

PS COMMITTEE #1  
April 24, 2014

Worksession

MEMORANDUM

April 22, 2014

TO: Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst *SJF*

SUBJECT: **Worksession: Circuit Court**  
FY15 Operating Budget

*Those expected for this worksession:*

Judy Rupp, Circuit Court Administrator  
Jahantab Siddiqui, Office of Management and Budget

The Executive's recommendation for the Circuit Court is attached at ©1-7.

**Overview**

For FY15, the Executive recommends total expenditures of \$12,813,876 for the Circuit Court, a 0.8% increase from the FY13 approved budget.

	FY13 Actual	FY14 Approved	FY15 Rec.	% Change FY14-15
<b>Expenditures:</b>				
General Fund	\$10,417,024	\$10,999,995	\$11,583,057	5.3%
Grant Fund	\$2,172,470	\$2,142,381	\$2,396,035	11.8%
<b>TOTAL Expenditures</b>	<b>\$12,589,494</b>	<b>\$13,142,376</b>	<b>\$13,979,092</b>	<b>6.4%</b>
<b>Positions:</b>				
Full-time	111	112	112	0.0%
Part-time	9	9	4	-55.6%
<b>TOTAL Positions</b>	<b>120</b>	<b>121</b>	<b>116</b>	<b>-4.1%</b>
<b>TOTAL FTEs:</b>	<b>116.5</b>	<b>117.5</b>	<b>114.01</b>	<b>-3.0%</b>

The FY15 County Executive’s recommendation is a net increase of \$836,716, which funds the following identified same service adjustments.

<b>IDENTIFIED SAME SERVICE ADJUSTMENTS:</b>	
Increase Cost: Annualization of FY14 Personnel Costs	\$299,441
Increase Cost: Annualization of FY14 Compensation Increases	\$120,833
Increase Cost: Judicial Center Annex Child Waiting Area	\$87,500
Increase Cost: Judicial Center Annex Maintenance and Support Services	\$50,945
Increase Cost: Group Insurance Adjustment	\$17,532
Increase Cost: Retirement Adjustment	\$15,012
Increase Cost: Software Maintenance and Support	\$12,616
Increase Cost: Printing and Mail	\$3,734
Increase Cost: Motor Pool Rate Adjustment	\$449
Increase Cost: Annualization of Personnel Costs (Grand Fund)	\$253,654
<b>Total Increases:</b>	<b>\$861,716</b>
Decrease Cost: Elimination of One-Time Items Approved in FY14	(\$25,000)
<b>Total Reductions:</b>	
<b>NET SAME SERVICES ADJUSTMENT TOTAL:</b>	<b>\$836,716</b>

## **FY15 Expenditure Issues**

### **Contract to Staff Child Waiting Area at Judicial Center Annex (\$87,500)**

As discussed last year, the Judicial Center Annex will include a Child Waiting Area for court users who do not have a place to leave their kids while seeking information, legal advice, or a resolution by court order. According to a Department of Health and Human Services estimate for appropriate contractual services, it would cost approximately \$175,000 annually to staff the Center. The approved FY14 operating budget included \$112,500 (\$25,000 for start-up costs, and \$87,500 for six months of expected operation (the center was supposed to open in January 2014)). The additional \$87,500 included in the FY15 recommended budget is the remaining amount of the \$175,000 annual operating costs.

The Child Waiting Area is scheduled to open around October 2014. Once it is open, Family Services, Inc. Will staff and operate the Center. Furniture has been selected and a purchase order has been executed. Family Services, Inc. is researching best practices to design and develop detailed recommendations for the Center, and to create an Operations Manual to address: staffing requirements and job descriptions; registration procedures and emergency preparedness; health safety and licensing requirements; activity planning for children; and required documentation for operations.

## **Judicial Center Annex Maintenance and Support Services (\$50,945)**

This funding provides hardware and software maintenance and support services for the CourtSmart audio and video recording components that have been installed in the 10 courtrooms and eight hearing rooms in the Judicial Center Annex, now referred to as the Circuit Court South Tower.

### **FY14 Operating Budget Updates:**

Last year the Committee recommended several items be placed on the Reconciliation List:

- Court Evaluator Position (\$94,000);
- Restore Child Custody and Access Mediation Program (\$122,500);
- Restore Child Custody and Access Mediation Program (\$122,500);
- Restore Supervised Visitation (\$112,000);
- Restore Supervised Visitation (\$112,000).

