

The Sun

**Huge backlog puts city traffic cases in the slow lane
Some people wait 18 months or more before going to trial**

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Charles R. Bauer got a \$50 ticket for having a torn license nearly two years ago. Franklin D. Price was charged with driving through a red light 18 months ago. Just this week, both got their chance to fight the tickets in Baltimore traffic court.

That's because thousands of people were ahead of them.

A huge backlog of minor traffic cases in Baltimore's District Court has meant that some people seeking to challenge their tickets have to wait about 18 months to get into court. The wait has frustrated defendants and court officials alike.

One person, hearing that Maryland's Chief Judge Robert M. Bell was on a radio program recently, called to complain about the wait for a date in traffic court.

"People don't usually clamor to get to court," said Chief Judge Martha F. Rasin, of District Court of Maryland. "When they start calling, it puts your antenna up."

The backlog comes as the number of minor traffic cases has ballooned 34 percent in the past four years. Last year, there were 107,471 cases filed -- up from 80,328 in 1994, according to statistics from District Court headquarters in Annapolis.

Rasin said the backlog reached its highest point in the spring with 60,000 cases awaiting trial. Since then, court officials have been working to speed up the case flow. The number of cases awaiting trial is 29,000, Rasin said.

"People should not be waiting that long to go to trial," Rasin said. Before the backlog, the normal time to trial was about six months. "A year or two years is totally unacceptable," she said.

In Prince George's County, which has a population similar to Baltimore's, court officials said defendants usually wait about six months for a trial, but it can take longer. In Montgomery County, defendants wait about three months, officials there said.

Price, a truck driver from Cecil County, said he never thought it would take this long for his case to come to court. He was ticketed in May 1997 for allegedly running a red light on U.S. 40. His court date was on Tuesday.

"It's usually a couple of months," said Price, 56. "You wonder when and where" your case will be heard.

Not all cases take as long. In court Tuesday, many of the defendants had received tickets this year.

Trial schedules depend upon each officer who issues tickets. Each officer is scheduled to appear in court about one day a month for the tickets he issued. Officers who issue few tickets tend to have trials that occur more quickly. Officers who issue many tickets have trials scheduled over longer periods, Rasin said.

To address the backlog, court officials have changed courtroom schedules and added court time for Baltimore's 23 District Court judges to hear the trials. Some days, judges receive as many as 400 cases to hear. Not all cases go forward -- some are dismissed because the officer is not present, and some defendants do not show up, pushing the trial date back.

"They are really piling on the work to get it done," Rasin said.

Last summer, retired judges were brought in to hear some traffic cases. Officials are consulting the Police Department to see if the

ticketing officer is available for court. If the officer is not -- because of a job change or resignation -- the cases are being scheduled for court because officials expect them to be dismissed.

Rasin attributes part of the backlog to new courts, such as the domestic violence court, and new procedures, such as videotaped bail reviews, which have "eaten into" regular docket time.

She also said she wondered whether the increased tickets were part of the Police Department's initiative to put more officers on the street.

None of this matters to Price, who spent much of Tuesday waiting to fight the ticket. He wanted to tell the judge that the light was yellow when he drove through it.

But he never had to present his argument. The police officer who ticketed him was not in court. So District Judge Alan J. Karlin acquitted him, allowing him to escape the \$150 fine. Bauer, too, was found not guilty because the officer who issued his ticket didn't show up for trial.

"It keeps it off my driving record," a jubilant Price said. "You either pay the ticket or [wait] and get cleared of the charges."