



Circuit Court

APPROVED FY23 BUDGET

\$16,525,872

FULL TIME EQUIVALENTS

125.50

JAMES A. BONIFANT, 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 approved FY23 Operating Budget for the Circuit Court is \$16,525,872, an increase of \$669,953 or 4.23 percent from the FY22 Approved Budget of \$15,855,919. Personnel Costs comprise 82.46 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 17.54 percent of the FY23 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 County Executive defers significantly to Legislative and Judicial Branch agencies. Questions regarding the approved budgets for Judicial Branch departments should be directed to Kara Hawkins, KHawkins@mccourt.com.

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**

INNOVATIONS AND PRODUCTIVITY IMPROVEMENTS

- Transitioned to the Maryland Electronic Courts (MDEC) system, creating a single Judiciary-wide integrated case management system that is used by all courts within the State Court system.

PROGRAM CONTACTS

Contact Kara Hawkins of the Circuit Court at 240.777.9103 or Derrick Harrigan of the Office of Management and Budget at 240.777.2759 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 FY22 estimates reflect funding based on the FY22 Approved Budget. The FY23 and FY24 figures are performance targets based on the FY23 Approved Budget and funding for comparable service levels in FY24.

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.

| FY23 Approved Changes | Expenditures | FTEs |
|---|---------------------|--------------|
| FY22 Approved | 3,670,386 | 33.50 |
| Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs. | 286,789 | 0.00 |
| FY23 Approved | 3,957,175 | 33.50 |

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 FY20 | Actual FY21 | Estimated FY22 | Target FY23 | Target FY24 |
|---|------------------------|------------------------|---------------------------|------------------------|------------------------|
| Case Clearance Rate (includes re-opened cases) - Civil | 96.46% | 98.78% | 104.31% | 104.89% | 105.49% |
| Case Filings (includes re-opened cases) - Civil | 10,052 | 10,007 | 10,340 | 10,095 | 9,851 |
| Case Terminations (includes re-opened cases) - Civil (including Registrar of Wills, District Court appeals) | 10,421 | 9,885 | 10,786 | 10,589 | 10,392 |
| Case Clearance Rate (includes re-opened cases) - Criminal | 94.54% | 100.26% | 98.26% | 98.09% | 97.93% |
| Case Filings (includes re-opened cases) - Criminal | 5,226 | 4,566 | 5,876 | 5,822 | 5,768 |
| Case Terminations (includes re-opened cases) - Criminal (including District Court appeals) | 5,528 | 4,578 | 5,773 | 5,711 | 5,648 |
| Case Clearance Rate (includes re-opened cases) - Domestic Relations | 98.78% | 103.14% | 100.56% | 100.63% | 100.69% |
| Case Filings (includes re-opened cases) - Domestic Relations | 11,414 | 11,354 | 13,081 | 12,957 | 12,833 |
| Case Terminations (includes re-opened cases) - Domestic Relations | 11,275 | 11,710 | 13,155 | 13,038 | 12,922 |
| Case Clearance Rate (includes re-opened cases) - Juvenile | 93.87% | 112.66% | 103.68% | 104.52% | 105.52% |
| Case Filings (includes re-opened cases) - Juvenile | 2,159 | 1,895 | 2,050 | 1,892 | 1,733 |
| Case Terminations (includes re-opened cases) - Juvenile (including Delinquency, CINA, and TPR) | 2,300 | 2,135 | 2,126 | 1,977 | 1,829 |
| OVERALL Case Clearance Rate | 96.79% | 101.75% | 101.57% | 101.78% | 102.01% |
| TOTAL Case Filings | 29,663 | 27,822 | 31,347 | 30,766 | 30,185 |
| TOTAL Case Terminations | 28,712 | 28,308 | 31,839 | 31,315 | 30,791 |
| Total Trials | 1,197 | 922 | 1,312 | 1,298 | 1,283 |

| FY23 Approved Changes | Expenditures | FTEs |
|---|---------------------|--------------|
| FY22 Approved | 3,261,607 | 10.29 |
| Decrease Cost: FTE Adjustment | 0 | (0.06) |
| Technical Adj: FTE Adjustment | 0 | 0.06 |
| Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs. | 6,722 | (0.06) |
| FY23 Approved | 3,268,329 | 10.23 |

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.

| FY23 Approved Changes | Expenditures | FTEs |
|---|---------------------|--------------|
| FY22 Approved | 1,301,888 | 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. | 136,931 | 0.00 |
| FY23 Approved | 1,438,819 | 15.00 |

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 supported by 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.

| FY23 Approved Changes | Expenditures | FTEs |
|---|---------------------|--------------|
| FY22 Approved | 1,031,491 | 10.00 |
| Replace: Remote Hearings, Court Trials, and Judicial Proceedings Positions - Grant Fund (ARPA) to the General Fund | 291,432 | 4.00 |
| Replace: Remote Hearings, Court Trials, and Judicial Proceedings Positions - Grant Fund (ARPA) to the General Fund | (291,432) | (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. | 471,997 | 5.00 |
| FY23 Approved | 1,503,488 | 15.00 |

