

Family Division/Family Law Services

MD. JU 5.1:FLS/999
Maryland. Administrative
Office of the Courts.
Family Division/Family Law
Services: fiscal year ...

Fiscal Year 1999 Budget



Administrative Office of the Courts
February 9, 1998

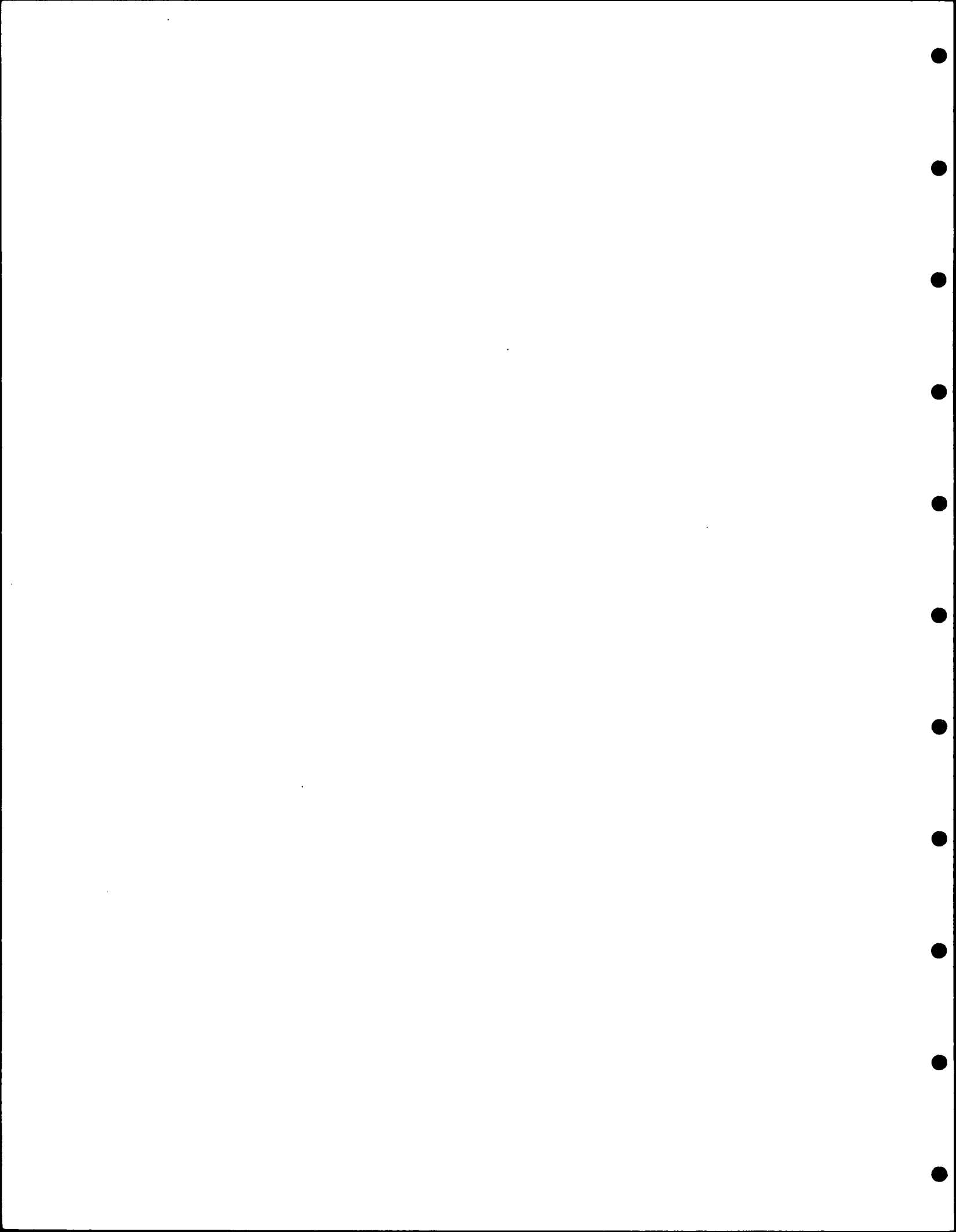
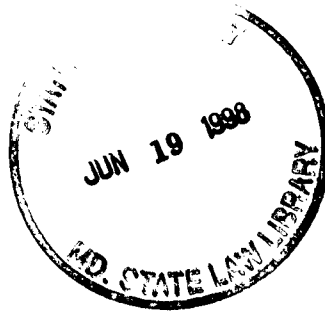
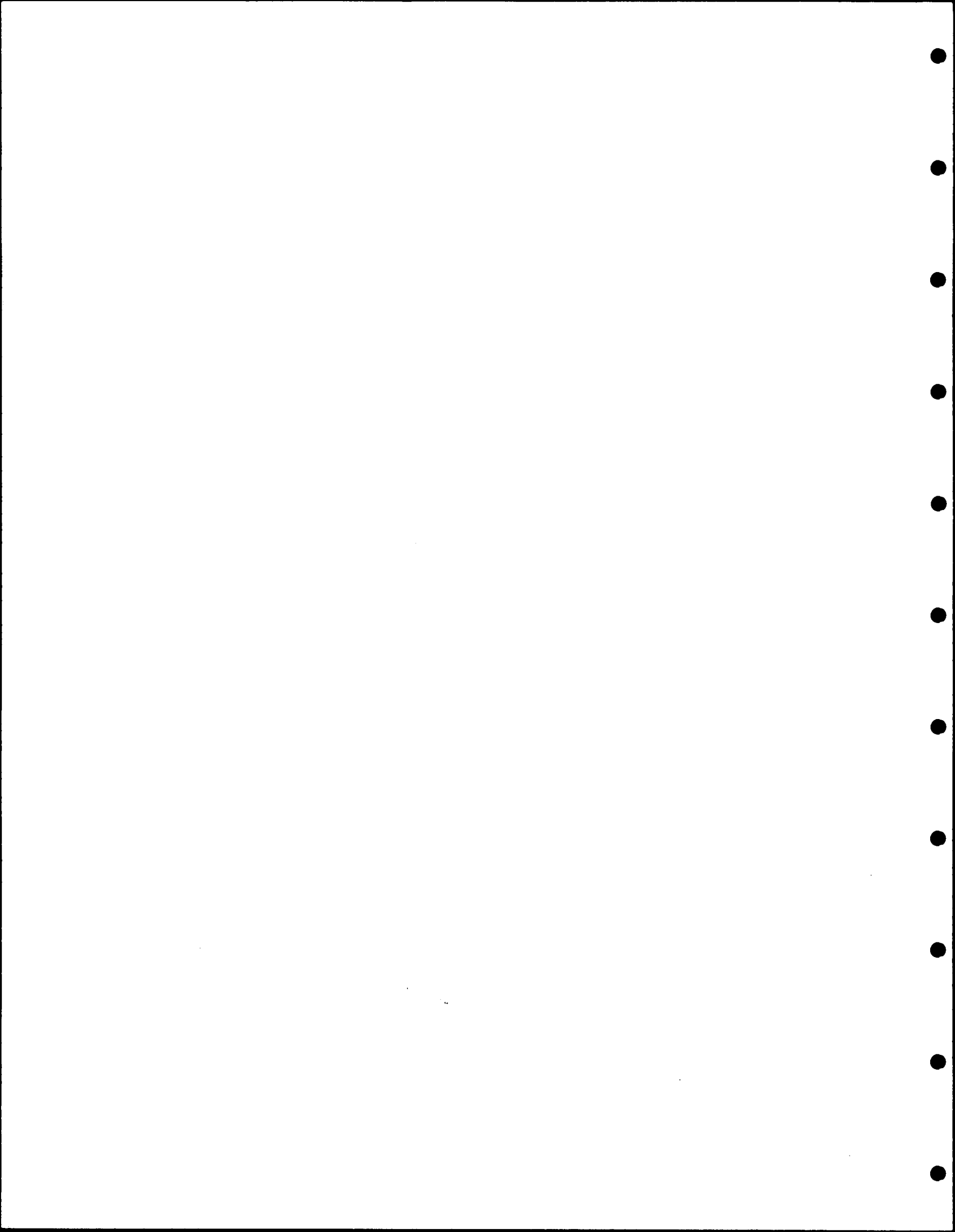


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Introduction and Executive Budget Summary

Over the last several years, the Judiciary has sought to expedite family law matters before its circuit courts and provide a full complement of services to these litigants and their children. These funds have facilitated:

- development and dissemination of *pro se* form pleadings and instructions both in paper and electronic formats;
- a toll-free Helpline staffed by family law attorneys to assist *pro se* litigants with the form pleadings;
- instructive classes on divorce proceedings for *pro se* litigants;
- legal and informational services through local bar foundations or area law schools;
- custody and visitation mediation;
- visitation supervision;
- additional master services for domestic and juvenile cases;
- case coordinators; and
- crisis intervention services.

These services have been supported through an appropriation of \$1,480,250 in the FY `98 Judiciary Budget and have been allocated among 20 circuit courts (Table 1).

With the support of the General Assembly, the Judiciary is seeking to create a Family Division in each of its five largest jurisdictions as established by Maryland Rule 16-204 (Appendix A). Additionally, the Judiciary is requesting an expansion of the current level of family services funding, the creation of Family Services Coordinator positions in those jurisdictions without family divisions, as well as additional assistance for the District Court to address the escalating volume of domestic violence petitions. The Judiciary will require an additional appropriation in the amount of \$4,391,708 for these purposes (Table 2).



Table 1
Current Family Services State Funding
FY '98

Jurisdiction	Service Funds	Masters
First Circuit		\$100,575
Second Circuit	—	111,749
Anne Arundel County	\$140,000	
Baltimore City	140,000	
Baltimore County	140,000	
Calvert County		11,175
Carroll County		55,874
Charles County	45,000	33,525
Frederick County	45,000	22,349
Harford County	45,000	44,699
Howard County	45,000	
Montgomery County	140,000	
Prince George's County	140,000	
St. Mary's County		33,525
Washington County	45,000	67,049
Sub Totals	925,000	480,520
Discretionary Funds*	75,000	
Grand Total	\$1,000,000	\$480,520
Total FY '98 Budget Appropriation	\$1,480,520	

*Discretionary Funds	
Total Discretionary Funds	\$75,000
Women's Law Center - Statewide Legal Forms Helpline	43,000
Balance FY '98 Appropriation	\$32,000



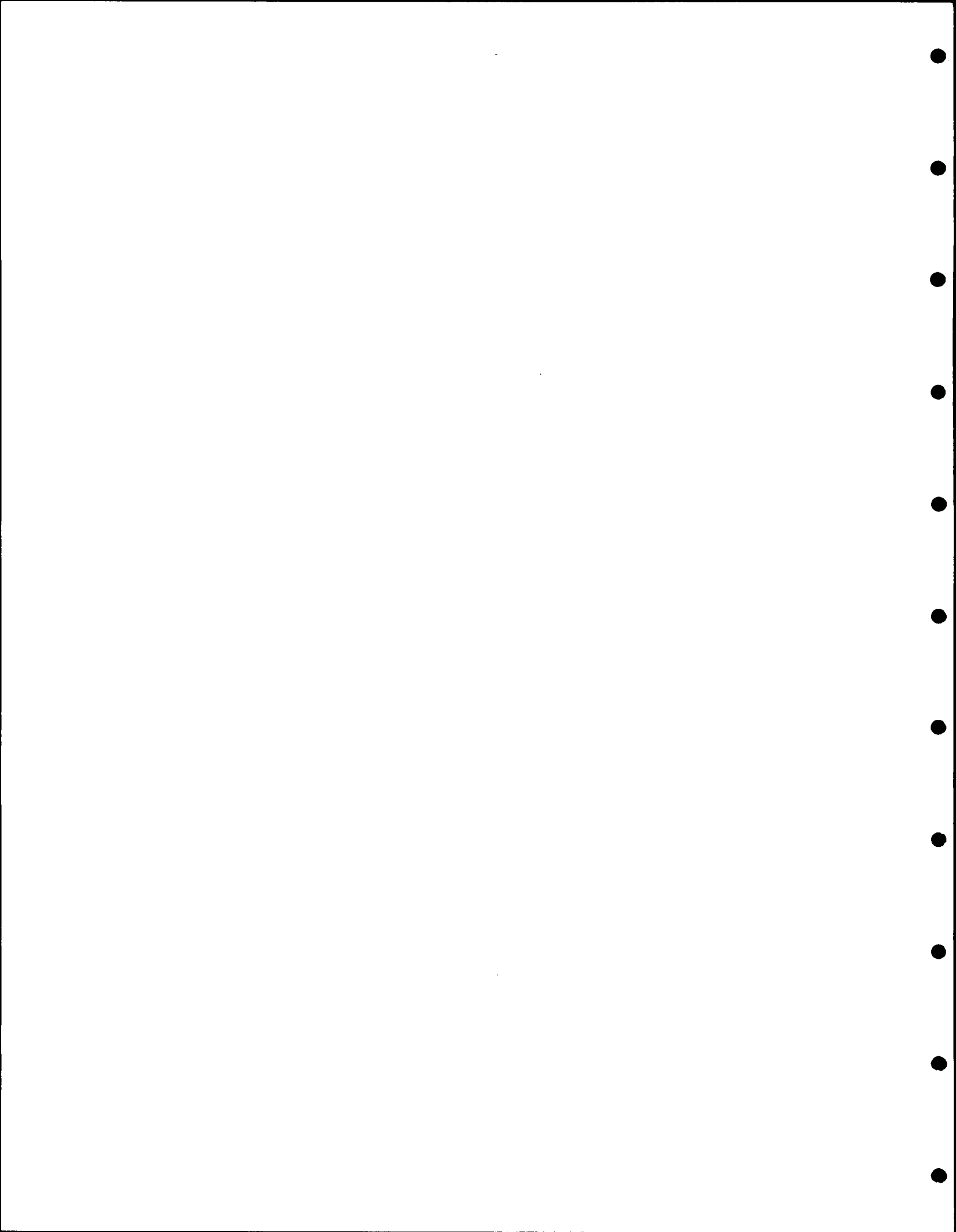
Table 2
Additional Family Services State Funding Request
FY '99

Proposed Program Funding	Amount
Creation of Family Divisions as established by Maryland Rule 16-204 in Anne Arundel, Baltimore, Montgomery and Prince George's Counties, and Baltimore City	\$3,361,473*
Creation of Family Support Services Coordinator positions as established by Maryland Rule 16-204 in the 19 jurisdictions without a Family Division	\$ 585,000
Creation of 11 additional state positions in the District Court to more fully process and coordinate domestic violence petitions in Anne Arundel, Baltimore, Montgomery and Prince George's Counties, and Baltimore City (Chief Judge Rasin's letter, Appendix B.)	\$ 195,235
Expansion of family services funding to Calvert, Carroll, Cecil, Wicomico, and Worcester Counties	\$ 250,000
Total Additional Family Services Funding	\$4,391,708

*Jurisdiction	Family Division
Anne Arundel County	\$ 481,046
Baltimore City	618,149
Baltimore County	413,849
Montgomery County	814,856
Prince George's County	883,573
Adm. Off. of the Courts - Program Evaluation	150,000
Subtotal	\$3,361,473



TAB 1



Anne Arundel
County



**Circuit Court for Anne Arundel County
Family Division**

Administrative Staff

Family Law Administrator @ \$60,779 including fringe **\$ 60,779**

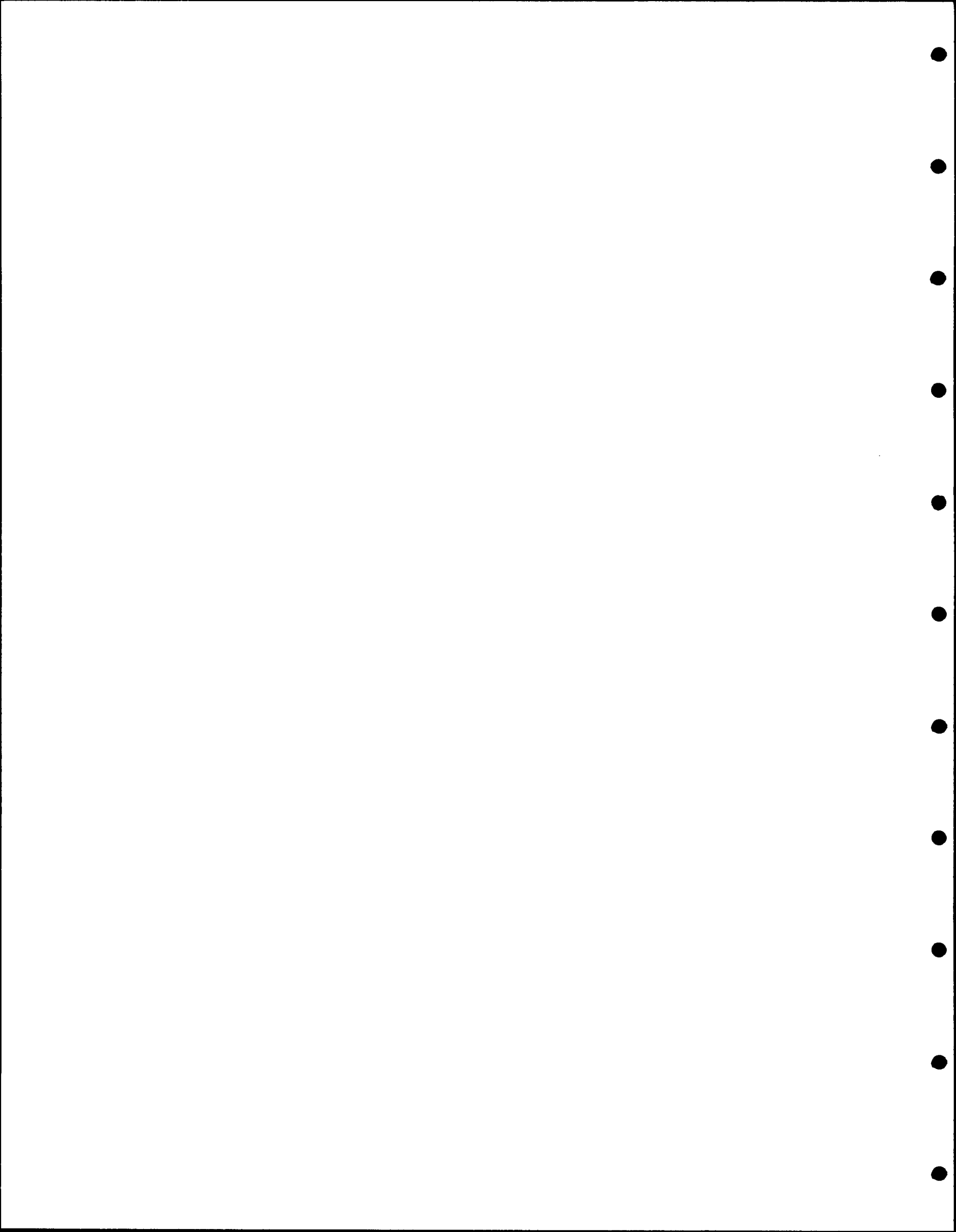
The Family Division Administrator is responsible for the overall design and administration of the Family Law Differentiated Case Management Plan. It directly supervises the Family Law Case Coordinator, Family Law Paralegal, the Social Work Unit, and the Family Support Services Coordinator. In addition, the position reviews all requests for emergency relief and for pendente lite hearings in family law cases. The Family Law Administrator frequently mediates these cases, if appropriate, or forwards them to a judge for adjudication when necessary. The Administrator works with the Bench to ensure the Court imposes consistent standards and procedures in family law matters. The Administrator likewise has ultimate responsibility for all ADR programs and other programs of the Family Division and monitors the performance of those programs. Finally, the Administrator oversees *pro se* assistance at the Circuit Court and provides family law expertise and information to the Family Law *Pro Se* Project and other court staff.

