



# Circuit Court

## RECOMMENDED FY22 BUDGET

\$15,855,919

## FULL TIME EQUIVALENTS

125.50

 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 cases, and child support cases in accordance with the United States and Maryland Constitutions while administering justice in an honest, fair, and efficient manner.

## BUDGET OVERVIEW


The total recommended FY22 Operating Budget for the Circuit Court is \$15,855,919, an increase of \$554,949 or 3.63 percent from the FY21 Approved Budget of \$15,300,970. Personnel Costs comprise 83.34 percent of the budget for 123 full-time position(s) and five part-time position(s), and a total of 125.50 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 16.66 percent of the FY22 budget.

## COUNTY PRIORITY OUTCOMES


While this program area supports all seven of the County Executive's Priority Outcomes, the following are emphasized:

-  **Thriving Youth and Families**
-  **Safe Neighborhoods**
-  **Effective, Sustainable Government**

## INITIATIVES

-  During the COVID-19 pandemic, implemented remote hearings, court trials, and judicial proceedings. Supported judges, magistrates, attorneys, self-represented litigants, and case parties with new remote technology. Scheduled and facilitated an average of 1,600 remote events per month. Added two Senior Customer Representatives, grade 16 (Remote Proceeding Facilitators) and two Office Assistants, grade 13 (Remote Proceeding Schedulers) to manage the scheduling/facilitation of remote proceedings.

## INNOVATIONS AND PRODUCTIVITY IMPROVEMENTS

-  Provided phone consultations and limited in-person appointments for self-represented litigants needing support with family

cases and issues such as custody and child support payments during the COVID-19 pandemic.

- ★ Immediately implemented remote Drug Court and Mental Health Court programs to support vulnerable populations during the pandemic. Retooled both programs policies and procedures to support participants via remote means. Held two virtual Drug Court graduations during the COVID-19 pandemic.
- ★ Implemented remote custody evaluations, adoption investigations, co-parenting classes, pro bono mediations & custody/access programs, and supervised visitation to ensure these critical services continued virtually throughout the entire COVID-19 pandemic. Implemented online court services and appointments to ensure access to case files, marriage licenses, business licenses, land records, and notary services.
- ★ Managed critical case backload through caseload/workload landscape analyses, Alternate Dispute Resolution, an additional family case docket, and recalling retired judges. Modified business practices related to the scheduling and rescheduling of court events.
- ★ Developed a web-based request system to allow the public to listen to open court proceedings remotely.

## PROGRAM CONTACTS

Contact Judy Rupp of the Circuit Court at 240.777.9103 or Jane Mukira of the Office of Management and Budget at 240.777.2754 for more information regarding this department's operating budget.

## PROGRAM 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 FY21 estimates reflect funding based on the FY21 Approved Budget. The FY22 and FY23 figures are performance targets based on the FY22 Recommended Budget and funding for comparable service levels in FY23.

## PROGRAM DESCRIPTIONS

### ★ Adjudication

Adjudication encompasses support staff for the Judiciary, Differentiated Case Management (DCM), and Quality Control. Conceptually, this division monitors case assignments (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 improve the efficiency of case processing and reduce 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. Quality Control maintains the integrity of the information the Court generates and improves the quality of the data the Court collects.

<b>FY22 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY21 Approved</b>	<b>3,631,979</b>	<b>33.50</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	38,407	0.00
<b>FY22 Recommended</b>	<b>3,670,386</b>	<b>33.50</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.

