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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 FY15 Operating Budget for the Circuit Court is \$13,979,092, an increase of \$836,716 or 6.4 percent from the FY14 Approved Budget of \$13,142,376. Personnel Costs comprise 79.5 percent of the budget for 112 full-time positions and four part-time positions, and a total of 114.01 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 20.5 percent of the FY15 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***

## DEPARTMENT PERFORMANCE MEASURES

Performance measures for this department are included below, with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY14 estimates reflect funding based on the FY14 approved budget. The FY15 and FY16 figures are performance targets based on the FY15 recommended budget and funding for comparable service levels in FY16.

## ACCOMPLISHMENTS AND INITIATIVES

- ❖ ***The Circuit Court increased the number of staff attorneys at its Family Law Self Help Center in FY14 by hiring an attorney who is bilingual to serve the increasing number of Spanish-speaking residents who seek assistance with their family law matters.***
- ❖ ***For the past three fiscal years, the Court maintained its TPR performance allowing only one case to close over the Maryland Judiciary's case time standard.***
- ❖ ***In FY13, the Court maintained performance for Domestic Relations cases and continued to exceed the Maryland Judiciary's case time standard performance goals for this case type.***
- ❖ ***In FY13, the Court met the Maryland Judiciary's case time standard performance goal of closing 98% of non-foreclosure civil cases in 548 days as it did in FY11 and FY12.***
- ❖ ***Productivity Improvements***
  - ***Automated the tracking of the Court's To Be Assigned (TBA) docket to ensure that case events are reached on their scheduled dates and that current scheduling practices minimize unnecessary delay.***
  - ***Implemented video bench warrant and body attachment hearings as a means to ensure the safety and security of court patrons and staff during ongoing construction of the Judicial Center and the Judicial Center Annex.***
  - ***Updated policies and practices related to the Juvenile Differentiated Case Management (DCM) plan. New scheduling functionality allows the court to easily monitor the setting of juvenile events within statutory guidelines.***
  - ***Automated the monitoring of compliance with criminal statute that requires the completion and submission of sentencing guidelines worksheets to the Maryland State Commission on Criminal Sentencing Policy.***

- **Examined wait time associated with domestic violence ex-parte hearings to ensure that there is no discernible difference between Family Justice Center clients who participate via video-conference and those individuals who file their petition at the Court.**

## PROGRAM CONTACTS

Contact Judy Rupp of the Circuit Court at 240.777.9103 or Jahantab Siddiqui of the Office of Management and Budget at 240.777.2795 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; 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.

<b>Program Performance Measures</b>	<b>Actual FY12</b>	<b>Actual FY13</b>	<b>Estimated FY14</b>	<b>Target FY15</b>	<b>Target FY16</b>
<b>Case Filings (includes re-opened cases)</b>					
Criminal (including District Court appeals)	6,808	6,978	7,082	7,186	7,186
Civil (including Registrar of Wills, District Court appeals)	11,958	14,603	14,849	15,096	15,096
Domestic Relations	15,089	15,463	15,697	15,932	15,932
Juvenile (including Delinquency, CINA, and TPR)	3,706	3,382	3,178	2,973	2,973
<b>TOTAL Case Filings</b>	<b>37,561</b>	<b>40,426</b>	<b>40,806</b>	<b>41,187</b>	<b>41,187</b>
<b>Case Terminations (includes re-opened cases)</b>					
Criminal	6,715	6,962	7,062	7,162	7,162
Civil	12,498	15,059	15,359	15,658	15,658
Domestic Relations	15,244	15,590	15,854	16,118	16,118
Juvenile	3,674	3,460	3,279	3,099	3,099
<b>TOTAL Case Terminations</b>	<b>38,131</b>	<b>41,071</b>	<b>41,554</b>	<b>42,038</b>	<b>42,038</b>
<b>Case Clearance Rate (includes re-opened cases)<sup>1</sup></b>					
Criminal	99%	100%	100%	100%	100%
Civil	105%	103%	103%	104%	104%
Domestic Relations	101%	101%	101%	101%	101%
Juvenile	99%	102%	103%	104%	104%
<b>OVERALL Case Clearance Rate</b>	<b>102%</b>	<b>102%</b>	<b>102%</b>	<b>102%</b>	<b>102%</b>
<b>Total Trials</b>	<b>1,607</b>	<b>1,753</b>	<b>1,817</b>	<b>1,881</b>	<b>1,881</b>

