

# STATE OF THE DOCKET

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During this past year, the Circuit Court for Baltimore City initiated many new programs which have resulted in significant improvements to the processing of all dockets. This article will highlight some of the measures which reflect an exceptional "team" effort of the judges, the legal community and the other branches of Baltimore City and State government.

## **Civil -- Non-Domestic**

Our civil docket has continued the timely processing of its caseload under the Differentiated Case Management plan that was implemented several years ago. All civil cases are screened by the Civil Case Coordinator and designated to one of several tracks depending on the type of case and its complexity. This past year has seen the conversion of the civil caseload on a new computer system which has permitted the Court to be more specific in its scheduling of trials and provide more reliable trial dates. In addition, this year has also seen the introduction of a new mediation program for business, commercial, employment (including workers' compensation), environmental, and contract cases where the dispute is over \$20,000. This new mediation program provides parties the opportunity to reach a resolution prior to the conclusion of discovery and before timely and costly motions must be filed. The program has been in effect since November 1, 1999 and will be evaluated with the assistance of the Maryland Alternative Dispute Resolution Commission. It also serves as a complement to the settlement program that has been in effect since 1991. Cases will continue to have mandatory settlement conferences 30 days before trial, presided over by a judge or one of the approximately 90 volunteer attorneys who participate in the program. With both the mediation and settlement program, Baltimore City has fully endorsed the concept of ADR.

Of course, challenges remain and one of the most serious is the thousands of asbestos cases which are awaiting trial. In October, approximately 40 asbestos attorneys met with the court. That meeting has led to a "working" group of 7-8

attorneys who meet every Friday afternoon with the Court to address this backlog. So far, those sessions have resulted in an agreed upon scheduling order which sets a seven month trial schedule (the first 30 days are for an exchange of information and settlement discussions) and the regular scheduling of 150 cases for trial every three weeks.

## **Criminal**

As Chief Judge Robert M. Bell observed in the State of the Judiciary, the criminal docket has made "an extraordinary and successful effort" to meet the serious institutional and systemic problems that faced it. With the assistance of the Criminal Justice Coordinating Council which provides a positive and constructive framework for communication between the various members of the criminal justice agencies and the hard work of the Bench and Bar, the criminal docket has achieved the following statistical results:

- the number of postponements in 1999 was reduced by 32% over 1998;
- for the first time since 1995, the court had more case terminations than cases filed by the State's Attorney's Office;
- the pending case and defendant inventories have been reduced to 1996 levels;
- a discovery docket has been implemented to assist in resolution of discovery disputes prior to trial.

In addition, the next few months will see the establishment of a differentiated case management system for criminal cases and the use of a scheduling order with strict deadlines. Significantly, Mayor Martin O'Malley has approved the funding of a Criminal Case Coordinator to assist in the management and scheduling of this docket. Finally, the Court expects to receive additional funding which will permit it to expand its Drug Treatment Court which so far has graduated approximately 400 defendants and has a low 7.1 recidivism rate.

## **Juvenile Court**

The Juvenile Court of Baltimore City is the busiest in this state. In calendar year 1991 it held approximately 60,000

hearings involving 8,500 delinquency petitions, 3,400 child in need of assistance petitions, 1,000 termination of parental right petitions and 450 adoptions. The three full-time Judges and nine full-time Masters continue to preside over daily busy dockets in an effort to process these cases in a timely manner.

That it is able to provide treatment, guidance and protection for children on a daily basis is best exemplified by its prompt response in removing all of the delinquent children from Baltimore City that were placed at the three Department of Juvenile Justice Boot Camps in Western Maryland earlier this year.

In Spring, 2001, the Court will move into the new Juvenile Justice Center. This facility will house a modern courthouse specifically designed for the adjudication of juvenile cases and also a 144 bed-detention facility for children awaiting trial on delinquency petitions. Currently the juvenile court is working with a consultant and representatives of the juvenile bar in an evaluation of its case processing and in an effort to develop new strategies so that when it does move, it will have completely reinvented itself for the 21st century.

### ***Family Division***

The Family Division of the Circuit Court for Baltimore City was established in July, 1996 and consists of both the domestic and juvenile dockets. The domestic docket exists to serve families in crisis and is currently leading the state with its unique programs which include the pro se litigation project, the volunteer lawyer settlement conferences, the co-parenting seminars ("COPE"), and the domestic violence ex parte project which operates in conjunction with the University of Maryland School of (Law or Social Work). In addition, our family division is unique among jurisdictions in Maryland as trained psychiatrists, psychologists, social workers and other mental health professionals are available to Judges, Masters and litigants within the courthouse by our Medical Office.

We are proud to announce that beginning with the March 2000 docket the Domestic/Family Division will move into new quarters on the first floor of Courthouse East. This new space will consist of four new courtrooms and also permit space for many of the programs and seminars that are offered to families. In addition, support staff from the Clerk's Office, the Office of Child Support, and the State's Attorney's Office, will be housed in this area. Certainly, the new Family Division will provide easier access to support services for litigants who are in need of its services.

### ***Renovations***

The new Family Division, however, is not the only physical renovation to our courthouses. By the end of 2000, all of the public corridors and entrances to the Clarence M. Mitchell, Jr. Courthouse should be renovated with new lighting, flooring and paint. We are pleased that as a result of a plan approved by the Honorable Andre Davis in the Reid v. Glendening case, the corridors will not only have a cosmetic facelift, but will be accessible to all individuals who use our courthouse. A special project will be the renovation of the St. Paul Street Lobby which will be ready in time for the Centennial Celebration on October 7, 2000.

### ***Technology***

Finally, with the assistance of the Administrative Office of the Courts, this year will see the installation of a local area network that will enable the court to facilitate internal and external communications between judges and, in particular, other agencies serving the justice system.