Family Law Case Coordinator @ \$47,000 including fringe **47,000**

The Coordinator prepares all scheduling orders in family law matters. Under the Court's new Family Law DCM Plan, this position will issue orders for Scheduling Conferences when the case is at issue and will coordinate the issuing of all orders arising out of that Scheduling Conference. In addition, the Coordinator manages on a day-to-day basis the Custody/Visitation Mediation Program and the Facilitator Program currently used for pre-trial conferences.

Family Law Paralegal @ \$35,197 including fringe **35,197**

Proposed Md. Rule 16-204 requires a return to the "one case, one judge" philosophy to ensure better decision-making and more efficient use of resources in family law cases. According to the Rules Committee, that includes the requirement that the judge who is assigned to the case will rule on all motions in that case. With only 9 judges currently on the Bench, the Circuit Court for Anne Arundel County frequently has a backlog of chambers matters. To solve this problem and to enable us to comply with the Rule, we propose hiring a Family Law Paralegal to review and prepare all family division chambers work, and to forward cases to the assigned judge for ruling and follow-up on all orders. This position will review submissions by *pro se* litigants for legal sufficiency.



Circuit Court for Anne Arundel County
Family Division
Page 2

Equipment	2,316
PC and printer (Paralegal)	<hr/>
Sub Total	\$145,292

Judicial Staff

Family Law Masters (2) @ \$85,527 ea. including fringe	\$171,054
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The Circuit Court for Anne Arundel County has no domestic masters at this time. The largest obstacle to the Court's ability to fairly and efficiently manage family law cases is the current lack of judicial resources. Two domestic masters will enable the Circuit Court to hear pendente lite and emergency issues promptly. It will also permit the Court to provide uncontested hearings for low-income litigants who cannot afford the hearing examiner's fee. Finally, it will permit the Court to hold Scheduling Conferences which will greatly improve the ability to fashion a management plan for each case, based on the needs of the parties and the family involved.

Master Secretary (2) @ \$35,197 ea. including fringe	70,394
This position will provide clerical support to Family Law Masters.	

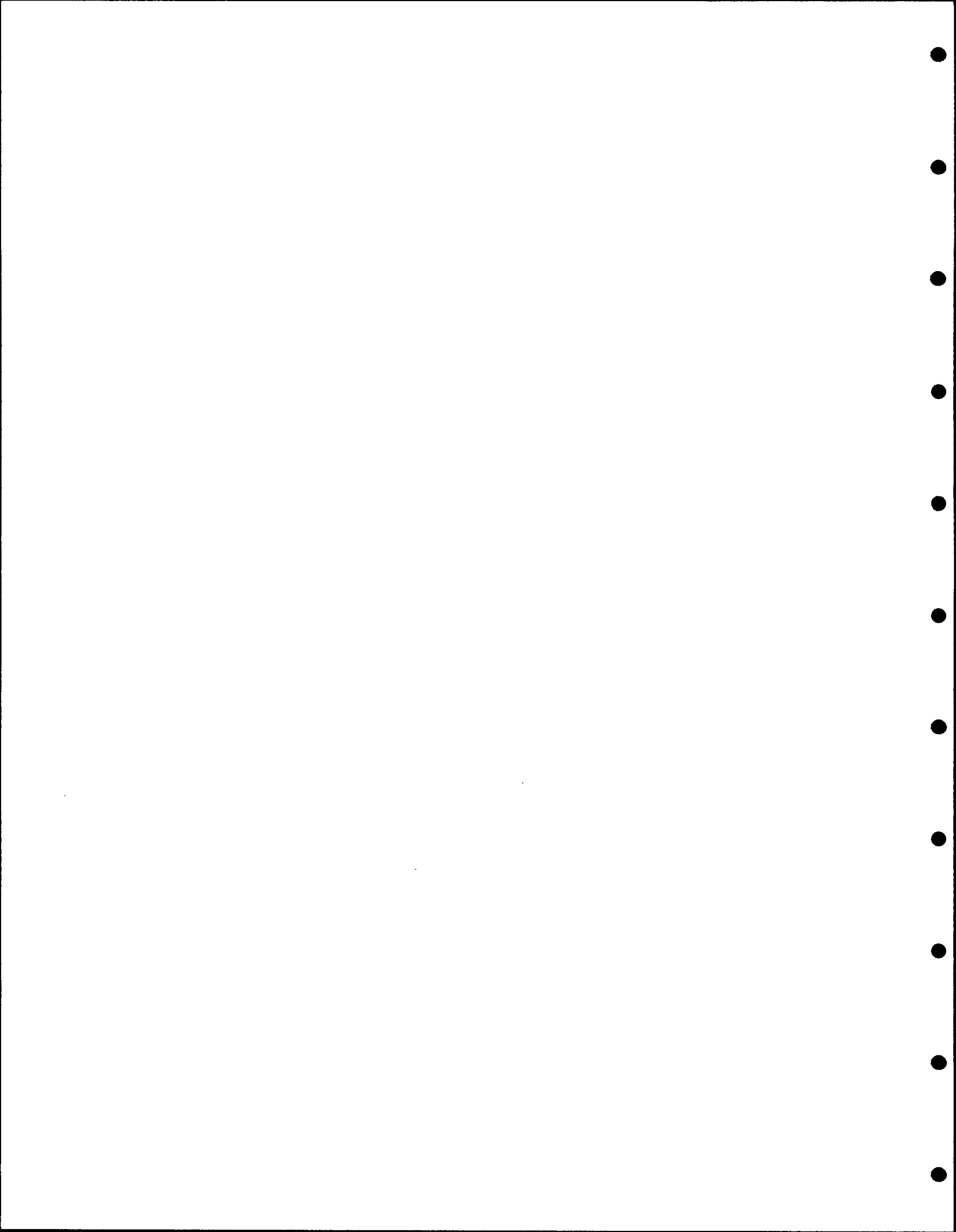
Equipment	9,264
PC and printer (4) @ \$2,316 ea.	

Courtroom Clerk (2) Clerk's Office State Grade 9	38,356
This position will provide courtroom support to Family Law Masters.	

Case Processing Clerk Clerk's Office, State Grade 8	18,088
This position will supplement existing case processing staff in clerk's offices to address increased level of work with the addition of 2 Family Law Masters.	

Operating Expenses for Clerk Office Personnel @ \$7,000 per employee	21,000
Includes appropriate automation hardware, workstation and supplies	<hr/>

Sub Total	\$328,156
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Social Work Unit

The Circuit Court for Anne Arundel County has assumed the day-to-day supervision of the Custody Unit of our local Department of Social Services. A "Memorandum of Understanding" has been executed with that agency which provides that the Court will assume the management of that unit. The agreement with DSS further specifies that both agencies will work together in the Spring, 1998, to facilitate a transfer of the budget for that unit from DSS to the Circuit Court. The Custody Unit conducts court-ordered investigations in contested custody cases at the Circuit Court. Because that unit performs no other social work functions for DSS, both agencies felt it would be appropriate for those social workers to work directly for the Court. The funding for the DSS Custody Unit is currently provided by Anne Arundel County. Both agencies will jointly approach the County Council during the next budget cycle (Spring 1998) to request that that budget be transferred to the Circuit Court.

Training

9,600

Parenting Seminar Training @ \$1,000

The Court does not currently offer a parenting seminar, although this will be required by Proposed Md. Rule 16-204. The four social workers from the Social Work Unit will be trained by Children of Separation & Divorce (COSD) in Howard County to teach a 6-hour parenting seminar, similar to that offered by the other large jurisdictions. Once they are trained, we should be able to offer the course free-of-charge to litigants, since it will be taught by in-house staff.

Mediation Training @ 3,600

All LCSWs and social workers working towards that designation have on-going continuing education requirements. This amount reflects the needs of the professional staff of the Family Law Division and would be used for training, conferences and travel.

Professional Training @ \$5,000

All LCSWs and social workers working towards that designation have continuing education requirements for certification purposes.

Equipment

PC and printer (5) @ \$2,316 ea.

11,580

TV, VCR, overhead projector (parenting seminars)

500

Sub Total

\$ 21,680



Family Support Services

Support Services Coordinator @ \$47,602 including fringe **\$ 47,602**

Proposed Md. Rule 16-204 requires each division to hire a Family-Support Services Coordinator. This position will have an MSW and experience as a professional social worker. The position will make referrals to public and private family support services, and coordinate and monitor referrals in family law actions including orders for mental health evaluations, drug screenings and testing, and paternity testing. The Family Support Services Coordinator will also make referrals for any additional services the family may need and will monitor compliance with all court-ordered referrals or follow-up treatment.

Equipment **2,316**
PC and printer @ \$2,316

Sub Total **\$ 49,918**

Family Law Pro Se Project **\$ 40,000**

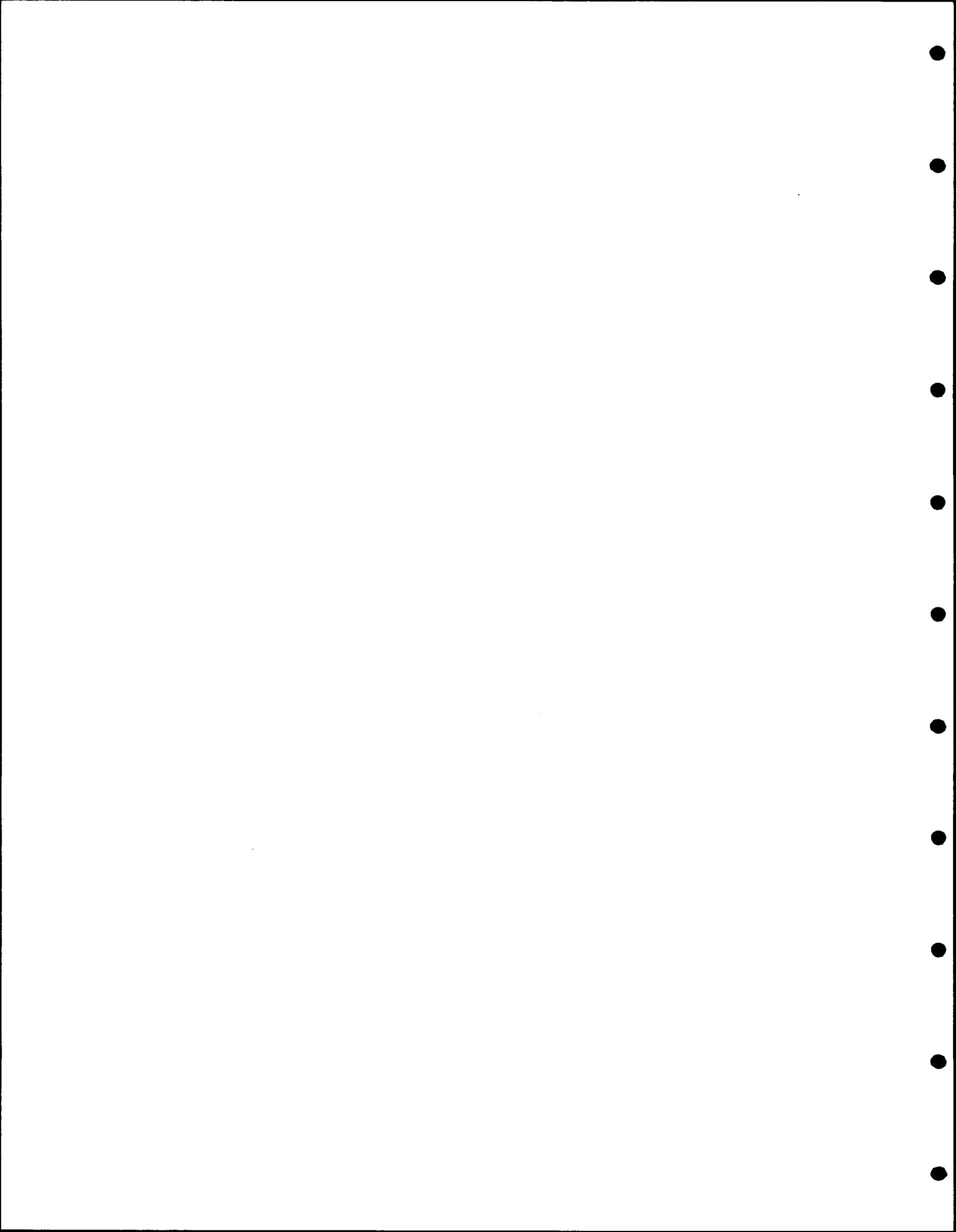
We currently provide the Anne Arundel Bar Foundation a grant of \$30,000 to operate the Family Law *Pro Se* Project. Those funds come out of our current family law grant from the State Judiciary. The Project currently provides forms, advice and information to *pro se* litigants 20-hours per week. The Circuit Court provides them with office space. The Bar Foundation has hired a part-time staff attorney to provide those services. We would like to expand that grant to \$40,000 so that the hours of public service can be increased.

Sub Total **\$ 40,000**

Alternative Dispute Resolution Services

Fee Waivers - Indigents **\$ 3,000**

This will permit mediation fee waivers to *pro se* litigants and others who cannot afford the costs of private mediation.



Mediation Oversight **2,000**
In an effort to maintain the professionalism of our private mediator panels, we would like to engage a consultant with expertise in family law mediation. That person would evaluate our private mediators annually and assist the Court in ensuring that the panel is effective and professional.

Sub Total **\$ 5,000**

Miscellaneous Operating Expenses

Automation of Assignment Procedures **25,000**
To accommodate the concept of "one case/one judge", the individual calendars of the bench will need to be monitored. The Assignment Office is responsible for scheduling case events which remains largely a manual, paper-driven system. Automation of assignment procedures will facilitate management of dockets and accommodate the goal of "one case/one judge".

Supplies and Printing **6,000**
Funds will provide supplies to non-judicial personnel and enable the printing of multi-part forms and resource materials for litigants.

Sub Total **\$ 31,000**

Total **\$621,046**
Current Grant **- 140,000**

Grant Total **\$481,046**



Administrative Judge
Hon. Clayton Greene Jr.

Court Administrator
Robert Wallace

Director of Case Management
Doug Holsbeck

Family Law Case Administrator
Pamela Ortiz

Family Law Case Coordinator
Neil TB

Custody/Visitation Mediation Program
* Panel of Private Mediators.

Facilitator Program
* Volunteer Attorneys who handle pre-trial conferences.

Custody Investigation Unit

Parenting Seminars [Proposed]

**CIRCUIT COURT FOR ANNE ARUNDEL COUNTY
FAMILY LAW ADMINISTRATIVE UNIT**

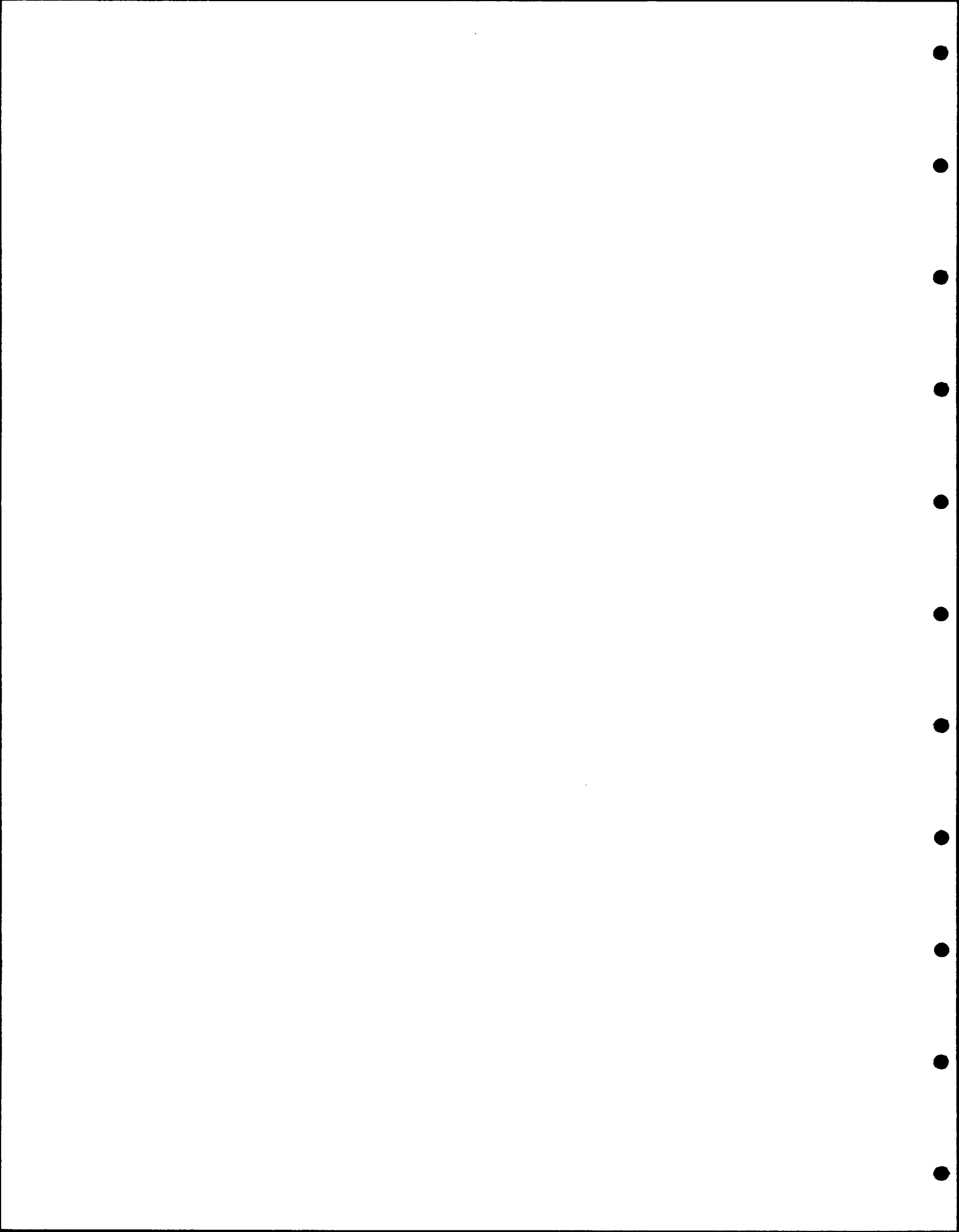
Anne Arundel Co. Bar Foundation Pro Se Project

* Pro se Assistance offered 20-hours per week at the Courthouse by a Staff Attorney of the Bar Foundation.