The Council approved the following:

- Court Evaluator Position (\$94,000)
- Restore Child Custody and Access mediation (\$122,500);
- Restore Supervised Visitation (\$112,000).

Council staff asked for updates on the programs, since two received half the required funding amount.

**Restoration of Child Custody and Access Mediation:** This program began in February 2013. It allows cases where both parties are self-represented or both parties are represented by attorneys to participate in mediation.

Under the previous program, 233 cases were mediated in a 12 month period. In the first three quarters of FY14, 146 cases were scheduled for mediation, and approximately 130 proceeded to mediation. For cases heard in FY14:

- 39% reached full agreement;
- 20% reached partial agreement; and
- 41% reached no agreement.

**Restored Supervised Visitation:** A new program was implemented in December 2013. Each family is ordered to attend six visits that are scheduled over the course of three months. Each visit is two hours long, which includes a 90 minute period for visitation and 15 minutes for

feedback between the visitation observer and the visiting parent. The Court's supervised visitation observers are licensed social workers. These individuals commit to observing the entire six sessions for a family, to provide continuity for the children and parents. A review hearing is scheduled by the Court 30 days after the last visit is held to discuss the status of access.

As of April 2014, approximately 16 cases were referred to supervised visitation. Their outcomes are as follows:

- Three cases completed the full cycle of visits;
- Two cases settled part way through the visitation series;
- One case was terminated from the program;
- One case has had visits suspended;
- Two cases had a party fail to appear for intake, so visits never began; and
- Seven cases are currently participating in the six session visitation process.

## **Grant Funding**

The Circuit Court has not had any grant funding changes over the past fiscal year and does not expect any changes in Fy15.

## **Judgeships**

Judge Debelius had submitted a request to the Chief Judge for three additional judgeships for the Circuit Court in FY15. The House of Delegates approved HB120 this year, designating one additional judge position for the Montgomery County Circuit Court; however, the Senate failed to act and no new positions were approved by the General Assembly this year.

## **CourtWatch Montgomery Recommendations**

CourtWatch Montgomery briefed the Committee this past winter on its most recent report, which contained several low-cost recommendations for aiding victims of domestic violence. These recommendations included putting domestic violence hotline information and phone numbers in women's restrooms in the Courthouse. Circuit Court staff indicates they have not been in contact with CourtWatch Montgomery about the recommendations. With respect to placing domestic violence hotline information in restroom, staff indicates that Phase II of the Judicial Center Renovation Project involves the renovation of many of the public bathrooms in the North Tower. Many are unavailable for posting information. Staff advises that the Circuit Court distributes brochures about the Family Justice Center and available services for domestic violence victims at the Family Department Self-Help Center, other service-based offices, and the main lobby information desk. *Council staff recommends Circuit Court staff review the latest CourtWatch Montgomery report and identify any recommendations that would be appropriate to adopt.*

## **Council Staff Recommendation**

**Council staff recommends approval of the budget as submitted by the Executive.**

This packet contains

Recommended FY15 Operating Budget  
Circuit Court Responses

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# Circuit Court

## MISSION STATEMENT

The mission of the Circuit Court is to serve Sixth Judicial Circuit residents in the determination of litigation in serious criminal matters, substantive civil cases, domestic and child support cases in accordance with the Constitution while administering justice in an honest, fair, and efficient manner.

## BUDGET OVERVIEW

The total recommended FY15 Operating Budget for the Circuit Court is \$13,979,092, an increase of \$836,716 or 6.4 percent from the FY14 Approved Budget of \$13,142,376. Personnel Costs comprise 79.5 percent of the budget for 112 full-time positions and four part-time positions, and a total of 114.01 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 20.5 percent of the FY15 budget.

## LINKAGE TO COUNTY RESULT AREAS

While this program area supports all eight of the County Result Areas, the following are emphasized:

- ❖ ***A Responsive, Accountable County Government***

## DEPARTMENT PERFORMANCE MEASURES

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

## ACCOMPLISHMENTS AND INITIATIVES

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

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

## PROGRAM CONTACTS

Contact Judy Rupp of the Circuit Court at 240.777.9103 or Jahantab Siddiqui of the Office of Management and Budget at 240.777.2795 for more information regarding this department's operating budget.