Program Performance Measures	Actual FY19	Actual FY20	Estimated FY21	Target FY22	Target FY23
Case Clearance Rate (includes re-opened cases) - Civil	98.90%	96.46%	102.27%	102.41%	102.56%
Case Filings (includes re-opened cases) - Civil	11,513	10,052	12,138	12,109	12,080
Case Terminations (includes re-opened cases) - Civil (including Registrar of Wills, District Court appeals)	11,641	10,421	11,869	11,824	11,779
Case Clearance Rate (includes re-opened cases) - Criminal	98.82%	94.54%	98.53%	98.42%	98.30%
Case Filings (includes re-opened cases) - Criminal	6,220	5,226	6,453	6,471	6,488
Case Terminations (includes re-opened cases) - Criminal (including District Court appeals)	6,294	5,528	6,549	6,575	6,600
Case Clearance Rate (includes re-opened cases) - Domestic Relations	99.70%	98.78%	100.25%	100.32%	100.39%
Case Filings (includes re-opened cases) - Domestic Relations	13,795	11,414	14,547	14,603	14,659
Case Terminations (includes re-opened cases) - Domestic Relations	13,753	11,275	14,584	14,650	14,716
Case Clearance Rate (includes re-opened cases) - Juvenile	99.66%	93.87%	101.96%	102.70%	103.54%
Case Filings (includes re-opened cases) - Juvenile	2,639	2,159	2,077	1,902	1,727
Case Terminations (includes re-opened cases) - Juvenile (including Delinquency, CINA, and TPR)	2,648	2,300	2,037	1,852	1,668
OVERALL Case Clearance Rate	99.26%	96.79%	100.71%	100.80%	100.88%
TOTAL Case Filings	34,378	29,663	35,002	34,854	34,706
TOTAL Case Terminations	34,125	28,712	35,252	35,132	35,011
Total Trials	1,408	1,197	1,521	1,544	1,567

FY22 Recommended Changes	Expenditures	FTEs
<b>FY21 Approved</b>	<b>2,847,098</b>	<b>10.70</b>
Increase Cost: Kids Spot Staff Contract Increase	2,422	0.00
Increase Cost: Print and Mail Adjustment	1,212	0.00
Increase Cost: Motor Pool Adjustment	1,087	0.00
Re-align: \$21,219.76 (0.41 FTE) to Grant Fund	(21,220)	(0.41)
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	431,008	0.00
<b>FY22 Recommended</b>	<b>3,261,607</b>	<b>10.29</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 DCM 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.

FY22 Recommended Changes	Expenditures	FTEs
<b>FY21 Approved</b>	<b>1,371,968</b>	<b>15.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(70,080)	0.00
<b>FY22 Recommended</b>	<b>1,301,888</b>	<b>15.00</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 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.

FY22 Recommended Changes	Expenditures	FTEs
<b>FY21 Approved</b>	<b>1,254,088</b>	<b>11.68</b>
Increase Cost: Two Remote Proceeding Facilitators (Senior Customer Representative Grade 16)	142,692	2.00
Increase Cost: Two Remote Proceeding Scheduler (Office Assistant Grade 16)	130,616	2.00
Re-align: \$86,949.23 (1.68 FTEs) to Grant Fund	(86,949)	(1.68)
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(117,524)	0.00
<b>FY22 Recommended</b>	<b>1,322,923</b>	<b>14.00</b>

## 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. The Special Juvenile Magistrate is an officer of the Court assigned to conduct proceedings on matters within the Juvenile Court of the Circuit Court for Montgomery County, pursuant to the Annotated Code of Maryland and the Maryland Rules, and in accordance with the Juvenile Differentiated Case Management plan, procedures and policies. Juvenile Judges continue to review the recommendations and hear immediate reviews and exceptions in addition to other juvenile and CINA matters.

FY22 Recommended Changes	Expenditures	FTEs
<b>FY21 Approved</b>	<b>601,438</b>	<b>6.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(20,199)	0.00
<b>FY22 Recommended</b>	<b>581,239</b>	<b>6.00</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.

FY22 Recommended Changes	Expenditures	FTEs
<b>FY21 Approved</b>	<b>2,752,590</b>	<b>22.12</b>
Shift: FTE Correction for Grants	108,169	2.09
<b>FY22 Recommended</b>	<b>2,860,759</b>	<b>24.21</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.

FY22 Recommended Changes	Expenditures	FTEs
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FY22 Recommended Changes	Expenditures	FTEs
<b>FY21 Approved</b>	<b>695,400</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.	1,038	0.00
<b>FY22 Recommended</b>	<b>696,438</b>	<b>4.00</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 online 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.