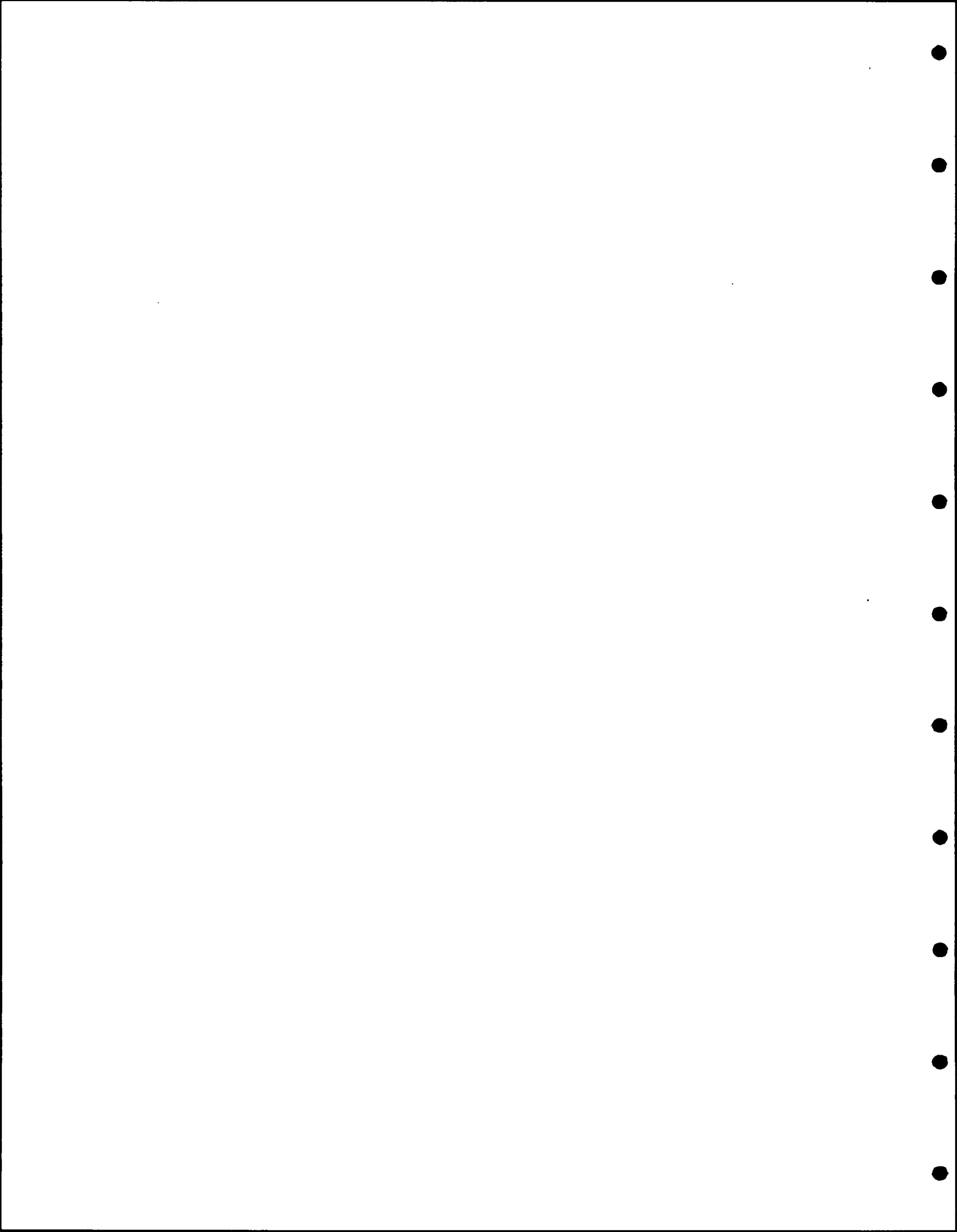
* We are assuming the management of our local DSS Custody Unit. 4 FT Social Workers handle all custody investigations. They will eventually be trained by COSD and will teach a 6-hour parenting seminar.



TAB 2



Baltimore City



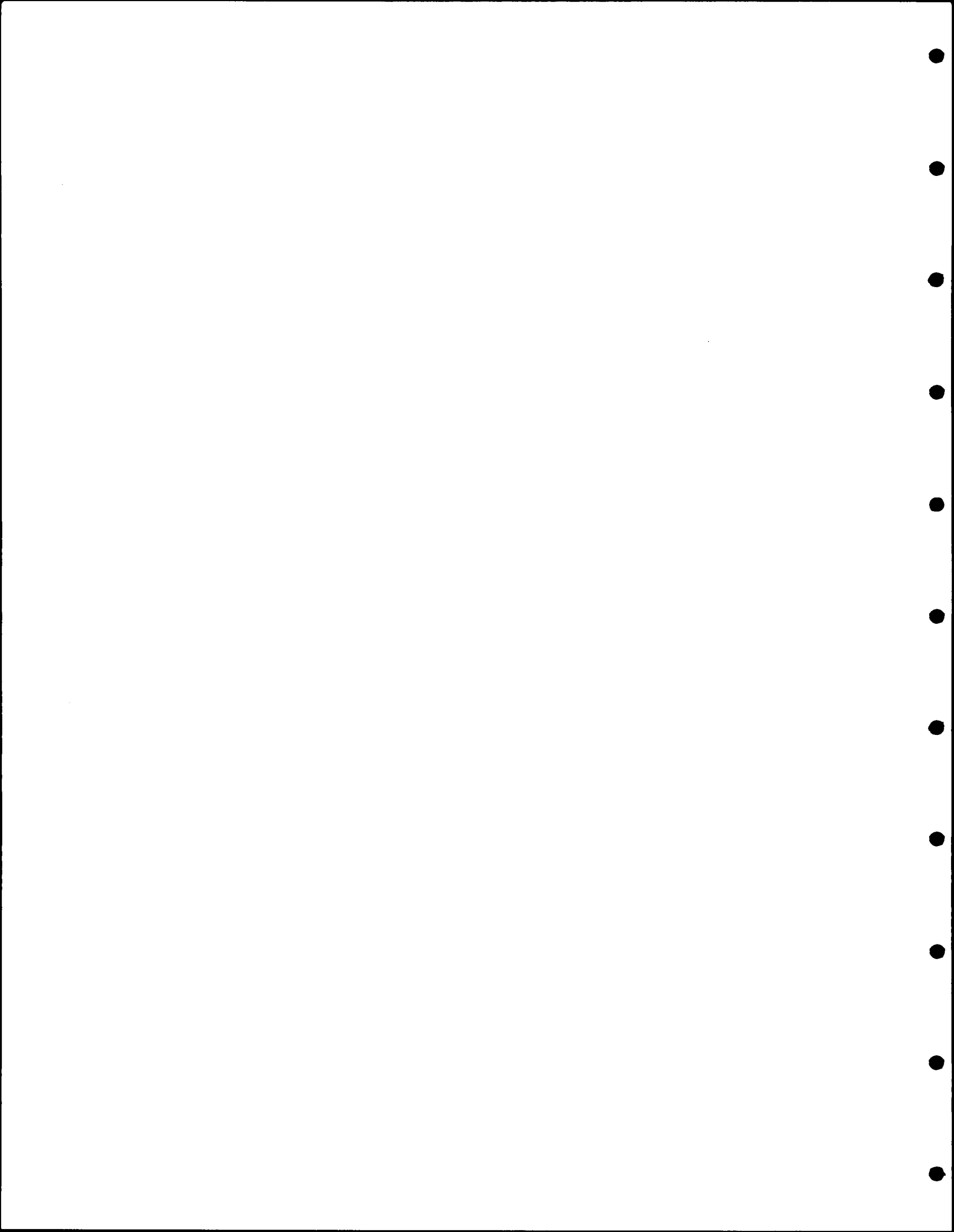
**Circuit Court for Baltimore City
Family Division**

Administrative Staff

Family Division Coordinator @ \$65,000 including fringe	\$ 65,000
This position is responsible for the operation of the family division.	
Social Services Coordinator @ \$60,000 including fringe	60,000
This position will be a credentialed social worker who will provide evaluation services for family counseling; screen for alcohol and substance abuse; develop and maintain a database of community service providers; develop and maintain partnerships with community-based agencies and governmental services; coordinate referrals to appropriate service providers; and supervise professional staff	
Case Intake Manager - Clerk's Office - State Grade 16	30,149
This position will supervise case processing staff within the Clerk's Office and coordinate activities with the Family Division Coordinator	
Family Division Secretary @ \$30,000 including fringe	30,000
Provides secretarial support to Family Division Coordinator and Social Services Coordinator, as well as to Charge-in-Charge as needed	
Sub Total	\$185,149

Judicial Staff

Team Leader - (4) @ \$35,000 ea. including fringe	\$140,000
Coordinates and manages cases within each judge team and is directly accountable to their individually assigned Family Division Judge. This position coordinates all members of the team composed of case processing staff, professional staff, courtroom clerks, and law clerks. Further, it ensures that case files are complete and accurate prior to hearing and coordinates referrals to service providers generated from court proceedings.	
Professional Staff - (4) @ \$32,500 ea. including fringe	130,000
This position will screen cases for appropriate social service intervention, divert cases that can more appropriately be handled by community service providers, and provide crisis intervention services	
Sub Total	\$270,000



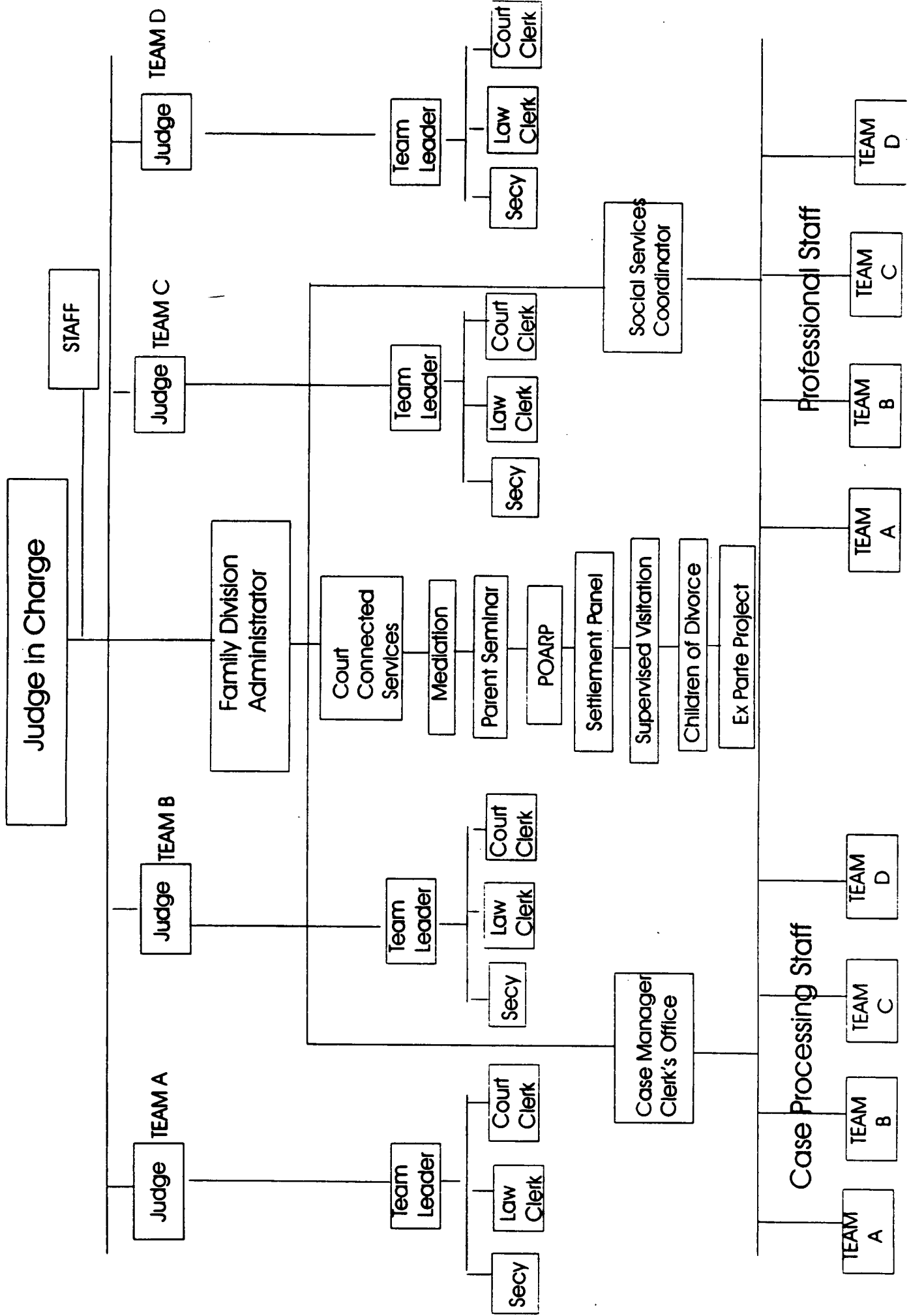
Circuit Court for Baltimore City
Family Division
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Services:

Assisted <i>Pro Se</i> Litigation Services	\$ 52,000
Provides on-site informational and legal services to <i>pro se</i> family law litigants. This assistance is provided by the University of Maryland Law School Family Law Clinic.	
Support Group for Children of Divorce	45,000
Provides psycho-education group for children centered around issues facing children as their parents separate and/or divorce. This group will complement the parenting seminar.	
Divorcing Parent Seminar	35,000
Provides information and focus to divorcing parents on the social and psychological well-being of their children during this traumatic time.	
Mediation Panel for Custody/Visitation	57,000
Provides mediation services to divorcing parents to assist the parties to mutually agree to custody and visitation issues prior to hearing	
Evening Supervised Visitation	30,000
Provides supervision of visitation arrangement to ensure compliance with court order and reduce potential conflict between parties resulting in new court action	
	<hr/>
Sub Total	\$219,000
Operating Expenses @ \$7,000 per employee	<u>\$ 84,000</u>
Sub Total	\$ 84,000
Total	\$758,149
Current Grant	<u>- 140,000</u>
Grand Total	\$618,149

