
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 FY14 Operating Budget for the Circuit Court is \$12,813,876, an increase of \$101,941 or 0.8 percent from the FY13 Approved Budget of \$12,711,935. Personnel Costs comprise 80.5 percent of the budget for 111 full-time positions and nine part-time positions. A total of 116.50 FTEs includes these positions as well as any seasonal, temporary, and positions charged to or from other departments or funds. Operating Expenses account for the remaining 19.5 percent of the FY14 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 FY13 estimates reflect funding based on the FY13 approved budget. The FY14 and FY15 figures are performance targets based on the FY14 recommended budget and funding for comparable service levels in FY15.

ACCOMPLISHMENTS AND INITIATIVES

- ❖ ***The Court maintained FY11 performance in Termination of Parental Rights (TPR) cases.***
- ❖ ***The Circuit Court maintained FY11 performance in FY12 for Child In-Need of Assistance (CINA) Non-Shelter cases, meeting the standard set by the Maryland Judiciary.***
- ❖ ***In FY12, the Circuit Court maintained performance on Domestic Relationship cases despite an increase in overall caseload. The performance also exceeded target.***
- ❖ ***The Court will open a Child Waiting Area in FY14 to provide an area for children of citizens having business with the court to wait during court proceedings.***
- ❖ ***Productivity Improvements***
 - ***The Court is planning to undertake a number of other analyses to better understand and improve services, including:***
 - ***Collecting and analyzing foreclosure filings and terminations on a monthly basis to provide insights on potential modifications to case processing that may be required to accommodate the Court's caseload.***
 - ***Evaluation of a pilot program initiated by the Maryland Sentencing Commission to determine whether an automated sentencing guideline system offers a more efficient way to perform a core Court function.***
 - ***Examining case processing performance by case sub-type to identify whether certain sub-types consistently close within or over standard time.***
 - ***Establishing a feedback system where concerns or errors uncovered are discussed with all appropriate personnel.***
 - ***The Court developed a database to track the efforts of court evaluators in their review and evaluation of custody and visitation issues raised in family cases. This data will be evaluated and the results discussed to ensure efficient use of evaluator resources.***

- **The Circuit Court implemented civil settlement conference under a Differentiated Case Management (DCM) plan. Data gathered from this new procedure will be used to govern future modifications.**

PROGRAM CONTACTS

Contact Pamela Harris of the Circuit Court at 240.777.9100 or Corey Orlosky of the Office of Management and Budget at 240.777.2762 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; caseload 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 FY11	Actual FY12	Estimated FY13	Target FY14	Target FY15
Case Filings (includes re-opened cases)					
Criminal (including District Court appeals)	7,417	6,808	6,978	7,082	7,186
Civil (including Registrar of Wills, District Court appeals)	12,225	11,958	14,603	14,849	15,096
Domestic Relations	14,791	15,089	15,463	15,697	15,932
Juvenile (including Delinquency, CINA, and TPR)	4,411	3,706	3,382	3,178	2,973
TOTAL Case Filings	38,844	37,561	40,426	40,806	41,187
Case Terminations (includes re-opened cases)					
Criminal	7,405	6,715	6,962	7,062	7,162
Civil	16,855	12,498	15,059	15,359	15,658
Domestic Relations	15,146	15,244	15,590	15,854	16,118
Juvenile	4,631	3,674	3,460	3,279	3,099
TOTAL Case Terminations	44,037	38,131	41,071	41,554	42,038
Case Clearance Rate (includes re-opened cases)¹					
Criminal	100%	99%	100%	100%	100%
Civil	138%	105%	103%	103%	104%
Domestic Relations	102%	101%	101%	101%	101%
Juvenile	105%	99%	102%	103%	104%
OVERALL Case Clearance Rate	113%	102%	102%	102%	102%
Total Trials	1,639	1,607	1,753	1,817	1,881

¹ 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).

