



# Circuit Court

## APPROVED FY19 BUDGET

\$14,600,627

## FULL TIME EQUIVALENTS

117.00

 ROBERT A. GREENBERG, ADMINISTRATIVE JUDGE

## 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 approved FY19 Operating Budget for the Circuit Court is \$14,600,627, a decrease of \$195,055 or 1.32 percent from the FY18 Approved Budget of \$14,795,682. Personnel Costs comprise 81.68 percent of the budget for 115 full-time position(s) and four part-time position(s), and a total of 117.00 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 18.32 percent of the FY19 budget.

Consistent with the County Charter, the County Executive makes recommendations on the operating budget for all County departments, offices, and agencies. However, recognizing the Charter-defined roles, the Executive defers significantly to Legislative and Judicial Branch agencies. Questions regarding the approved budgets for Judicial Branch departments should be directed to Judy Rupp, jrupp@mccourt.com.

## 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 FY18 estimates reflect funding based on the FY18 Approved Budget. The FY19 and FY20 figures are performance targets based on the FY19 Approved Budget and funding for comparable service levels in FY20.

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## INITIATIVES

- ★ Provide phone-based assistance to self-represented litigants in the Family Law Self-Help Center.
- ★ Team with Montgomery College to support the College's Paralegal Studies program by providing students in the program with access to the Court's Law Library legal research materials.
- ★ Form volunteer panels of state, county and private organizations to address the varied needs of Drug Court and Mental Health Court participants.
- ★ Support the implementation of emailed bench warrants and body attachments from the Sheriff's Office.
- ★ Review the court's collection of all fines and costs to ensure that best practices/model processes are in place.

## ACCOMPLISHMENTS

- ✓ During FY17, the Montgomery County Circuit Court processed over 35,000 case filings and over 35,000 terminations, as well as, held over 41,000 hearings and 1,500 trials.
- ✓ Reviewed and audited 953 Fiduciary reports filed by court-appointed guardians and trustees, and monitored the filings of 241 Inventory reports, 986 Fiduciary reports, and 835 Annual reports.
- ✓ Served 9,959 patrons at the Court's Family Law Self-Help Center. The Kids Spot child waiting area served 1,046 children.
- ✓ Established and implemented specialized case management processes such as the development of a database to monitor, report, and generate forms to effectively and efficiently monitor family cases with Special Immigration Juvenile Status requests.
- ✓ Continued to provide interpreter services for individuals who qualify. A total of 2,985 spoken language interpreter service requests were made in 2,378 cases. The court also recorded 3,097 entries of an interpreter's swearing-in at the beginning of case proceedings.

## PROGRAM CONTACTS

Contact Judy Rupp of the Circuit Court at 240.777.9103 or Trevor Lobaugh of the Office of Management and Budget at 240.777.2763 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 hearings. 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.

FY19 Approved Changes	Expenditures	FTEs
FY18 Approved	566,042	6.00

<b>FY19 Approved Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
Decrease Cost: Lapse Magistrate Position	(183,873)	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.	8,226	0.00
<b>FY19 Approved</b>	<b>390,395</b>	<b>6.00</b>

## 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 FY16</b>	<b>Actual FY17</b>	<b>Estimated FY18</b>	<b>Target FY19</b>	<b>Target FY20</b>
<b>Case Filings (includes re-opened cases)</b>					
Criminal (including District Court appeals)	6,670	6,565	6,822	6,876	6,931
Civil (including Registrar of Wills, District Court appeals)	11,421	10,950	12,711	12,723	12,738
Domestic Relations	14,705	14,868	15,449	15,595	15,742
Juvenile (including Delinquency, CINA, and TPR)	2,551	3,101	2,301	2,092	1,884
<b>TOTAL Case Filings</b>	<b>35,347</b>	<b>35,484</b>	<b>37,283</b>	<b>37,286</b>	<b>37,295</b>
<b>Case Terminations (includes re-opened cases)</b>					
Criminal	6,531	3,518	6,786	6,835	6,885
Civil	12,705	11,112	13,103	13,148	13,192
Domestic Relations	14,941	14,428	15,467	15,624	15,781
Juvenile	2,492	3,016	2,363	2,167	1,973
<b>TOTAL Case Terminations</b>	<b>36,669</b>	<b>35,074</b>	<b>37,719</b>	<b>37,774</b>	<b>37,831</b>
<b>Case Clearance Rate (includes re-opened cases)</b>					
Criminal	98%	99%	99%	99%	99%
Civil	111%	101%	103%	103%	104%
Domestic Relations	102%	97%	100%	100%	100%
Juvenile	98%	97%	103%	104%	105%
<b>OVERALL Case Clearance Rate</b>	<b>104%</b>	<b>99%</b>	<b>101%</b>	<b>101%</b>	<b>101%</b>
<b>Total Trials</b>	<b>1,507</b>	<b>1,503</b>	<b>1,595</b>	<b>1,630</b>	<b>1,664</b>