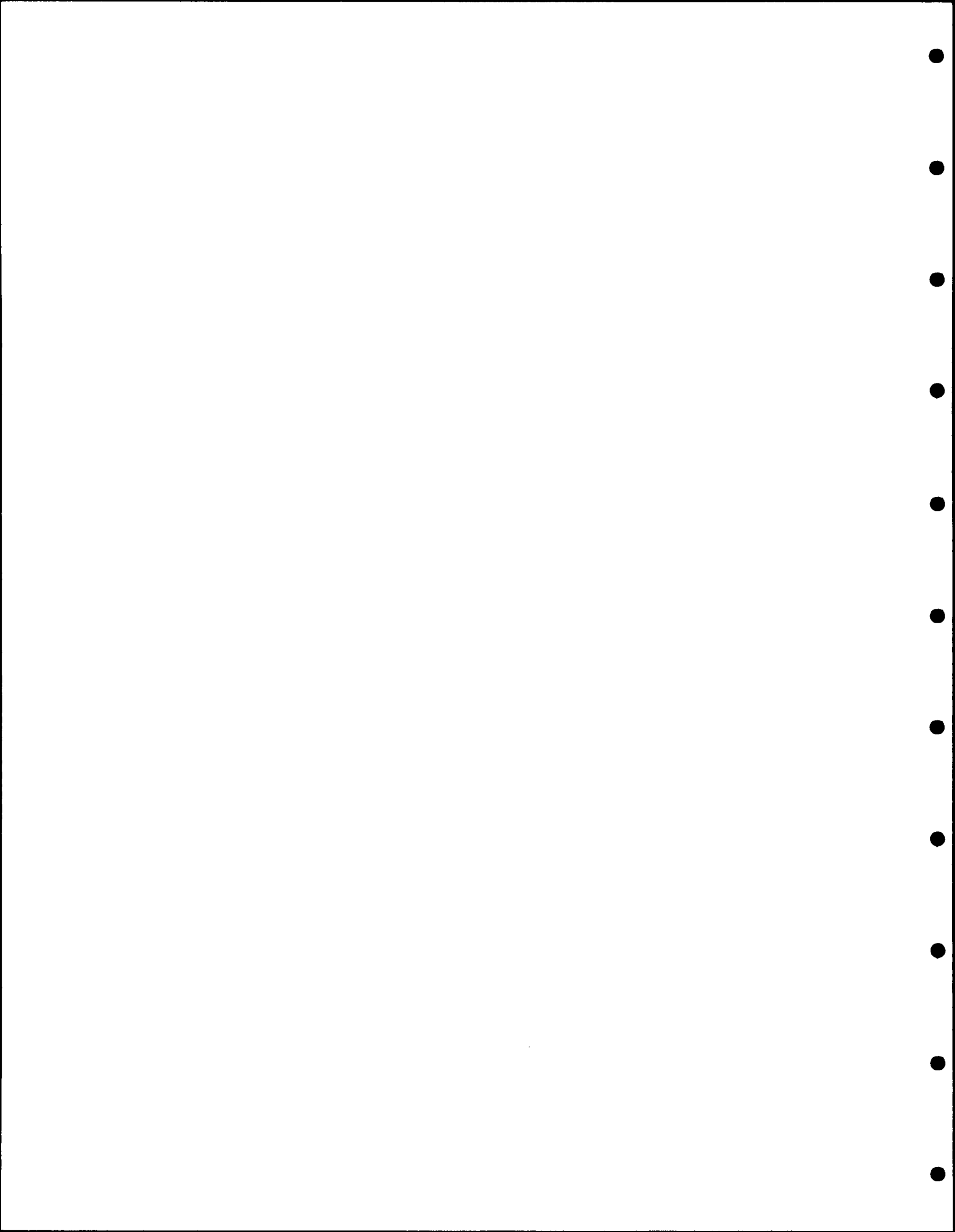


CIRCUIT COURT FOR BALTIMORE CITY FAMILY DIVISION

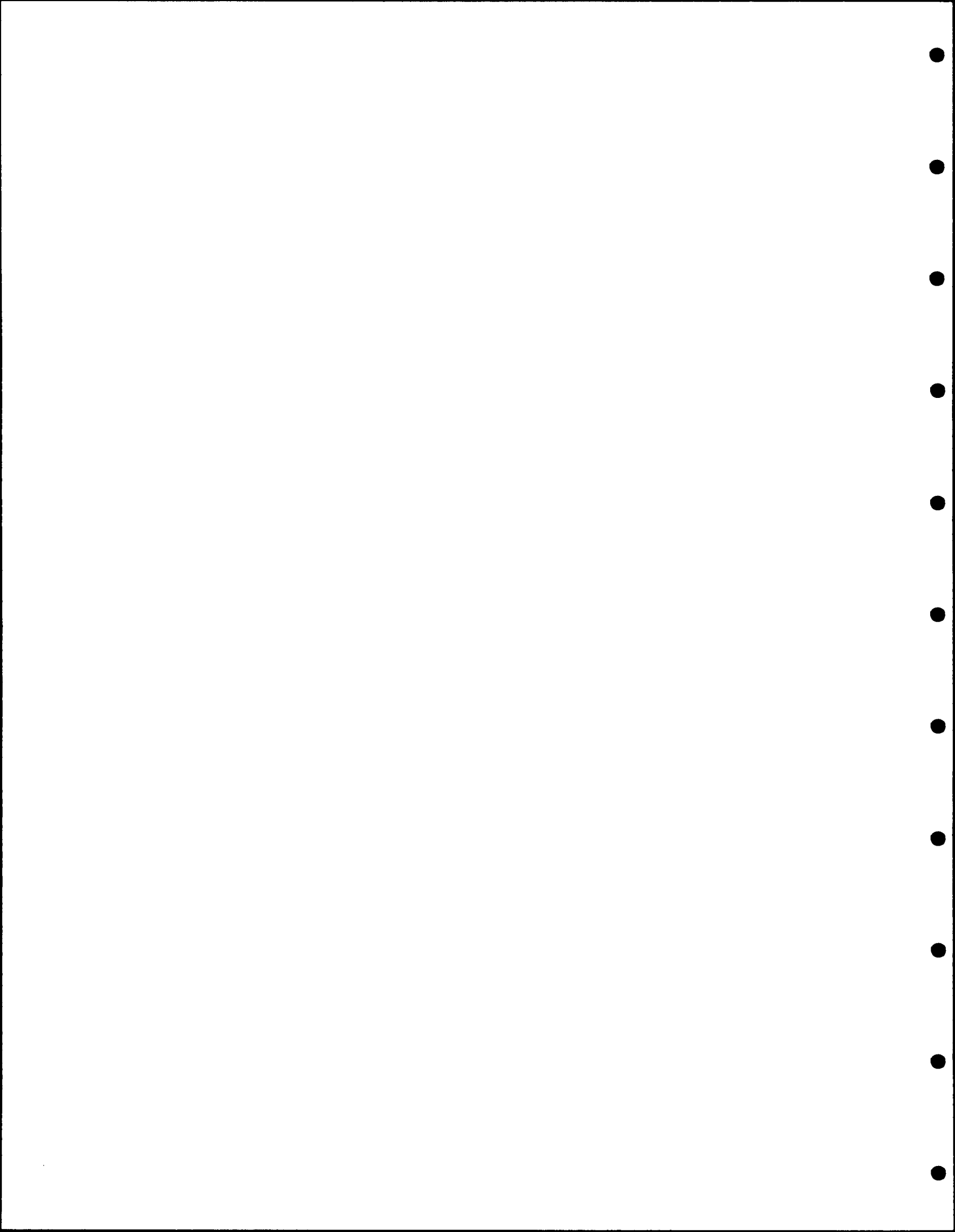




TAB 3



Baltimore County



**Circuit Court for Baltimore County
Family Division**

Family Support Services Unit

The major function of this unit would be to provide services to the Family Division of the Circuit Court for Baltimore County under the direction of the Administrative Judge. It is anticipated that the following positions would be employed in this unit to provide services that are not currently available.

Family Support Services Coordinator

\$ 34,399

The primary duties of this individual would be to act as supervisor of the unit and attend all domestic judicial hearings in which there is an allegation of abuse made in the complaint and verified at the time of the scheduling conference. Under the Court's DCM plan, these cases are normally set within thirty (30) days after the scheduling conference. From the data kept by DCM staff between July, 1996 and June, 1997, it is estimated that approximately 100 of these hearings are now being scheduled on an annual basis before the Judges of the Circuit Court for Baltimore County. At this hearing, it will be the responsibility of the Coordinator to assist the court in referring the parents, children or other relatives to one or more of the following:

- The Court's Custody and Mediation Division for a custody investigation or home study;
- The Court's Office of the Court Psychiatrist for a psychiatric or psychological evaluation;
- The Baltimore County's Office of Substance Abuse for an independent assessment of substance abuse; or
- The Baltimore County Department of Social Services for a possible investigation into charges of child abuse or neglect.

After compiling all reports, the Coordinator will be responsible for making a recommendation to the court so that a pendente lite decision can be made regarding temporary relief for the family. The Family Support Services Coordinator will be responsible for developing and maintaining a compendium of all family services in Baltimore County for use by all judges and masters. Referral forms will be developed by this individual so that counseling and other service programs can be ordered by the court.

Senior Family Mediator

32,853

This position will be responsible for being an ombudsman for all visitations ordered by the court. It is anticipated that the mediator will be primarily responsible for establishing a system for monitoring all supervised visitations referred to this Unit. This will include maintaining



Circuit Court for Baltimore County
Family Division
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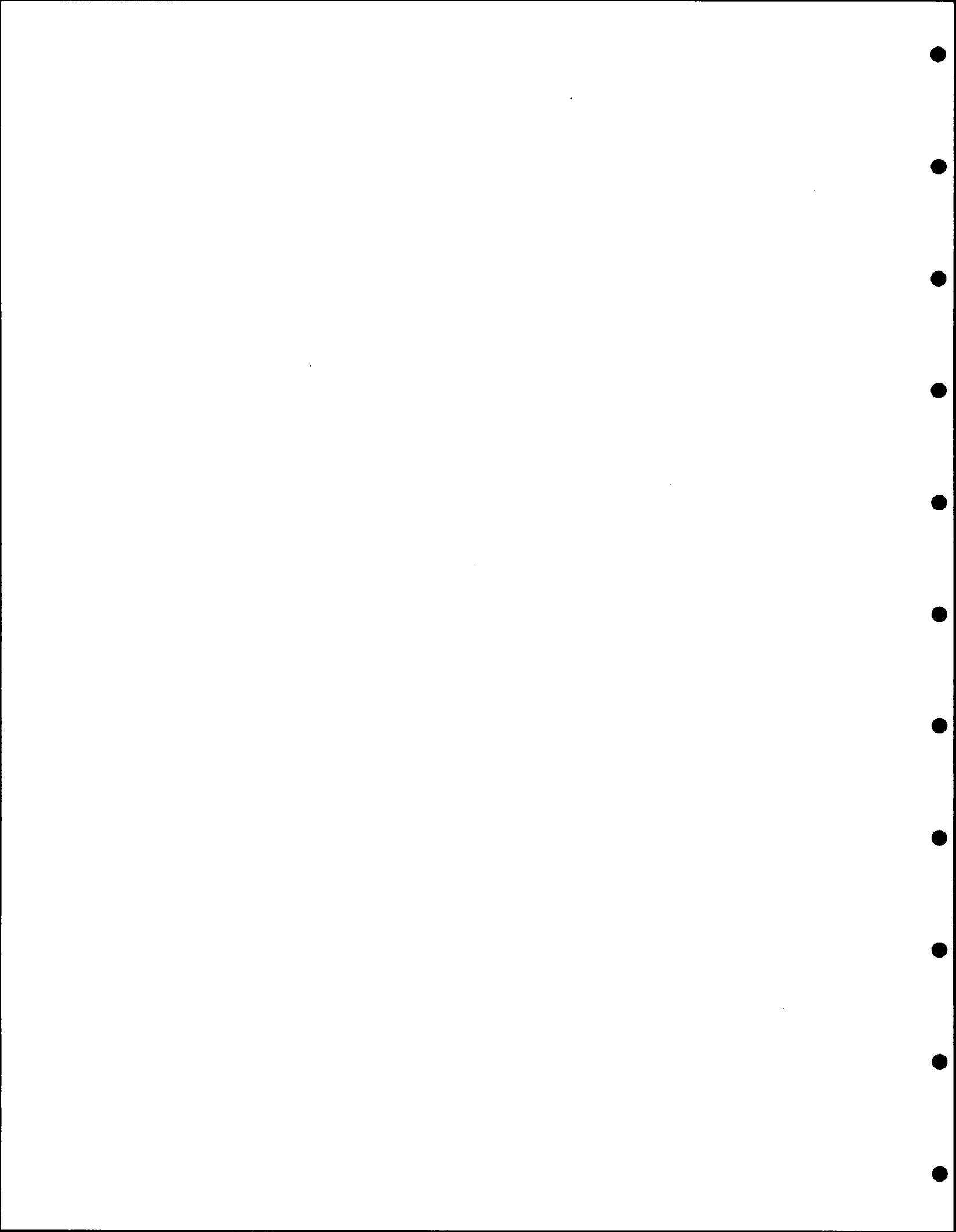
a copy of the terms of all visitation agreements and (where necessary) setting up schedules for monitors to supervise visitation arrangements. This could require extensive on-site monitoring or a simple phone-in program where parents can report on the status of visitation established with relatives or mutually agreeable friends. All discrepancies will be mediated through the Senior Family Mediator. Subsequent hearings can be had by judges assigned to the Family Division; however, it is the objective of this position to mediate matters so that formal contempt petitions aren't necessary.

Custody Investigator	31,301
This individual will be responsible for conducting court ordered investigations or home studies where Ex Parte or Emergency petitions are filed with the court to consider immediate relief for the party. These abbreviated investigative reports will include but not be limited to interviews with parents, grandparents, children and other relevant parties so that emergency recommendations can be made to the court for immediate decisions regarding custody, visitation or child support.	
Office Coordinator	27,457
This is a secretarial position that will be assigned to the Family Support Services Unit assisting in the typing of all reports to the court as well as maintaining the compendium of family law services and referral forms utilized by the court.	
Operational Expenses	<u>25,000</u>
Sub Total	\$151,010

Judicial Staff

Juvenile/Domestic Master (2.5) @ \$78,719 ea. **\$196,798**

Under the existing State grant, the Court has retained the services of a .5 Master for juvenile causes. Between September, 1995 and March, 1997, this master has been able to conduct 2,875 hearings (or approximately 150 hearings per month) which has helped significantly with this workload. Despite filling this void, juvenile filings in Baltimore County have continued to reach significant proportions. Since fiscal 1991, these figures have risen 42 percent from 3,368 cases to 4,800 filings in fiscal 1997, causing severe pressure on the juvenile justice system in Baltimore County. During this



Circuit Court for Baltimore County
Family Division
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same period, there has been a ten (10) percent increase in divorce proceedings alone (3,417 in fiscal 1991 compared to 3,765 in fiscal 1997). As a result of this continuing increase, it is believed that an additional full-time master will be needed for both juvenile and domestic matters along with a court clerk to help the family division meet its needs if it is implemented in the upcoming year.

In addition, the Court is seeking to reorganize the Juvenile/Domestic Masters with the addition of a second full-time master position which will accomplish the following:

Allow the court to have full-time court masters in the Family Law Division appointed by the court and answerable to the County Administrative Judge;

Accommodate the increase in juvenile and domestic filing, as well as the increase in CINA review hearings;

Allow all uncontested divorces to be scheduled and heard in the courthouse and not in the private offices of part-time appointed masters; and

Provide for less confusion to litigants so that all juvenile and domestic matters can be disposed of by the masters in one centralized location, perhaps at an earlier point in time.

Currently, the court has an arrangement whereby three (3) part-time masters/examiners, who are appointed by the court to take testimony in uncontested divorce proceedings, also sit pro bono for the court to hear pendente lite matters. While this arrangement has been cost beneficial over the years, it has also been difficult to add more days because of increased workload or other caseload demands brought on by DCM. Each of these master/examiners sit approximately six (6) to seven (7) days a month in a pendente lite capacity in the County Courts Building. Uncontested matters consume approximately another seven (7) to eight (8) days a month for each master/examiner in their offices. With reorganization and consolidation, it is anticipated that growth in the domestic workload will be accommodated along with a system of greater accountability of employees, fulfilling the mission of the Family Division.



Circuit Court for Baltimore County
Family Division
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As an additional benefit, this modification will also lend itself to a more improved system of early resolution. As it currently stands, if a domestic matter is settled prior to a pendente lite hearing or a settlement conference, the case is then rescheduled for testimony before the master/examiner in a location separate from the courthouse. Under the proposed reorganization, all uncontested cases and pendente hearings will now be screened by the DCM Office and scheduled before masters who will sit full-time for the court in the courthouse.

Courtroom Clerk (3) Clerk's Office State Grade 9	57,532
This position will provide courtroom support to Family Division Masters	
Operating Expenses for Clerk Office personnel @ \$7,000 per employee	21,000
Office Coordinator	27,457
This position will provide secretarial support to the Master.	
Assistant Differentiated Case Management Coordinator	40,052
This position is responsible for the management of family law cases pursuant to the Court's DCM plan	
Sub Total	\$342,839

Services

Pro Se Family Law Program **\$ 30,000**

Over the past two years, the Women's Law Center has provided assistance to litigants in completing the necessary forms (complaints, answers, petitions) that have been provided in the Clerk's Office. Statistics provided to the court by the center have shown that between July 1, 1996 and April 30, 1997, this project has "served 846 individuals in the Baltimore County Courthouse". Over the past year, the program has also been responsible for organizing pro bono attorneys to provide assistance one night a week to litigants who wouldn't ordinarily be able to access legal services. During four months of the year, the project is assisted by University of Baltimore law students who are supervised by staff attorneys, thus allowing them to gain valuable clinical experiences. Finally, this project has helped improve the overall approach to looking at *pro se* issues. A local coordinating committee has been organized for the purpose of preparing local procedural instructions as well as a brochure



aimed at informing the *pro se* litigant about available legal services.

As part of the effort to provide assistance to litigants, the *Pro Se* Law Program is also responsible for referring cases to the Lawyer Referral Program of the Baltimore County Bar Association, the Reduce Fee Panel (a group of attorneys which has been established to take domestic cases for modest fees) and other domestic legal program. The Circuit Court for Baltimore County has also been instrumental in requesting attorneys to provide pro bono service to needy litigants who have qualified for services through the Maryland Volunteer Lawyer Services.

Divorce Education Programs **20,000**

On June 1, 1995, the court undertook a divorce education program for parents who are involved in a divorce and who have children under the age of 18. This program is available on two successive Thursday evenings and on two successive Saturdays and is taught by mediators and staff of the Custody and Mediation Division. Each of these instructors has taught conflict resolution and communication skills which encourage parents to initiate problem solving techniques without hostility. Approximately 1,854 parents and 60 children have participated in this program since its initiation (June 1, 1995 - April 30, 1997). The evaluations submitted by the parents has been very positive as to the value of this program. Many of the comments have suggested that the course should be lengthier and required for all parents who are undergoing separation and divorce. Many judges of this court have participated as speakers at the parenting classes as well as members of our domestic bar. All have stressed the importance of these classes in terms of reducing hostilities. Masters in Baltimore County report that a number of issues have been settled in the pendente lite stage because parents have attended these seminars and have successfully mediated many of their differences.