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	2,681,441	9.60
Increase Cost: FY14 Compensation Adjustment	280,723	0.00
Add: Contract to staff Child Waiting Area at the new Judicial Center Annex	112,500	0.00
Increase Cost: Group Insurance Adjustment	91,594	0.00
Increase Cost: Retirement Adjustment	23,532	0.00
Increase Cost: Other Labor Contract Costs	8,922	0.00
Increase Cost: Motor Pool Adjustment	4,961	0.00
Increase Cost: Printing and Mail Adjustment	3,365	0.00
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum	-184,555	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.	-240,384	-0.05
FY14 CE Recommended	2,782,099	9.55

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.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	2,932,955	31.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	116,004	0.00
FY14 CE Recommended	3,048,959	31.00

Family Division Masters

Family Division Masters are qualified individuals appointed by the Judges of the bench to hear family matters and make reports and recommendations based on testimony and analysis of the testimony received at hearing. A Family Division Judge will continue to review the recommendations and sign orders resulting from the recommendations of the Family Division Masters.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	826,249	8.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	16,711	0.00
FY14 CE Recommended	842,960	8.00

Case Assignment

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

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	1,153,758	14.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	69,146	0.00
FY14 CE Recommended	1,222,904	14.00

Jury

The Jury Office manages prospective and active jurors for civil and criminal proceedings. In accordance with Maryland Courts and Judicial Proceedings, Title 8, every citizen has the opportunity to serve as a juror and the obligation to 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.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	693,277	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.	33,687	0.00
FY14 CE Recommended	726,964	4.00

Family Division Services

This program provides a variety of services for children and families, most of them funded by the Family Law Grant. Services include case managers that provide day-to-day management of cases between Family 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 and 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.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	646,327	8.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	-54,409	0.00
FY14 CE Recommended	591,918	8.00

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.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	823,744	10.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	26,043	0.00
FY14 CE Recommended	849,787	10.00

Law Library

The Law Library supports the research activities of the Court, the Bar, and the public. 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.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	404,448	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.	22,673	0.00
FY14 CE Recommended	427,121	3.00

Trust and Guardianships

The Trust Office administers the case files for fiduciary entities (primarily guardianships) 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.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	168,258	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.	10,524	0.00
FY14 CE Recommended	178,782	2.50

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

The Montgomery County Juvenile and Adult Office of Problem Solving grants are funded by the State. The mission of the Juvenile Drug Court is to reduce substance abuse and delinquent conduct among youthful offenders by providing them and their families with intensive, comprehensive, individualized services. 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.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	2,381,478	26.40
Reduce: Adjust Family Grant Budget	-239,101	0.05
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	5	0.00
FY14 CE Recommended	2,142,382	26.45

BUDGET SUMMARY

	Actual FY12	Budget FY13	Estimated FY13	Recommended FY14	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	5,497,787	5,882,668	6,031,340	6,085,155	3.4%
Employee Benefits	1,952,187	2,251,532	2,102,860	2,269,261	0.8%
County General Fund Personnel Costs	7,449,974	8,134,200	8,134,200	8,354,416	2.7%
Operating Expenses	2,305,506	2,196,253	2,196,253	2,317,079	5.5%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	9,755,480	10,330,453	10,330,453	10,671,495	3.3%
PERSONNEL					
Full-Time	89	89	89	89	—
Part-Time	5	5	5	5	—
FTEs	79.80	90.10	90.10	90.05	-0.1%
REVENUES					
Master's Salary Reimbursement	288,848	299,436	299,436	306,658	2.4%
Miscellaneous Revenues	-14,926	0	0	0	—
State Interpreter Fee Reimbursement	310,589	314,709	314,709	314,709	—
State Jury Fee Reimbursement	432,165	404,245	404,245	404,245	—
County General Fund Revenues	1,016,676	1,018,390	1,018,390	1,025,612	0.7%
GRANT FUND MCG					
EXPENDITURES					
Salaries and Wages	1,692,958	1,607,742	1,607,742	1,343,354	-16.4%
Employee Benefits	459,619	590,799	590,799	621,974	5.3%
Grant Fund MCG Personnel Costs	2,152,577	2,198,541	2,198,541	1,965,328	-10.6%
Operating Expenses	180,679	182,941	182,941	177,053	-3.2%
Capital Outlay	0	0	0	0	—
Grant Fund MCG Expenditures	2,333,256	2,381,482	2,381,482	2,142,381	-10.0%
PERSONNEL					
Full-Time	23	22	22	22	—
Part-Time	4	4	4	4	—
FTEs	26.60	26.40	26.40	26.45	0.2%
REVENUES					
State Grants	2,333,256	2,381,482	2,381,482	2,142,381	-10.0%
Grant Fund MCG Revenues	2,333,256	2,381,482	2,381,482	2,142,381	-10.0%
DEPARTMENT TOTALS					
Total Expenditures	12,088,736	12,711,935	12,711,935	12,813,876	0.8%
Total Full-Time Positions	112	111	111	111	—
Total Part-Time Positions	9	9	9	9	—
Total FTEs	106.40	116.50	116.50	116.50	—
Total Revenues	3,349,932	3,399,872	3,399,872	3,167,993	-6.8%