<sup>1</sup> Clearance rate measures how efficiently a court is processing its caseload by dividing the number of cases terminated by the number of case filings for a given time period (expressed in terms of percentage).

<b>FY15 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY14 Approved</b>	<b>3,016,599</b>	<b>9.55</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	232,391	0.73
<b>FY15 CE Recommended</b>	<b>3,248,990</b>	<b>10.28</b>

### Adjudication

Adjudication encompasses support staff for the Judiciary and 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.

<b>FY15 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY14 Approved</b>	<b>3,048,959</b>	<b>31.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	228,600	1.00
<b>FY15 CE Recommended</b>	<b>3,277,559</b>	<b>32.00</b>

### **Family Division Masters**

Family Division Masters 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 Division Masters and any exceptions filed.

<b>FY15 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY14 Approved</b>	<b>842,960</b>	<b>8.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	-48,022	-1.00
<b>FY15 CE Recommended</b>	<b>794,938</b>	<b>7.00</b>

### **Case Assignment**

The Assignment Office schedules and maintains all hearings, trials, and motion dates as well as special event dates for Judges and Family Division Masters 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.

<b>FY15 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY14 Approved</b>	<b>1,222,904</b>	<b>14.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	54,233	0.00
<b>FY15 CE Recommended</b>	<b>1,277,137</b>	<b>14.00</b>

### **Jury**

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

<b>FY15 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY14 Approved</b>	<b>726,964</b>	<b>4.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	17,383	0.00
<b>FY15 CE Recommended</b>	<b>744,347</b>	<b>4.00</b>

### **Family Division Services**

This program provides a variety of services for children and families, most of them funded by the Family Law Grant. Services include case managers that provide day-to-day management of cases between Family Division Masters, 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 and paralegals to help individuals representing themselves in uncomplicated family law cases involving divorce, custody and child support; psychological evaluations when psychological testing is necessary as an adjunct to arriving at a decision in the best interest of the children; best interest attorney (formerly guardian ad litem) appointments to specifically represent the interests of children; and operating expenses associated with managing the division.

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

situation for the children.

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

<b>FY15 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY14 Approved</b>	<b>685,918</b>	<b>9.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	23,783	-1.00
<b>FY15 CE Recommended</b>	<b>709,701</b>	<b>8.00</b>

### **Technical Services**

Technical Services manages the central recording location that electronically records all courtroom and hearing room proceedings for the Judicial Center and Grey 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.

<b>FY15 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY14 Approved</b>	<b>849,787</b>	<b>10.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	52,130	0.00
<b>FY15 CE Recommended</b>	<b>901,917</b>	<b>10.00</b>

### **Law Library**

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

<b>FY15 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY14 Approved</b>	<b>427,121</b>	<b>3.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	9,816	0.00
<b>FY15 CE Recommended</b>	<b>436,937</b>	<b>3.00</b>

### **Trust and Guardianships**

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

<b>FY15 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY14 Approved</b>	<b>178,782</b>	<b>2.50</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	12,749	0.00
<b>FY15 CE Recommended</b>	<b>191,531</b>	<b>2.50</b>

### **Grants**

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

The Trial Court Research Partnership Grant supports two Trial Court Researchers assigned to the Administration Program. These

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individuals provide research, analysis, statistical support, and related reports on County and judiciary-wide research projects.

The Montgomery County Adult Office of Problem Solving grant is funded by the State. 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 - more recently - 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.