Supervised Visitation Program **10,000**

Oversees visitation accommodations to ensure compliance with court order and reduce potential conflict between parties

Sub Total **\$ 60,000**

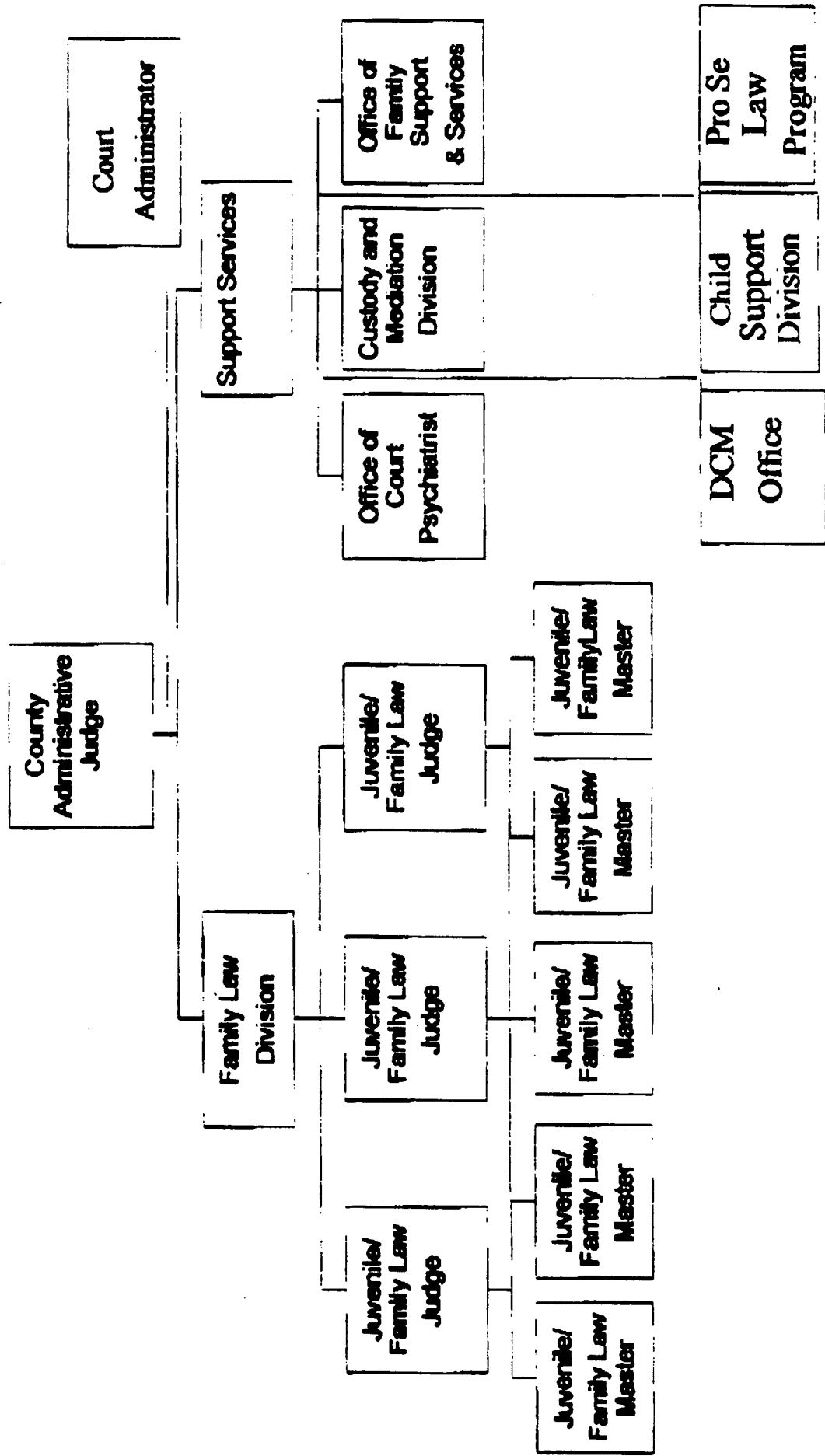
Grand Total **\$553,849**

Current Grant **- 140,000**

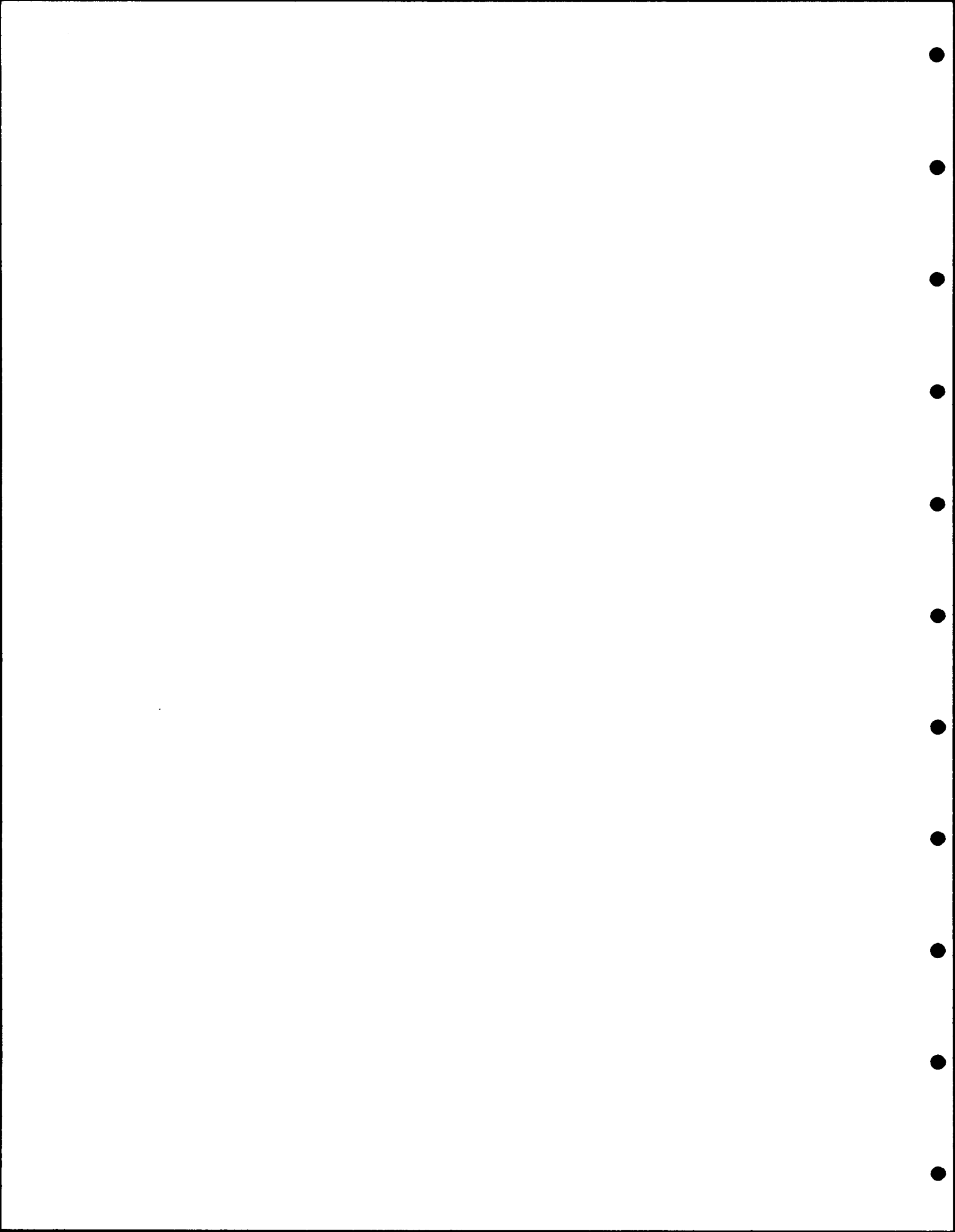
\$413,849



Circuit Court for Baltimore County Family Law Division



Date: October 14, 1997



TAB 4



Montgomery County



**Circuit Court for Montgomery County
Family Division**

Due to local budget restraints, Montgomery County Circuit Court has had very limited funds for social service resources from which to draw. Historically, those resources are executive branch in nature and during the past five years, the agencies within which those resources were allocated, have had a difficult time with cut-backs, presumably more than any other executive branch agency. Consequently, it has been impossible to seek and coordinate additional services as these local resources have been diminishing. The following budget proposal will not supplant local funding; to the contrary, it will enhance the small amount of services provided under the State Family Law Grant, thereby providing citizens with the direct delivery of social services needed in the most distraught and emotional time o their lives.

As can be seen from the family law flow chart (enclosed), case processing in the family area is far from uncomplicated. What is apparent with extensive litigation such as the flow chart reflects, is that on-going screening and a review process is necessary to provide these parties with mediation/alternative dispute resolution avenues; social workers to evaluate and provide home studies; and psychological counseling. The judicial resolution process is time consuming, expensive and results may be adjudicated more than once. We need to intervene and provide families with support services that will assist them through the adjudication process. Currently, without the proper coordination and screening, volatile situations arise and it is at this point when the Court intervenes to handle the explosive situation. As of June of this year, two-thirds of the murders committed in Montgomery County were domestic in nature. We propose to conduct effective diagnostic interviews at all points of the litigation process with the objective of reducing conflict, thus decreasing litigation and increasing problem-solving among families.

Montgomery County is embarking upon a new era in family law case management. The Court has attempted to accomplish a differentiation of case types in the family law area which has met with success. However, in order to implement this approach requires the necessary funding to provide services to these most ailing families.

Positions

Family Division Coordinator @ \$63,000 including benefits **\$ 63,000**

This position will supervise the newly established Family Division; act as liaison between state, county and court officials in the coordination of services; seek grant funding at federal level; evaluate program goals and objectives.

Family Case Screeners (2) @ \$37,800 ea. including benefits **75,600**

This position will initially evaluate approximately 3,500 new case filings and 600 post judgment filings to determine individual or family needs and refer case to appropriate service provider.



Circuit Court for Montgomery County
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Page 2

LCSW Social Workers (2) @ \$50,400 ea. including benefits **100,800**

This position will assist in psychological intake process; preparation of custody evaluations, and provide the Masters with home studies through the home interview process.

Attorney **75,600**

The *Pro Se* Project in Montgomery County is managed, part-time, by the managing attorney for the bar's Pro Bono Program. Monies are sought to enable this program to function on a full-time basis. We currently propose that this unit be the gateway for the establishment of a family law case.

Legal Assistant @ 31,500 including benefits **31,500**

This position will assist the Family Division Attorney in all *pro se* matters.

Mediators (3) @ \$63,000 including benefits **189,000**

This position will mediate all custody, visitation, pendente lite issues and provide immediate referral services to Masters from conferences and/or judicial duty matters.

Operating Expenses for Family Division personnel **60,000**

Courtroom Clerks (2) Clerk's Office State Grade 9 **38,356**

Additional clerks will support the increased activity generated by the enhanced timeliness of family cases.

Operating Expenses @ \$7000 per Clerk Employee **14,000**

Sub Total **\$647,856**

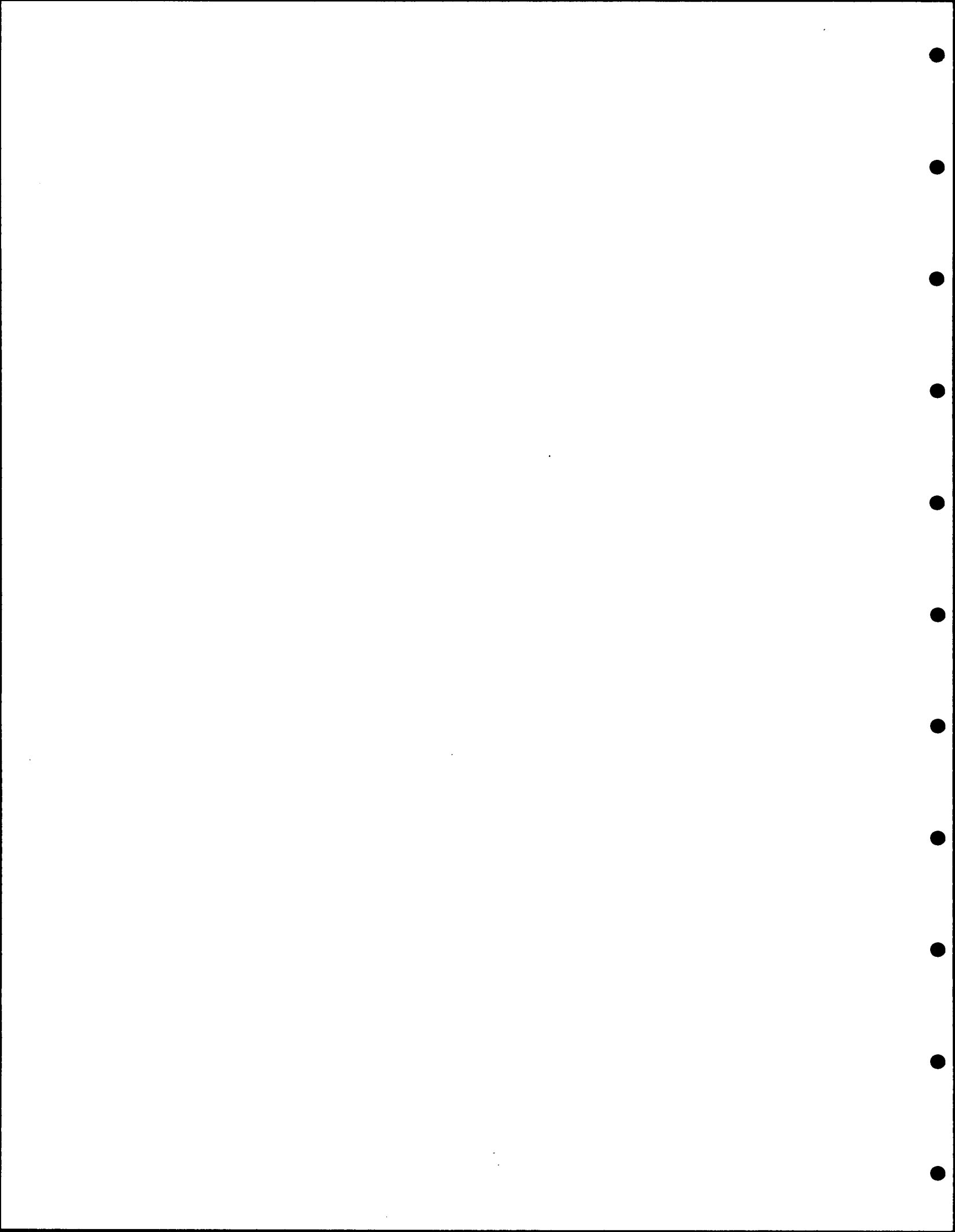
Services

Parenting Seminars **\$ 60,000**

Requires all parties involved in custody and visitation issues to attend a two-session program.

Psychological Evaluations **80,000**

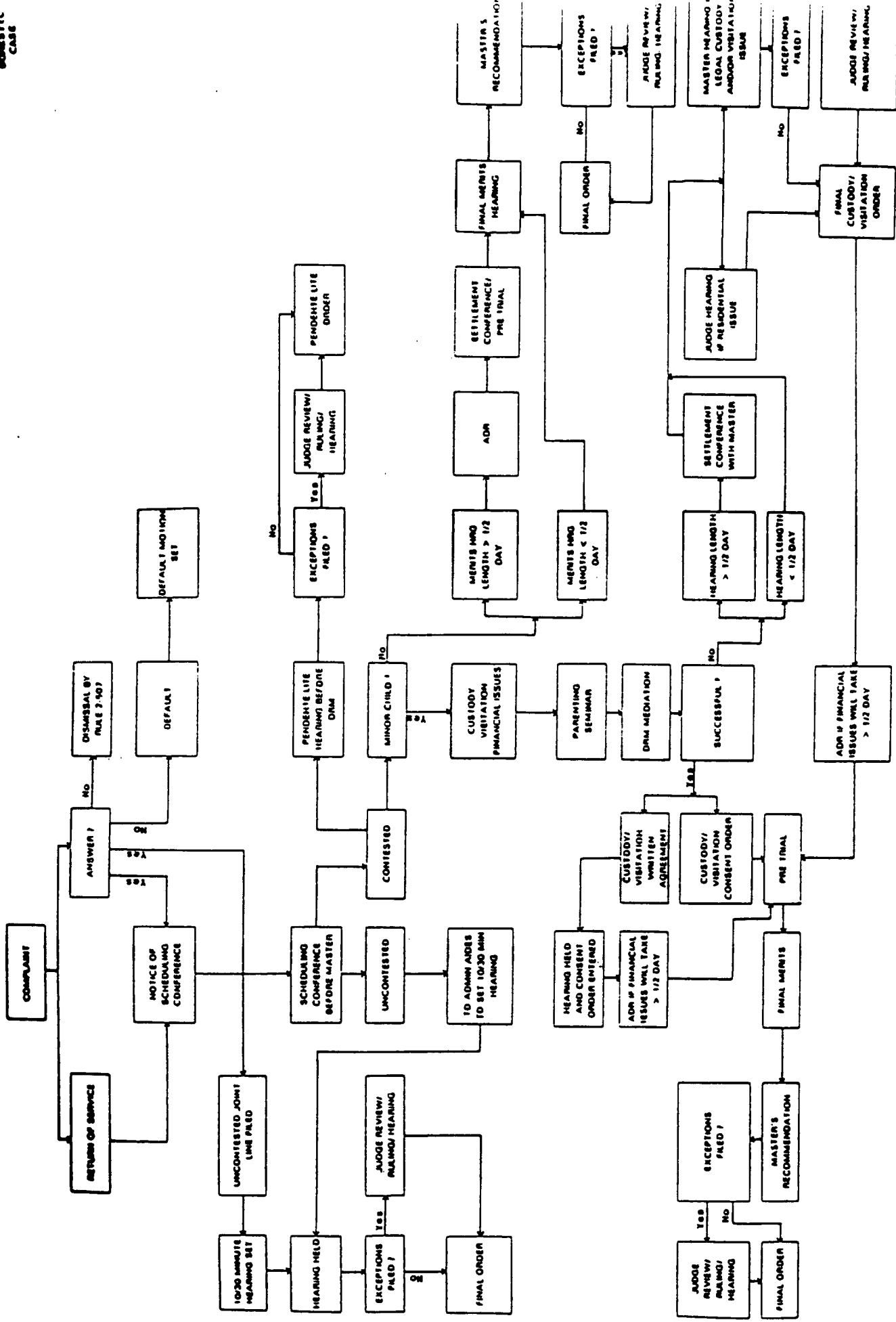
Provides the court/masters with forensic custody evaluations (\$2,000 x 40 cases).



