

# Heller to give up leadership post this fall

BY PETER GEIER

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The administrative judge of the state's busiest circuit court is expected to announce today that she will not seek reappointment to the bench when her current term ends this November.

Administrative Judge Ellen M. Heller, a 17-year veteran of the **Baltimore City Circuit Court** and for the past four years its *prima inter pares*, will not ask Gov. Robert L. Ehrlich Jr. to reappoint her and will not stand for re-election, but will take senior status when her term expires.

Heller expressed satisfaction and relief in having made a tough decision.

"I'll have the best of both worlds," Heller said, "because I will continue to serve year-round as a trial judge — which I've always found challenging, stimulating and rewarding — and I look forward to it. I will also have more flexibility to devote time to outside activities and my grandchildren."

But she added that she also feels "a tinge of sadness" because she got a lot of "personal and professional pleasure" out of court management.

"I will miss the challenge of creating new programs and of solving problems with my colleagues," Heller said, "and I will miss the challenge of trying to make a wonderful soup with a stone."

Heller keeps a copy of Marcia Brown's "Stone Soup," originally from her first husband's pediatric office, in her chambers. The children's book retells the French folktale of three soldiers who use their cunning and imagination to make a meal out of nothing, enticing local townspeople to share what they have.

"Our lack of adequate resources has really been an incentive to use — with my colleagues — creativity in working to ensure that justice is a meaningful concept notwithstanding busy dockets," Heller said.

Her tenure saw the court implement innovations such as mandatory mediation programs, electronic filing and a thorough reorganization of the asbestos docket.

In the coming September term, mandatory mediation will become part of all medical malpractice and professional liability cases. The court will also in-



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produce a felony motions docket both to address pretrial motions in advance as well as to expedite the resolution of cases that now wait until trial date to plead out, stet or nolle pross.

## 'Under her wing'

Chief Judge Robert M. Bell of the Court of Appeals said he is sorry to see Heller go because "she has just done a marvelous job."

"You never like to see a good administrative judge leave, but when they want to go you have to let them go," Bell said. "You rejoice in their good works ... and relish the improvements that have been wrought."

Bell appointed Heller to take over as administrative judge in September 1999 while the court was experiencing a particularly severe backlog of cases on its criminal docket, "but it seems like she's been there forever," he laughed.

"It's really one of the worst jobs in the world: not a dime extra and all the

headaches," Bell said.

"She came into the job in difficult circumstances and handled herself with a good deal of grace. I don't think they've ever seen her sweat. She does it like she was made to do it. We're going to miss her," he said.

The chief judge also said he thought Heller is the first woman to be the head of a circuit.

"That in and of itself is an accomplishment," Bell said.

As for naming Heller's successor, "we're giving it some thought right now and it's not going to take long," said the chief judge, declining further comment on the issue.

Word around the courthouse for the past few months is that the most likely successor to Heller is Judge Marcella A. Holland, a former Bell law clerk currently in charge of the court's family division.

But whomever he picks, Bell has no plans to replace Heller as administrative judge before her term expires, and "if somebody's named soon, they'll be able to sit under her wing" to help insure a smooth transition, he said.