## PROGRAM DESCRIPTIONS

### Administration

The Administrative Office of the Circuit Court serves as a conduit for many operations of the Court. The Court Administrator's role is to facilitate the administrative functions of the Court and to develop policies to enhance systems performance while maintaining the independence of the judiciary. Basic functions performed by the Court Administrator and staff include the following: fiscal administration of the budget; human resources; case flow management and statistics; technology management; information management; jury management; space management; intergovernmental liaison; and public information.

The Trial Court Researchers, funded in part by the Trial Court Research Partnership Grant, provide research and statistical support for judiciary-wide research projects; prepare reports based on statistics and other data collected from the Montgomery County Circuit Court; establish links to national research/statistical sources relative to courts; and analyze court-wide programs, functions, and organizations to determine whether current management systems accomplish objectives efficiently.

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

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

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

### Adjudication

Adjudication encompasses support staff for the Judiciary and DCM. Conceptually, this division monitors case assignment (criminal, civil, and family cases), provides expedited case disposition for incarcerated offenders, and provides judicial supervision consistent with the complexity of each case filed. Adjudication and DCM improves the efficiency of case processing and reduces the demand for judicial intervention at various stages of litigation. To minimize case delay, each case is assigned to an appropriate track that allows for the performance of pre-trial tasks and allocates the appropriate level of judicial intervention. Tracks are monitored for performance and are evaluated based on established performance measures.

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

### **Family Division Masters**

Family Division Masters are qualified individuals appointed by the Judges of the Circuit Court to hear family matters and make reports and recommendations based on testimony and analysis of the testimony received at hearing. Family Division Judges continue to review the recommendations, make rulings and issue orders based on the recommendations of the Family Division Masters and any exceptions filed.

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

### **Case Assignment**

The Assignment Office schedules and maintains all hearings, trials, and motion dates as well as special event dates for Judges and Family Division Masters of the Court, and ensures that these events are scheduled in accordance with the Court's Differentiated Case Management plans. The Assignment Office maintains all scheduling information related to criminal indictments and information; criminal jury demands and appeals; civil, juvenile, and family trial assignments; civil, family, and juvenile motions; and bench warrants. The Assignment Office also manages all courtroom information sheets, locates all files for assigned calendars, reviews each file, and delivers files to various court hearing rooms.

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

### **Jury**

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

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

### **Family Division Services**

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

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

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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.

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

### **Technical Services**

Technical Services manages the central recording location that electronically records all courtroom and hearing room proceedings for the Judicial Center and Grey Courthouse. All video conferencing between the Circuit Court, District Court, Montgomery County Detention Center, and Montgomery County Correctional Facility is handled through this division. This equipment is used on a daily basis in order to conduct bond hearings via a video connection. Copies of court transcripts and cassettes are purchased through this division. The Court's website and internal servers for the Court and Clerk's Office are administered by Technical Services.

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

### **Law Library**

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

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

### **Trust and Guardianships**

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

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

### **Grants**

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

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



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

The Montgomery County Adult Office of Problem Solving grant is funded by the State. The mission of the Adult Drug Court is to eliminate drug abuse, crime, and their consequences by forging continuing partnerships with the Court, health treatment providers, concerned community organizations, and law enforcement. By leveraging its partnerships and its authority, the Court directs substance-abusing offenders into evaluation and treatment to achieve personal responsibility and productive citizenship.

The Rule of Law Grant is designed to improve the capacity of international legal institutions to implement reform. This initiative has been instrumental in the development of educational programs for bar associations, judges, lawyers, administrators, and - more recently - the executive and legislative branches of government. It has promoted the adoption of alternative dispute resolution methods, provided instruction in the use of technology, and trained legal professionals to effectively implement reforms to bring justice to citizens and help ensure a more democratic society.

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

## BUDGET SUMMARY

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

## FY15 RECOMMENDED CHANGES

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

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

## PROGRAM SUMMARY

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

## FUTURE FISCAL IMPACTS

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

## ANNUALIZATION OF PERSONNEL COSTS AND FTEs

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



## Circuit Court Operating Budget Questions – FY15

### **Follow-up FY14 Issues:**

1. Last year, the Committee recommended that several items be placed on the Reconciliation List:

- Court Evaluator position (\$94,000);
- Restore Child Custody & Access Mediation Program (\$122,500);
- Restore Child Custody & Access Mediation Program (\$122,500);
- Restore Supervised Visitation (\$112,000);
- Restore Supervised Visitation (\$112,000).