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.

| FY23 Approved Changes | Expenditures | FTEs |
|---|---------------------|-------------|
| FY22 Approved | 581,239 | 6.00 |
| Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs. | 45,908 | 0.00 |
| FY23 Approved | 627,147 | 6.00 |

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.

| FY23 Approved Changes | Expenditures | FTEs |
|---|---------------------|--------------|
| FY22 Approved | 3,152,191 | 28.21 |
| Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs. | (424,206) | (4.94) |
| FY23 Approved | 2,727,985 | 23.27 |

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.

| FY23 Approved Changes | Expenditures | FTEs |
|---|---------------------|-------------|
| FY22 Approved | 696,438 | 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. | 30,463 | 0.00 |
| FY23 Approved | 726,901 | 4.00 |

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 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.

| FY23 Approved Changes | Expenditures | FTEs |
|------------------------------|---------------------|-------------|
|------------------------------|---------------------|-------------|

| FY23 Approved Changes | Expenditures | FTEs |
|---|----------------|-------------|
| FY22 Approved | 454,379 | 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. | 13,574 | 0.00 |
| FY23 Approved | 467,953 | 3.00 |

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.

| FY23 Approved Changes | Expenditures | FTEs |
|---|------------------|--------------|
| FY22 Approved | 1,454,112 | 13.00 |
| Increase Cost: Replace/Upgrade Courtroom AV Equipment | 150,000 | 0.00 |
| Increase Cost: Ransomware Data Protection | 102,133 | 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. | (167,213) | 0.00 |
| FY23 Approved | 1,539,032 | 13.00 |

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 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.

| FY23 Approved Changes | Expenditures | FTEs |
|---|----------------|-------------|
| FY22 Approved | 252,188 | 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. | 16,855 | 0.00 |
| FY23 Approved | 269,043 | 2.50 |

BUDGET SUMMARY

| | Actual FY21 | Budget FY22 | Estimate FY22 | Approved FY23 | %Chg Bud/App |
|----------------------------|----------------|----------------|------------------|------------------|-----------------|
| COUNTY GENERAL FUND | | | | | |
| EXPENDITURES | | | | | |
| Salaries and Wages | 7,602,505 | 7,925,104 | 7,661,265 | 8,494,116 | 7.2 % |

BUDGET SUMMARY

| | Actual FY21 | Budget FY22 | Estimate FY22 | Approved FY23 | %Chg Bud/App |
|--|-------------------|-------------------|-------------------|-------------------|-----------------|
| Employee Benefits | 2,528,838 | 2,452,931 | 2,414,087 | 2,587,156 | 5.5 % |
| County General Fund Personnel Costs | 10,131,343 | 10,378,035 | 10,075,352 | 11,081,272 | 6.8 % |
| Operating Expenses | 1,933,033 | 2,343,817 | 2,663,721 | 2,601,965 | 11.0 % |
| County General Fund Expenditures | 12,064,376 | 12,721,852 | 12,739,073 | 13,683,237 | 7.6 % |
| PERSONNEL | | | | | |
| Full-Time | 95 | 95 | 95 | 99 | 4.2 % |
| Part-Time | 4 | 4 | 4 | 4 | — |
| FTEs | 99.38 | 97.29 | 97.29 | 101.23 | 4.1 % |
| REVENUES | | | | | |
| Miscellaneous Revenues | 55,235 | 55,230 | 55,230 | 55,230 | — |
| State Jury Fee Reimbursement | 23,205 | 482,785 | 225,000 | 482,785 | — |
| County General Fund Revenues | 78,440 | 538,015 | 280,230 | 538,015 | — |
| GRANT FUND - MCG | | | | | |
| EXPENDITURES | | | | | |
| Salaries and Wages | 1,941,351 | 2,128,658 | 2,128,658 | 1,884,882 | -11.5 % |
| Employee Benefits | 663,807 | 708,350 | 708,350 | 660,694 | -6.7 % |
| Grant Fund - MCG Personnel Costs | 2,605,158 | 2,837,008 | 2,837,008 | 2,545,576 | -10.3 % |
| Operating Expenses | 219,049 | 297,059 | 297,059 | 297,059 | — |
| Grant Fund - MCG Expenditures | 2,824,207 | 3,134,067 | 3,134,067 | 2,842,635 | -9.3 % |
| PERSONNEL | | | | | |
| Full-Time | 24 | 28 | 28 | 24 | -14.3 % |
| Part-Time | 1 | 1 | 1 | 1 | — |
| FTEs | 22.12 | 28.21 | 28.21 | 24.27 | -14.0 % |
| REVENUES | | | | | |
| American Rescue Plan Act | 0 | 273,308 | 273,308 | 0 | -100.0 % |
| Federal Grants | 30,031 | 0 | 0 | 0 | — |
| State Grants | 2,790,157 | 2,860,759 | 2,860,759 | 2,842,635 | -0.6 % |
| Grant Fund - MCG Revenues | 2,820,188 | 3,134,067 | 3,134,067 | 2,842,635 | -9.3 % |
| DEPARTMENT TOTALS | | | | | |
| Total Expenditures | 14,888,583 | 15,855,919 | 15,873,140 | 16,525,872 | 4.2 % |
| Total Full-Time Positions | 119 | 123 | 123 | 123 | — |
| Total Part-Time Positions | 5 | 5 | 5 | 5 | — |
| Total FTEs | 121.50 | 125.50 | 125.50 | 125.50 | — |
| Total Revenues | 2,898,628 | 3,672,082 | 3,414,297 | 3,380,650 | -7.9 % |