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Attorney for Children	100,000
<i>Guardian ad litem</i> ; Nagel v. Hooks, to accommodate the appointment of counsel for children to consider waiver of the statutory privilege prohibiting disclosure of confidential communications from a treating psychologist, psychiatrist, or licensed clinical social worker.	
Children Seminars	7,000
Two-evening seminar in helping children adjust to separation and divorce as well as the legal system.	
Supervision of Visitation	15,000
Supervision will be ordered, if needed, to maintain or re-establish relationships between parents and children without placing children at risk.	
<i>Pendente Lite</i> Resolution	<u>45,000</u>
Three contractual attorneys estimated at 600 cases @ \$75 per case	
Sub Total	\$307,000
Total	\$954,856
Current Grant	<u>- 140,000</u>
	\$814,856

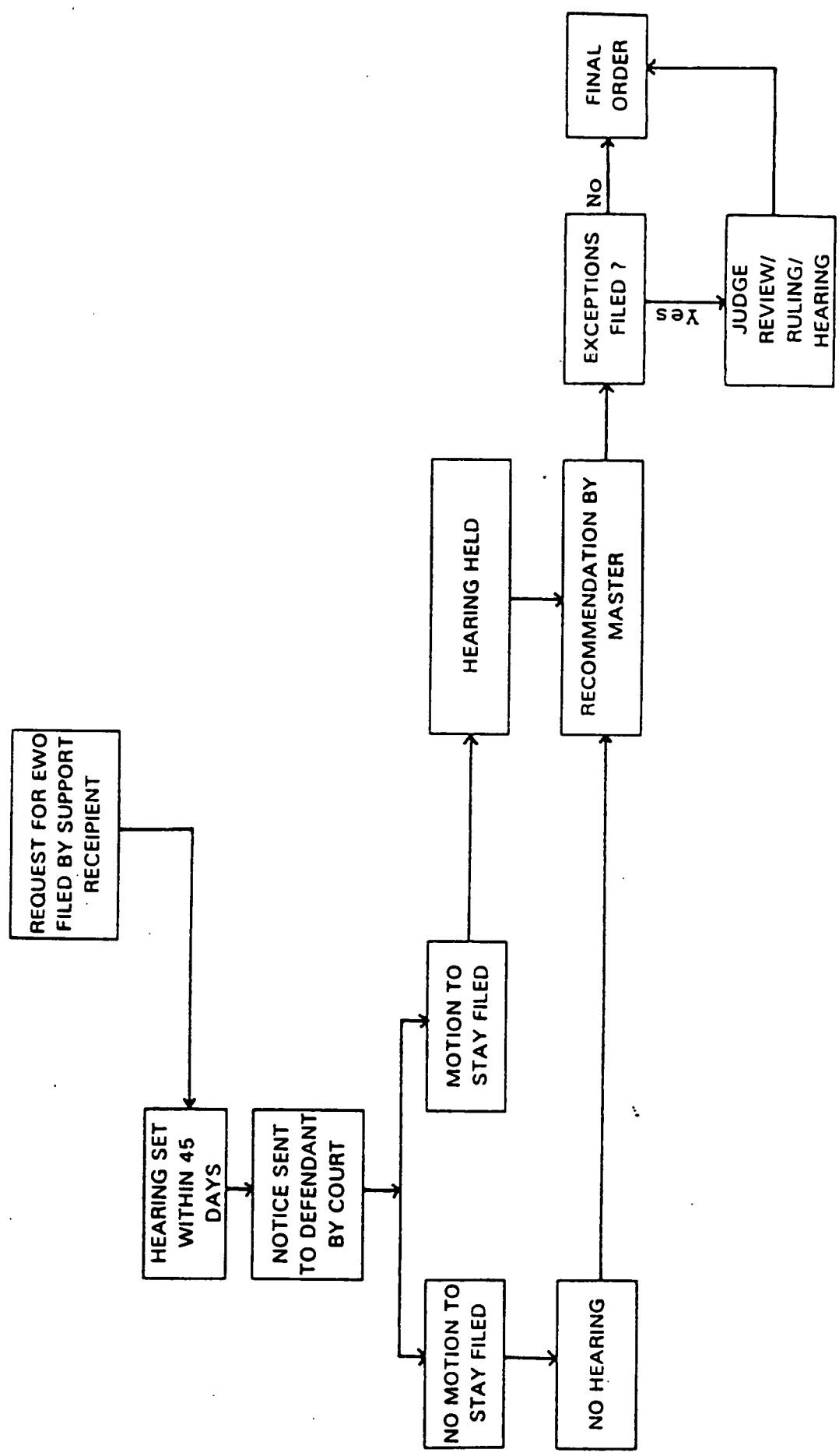




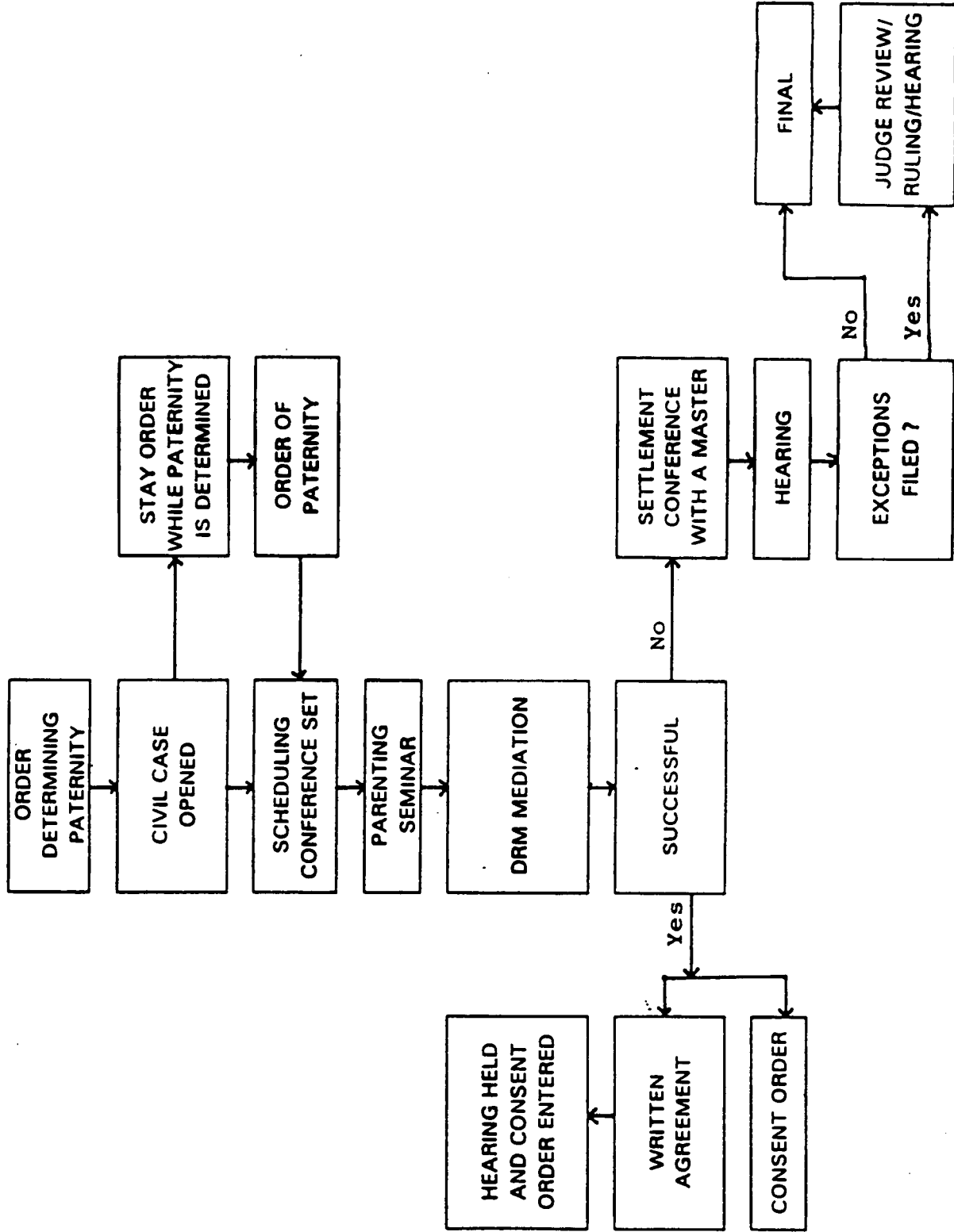


EARNINGS WITHHOLDING ORDER

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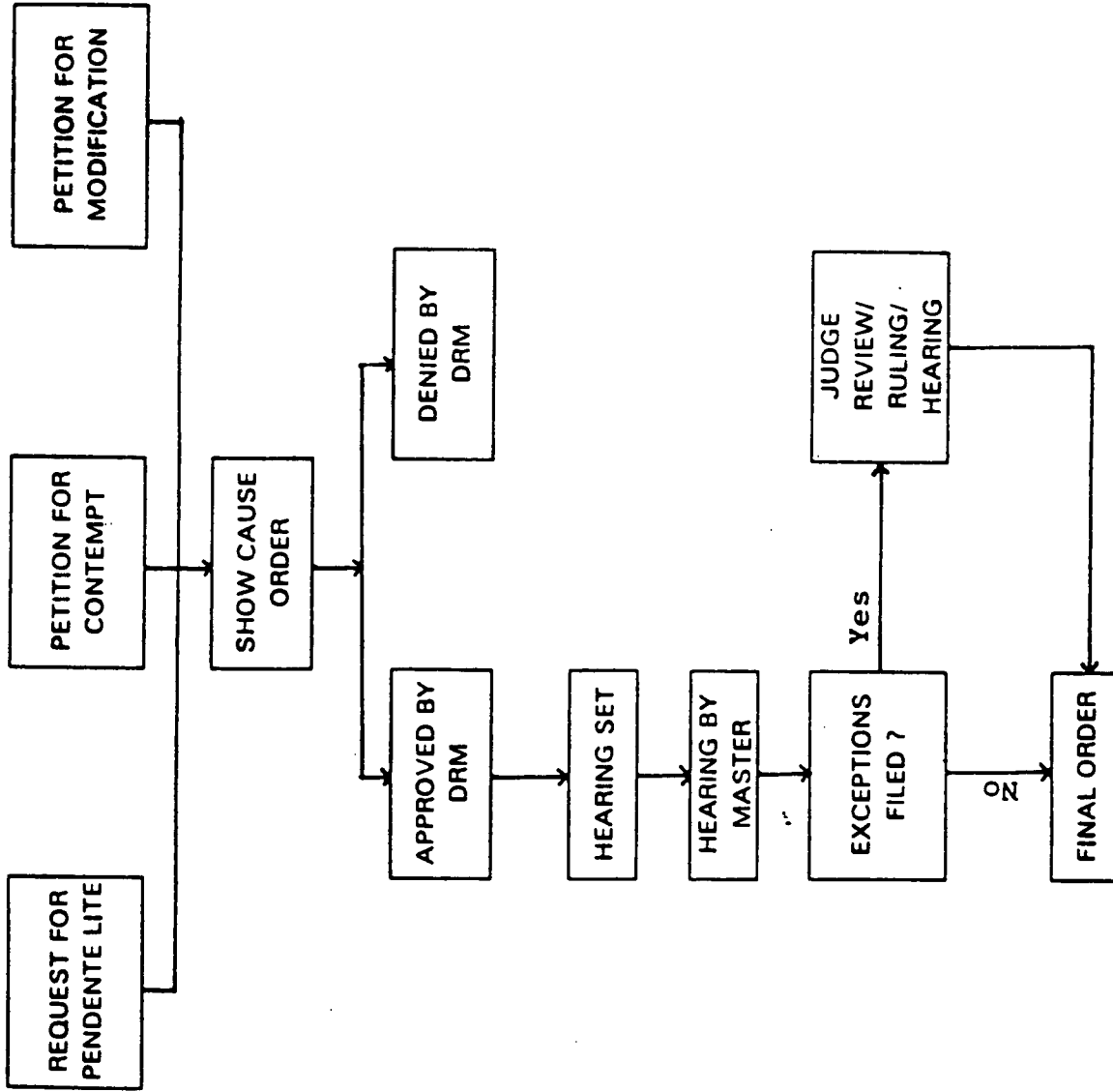




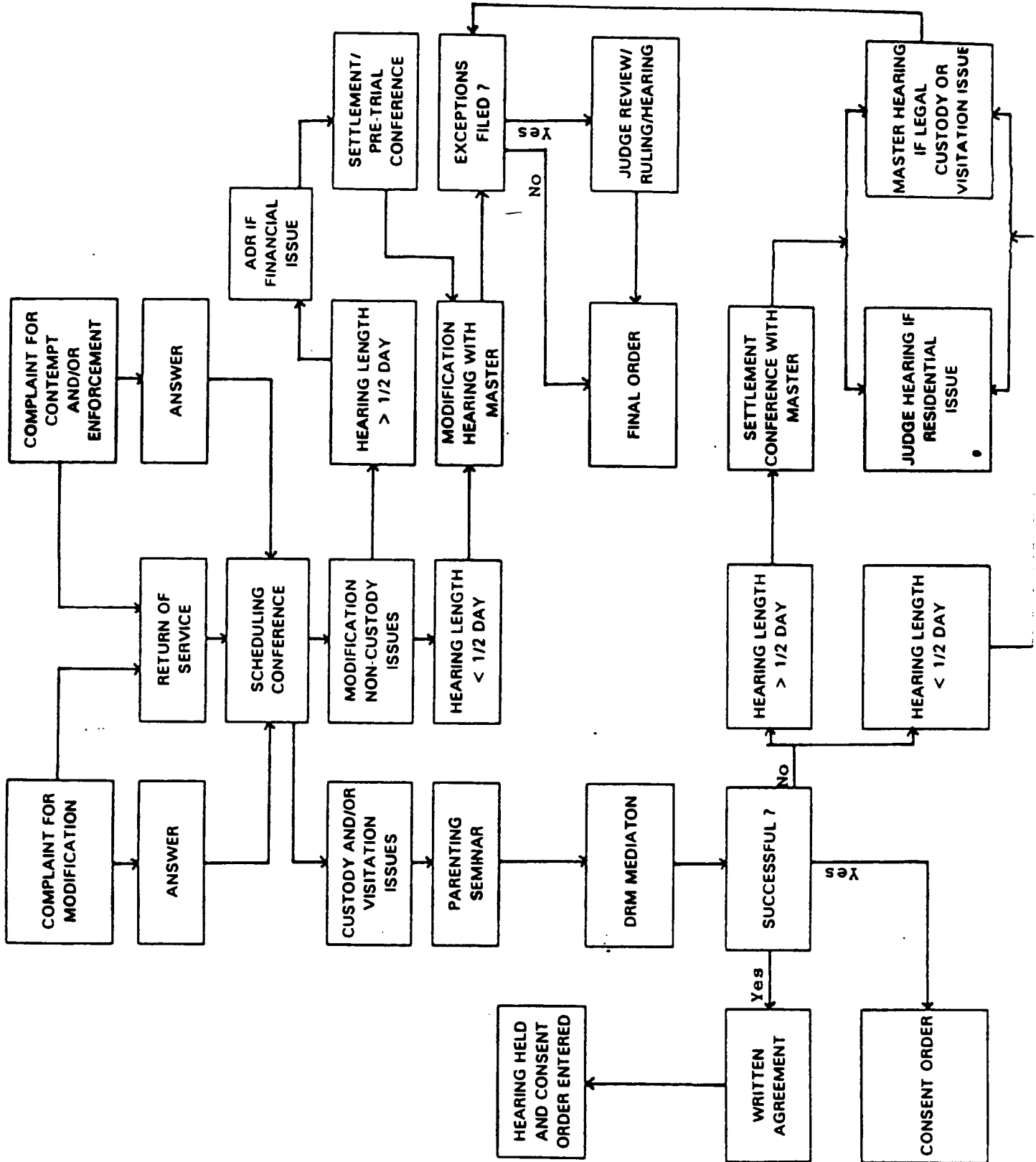


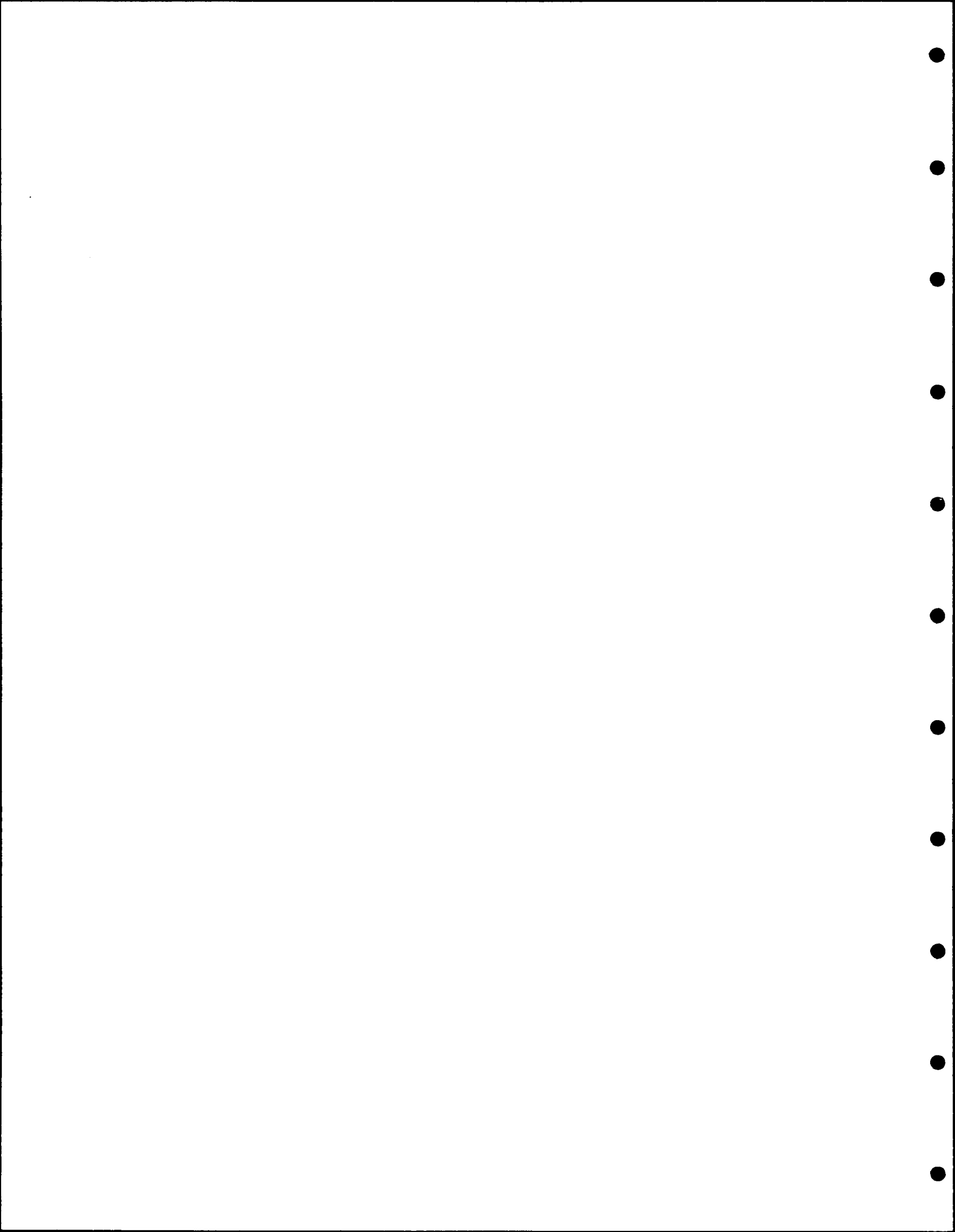
CAN ONLY BE FILED AFTER SCHEDULING ORDER IS IN EFFECT.

