY19
Salaries and Wages			
Judges Administrative Assistant	\$ 95,952	\$ 99,310	\$102,786
Cost of Living Increases (3.5%)	\$ 3,358	\$ 3,476	\$ 3,598
Total Salaries and Wages	\$ 99,310	\$102,786	\$106,384
Other Operating Expenses			
Communications (phone, iPad, mobile)	\$ 1,940	\$1,200	\$1,200
Supplies(furniture, books, robes, stationery)	\$ 11,899	\$1,000	\$1,000
Equipment (chambers & courtroom)	\$ 15,419		
Land & Structure (name plates, security cameras)	\$ 2,750		
Other (photographer)	\$ 600		
Total Operating Expenses	\$ 32,608	\$ 2,700	\$ 2,700
TOTAL COST PER JUDGE	\$131,918	\$105,486	\$109,084

Grants

7. Please describe grant funding changes over the past year, and what impact changes will have, if any, moving forward into FY17.

The Family Law Grant FY17 funding increased by \$179,509.50 from FY16. The Drug Court Grant funding notification for FY17 will not be received until mid-June. The grant application requested \$61,630.51 in additional funding for FY17.

The Trial Court Researcher Grant FY17 funding increased by \$1,812.90 from FY16 for cost of living increases.

The Rule of Law Grant did not change.

These changes will not impact services.

Staffing

8. While the total number of positions remains the same from FY16 to FY17, there seems to be some changes in staffing:

Please briefly describe each of these staffing changes.

- Family magistrate positions decline from 7 FTEs in FY16 to 6 FTEs in FY17;
The decrease of 1 FTE reflects the reclassification of a position to a Business Analyst in preparation for MDEC. This position was lapsed in FY16.
- Adjudication positions increase from 30 FTEs in FY16 to 31 FTEs in FY17;
The decrease of 1FTE reflects the reclassification of a position to an Attorney I position mid-year FY16.
- Case Assignment positions decline from 15 FTEs in FY16 to 14 FTEs in FY17;
Case Assignment positions have remained at 14 FTE. This is a reporting error in FY16. Hyperion reporting headcount reflects 14 FTE in FY16 and FY17.
- Technical Services positions increase from 10 FTEs in FY16 to 11 FTEs in FY17;
The increase of 1 FTE reflects the reclassification of a position to a Business Analyst in preparation for MDEC. This position was lapsed in FY16.

Circuit Court CIP Questions:

Judicial Center Annex:

9. Please provide a status update on this project. What is the anticipated completion date?

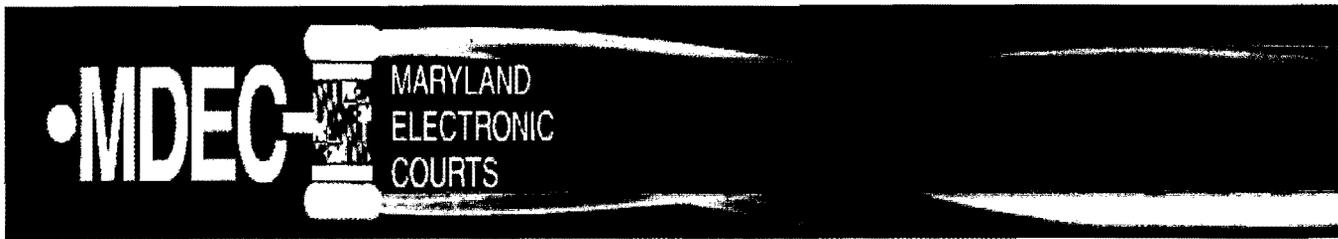
The status of the Judicial Center Annex project is as follows:

- a. Phase 1 Annex and Phase 2 Renovation – Project is 99.9% complete. We have approximately 40 punch list items remaining. We are in final negotiations with the Contractor to close out the project.
- b. 1st Floor Interior Renovation and Miscellaneous ADA repair work– Contract has been negotiated for the work. Construction will begin in April 2016 and be complete September 2017.
- c. Garage Helix at Maryland Avenue Repairs and Other Miscellaneous Structural Repairs – Project is in the construction document phase. Construction is expected to begin September 2016 and be complete August 2017.

There is approximately \$9.9 million which is unencumbered. Are these funds earmarked for the current renovations and garage repairs? Or has any of this project come in under budget? Please describe.