<b>FY19 Approved Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY18 Approved</b>	<b>3,530,504</b>	<b>10.20</b>
Decrease Cost: Interpreter Services	(120,830)	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.	(84,723)	0.00
<b>FY19 Approved</b>	<b>3,324,951</b>	<b>10.20</b>

## ✦ 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 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>FY19 Approved Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY18 Approved</b>	<b>3,336,977</b>	<b>33.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	49,863	0.00
<b>FY19 Approved</b>	<b>3,386,840</b>	<b>33.00</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 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.

<b>FY19 Approved Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY18 Approved</b>	<b>1,249,179</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.	53,375	0.00
<b>FY19 Approved</b>	<b>1,302,554</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>FY19 Approved Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY18 Approved</b>	<b>700,713</b>	<b>4.50</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	13,725	0.00
<b>FY19 Approved</b>	<b>714,438</b>	<b>4.50</b>

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## 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 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 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, Child in Need of Assistance (CINA) petitions, Termination of Parental Rights (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>FY19 Approved Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY18 Approved</b>	<b>841,742</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.	48,199	0.00
<b>FY19 Approved</b>	<b>889,941</b>	<b>9.00</b>

## 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.

<b>FY19 Approved Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY18 Approved</b>	<b>1,198,338</b>	<b>11.00</b>
Technical Adj: FY17 Mid-Year Changes	0	1.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	109,248	0.00
<b>FY19 Approved</b>	<b>1,307,586</b>	<b>12.00</b>

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## ☀ 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>FY19 Approved Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY18 Approved</b>	<b>457,280</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.	13,804	0.00
<b>FY19 Approved</b>	<b>471,084</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 of the guardianship of the person. The Trust Clerk examines the Annual Fiduciary Reports filed and prepares the Report of Trust Clerk for the Court.

<b>FY19 Approved Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY18 Approved</b>	<b>185,779</b>	<b>2.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	8,920	0.00
<b>FY19 Approved</b>	<b>194,699</b>	<b>2.00</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 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.

FY19 Approved Changes	Expenditures	FTEs
<b>FY18 Approved</b>	<b>2,729,128</b>	<b>23.30</b>
Decrease Cost: Grant Adjustment	(110,989)	0.00
<b>FY19 Approved</b>	<b>2,618,139</b>	<b>23.30</b>

## BUDGET SUMMARY

	Actual FY17	Budget FY18	Estimate FY18	Approved FY19	%Chg Bud/App
<b>COUNTY GENERAL FUND</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	6,685,211	7,109,969	6,960,590	7,201,338	1.3 %
Employee Benefits	2,439,823	2,297,466	2,501,624	2,341,256	1.9 %
<b>County General Fund Personnel Costs</b>	<b>9,125,034</b>	<b>9,407,435</b>	<b>9,462,214</b>	<b>9,542,594</b>	<b>1.4 %</b>
Operating Expenses	2,385,693	2,659,119	2,362,092	2,439,894	-8.2 %
<b>County General Fund Expenditures</b>	<b>11,510,727</b>	<b>12,066,554</b>	<b>11,824,306</b>	<b>11,982,488</b>	<b>-0.7 %</b>
<b>PERSONNEL</b>					
Full-Time	89	91	91	92	1.1 %
Part-Time	3	3	3	3	—
FTEs	90.70	92.70	92.70	93.70	1.1 %
<b>REVENUES</b>					
Miscellaneous Revenues	55,235	55,230	55,230	55,230	—
State Interpreter Fee Reimbursement	277,593	434,799	0	0	-100.0 %
State Jury Fee Reimbursement	441,970	404,245	404,245	404,245	—
<b>County General Fund Revenues</b>	<b>774,798</b>	<b>894,274</b>	<b>459,475</b>	<b>459,475</b>	<b>-48.6 %</b>
<b>GRANT FUND - MCG</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	1,614,945	1,911,022	1,911,022	1,812,155	-5.2 %
Employee Benefits	559,183	582,930	582,930	570,498	-2.1 %
<b>Grant Fund - MCG Personnel Costs</b>	<b>2,174,128</b>	<b>2,493,952</b>	<b>2,493,952</b>	<b>2,382,653</b>	<b>-4.5 %</b>
Operating Expenses	240,635	235,176	235,176	235,486	0.1 %
<b>Grant Fund - MCG Expenditures</b>	<b>2,414,763</b>	<b>2,729,128</b>	<b>2,729,128</b>	<b>2,618,139</b>	<b>-4.1 %</b>
<b>PERSONNEL</b>					
Full-Time	23	23	23	23	—
Part-Time	1	1	1	1	—
FTEs	23.30	23.30	23.30	23.30	—
<b>REVENUES</b>					
State Grants	2,374,929	2,729,128	2,729,128	2,618,139	-4.1 %
<b>Grant Fund - MCG Revenues</b>	<b>2,374,929</b>	<b>2,729,128</b>	<b>2,729,128</b>	<b>2,618,139</b>	<b>-4.1 %</b>
<b>DEPARTMENT TOTALS</b>					
<b>Total Expenditures</b>	<b>13,925,490</b>	<b>14,795,682</b>	<b>14,553,434</b>	<b>14,600,627</b>	<b>-1.3 %</b>