Of these, Council ultimately approved:

- Court Evaluator position (\$94,000);
- Restore Child Custody and Access Mediation (\$122,500);
- Restore Supervised Visitation (\$112,000).

Please provide an update on these items, particularly the Mediation and Visitation programs, which only received half their recommended funding. What is their status moving into FY15? (There is a more general question about Court Evaluators below).

#### **Staffing:**

#### Court Evaluator Position

The position is now filled and both Court Evaluator positions are staffed.

#### Restoration of Child Custody and Access Mediation:

Montgomery County Circuit Court's newly created mediation program began in February 2013. The program allows cases where both parties are self-represented or both parties are represented by attorneys to participate in mediation.

Certain aspects of the current mediation program mirror the original program. For instance, referral to mediation occurs at the scheduling hearing. Additionally, if co-parenting seminars are ordered, mediation is scheduled to occur either before or after those classes.

From July 2011 to June 2012, 233 cases were mediated under the previous program. From February 2013 to June 2013 under the new program, 67 cases were scheduled for mediation and 57 cases (85%) were mediated with dispositional outcomes as follows:

- 44% reached full agreement;
- 23% reached partial agreement; and
- 33% reached no agreement

In the first three quarters of FY14, 146 cases were scheduled with 89% of them proceeding to mediation. The results are as follows:

- 39% reached full agreement;
- 20% reached partial agreement; and
- 41% reached no agreement.

8. Evaluator positions have been cut or lapsed for several years now, although one full-time and two part-time evaluator positions were added in FY13, and one full-time evaluator was added in FY14. How many filled evaluator positions do you have now? What is the current caseload for each filled position? What is an ideal number of evaluators based on overall caseload?

In FY13, Montgomery County Circuit Court had eight full-time and one part-time evaluator positions. One Senior Court Evaluator carries a 50% caseload in addition to her supervisory responsibilities, seven full-time evaluators carry a 100% caseload, and one part time evaluator carries a 50% caseload. The Court contends that the current staffing level is adequate.

With nine court evaluators on staff in FY13, the current staff hours available are 16,640. In FY13 the evaluators generated 16,010 hours of assessments, evaluations, adoption reviews and investigations.

#### Grants

9. Please describe grant funding changes over the past year, and what impact changes will have, if any, moving forward into FY15.

We did not have any grant funding changes over the past year and do not expect changes in FY15.

#### Judges

10. Were any new judge positions approved by the General Assembly this year? Was the County seeking any? What is your current number of judges?

The House approved HB120 designating one additional judge for the Montgomery County Circuit Court. The Senate failed to act and, consequently, no new judge positions were approved by the General Assembly this year. Based on a statistical analysis, Judge Debelius submitted his request to Chief Judge Mary Ellen Barbera for three additional judgeships for the Circuit Court for Montgomery County for FY2015.

#### CourtWatch Montgomery

11. The Public Safety Committee held a briefing on their recent report last month, in which several low-cost recommendations were discussed, such as putting domestic violence hotline information and phone numbers in women's restrooms in the Courthouse. Have Court personnel been in contact with CourtWatch to discuss these recommendations? Are there any barriers to implementing these types of recommendations? (I will forward their report if you don't have a copy).

To my knowledge, CourtWatch Montgomery personnel have not directly contacted Court Administration to discuss the recommendations. Since taking over the role of Court Administrator, I have not been in contact with CourtWatch Montgomery personnel. Phase II of the Judicial Center renovation project involves the renovation of many of the public bathrooms in the North Tower. Many are unavailable for posting information. Currently, the Circuit Court distributes brochures about the Montgomery County Family Justice Center (MCFJC) and available services for DV victims and their family at the Family Department, Self-Help Center, other service-based offices, and the main lobby Information Desk. Additionally, we believe the transfer of information by on-site House of Ruth attorneys directly to those in need ensures they will be given access to appropriate resources.

Montgomery County Circuit Court anticipates the continued use of child custody and access mediation in FY15. This program provides an alternate approach to traditional litigation that empowers parents in their efforts to reconcile the often complex and emotionally-charged issues under contention.