After correcting an erroneous requisition in PnG, the JCA project has an unencumbered balance of \$2,150,132 as of 4/11/2016. The entirety of the remaining funds will be spent on:

- a. 1st Floor Renovation (Construction Contingency, Furniture, IT Cabling, Moving, Signage, and Security Costs)
- b. Miscellaneous ADA Repair Work
- c. PDS (A/E Changes, County Staff, Permits, Commissioning, Testing, Printing and Miscellaneous Costs)
- d. Garage Helix at Maryland Avenue Repairs



About MDEC

The Maryland Electronic Courts (MDEC) project will create a single Judiciary-wide integrated case management system that will be used by all the courts in the state court system. Courts will collect, store and process records electronically, and will be able to access complete records instantly as cases travel from District Court to Circuit Court and on to the appellate courts. The new system will ultimately become "paper-on-demand," that is, paper records will be available when specifically requested.

Caseflow management is the process by which courts move a case from the initial filing to its final end. This includes all pre-trial actions, trials, and events that may follow its disposition, including monitoring, probation or restitution.

Effective caseflow management ensures justice is possible --- not only in individual cases, but also across judicial systems and courts, both trial and appellate. As part of the Maryland Judiciary's efforts to provide access to justice for all who utilize the court system, effective caseflow creates processes and manages courts' increasing workflow to help ensure that every litigant receives procedural due process and equal protection.

The quality of justice is enhanced when judicial administration is organized around the requirements of effective caseflow and trial management.

The Maryland Judiciary is working with its justice partners, members of the bar and advocacy groups to update its entire court management systems, including integrating new technology, business processes, and management practices. The project will result in the creation of a single Judiciary-wide integrated case management system that will be used by all levels of courts within the Judiciary.

The Judiciary's MDEC Advisory Committee is chaired by District Court of Maryland Chief Judge John P. Morrissey. The Committee oversees the implementation and evaluation of the new integrated system. Four strategic goals serve as the guiding principles in the project:

- Improved public safety.
- Improved access to justice.
- Fair and efficient administration of justice.
- Use of reliable technological solutions.

The final implementation of this new system will be a full service court management process with the following components:

- Ability to send documents to and obtain information from the court from anywhere at any time – ensuring 24-hour access.
- The convenience of e-filing for litigants, allowing electronic document filings and exchange as digital files replace paper files.
- Increased efficiency in the areas of case initiation and indexing, docketing and recordkeeping, document generation and processing, in-court docketing, disposition, monitoring compliance, and case closing.
- An alternative dispute resolution (ADR) component to monitor resolution efforts occurring outside of the court.
- A bonds tracking component for tracking bonds posted by bail bond firms statewide.
- A scheduling component for setting, maintaining and displaying information about court-scheduled events, and for calendar maintenance.
- Enhanced ability to create, display, track and archive electronic court case records.
- Improved features to allow for information exchanges with the Judiciary's justice partners.

These components will work together to create a new and improved vision of the Maryland Judiciary's court management systems and to ensure the fair and prompt administration of justice.

This website may require you to [download plug-ins \(/plugins.html\)](#) to view content.

www.mdcourts.gov (<http://www.mdcourts.gov/>)