FY14 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY13 ORIGINAL APPROPRIATION	10,330,453	90.10
Changes (with service impacts)		
Add: Contract to staff Child Waiting Area at the new Judicial Center Annex [Administration]	112,500	0.00
Other Adjustments (with no service impacts)		
Increase Cost: FY14 Compensation Adjustment [Administration]	280,723	0.00
Increase Cost: Group Insurance Adjustment [Administration]	91,594	0.00
Increase Cost: Retirement Adjustment [Administration]	23,532	0.00
Increase Cost: Other Labor Contract Costs [Administration]	8,922	0.00
Increase Cost: Motor Pool Adjustment [Administration]	4,961	0.00
Increase Cost: Printing and Mail Adjustment [Administration]	3,365	0.00
Technical Adj: Adjust FTEs due to rounding	0	-0.05
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum [Administration]	-184,555	0.00
FY14 RECOMMENDED:	10,671,495	90.05

	Expenditures	FTEs
GRANT FUND MCG		
FY13 ORIGINAL APPROPRIATION	2,381,482	26.40
Changes (with service impacts)		
Reduce: Adjust Family Grant Budget [Grants]	-239,101	0.05
FY14 RECOMMENDED:	2,142,381	26.45

PROGRAM SUMMARY

Program Name	FY13 Approved		FY14 Recommended	
	Expenditures	FTEs	Expenditures	FTEs
Administration	2,681,441	9.60	2,782,099	9.55
Adjudication	2,932,955	31.00	3,048,959	31.00
Family Division Masters Case Assignment	826,249	8.00	842,960	8.00
Jury	1,153,758	14.00	1,222,904	14.00
Family Division Services	693,277	4.00	726,964	4.00
Technical Services	646,327	8.00	591,918	8.00
Law Library	823,744	10.00	849,787	10.00
Trust and Guardianships	404,448	3.00	427,121	3.00
Grants	168,258	2.50	178,782	2.50
Total	2,381,478	26.40	2,142,382	26.45

FUTURE FISCAL IMPACTS

Title	CE REC.					
	FY14	FY15	FY16	FY17	FY18	FY19
(\$000's)						
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY14 Recommended	10,671	10,671	10,671	10,671	10,671	10,671
No inflation or compensation change is included in outyear projections.						
Elimination of One-Time Items Recommended in FY14	0	-25	-25	-25	-25	-25
Items recommended for one-time funding in FY14, including start-up costs at the Child Waiting Area in the Judicial Center Annex, will be eliminated from the base in the outyears.						
Labor Contracts	0	402	523	523	523	523
These figures represent the estimated cost of general wage adjustments, new service increments, and associated benefits.						
Labor Contracts - Other	0	0	-9	-9	-9	-9
These figures represent other negotiated items included in the labor agreements.						
Additional Maintenance and Support Services in the New Annex	0	51	2	2	2	2
These costs are to cover additional expenditures related to CourtSmart maintenance and support services.						
Administrative Support Duties in the New Annex - Receptionist for Family Division Master's Office, Grade 9	0	66	66	66	66	66
Judicial Center Annex - Operating Costs for Child Waiting Area in the Annex	0	87	87	87	87	87
These costs are for annualization of operating expenses for Child Waiting Area.						
Subtotal Expenditures	10,671	11,252	11,315	11,315	11,315	11,315