PREJUDG.XLS

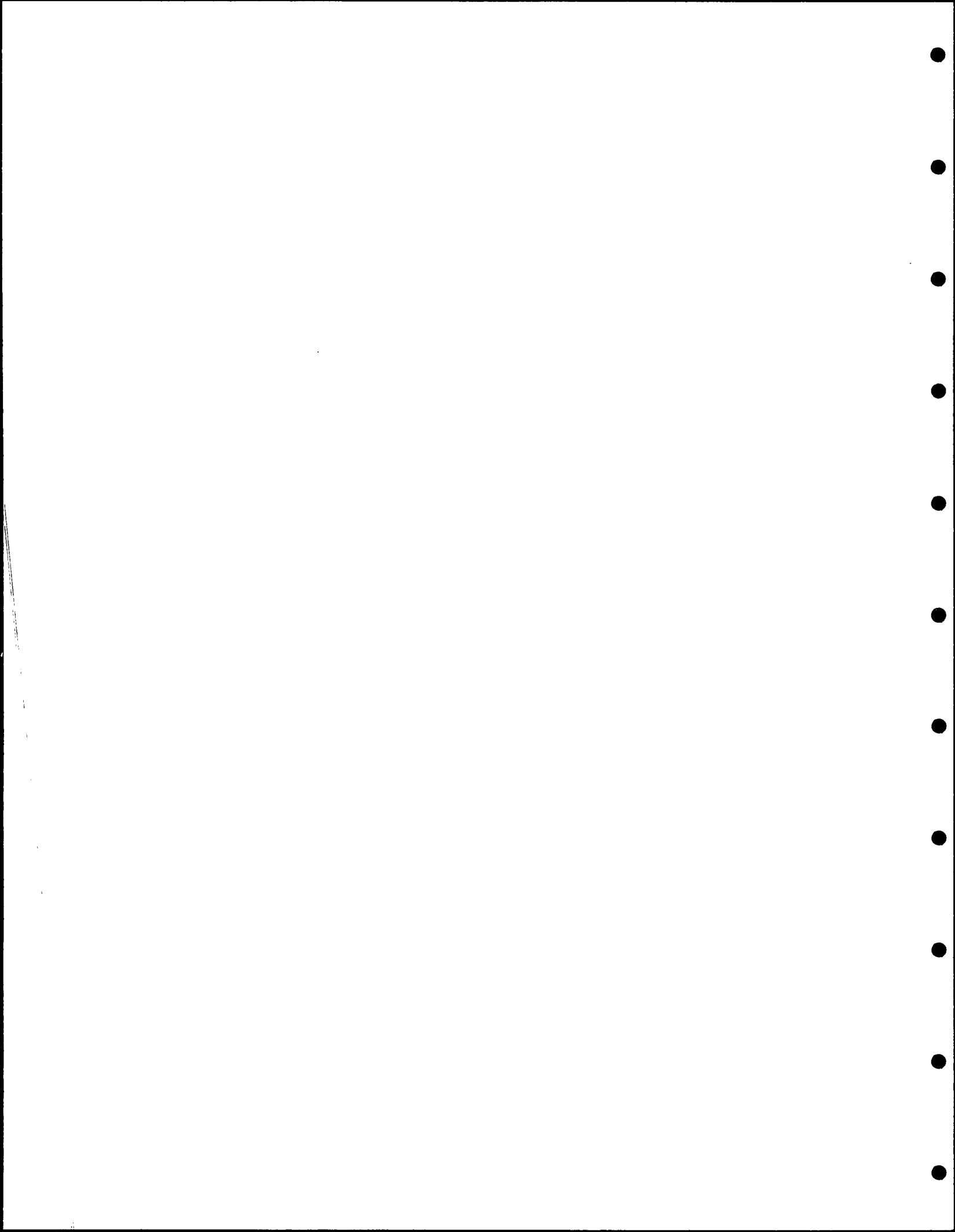




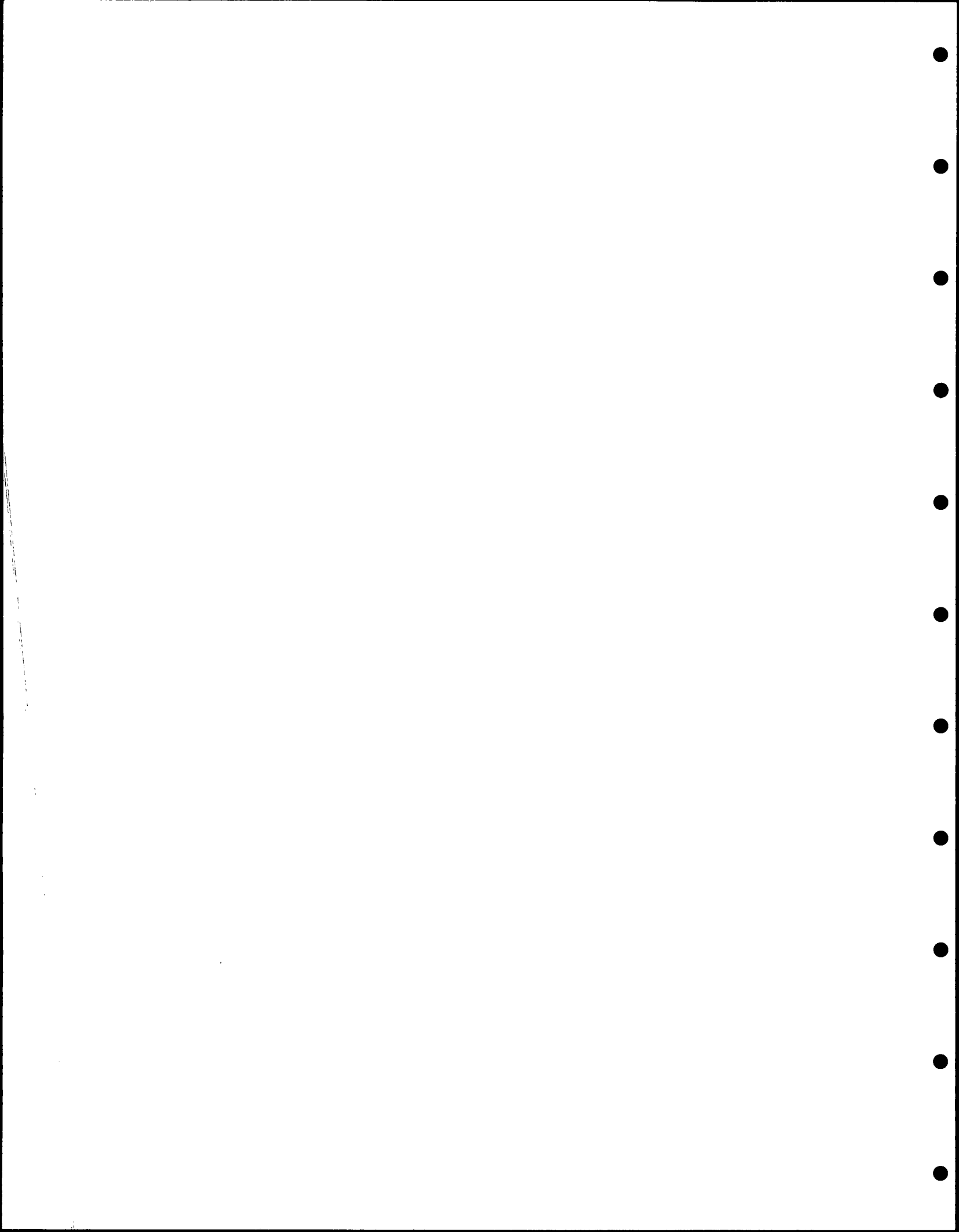




TAB 5



Prince George's
County



**Circuit Court for Prince George's County
Family Division**

Family Division Information and Referral Center (FDI/RC)

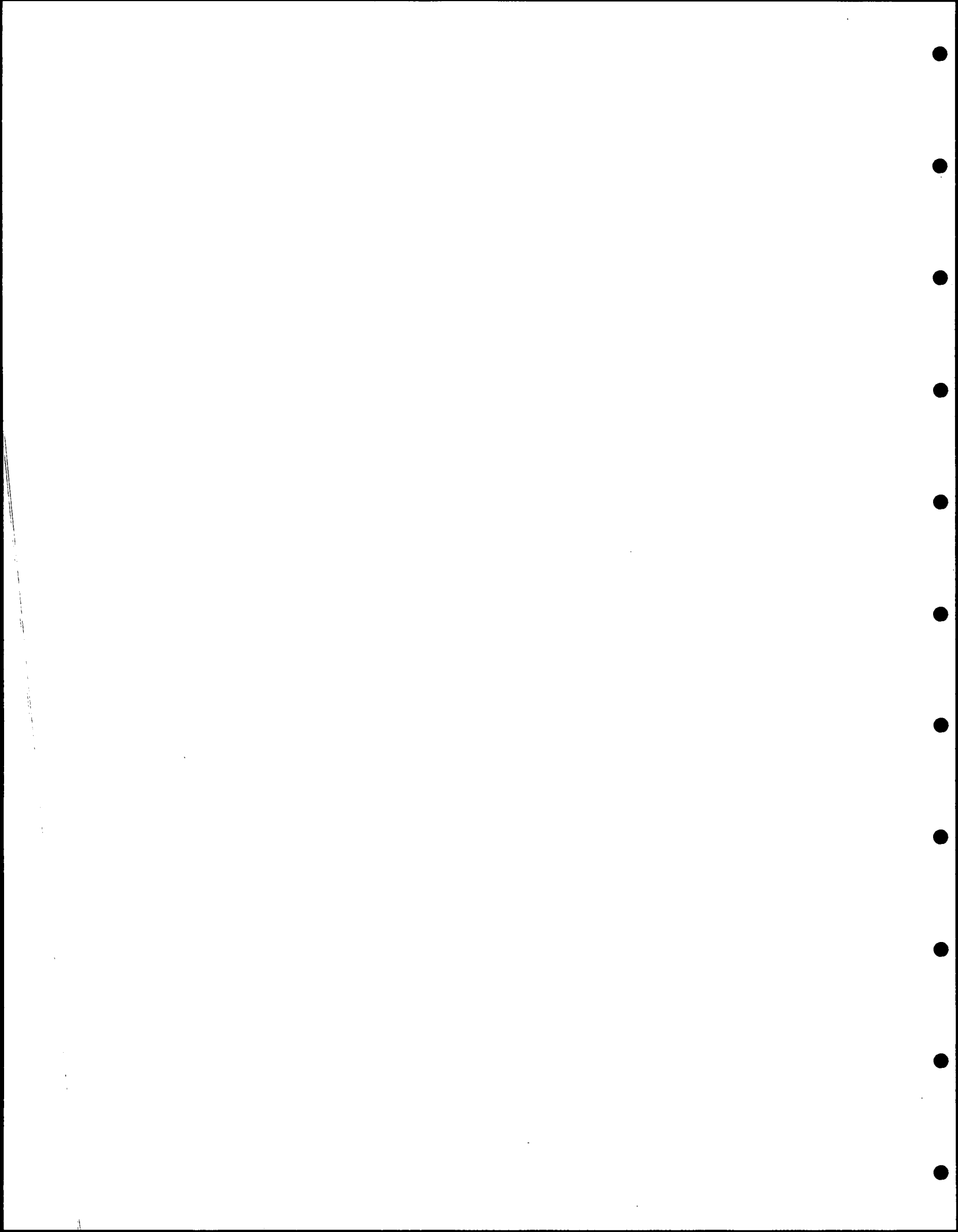
In 1993, the court surveyed several key locations in the courthouse to ascertain the volume and nature of the kinds of domestic relations inquiries the court was receiving. In a one-month period, there were 1,475 phone calls recorded. Although a court-wide tally of walk-ins was not made, the Law Library alone recorded 114 in-person inquiries on domestic relations matters for the same period. The half-time *pro se* legal services project funded by the current Family Division grant recorded 300 clients interviewed in one 3-month period, or approximately 5 per 4-hour workday in FY '97. To address the volume of telephone inquiries to be focused in the Family Division Information and Referral Center, six people, three existing and three new, will be co-located and be dedicated to answering Family Division phone calls. The goal will be to handle most calls without transferring them elsewhere. Walk-in inquiries, assessment and referral will be handled by people co-located at the Family Division Information Center. The Center will consist of three clerks (two existing, one new) who will handle and screen in-person inquiries in the family law area. When necessary, people seeking help will be passed on to a paralegal (for case-related procedural questions), a social worker (for assessment and referral), or an attorney from the *pro se* project (for free legal assistance).

Paralegal Intern (2) @ \$29,284 ea. including fringe **\$ 58,568**

To handle a total of 30-35 walk-in inquiries and 100-150 telephone inquiries from the public and attorneys each day on potential and pending cases in the family division. The existing paralegals will continue to review and process written pleadings filed in Family Division cases at an average rate of 20-30 per day.

Operating Expenses @ \$6,299 ea. **12,598**

Net PC's (2) @ \$1,417 ea.
PC maint. (2) @ \$94 per month
Net Printer @ \$980
Net Printer maint. @ \$94 per month
Bar Code Pen, wedge (2) @ \$350 ea.
Mod. Furniture units (2) @ \$1,200 ea.
Law Books (Fam. Law, CJP) (2) @ \$200 ea.
Chairs (2) @ \$250 ea.
Supplies @ \$200 ea.
Phones, install, line 1 yr. (2) @ \$500 ea.



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Court Clerk (3) Clerk's Office State Grade 8 **\$57,531**

Two clerks to replace the two existing, senior clerks to be drawn from the civil/family division to work in the FDI/RC. The replacement clerks will perform those functions that will remain with the main civil division of the Clerk's Office, e.g., accepting filings and fees, and processing cases. One clerk to work in the phone center of the FDI/RC.

Operating expenses **14,085**

Net PCs (3) @ \$1,417 ea.
PC maint. (3) @ \$94 per month
Mod. Furniture units (3) @ \$1,200 ea.
Chairs (3) @ \$250 ea.
Supplies @ \$200 ea.
Phones, install, 1 yr. Line (3) @ \$500 ea.

County Clerk (4) @ \$24,665 ea. including fringe **98,660**

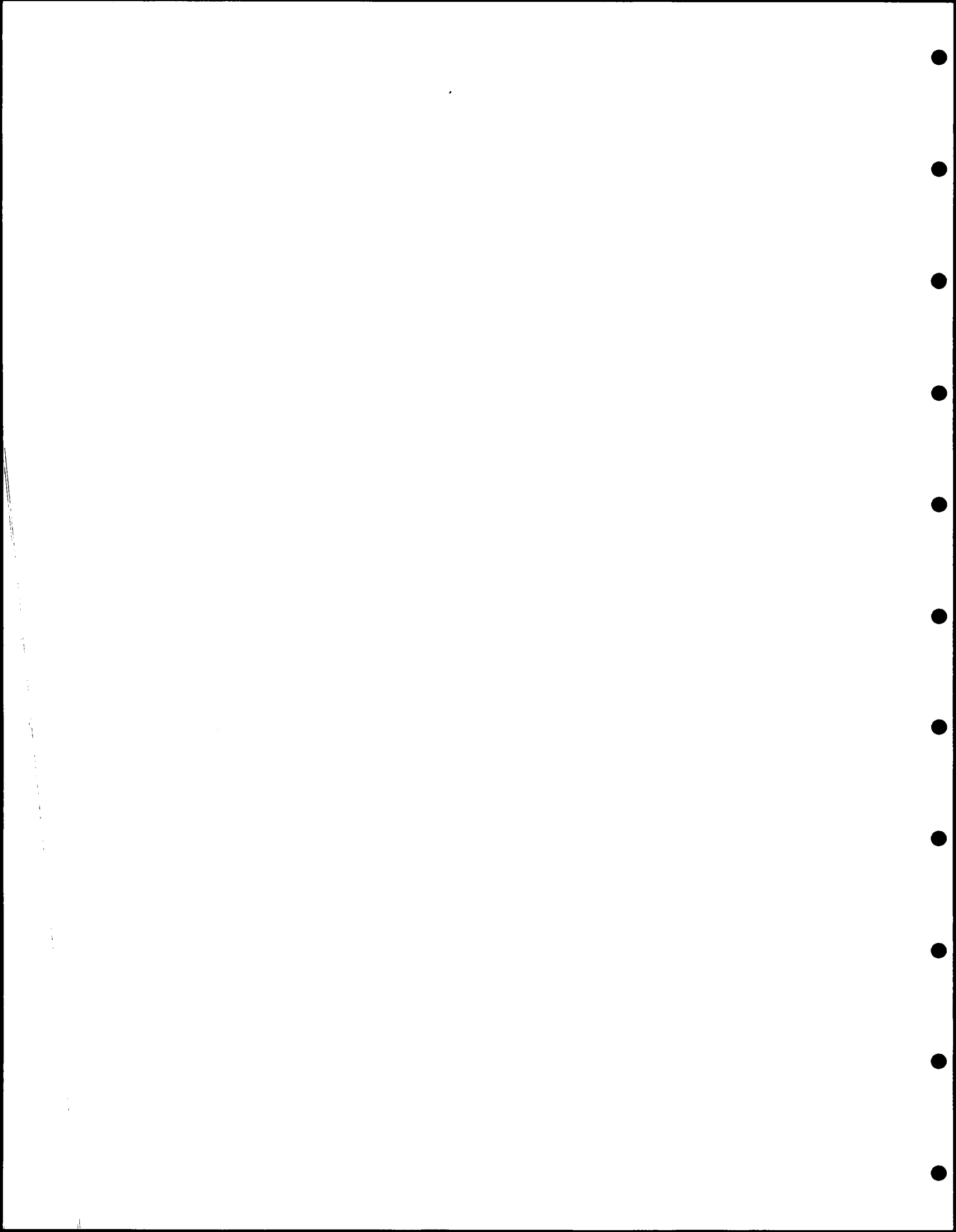
Clerks will respond to inquiries in the FDI/RC who will specialize in child support-related questions by accessing payment information through the state's Child Support Enforcement System, providing information and forms on how to file for support, and referring clients appropriately to the Office of Child Support Enforcement. Two of these child support specialists will work in the phone center. One will assist with walk-in clients at the FDI/RC. One will staff and manage the phone center. Reimbursement will be sought for these expenditures under Title IVD.

Operating Expenses **18,780**

Net PCs (4) @ \$1,417 ea.
PC maint. (4) @ \$94 per month.
Mod. Furniture units (4) @ \$1,200 ea.
Chairs (4) @ \$250 ea.
Supplies @ \$200 ea.
Phones, install, 1 yr. Line (4) @ \$500 ea.