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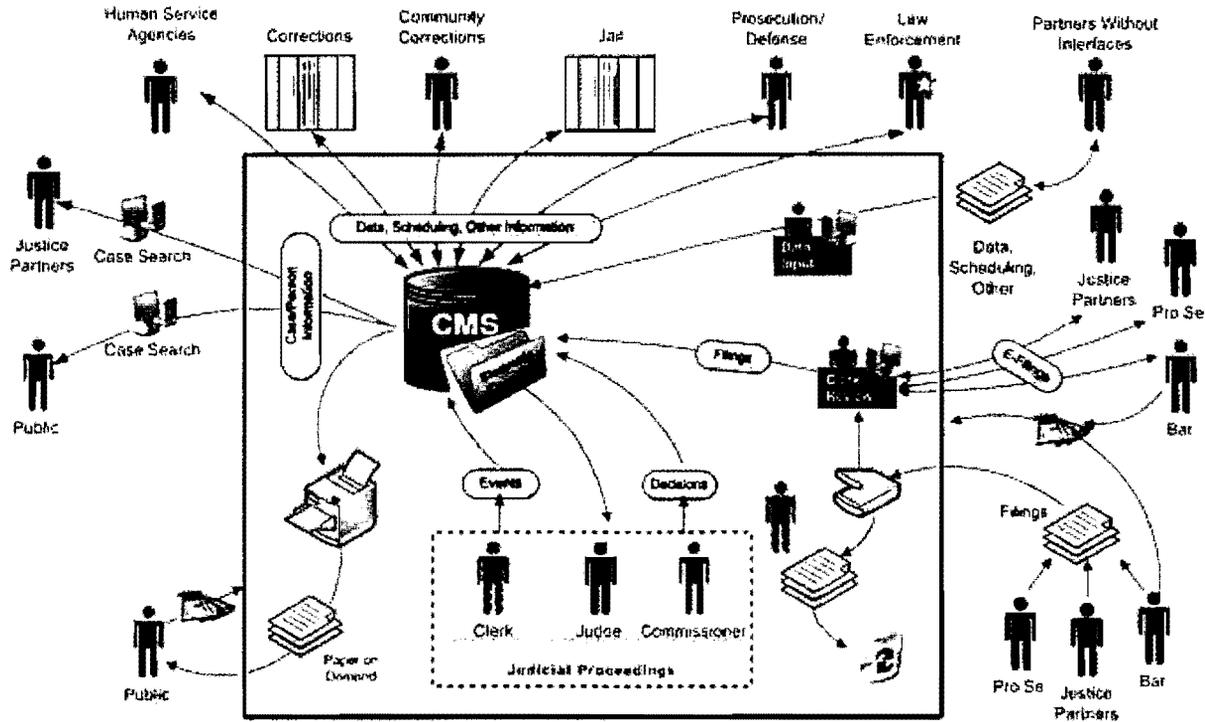


https://www.youtube.com/channel/UC0W3o0c4l-UgHS_RG8nqMCO



http://www.mdcourts.gov/rss_xml.html

The Maryland Judiciary's Vision of Future



Assumptions

- No Paper Files/New Court Case Records
- 100 Percent Electronic; Paper on Demand
- Day 1 Forward/New and Reopened Cases
- DCM/Work Flow Management
- Fees Will Be Collected Electronically and Manually

Benefits

- Eliminate Paper Files (New Cases)
- Greatly Enhance Interoperability
- Eliminate Process Delays (Both Internal/External)
- Support Court Operations With CMS
- Increase Service and Flexibility to Partners and Bar

Future Policy Considerations

- Mandatory E-Filing
- Electronic Case Records as Official Record
- Electronic and Digital Signatures
- E-filing Model: Fee Structures, etc
- Docket Rollout; Policy Development to Coincide With Technology Deployment

Judicial Center Annex (P100300)

FY17-22 REC

Category: Public Safety
 Sub Category: Other Public Safety
 Administering Agency: General Services (AAGE29)
 Planning Area: Rockville

Date Last Modified: 11/17/14
 Required Adequate Public Facility: No
 Relocation Impact: None
 Status: Under Construction

Total	Thru FY15	Est FY16	Total 6 Years	FY 17	FY 18	FY 19	FY 20	FY 21	FY 22	Beyond 6 Yrs
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EXPENDITURE SCHEDULE (\$000s)										
Planning, Design and Supervision	25,338	23,371	1,257	710	660	50	0	0	0	0
and	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	5,636	2	5,634	0	0	0	0	0	0	0
Construction	105,693	97,251	5,142	3,300	3,300	0	0	0	0	0
Other	3,491	3,231	260	0	0	0	0	0	0	0
Total	140,158	123,855	12,293	4,010	3,960	50	0	0	0	0

FUNDING SCHEDULE (\$000s)										
Current Revenue: General	330	330	0	0	0	0	0	0	0	0
S.O. Bonds	130,191	113,888	12,293	4,010	3,960	50	0	0	0	0
and Sale	4,457	4,457	0	0	0	0	0	0	0	0
Recordation Tax Premium	5,180	5,180	0	0	0	0	0	0	0	0
Total	140,158	123,855	12,293	4,010	3,960	50	0	0	0	0