## BUDGET SUMMARY

	Actual FY17	Budget FY18	Estimate FY18	Approved FY19	%Chg Bud/App
<b>Total Full-Time Positions</b>	112	114	114	115	0.9 %
<b>Total Part-Time Positions</b>	4	4	4	4	—
<b>Total FTEs</b>	114.00	116.00	116.00	117.00	0.9 %
<b>Total Revenues</b>	3,149,727	3,623,402	3,188,603	3,077,614	-15.1 %

## FY19 APPROVED CHANGES

	Expenditures	FTEs
<b>COUNTY GENERAL FUND</b>		
<b>FY18 ORIGINAL APPROPRIATION</b>	<b>12,066,554</b>	<b>92.70</b>
<b><u>Other Adjustments (with no service impacts)</u></b>		
Increase Cost: FY19 Compensation Adjustment	276,444	0.00
Increase Cost: Annualization of FY18 Personnel Costs	82,469	0.00
Increase Cost: Printing and Mail	806	0.00
Increase Cost: Motor Pool Adjustment	799	0.00
Technical Adj: FY17 Mid-Year Changes [Technical Services]	0	1.00
Decrease Cost: Retirement Adjustment	(39,881)	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY18	(100,000)	0.00
Decrease Cost: Interpreter Services [Administration]	(120,830)	0.00
Decrease Cost: Lapse Magistrate Position [Family Magistrates]	(183,873)	0.00
<b>FY19 APPROVED</b>	<b>11,982,488</b>	<b>93.70</b>
<b>GRANT FUND - MCG</b>		
<b>FY18 ORIGINAL APPROPRIATION</b>	<b>2,729,128</b>	<b>23.30</b>
<b><u>Other Adjustments (with no service impacts)</u></b>		
Decrease Cost: Grant Adjustment [Grants]	(110,989)	0.00
<b>FY19 APPROVED</b>	<b>2,618,139</b>	<b>23.30</b>

## PROGRAM SUMMARY

Program Name	FY18 APPR Expenditures	FY18 APPR FTEs	FY19 APPR Expenditures	FY19 APPR FTEs
Family Magistrates	566,042	6.00	390,395	6.00
Administration	3,530,504	10.20	3,324,951	10.20
Adjudication	3,336,977	33.00	3,386,840	33.00
Case Assignment	1,249,179	14.00	1,302,554	14.00
Jury	700,713	4.50	714,438	4.50



## PROGRAM SUMMARY

Program Name	FY18 APPR Expenditures	FY18 APPR FTEs	FY19 APPR Expenditures	FY19 APPR FTEs
Family Division Services	841,742	9.00	889,941	9.00
Technical Services	1,198,338	11.00	1,307,586	12.00
Law Library	457,280	3.00	471,084	3.00
Trust and Guardianships	185,779	2.00	194,699	2.00
Grants	2,729,128	23.30	2,618,139	23.30
<b>Total</b>	<b>14,795,682</b>	<b>116.00</b>	<b>14,600,627</b>	<b>117.00</b>

## FUTURE FISCAL IMPACTS

CC APPROVED (\$000S)

Title	FY19	FY20	FY21	FY22	FY23	FY24
<b>COUNTY GENERAL FUND</b>						
<b>EXPENDITURES</b>						
<b>FY19 Approved</b>	<b>11,982</b>	<b>11,982</b>	<b>11,982</b>	<b>11,982</b>	<b>11,982</b>	<b>11,982</b>
No inflation or compensation change is included in outyear projections.						
<b>Restore One-Time Lapse Increase</b>	<b>0</b>	<b>184</b>	<b>184</b>	<b>184</b>	<b>184</b>	<b>184</b>
Restoration of one-time lapse adjustment in the budget development year						
<b>Labor Contracts</b>	<b>0</b>	<b>175</b>	<b>175</b>	<b>175</b>	<b>175</b>	<b>175</b>
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
<b>Subtotal Expenditures</b>	<b>11,982</b>	<b>12,341</b>	<b>12,341</b>	<b>12,341</b>	<b>12,341</b>	<b>12,341</b>

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