### Supervised Visitation

Montgomery County Circuit Court implemented a new supervised visitation program on December 6, 2013. Each case participating in supervised visitation is ordered to attend six visits that are scheduled over the course of three months. Each of the six visits is two hours in length, which includes a 90 minute period for visitation and 15 minutes for feedback between the visitation observer and the visiting parent. All of the Court's supervised visitation observers are licensed social workers. These individuals commit to observing the entire six session visitation series for a family to provide continuity for the child/ren and parent. A review hearing is scheduled by the Court 30 days after the last (i.e., sixth) visit is held to discuss the status of access.

As of 4/1/2014, preliminary data reveals that approximately 16 cases have been referred to supervised visitation. Of those referred, their outcomes (to date) are as follows:

- 3 cases completed the full cycle of visits (i.e., six visits);
- 2 cases settled part way through the visitation series;
- 1 case was terminated from the program;
- 1 case has had visits suspended;
- 2 cases had a party fail to appear for intake so visits never began; and
- 7 cases are currently participating in the six session visitation process.

Montgomery County Circuit Court anticipates the continued use and growth of the supervised visitation program in FY15. This program meets a critical need for Montgomery County Circuit Court's Family Division and specifically for families for who drug, alcohol, and physical abuse; mental illness; reunification of parent and child; or concerns about absconding may be at issue. The Court's goal continues to be to facilitate the visitation process and to assist the parties as they move from direct supervised visits to unsupervised visits while not compromising the child's safety or emotional well-being.

**2. General Fund Positions:** The FY15 recommended budget includes one fewer full time position and two fewer part-time positions. Please describe any new positions and all lost positions.

- Two part-time vacant positions (Evaluator and Court Evaluator) were reclassified to one full-time Attorney position for the Family Law Self Help Center (+1 FT; -2PT)
- Technical adjustment to move two full-time grant funded Drug Court Case Manager positions to Grant Fund (-2FT)

**3. Grant Fund Positions:** The FY15 recommended budget includes one new full time grant fund position and three fewer part-time grant fund positions. Please describe any new positions and all lost positions.

- Technical adjustment to move two grant-funded Drug Court Case Manager positions to Grant Fund (+2 FT)

- Abolished one full-time and 3-part time unfunded, vacant Mediator positions (-1FT, -3PT)

**Child Waiting Area:**

4. Please describe the \$87,500 increase for the Child Waiting Area and provide a brief update on its status. When is it scheduled to open?

\$175,000 was designated to staff the Child Waiting Area Center each year based on HHS estimates for contractual services. \$25,000 was designated for initial start-up costs. The FY14 budget allocated \$112,500 (\$25,000 for start-up costs and \$87,500 for six-months of contract service) The FY15 addition of \$87,500 is the remaining amount of the \$175,000 annual operating costs.

The Child Waiting Area is scheduled to open October-November 2014. Once the Center is open, Family Services, Inc. will staff and operate the Center. Furniture has been selected and a purchase order has been executed. Family Services, Inc. is researching best-practices to design and develop detailed recommendations on how to establish the Center as well as create an Operations Manual to address staffing requirements and job descriptions; registration procedures and emergency preparedness; health, safety and licensing requirements; activity planning for children; and required documentation for operations.

**Annex:**

5. Please describe the \$50,945 increase for Maintenance and Support Services.

This funding will provide the necessary hardware/software maintenance and support services for the upgraded CourtSmart audio and video recording components that have been installed in the 10 courtrooms and 8 hearing rooms in the Judicial Center Annex, now referred to the Circuit Court South Tower.

6. Please provide a general update of the Annex, which functions will move in there and when.

The first day of service in the Circuit Court South Tower will be April 28, 2014. 9 of the 10 courtrooms and 5 of the 8 hearing rooms will be used to support the Family and Juvenile divisions. The open courtrooms and hearing rooms will be used by retired judges to support the busy family and juvenile dockets.

**Family Division Services**

7. How many domestic relations masters do you have now? Based on caseload, what is the ideal number to have?

The Circuit Court currently has four full-time domestic relations masters and one part-time master who hears child support, domestic cases scheduled for one day or less, and uncontested domestic issues. Our 2013 clearance rate for family cases, which evaluates how efficiently we process our caseloads, was 99% indicating that based on caseload, our current staffing level is adequate.