<b>FY15 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY14 Approved</b>	<b>2,142,382</b>	<b>26.45</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	253,653	-3.22
<b>FY15 CE Recommended</b>	<b>2,396,035</b>	<b>23.23</b>

## BUDGET SUMMARY

	Actual FY13	Budget FY14	Estimated FY14	Recommended FY15	% Chg Bud/Rec
<b>COUNTY GENERAL FUND</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	5,828,861	6,164,589	6,165,647	6,616,302	7.3%
Employee Benefits	2,224,896	2,283,827	2,242,913	2,284,932	0.0%
<b>County General Fund Personnel Costs</b>	<b>8,053,757</b>	<b>8,448,416</b>	<b>8,408,560</b>	<b>8,901,234</b>	<b>5.4%</b>
Operating Expenses	2,363,267	2,551,579	2,551,579	2,681,823	5.1%
Capital Outlay	0	0	0	0	—
<b>County General Fund Expenditures</b>	<b>10,417,024</b>	<b>10,999,995</b>	<b>10,960,139</b>	<b>11,583,057</b>	<b>5.3%</b>
<b>PERSONNEL</b>					
Full-Time	89	90	90	89	-1.1%
Part-Time	5	5	5	3	-40.0%
FTEs	90.10	91.05	91.05	90.78	-0.3%
<b>REVENUES</b>					
Master's Salary Reimbursement	289,287	306,658	168,912	168,912	-44.9%
State Interpreter Fee Reimbursement	289,264	314,709	314,709	314,709	—
State Jury Fee Reimbursement	440,290	404,245	415,400	404,245	—
<b>County General Fund Revenues</b>	<b>1,018,841</b>	<b>1,025,612</b>	<b>899,021</b>	<b>887,866</b>	<b>-13.4%</b>
<b>GRANT FUND MCG</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	1,585,667	1,343,354	1,343,354	1,660,475	23.6%
Employee Benefits	458,353	621,974	621,974	558,507	-10.2%
<b>Grant Fund MCG Personnel Costs</b>	<b>2,044,020</b>	<b>1,965,328</b>	<b>1,965,328</b>	<b>2,218,982</b>	<b>12.9%</b>
Operating Expenses	128,450	177,053	177,053	177,053	—
Capital Outlay	0	0	0	0	—
<b>Grant Fund MCG Expenditures</b>	<b>2,172,470</b>	<b>2,142,381</b>	<b>2,142,381</b>	<b>2,396,035</b>	<b>11.8%</b>
<b>PERSONNEL</b>					
Full-Time	22	22	22	23	4.5%
Part-Time	4	4	4	1	-75.0%
FTEs	26.40	26.45	26.45	23.23	-12.2%
<b>REVENUES</b>					
State Grants	2,172,470	2,142,381	2,142,381	2,396,035	11.8%
<b>Grant Fund MCG Revenues</b>	<b>2,172,470</b>	<b>2,142,381</b>	<b>2,142,381</b>	<b>2,396,035</b>	<b>11.8%</b>
<b>DEPARTMENT TOTALS</b>					
<b>Total Expenditures</b>	<b>12,589,494</b>	<b>13,142,376</b>	<b>13,102,520</b>	<b>13,979,092</b>	<b>6.4%</b>
<b>Total Full-Time Positions</b>	<b>111</b>	<b>112</b>	<b>112</b>	<b>112</b>	<b>—</b>
<b>Total Part-Time Positions</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>4</b>	<b>-55.6%</b>
<b>Total FTEs</b>	<b>116.50</b>	<b>117.50</b>	<b>117.50</b>	<b>114.01</b>	<b>-3.0%</b>
<b>Total Revenues</b>	<b>3,191,311</b>	<b>3,167,993</b>	<b>3,041,402</b>	<b>3,283,901</b>	<b>3.7%</b>