OPERATING BUDGET IMPACT (\$000s)										
Energy				5,136	856	856	856	856	856	856
Maintenance				5,754	959	959	959	959	959	959
Program-Other				1,050	175	175	175	175	175	175
Net Impact				11,940	1,990	1,990	1,990	1,990	1,990	1,990

APPROPRIATION AND EXPENDITURE DATA (000s)

Appropriation Request	FY 17	0
Appropriation Request Est.	FY 18	0
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		140,158
Expenditure / Encumbrances		130,293
Unencumbered Balance		9,865

Date First Appropriation	FY 03
First Cost Estimate	
Current Scope	FY 15 140,158
Last FY's Cost Estimate	140,158

Description

This project provides for the planning, design, and construction of a Montgomery County Judicial Center Annex, the Montgomery County Judicial Center HVAC renovation, and other needed renovations to Montgomery County Judicial Center. Associated requirements for items such as phasing, parking, and security are funded through this project. The existing Judicial Center has been renamed the Montgomery County Circuit Court.

Location

50 Monroe Street, Rockville, MD.

Estimated Schedule

Construction for the HVAC upgrades was completed in early 2011. The Judicial Center Annex was opened in April 2014. The remaining Judicial Center renovations, including first floor renovations and garage repairs, will be completed in 2017.

Justification

There are currently 22 Circuit Court Judges. The Judicial Center's 17 courtrooms are all assigned. Four Circuit Court Judges are assigned to other courthouses. There are no remaining courtroom spaces available in the three courthouses leaving no room for new Circuit Court judicial positions. The October 2003 needs assessment completed by URS Corporation projected that to handle the projected number of court filings, 28 judicial positions would be needed in 2015; 31 in 2020; and 34 in 2025. A projection was also made regarding the staff needed to support these positions in the Circuit Court, Clerk of the Court, Register of Wills, State's Attorney, and Sheriff's offices. The following studies have been completed as a part of this project: Judicial Center Annex Project Report (URS/ Fentress - 2003), Courtroom Utilization Study (URS/Fentress - 2003), Planning Drawings for Phases 1 and 2 of a Judicial Center Annex (URS - 2003). The project has also been included in studies completed for the Rockville Core Plan. Courtrooms are designed to meet National Center for State Court standards.

Other

Judicial Center Annex (P100300)

The Executive Branch provided the Council's Public Safety Committee with a progress briefing on the revised Program of Requirements validation, design of the HVAC renovations, and design development of the Annex. The Judicial Center Annex will be constructed with ten new courtrooms, four of which replace the existing courtrooms in the Grey Courthouse and Red Brick Courthouse. This project was first included in the Capital Improvements Program in FY03. It was assumed that the Annex could be designed to meet long-term needs and then be built in two phases to reduce short-term costs. Later studies by Department of Public Works and Transportation determined that two-phase construction of the Annex presents significant issues in terms of construction complexity and total project costs. Planning and design development for other County buildings in the Rockville Core as identified in the Government Core Facilities Optimization Master Plan Study are funded through the Montgomery County Government Complex project (PDF No. 360901). An architect was selected in 2007.

Fiscal Note

\$4,457,000 of General Obligation Bond funding was replaced with land sale proceeds in FY14. In FY14, \$530,000 in GO Bonds was transferred from Century Boulevard (P501115). FY15 transfer of \$500,000 in GO Bonds to PSTA & Multi Agency Service Park - Site Development (P470907). FY15 funding switch of \$65,000 from GO Bonds to Recordation Tax Premium.

Disclosures

A pedestrian impact analysis has been completed for this project.

Coordination

Circuit Court, Sheriff's Office, State Attorney's Office, Register of Wills, Clerk of the Circuit Court, Department of General Services, Department of Technology Services, County Council, Criminal Justice Coordinating Commission, City of Rockville, Special Capital Projects Legislation [Bill No. 23-06], adopted by Council, June 13, 2006.