FY23 APPROVED CHANGES

| | Expenditures | FTEs |
|--|--------------|------|
|--|--------------|------|

FY23 APPROVED CHANGES

| | Expenditures | FTEs |
|---|-------------------|---------------|
| COUNTY GENERAL FUND | | |
| FY22 ORIGINAL APPROPRIATION | 12,721,852 | 97.29 |
| <u>Other Adjustments (with no service impacts)</u> | | |
| Replace: Remote Hearings, Court Trials, and Judicial Proceedings Positions - Grant Fund (ARPA) to the General Fund [Family Division Services] | 291,432 | 4.00 |
| Increase Cost: Annualization of FY22 Compensation Increases | 238,258 | 0.00 |
| Increase Cost: FY23 Compensation Adjustment | 208,683 | 0.00 |
| Increase Cost: Replace/Upgrade Courtroom AV Equipment [Technical Services] | 150,000 | 0.00 |
| Increase Cost: Ransomware Data Protection [Technical Services] | 102,133 | 0.00 |
| Increase Cost: Printing and Mail Adjustment | 4,756 | 0.00 |
| Increase Cost: Motor Pool Adjustment | 1,259 | 0.00 |
| Decrease Cost: FTE Adjustment [Administration] | 0 | (0.06) |
| Decrease Cost: Retirement Adjustment | (35,136) | 0.00 |
| FY23 APPROVED | 13,683,237 | 101.23 |

GRANT FUND - MCG

| | | |
|---|------------------|--------------|
| FY22 ORIGINAL APPROPRIATION | 3,134,067 | 28.21 |
| <u>Other Adjustments (with no service impacts)</u> | | |
| Technical Adj: FTE Adjustment [Administration] | 0 | 0.06 |
| Replace: Remote Hearings, Court Trials, and Judicial Proceedings Positions - Grant Fund (ARPA) to the General Fund [Family Division Services] | (291,432) | (4.00) |
| FY23 APPROVED | 2,842,635 | 24.27 |

PROGRAM SUMMARY

| Program Name | FY22 APPR Expenditures | FY22 APPR FTEs | FY23 APPR Expenditures | FY23 APPR FTEs |
|--------------------------|------------------------|----------------|------------------------|----------------|
| Adjudication | 3,670,386 | 33.50 | 3,957,175 | 33.50 |
| Administration | 3,261,607 | 10.29 | 3,268,329 | 10.23 |
| Case Assignment | 1,301,888 | 15.00 | 1,438,819 | 15.00 |
| Family Division Services | 1,031,491 | 10.00 | 1,503,488 | 15.00 |
| Family Magistrates | 581,239 | 6.00 | 627,147 | 6.00 |
| Grants | 3,152,191 | 28.21 | 2,727,985 | 23.27 |
| Jury | 696,438 | 4.00 | 726,901 | 4.00 |
| Law Library | 454,379 | 3.00 | 467,953 | 3.00 |
| Technical Services | 1,454,112 | 13.00 | 1,539,032 | 13.00 |
| Trust and Guardianships | 252,188 | 2.50 | 269,043 | 2.50 |
| Total | 15,855,919 | 125.50 | 16,525,872 | 125.50 |

FUNDING PARAMETER ITEMS

CC APPROVED (\$000S)

| Title | FY23 | FY24 | FY25 | FY26 | FY27 | FY28 |
|--|---------------|---------------|---------------|---------------|---------------|---------------|
| COUNTY GENERAL FUND | | | | | | |
| EXPENDITURES | | | | | | |
| FY23 Approved | 13,683 | 13,683 | 13,683 | 13,683 | 13,683 | 13,683 |
| No inflation or compensation change is included in outyear projections. | | | | | | |
| Elimination of One-Time Items Approved in FY23 | 0 | (252) | (252) | (252) | (252) | (252) |
| Items recommended for one-time funding in FY23, including Ransomware Data Protection and replace/upgrade Courtroom AV Equipment, will be eliminated from the base in the outyears. | | | | | | |
| Labor Contracts | 0 | 566 | 566 | 566 | 566 | 566 |
| These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items. | | | | | | |
| Subtotal Expenditures | 13,683 | 13,997 | 13,997 | 13,997 | 13,997 | 13,997 |

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