## FY15 RECOMMENDED CHANGES

	Expenditures	FTEs
<b>COUNTY GENERAL FUND</b>		
<b>FY14 ORIGINAL APPROPRIATION</b>	<b>10,999,995</b>	<b>91.05</b>
<b>Other Adjustments (with no service impacts)</b>		
Increase Cost: Annualization of FY14 Personnel Costs	299,441	-0.27
Increase Cost: Annualization of FY14 Compensation Increases	120,833	0.00
Increase Cost: Judicial Center Annex Child Waiting Area	87,500	0.00
Increase Cost: Judicial Center Annex Maintenance and Support Services	50,945	0.00
Increase Cost: Group Insurance Adjustment	17,532	0.00
Increase Cost: Retirement Adjustment	15,012	0.00
Increase Cost: Software Maintenance and Support	12,616	0.00
Increase Cost: Printing and Mail	3,734	0.00
Increase Cost: Motor Pool Rate Adjustment	449	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY14	-25,000	0.00
<b>FY15 RECOMMENDED:</b>	<b>11,583,057</b>	<b>90.78</b>

	Expenditures	FTEs
<b>GRANT FUND MCG</b>		
<b>FY14 ORIGINAL APPROPRIATION</b>	<b>2,142,381</b>	<b>26.45</b>
<b>Other Adjustments (with no service impacts)</b>		
Increase Cost: Annualization of Personnel Costs	253,654	-0.72
Technical Adj: Reduction of Lapsed Mediator Positions	0	-2.50
<b>FY15 RECOMMENDED:</b>	<b>2,396,035</b>	<b>23.23</b>

## PROGRAM SUMMARY

Program Name	FY14 Approved		FY15 Recommended	
	Expenditures	FTEs	Expenditures	FTEs
Administration	3,016,599	9.55	3,248,990	10.28
Adjudication	3,048,959	31.00	3,277,559	32.00
Family Division Masters	842,960	8.00	794,938	7.00
Case Assignment	1,222,904	14.00	1,277,137	14.00
Jury	726,964	4.00	744,347	4.00
Family Division Services	685,918	9.00	709,701	8.00
Technical Services	849,787	10.00	901,917	10.00
Law Library	427,121	3.00	436,937	3.00
Trust and Guardianships	178,782	2.50	191,531	2.50
Grants	2,142,382	26.45	2,396,035	23.23
<b>Total</b>	<b>13,142,376</b>	<b>117.50</b>	<b>13,979,092</b>	<b>114.01</b>

## FUTURE FISCAL IMPACTS

Title	CE REC.					
	FY15	FY16	FY17	(\$000's)		
	FY18	FY19	FY20			
<b>This table is intended to present significant future fiscal impacts of the department's programs.</b>						
<b>COUNTY GENERAL FUND</b>						
<b>Expenditures</b>						
<b>FY15 Recommended</b>	<b>11,583</b>	<b>11,583</b>	<b>11,583</b>	<b>11,583</b>	<b>11,583</b>	<b>11,583</b>
No inflation or compensation change is included in outyear projections.						
<b>Labor Contracts</b>	<b>0</b>	<b>121</b>	<b>121</b>	<b>121</b>	<b>121</b>	<b>121</b>
These figures represent the estimated annualized cost of general wage adjustments, service increments, and associated benefits.						
<b>Labor Contracts - Other</b>	<b>0</b>	<b>-9</b>	<b>-9</b>	<b>-9</b>	<b>-9</b>	<b>-9</b>
These figures represent other negotiated items included in the labor agreements.						
<b>Subtotal Expenditures</b>	<b>11,583</b>	<b>11,695</b>	<b>11,695</b>	<b>11,695</b>	<b>11,695</b>	<b>11,695</b>

## ANNUALIZATION OF PERSONNEL COSTS AND FTES

	FY15 Recommended		FY16 Annualized	
	Expenditures	FTEs	Expenditures	FTEs
Increase Cost: Annualization of Personnel Costs	253,654	-0.72	414,693	-0.72
<b>Total</b>	<b>253,654</b>	<b>-0.72</b>	<b>414,693</b>	<b>-0.72</b>