FY22 Recommended Changes	Expenditures	FTEs
<b>FY21 Approved</b>	<b>449,666</b>	<b>3.00</b>
Increase Cost: Lexis/Nexis Contractual Increase	646	0.00
Increase Cost: Westlaw Contract Increase	26	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.	4,041	0.00
<b>FY22 Recommended</b>	<b>454,379</b>	<b>3.00</b>

## Technical Services

Technical Services is responsible for every aspect of the Court's information systems. The duties of, and services performed, range from installing and maintaining server/PC hardware and software applications to designing and troubleshooting complex computer networks and information databases. The department manages the electronic recording of all courtroom and hearing room proceedings. 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.

FY22 Recommended Changes	Expenditures	FTEs
<b>FY21 Approved</b>	<b>1,445,759</b>	<b>13.00</b>
Increase Cost: FileTrail Contractual Increase	93	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.	8,260	0.00
<b>FY22 Recommended</b>	<b>1,454,112</b>	<b>13.00</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.

FY22 Recommended Changes	Expenditures	FTEs
<b>FY21 Approved</b>	<b>250,984</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.	1,204	0.00
<b>FY22 Recommended</b>	<b>252,188</b>	<b>2.50</b>

## BUDGET SUMMARY

	Actual FY20	Budget FY21	Estimate FY21	Recommended FY22	%Chg Bud/Rec
<b>COUNTY GENERAL FUND</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	7,471,222	7,642,533	7,574,041	8,120,372	6.3 %
Employee Benefits	2,662,239	2,567,516	2,483,571	2,530,971	-1.4 %
<b>County General Fund Personnel Costs</b>	<b>10,133,461</b>	<b>10,210,049</b>	<b>10,057,612</b>	<b>10,651,343</b>	<b>4.3 %</b>
Operating Expenses	2,801,241	2,338,331	2,153,892	2,343,817	0.2 %
<b>County General Fund Expenditures</b>	<b>12,934,702</b>	<b>12,548,380</b>	<b>12,211,504</b>	<b>12,995,160</b>	<b>3.6 %</b>
<b>PERSONNEL</b>					
Full-Time	94	95	95	99	4.2 %
Part-Time	4	4	4	4	—
FTEs	97.43	99.38	99.38	101.29	1.9 %
<b>REVENUES</b>					
Miscellaneous Revenues	55,235	55,230	50,700	55,230	—
State Jury Fee Reimbursement	438,750	482,785	482,785	482,785	—
<b>County General Fund Revenues</b>	<b>493,985</b>	<b>538,015</b>	<b>533,485</b>	<b>538,015</b>	<b>—</b>
<b>GRANT FUND - MCG</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	1,901,901	1,870,795	1,870,795	1,933,390	3.4 %
Employee Benefits	662,492	584,736	584,736	630,310	7.8 %
<b>Grant Fund - MCG Personnel Costs</b>	<b>2,564,393</b>	<b>2,455,531</b>	<b>2,455,531</b>	<b>2,563,700</b>	<b>4.4 %</b>
Operating Expenses	226,663	297,059	297,059	297,059	—
<b>Grant Fund - MCG Expenditures</b>	<b>2,791,056</b>	<b>2,752,590</b>	<b>2,752,590</b>	<b>2,860,759</b>	<b>3.9 %</b>
<b>PERSONNEL</b>					
Full-Time	23	24	24	24	—
Part-Time	1	1	1	1	—
FTEs	22.07	22.12	22.12	24.21	9.5 %
<b>REVENUES</b>					
State Grants	2,877,789	2,752,590	2,752,590	2,860,759	3.9 %
<b>Grant Fund - MCG Revenues</b>	<b>2,877,789</b>	<b>2,752,590</b>	<b>2,752,590</b>	<b>2,860,759</b>	<b>3.9 %</b>



## BUDGET SUMMARY

	Actual FY20	Budget FY21	Estimate FY21	Recommended FY22	%Chg Bud/Rec
<b>DEPARTMENT TOTALS</b>					
<b>Total Expenditures</b>	15,725,758	15,300,970	14,964,094	15,855,919	3.6 %
<b>Total Full-Time Positions</b>	117	119	119	123	3.4 %
<b>Total Part-Time Positions</b>	5	5	5	5	—
<b>Total FTEs</b>	119.50	121.50	121.50	125.50	3.3 %
<b>Total Revenues</b>	3,371,774	3,290,605	3,286,075	3,398,774	3.3 %