Judicial Center Annex (P100300) **FY15-20 APPID**

Category Public Safety
 Sub Category Other Public Safety
 Administering Agency General Services (AAGE29)
 Planning Area Rockville

Date Last Modified 11/17/14
 Required Adequate Public Facility No
 Relocation Impact None
 Status Under Construction

	Total	Thru FY14	Rem FY14	Total 6 Years	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	Beyond 6 Yrs
EXPENDITURE SCHEDULE (\$000s)											
Planning, Design and Supervision	25,338	22,184	2,085	1,069	844	225	0	0	0	0	0
and	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	5,636	3	5,156	477	477	0	0	0	0	0	0
Construction	105,693	88,964	926	15,803	15,803	0	0	0	0	0	0
Other	3,491	2,566	925	0	0	0	0	0	0	0	0
Total	140,158	113,717	9,092	17,349	17,124	225	0	0	0	0	0

	Total	Thru FY14	Rem FY14	Total 6 Years	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	Beyond 6 Yrs
FUNDING SCHEDULE (\$000s)											
Current Revenue: General	330	330	0	0	0	0	0	0	0	0	0
S.O. Bonds	130,256	113,387	4,635	12,234	12,009	225	0	0	0	0	0
and Sale	4,457	0	4,457	0	0	0	0	0	0	0	0
Recordation Tax Premium	5,115	0	0	5,115	5,115	0	0	0	0	0	0
Total	140,158	113,717	9,092	17,349	17,124	225	0	0	0	0	0

	Total	Thru FY14	Rem FY14	Total 6 Years	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	Beyond 6 Yrs
OPERATING BUDGET IMPACT (\$000s)											
Energy				5,136	856	856	856	856	856	856	856
Maintenance				5,754	959	959	959	959	959	959	959
Program-Staff				0	0	0	0	0	0	0	0
Program-Other				1,050	175	175	175	175	175	175	175
Net Impact				11,940	1,990						

APPROPRIATION AND EXPENDITURE DATA (000s)

Appropriation Request	FY 16	0
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		140,158
Expenditure / Encumbrances		126,876
Unencumbered Balance		13,282

Date First Appropriation	FY 03
First Cost Estimate	
Current Scope	FY 12 140,658
Last FY's Cost Estimate	140,658

Description

This project provides for the planning, design, and construction of a Montgomery County Judicial Center Annex, the Montgomery County Judicial Center HVAC renovation, and other needed renovations to Montgomery County Judicial Center at 50 Monroe Street, Rockville. Associated requirements for items such as phasing, parking, and security will also be funded through this project. The existing Judicial Center will be renamed the Montgomery County Circuit Court.

Estimated Schedule

Construction for the HVAC upgrades was completed in early 2011. The Judicial Center Annex construction was opened in April 2014 and the Judicial Center renovation will be complete in 2015.

Justification

There are currently 22 Circuit Court Judges. The Judicial Center's 17 courtrooms are all assigned. Four Circuit Court Judges are assigned to other courthouses; three Juvenile Division Judges are housed in the Grey Courthouse and one in the historic Red Brick Courthouse. There are no remaining courtroom spaces available in the three courthouses leaving no room for new Circuit Court judicial positions. The October 2003 needs assessment completed by URS Corporation projected that to handle the projected number of court filings, 28 judicial positions would be needed in 2015; 31 in 2020; and 34 in 2025. A projection was also made regarding the staff needed to support these positions in the Circuit Court, Clerk of the Court, Register of Wills, State's Attorney, and Sheriff's offices. The following studies have been completed as a part of this project: Judicial Center Annex Project Report (URS/ Fentress - 2003), Courtroom Utilization Study (URS/Fentress - 2003), Planning Drawings for Phases 1 and 2 of a Judicial Center Annex (URS - 2003). The project has also been included in studies completed for the Rockville Core Plan. Courtrooms are designed to meet National Center for State Court standards.

Other

Judicial Center Annex (P100300)

The Executive Branch provided the Council's Public Safety Committee with a progress briefing on the revised Program of Requirements validation, design of the HVAC renovations, and design development of the Annex. The Judicial Center Annex will be constructed with ten new courtrooms, four of which replace the existing courtrooms in the Grey Courthouse and Red Brick Courthouse. This project was first included in the Capital Improvements Program in FY03. It was assumed that the Annex could be designed to meet long-term needs and then be built in two phases to reduce short-term costs. Later studies by Department of Public Works and Transportation determined that two-phase construction of the Annex presents significant issues in terms of construction complexity and total project costs. Planning and design development for other County buildings in the Rockville Core as identified in the Government Core Facilities Optimization Master Plan Study are funded through the Montgomery County Government Complex project (PDF No. 360901). An architect was selected in 2007.

Fiscal Note

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