## FY22 RECOMMENDED CHANGES

	Expenditures	FTEs
<b>COUNTY GENERAL FUND</b>		
<b>FY21 ORIGINAL APPROPRIATION</b>	<b>12,548,380</b>	<b>99.38</b>
<b><u>Other Adjustments (with no service impacts)</u></b>		
Increase Cost: FY21 Compensation Adjustment	357,303	0.00
Increase Cost: FY22 Compensation Adjustment	150,727	0.00
Increase Cost: Two Remote Proceeding Facilitators (Senior Customer Representative Grade 16) [Family Division Services]	142,692	2.00
Increase Cost: Two Remote Proceeding Scheduler (Office Assistant Grade 16) [Family Division Services]	130,616	2.00
Increase Cost: Annualization of FY21 Lapsed Positions	21,582	0.00
Increase Cost: Kids Spot Staff Contract Increase [Administration]	2,422	0.00
Increase Cost: Print and Mail Adjustment [Administration]	1,212	0.00
Increase Cost: Motor Pool Adjustment [Administration]	1,087	0.00
Increase Cost: Lexis/Nexis Contractual Increase [Law Library]	646	0.00
Increase Cost: FileTrail Contractual Increase [Technical Services]	93	0.00
Increase Cost: Westlaw Contract Increase [Law Library]	26	0.00
Decrease Cost: Retirement Adjustment	(7,944)	0.00
Re-align: \$21,219.76 (0.41 FTE) to Grant Fund [Administration]	(21,220)	(0.41)
Re-align: \$86,949.23 (1.68 FTES) to Grant Fund [Family Division Services]	(86,949)	(1.68)
Decrease Cost: Annualization of FY21 Personnel Costs	(245,513)	0.00
<b>FY22 RECOMMENDED</b>	<b>12,995,160</b>	<b>101.29</b>
<b>GRANT FUND - MCG</b>		
<b>FY21 ORIGINAL APPROPRIATION</b>	<b>2,752,590</b>	<b>22.12</b>
<b><u>Other Adjustments (with no service impacts)</u></b>		
Shift: FTE Correction for Grants [Grants]	108,169	2.09
<b>FY22 RECOMMENDED</b>	<b>2,860,759</b>	<b>24.21</b>



## PROGRAM SUMMARY

Program Name	FY21 APPR Expenditures	FY21 APPR FTEs	FY22 REC Expenditures	FY22 REC FTEs
Adjudication	3,631,979	33.50	3,670,386	33.50
Administration	2,847,098	10.70	3,261,607	10.29
Case Assignment	1,371,968	15.00	1,301,888	15.00
Family Division Services	1,254,088	11.68	1,322,923	14.00
Family Magistrates	601,438	6.00	581,239	6.00
Grants	2,752,590	22.12	2,860,759	24.21
Jury	695,400	4.00	696,438	4.00
Law Library	449,666	3.00	454,379	3.00
Technical Services	1,445,759	13.00	1,454,112	13.00
Trust and Guardianships	250,984	2.50	252,188	2.50
<b>Total</b>	<b>15,300,970</b>	<b>121.50</b>	<b>15,855,919</b>	<b>125.50</b>

## FUNDING PARAMETER ITEMS

CE RECOMMENDED (\$000S)

Title	FY22	FY23	FY24	FY25	FY26	FY27
<b>COUNTY GENERAL FUND</b>						
<b>EXPENDITURES</b>						
<b>FY22 Recommended</b>	<b>12,995</b>	<b>12,995</b>	<b>12,995</b>	<b>12,995</b>	<b>12,995</b>	<b>12,995</b>
No inflation or compensation change is included in outyear projections.						
<b>Labor Contracts</b>	<b>0</b>	<b>238</b>	<b>238</b>	<b>238</b>	<b>238</b>	<b>238</b>
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
<b>Subtotal Expenditures</b>	<b>12,995</b>	<b>13,233</b>	<b>13,233</b>	<b>13,233</b>	<b>13,233</b>	<b>13,233</b>

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