County Clerk (.25) including fringe **6,775**

Funding to bring one part-time clerk/receptionist in the domestic relations area to full time in the FDIRC. This clerk will then be available to respond to public inquiries all day at the FDI/RC.



Circuit Court for Prince George's County
Family Division
Page 3

Operating Expenses	2,545
Net PC (1) @ \$1,417 ea.	
Net maint. @ \$94 per month	
Net existing printer @ \$34 per month	
Bar Code Pen, wedge (1) @ \$350 per month	_____
Sub Total	\$269,542

Family Support Services Unit (FSSU)

The Family Support Services Unit will consolidate and augment existing clinical and alternative dispute resolution (ADR) services in the Circuit Court. Under the direction of the Family Support Services Coordinator Staff, it will provide clinical assessment, recommendations, and substance abuse screening and ADR for clients of the Family Division.

Family Support Services Coordinator @ \$58,725 including fringe **\$ 58,725**

This position will manage the work of the Referral Unit and perform those tasks prescribed in Rule 16-204, including compiling and maintaining lists of available family support services, developing forms for referrals to family support services, and reporting periodically to the County Administrative Judge concerning the need for additional family support services.

Operating Expenses	4,695
Net PC (1) @ \$1,417	
PC maint. (1) @ \$94 per month	
Mod. Furniture Unit (1) @ \$1,200	
Chair (1) @ \$250	
Supplies @ \$200	
Phone, install, 1 yr. Line (1) @ \$500	

Domestic Violence Screener @ \$36,540 including fringe **36,540**

An additional domestic violence interviewer will reduce the time from 4 weeks to 3 days that it takes to evaluate court-referred parties in domestic violence cases and refer them to community resources.

Operating Expenses	4,695
Net PC (1) @ \$1,417	
PC maint. (1) @ \$94 per month	



Circuit Court for Prince George's County

Family Division

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Mod. Furniture Unit (1) @ \$1,200
Chair (1) @ \$250
Supplies @ \$200
Phone, install, 1 yr. Line (1) @ \$500

Administrative Aide @ \$28,710 including fringe **28,710**

To set appointments, prepare reports for court, track referrals, handle phones, etc. in those cases of the 2,105 domestic violence cases filed in FY '97 which need follow up.

Operating Expenses **4,695**

Net PC (1) @ \$1,417
PC maint. (1) @ \$94 per month
Mod. Furniture Unit (1) @ \$1,200
Chair (1) @ \$250
Supplies @ \$200
Phone, install, 1 yr. line (1) @ \$500

Contract Psychologists **12,830**

Several years ago, budget reductions compelled the court to reduce the hours for its 1 full-time equivalent psychologist from 40 hours a week to 32. With increased screening ability and access to community resources, it is expected that the need for psychological evaluations will also expand. Although the psychologists - currently 2 at 16 hours per week each - also handle evaluations in criminal cases, family law cases - domestic and juvenile - represented 75% of their work, 133 of 178 cases in 1996.

Clinical Professionals (2) @ \$41,891 ea. including fringe **83,782**

Two experienced social workers or other clinical professionals will be placed in the Family Division Information and Referral Center to interview and screen emergency situations presented to the court. These individuals will help determine whether emergency court actions are required, provide recommendations to judges and masters, and refer to community resources.

Operating Expenses **10,998**

Net PCs (2) @ \$1,417 ea.
Net PC (2) maint. @ \$94 per month
Net Printer (1) @ \$980



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Family Division
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Net Printer maint. @ \$94 per month
Modular furniture (2) @ \$1,200 ea.
Supplies @ \$200 ea.
Phones, install, 1 yr. Line (2) @ \$500 ea. —

Mediator @ \$33,150 including fringe **33,150**

This is a professional mediator position which will mediate custody and visitation in cases wherein the litigants cannot afford to pay and/or there is an emergency warranting on-the-spot mediation. Funds from the FY '98 family law grant in the amount of \$6,000 will be re-allocated for this purpose. This employee will also screen the cases in which custody and visitation are at issue to determine which cases - in 1996, approximately 17%, or 154 of 904 cases - are not suitable mediation because of domestic violence or child abuse. Demographics in Prince George's County suggest that the number of litigants who cannot afford mediation through the court's private mediators will remain high.

Operating Expenses **4,203**

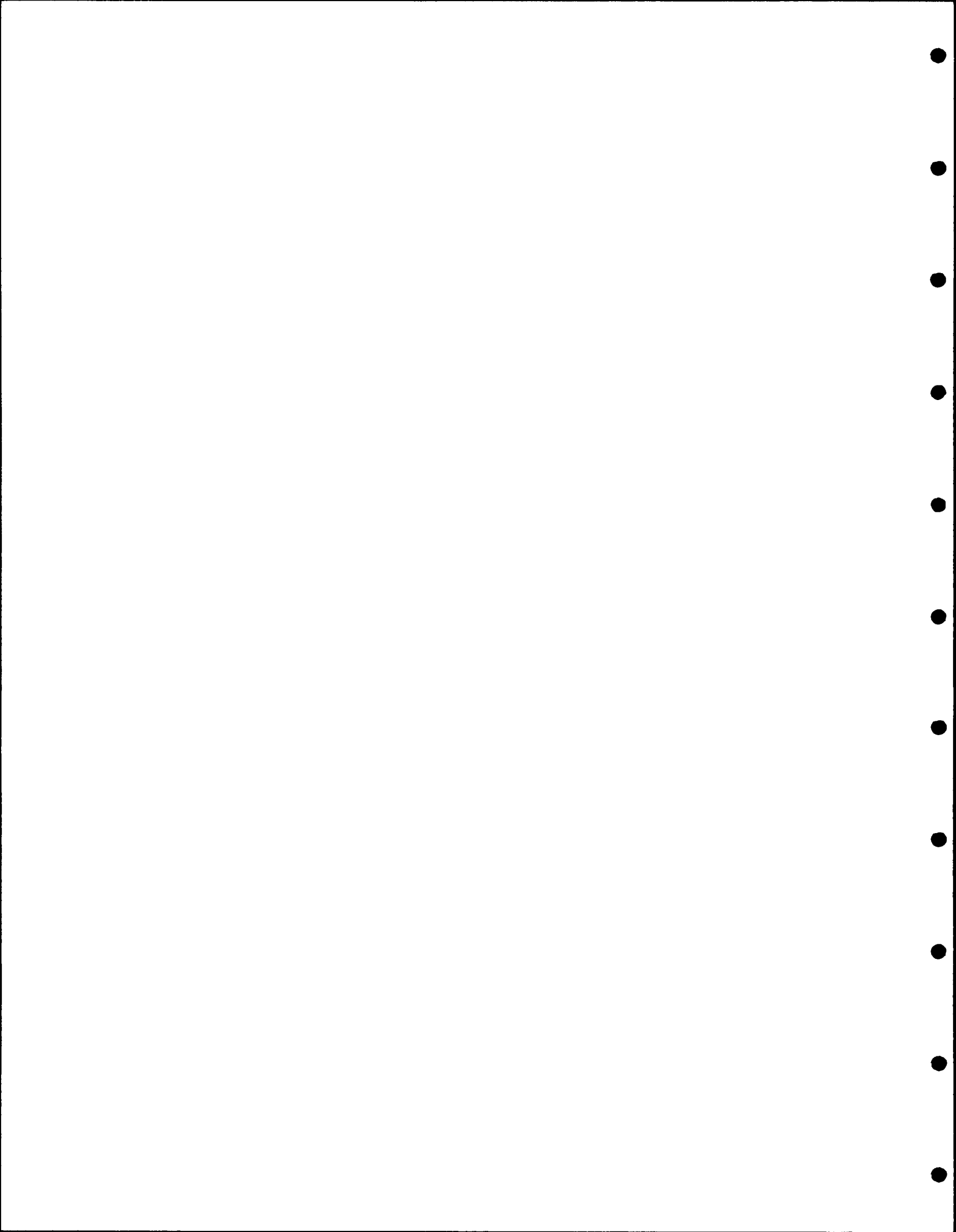
Net PC (1) @ \$1,417
PC maint. @ \$94 per month
Net existing printer @ \$34 per month
Desk (1) @ \$500
Chair (1) @ \$250
Phone, install, 1 year Line @ \$500

Custody/Adoption Investigator @ \$29,150 including fringe **29,150**

Custody and adoption investigator will conduct home studies in contested custody cases and certain adoptions. Since the Dept. Of Social Services ceased providing this service on June 30, 1997, there are no resources to obtain these studies. This is viewed as a particularly critical need since there is no capability to provide these home studies now. In 1996, Social Services handled 118 custody and 20 adoption home studies.

Operating Expenses **5,903**

Net PC @ \$1,417
PC maint. @ \$94 per month
Net Printer @ \$980
Net Printer maint. @ \$94 per month
Desk @ \$500



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Chair @ \$250
Phone, install, 1 yr. Line @ \$500

Sub Total **\$318,076**

Monitoring and Oversight

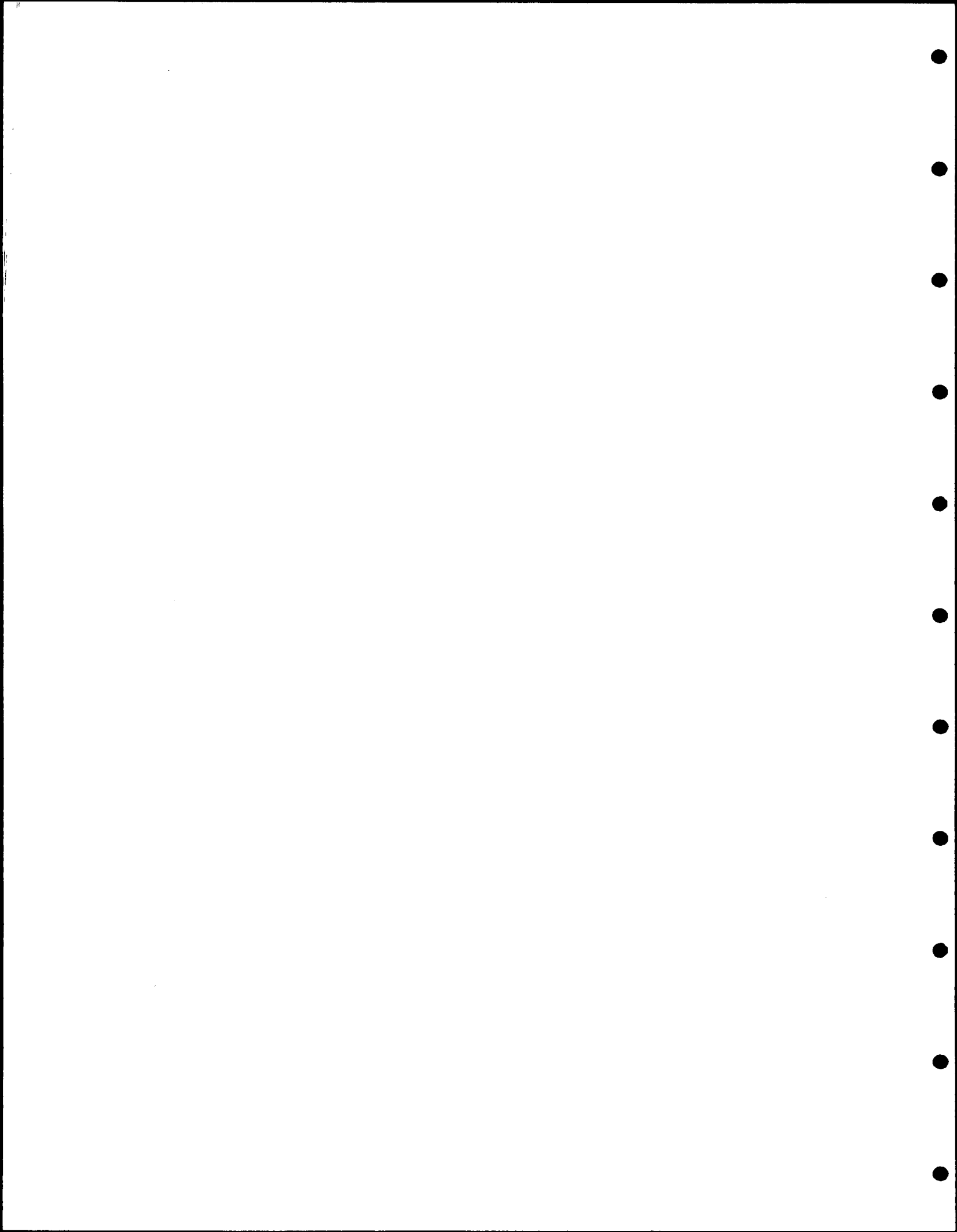
Key to the functioning of a true family division will be those people who address systems issues such as DCM compliance, staff training ensuring that related cases are identified and linked, and designing, generating and reviewing reports which monitor the Court's performance relative to statutory requirements and goals.

Case Coordinator @ \$41,264 including fringe **\$41,264**

The case coordinator is responsible for monitoring family cases re compliance with juvenile court DCM guidelines, evaluating procedures, creating management reports, and cross training staff on family law procedures. This employee would also coordinate the work associated with an average of 125 termination of parental rights cases annually, including preparing status reports to ensure that cases are completed within statutory time limits, monitoring cases through the appeal period and follow-up review hearings, and cross referencing each case with any other pending cases (child in need of assistance, child support) which might require court action. Added to these duties would be the development of a volunteer program to provide oversight to 200+ disabled adults in private guardianships in which there is no involvement by the Department of Social Services.

Scheduling/Case Coordinator @ \$41,264 including fringe **41,264**

The scheduling/case coordinator will be charged with developing procedures and ensuring that key identifying information is in all appropriate family cases (e.g., a child's social security number in any case in which that child or a parent is a party), so that they can be linked in the computer. Much of this will be a manual process, in that once a distributed process for entering key identifying data is in place, this staff will research cases referred to determine which potentially related cases should be linked. This person will also have responsibility for ensuring that related case information is provided to judges and masters for their daily family law dockets, and that related cases are scheduled together before the same judge or master. This coordinator will also be charged with generating



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management reports on the process goals of the family division, e.g., the extent to which the court has been successful in linking cases and scheduling before the same judge or master, when appropriate.

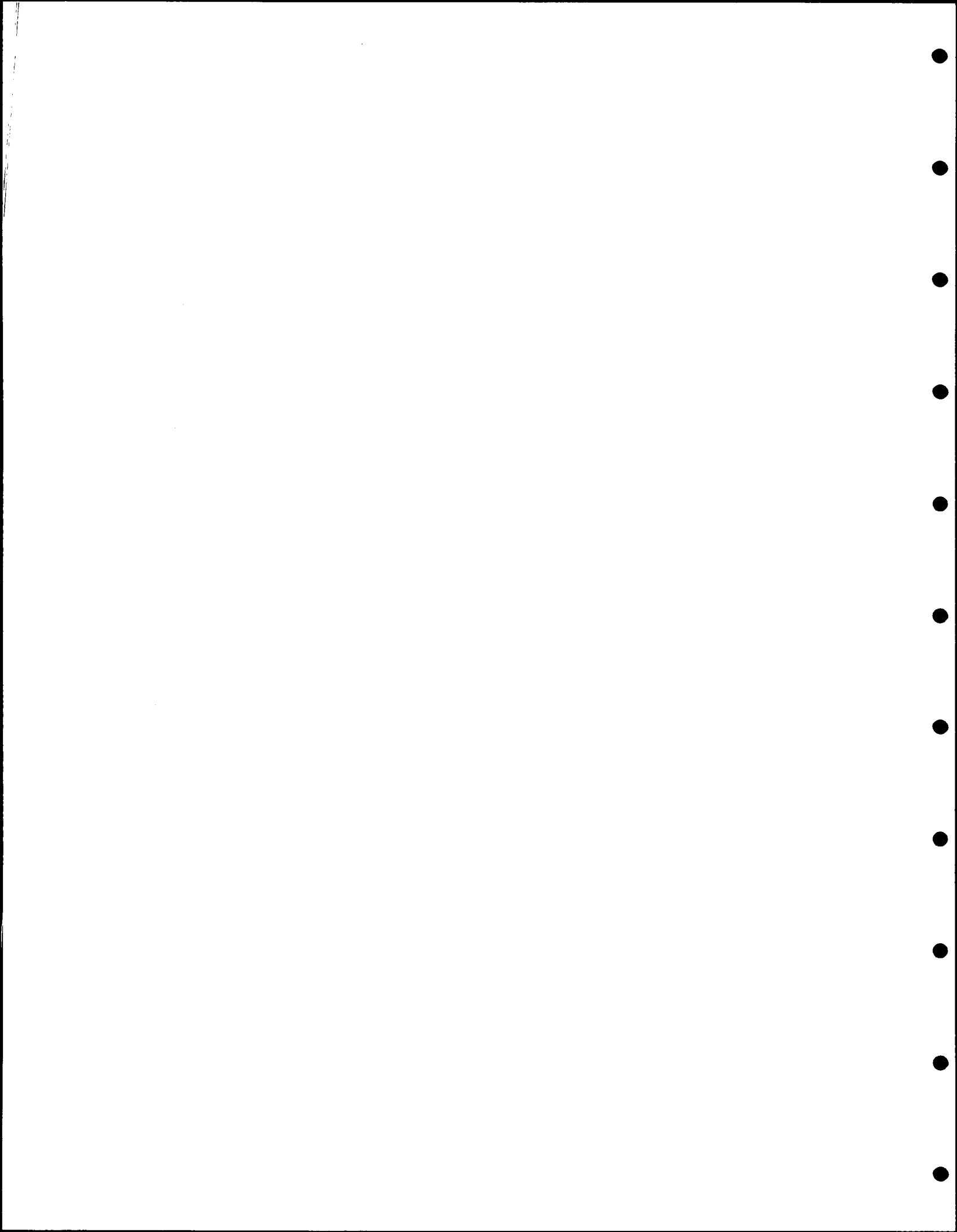
Operating Expenses	6,253
Net PC @ \$1,417	
PC maint. @ \$94 per month	
Net Printer @ \$980 ea.	
Net printer maint. @ \$94 per month	
Bar Code Pen, Wedge, @ \$350	
Desk @ \$500	
Chair @ \$250	
Phone, install, 1 yr. line @ \$500	
	<hr/>
Sub Total	\$ 88,781

Judicial Staff

Family Division Master @ \$78,953 including fringe	\$ 78,953
The addition of one full-time master, plus implementation of administrative process in paternity establishment, and consolidation of most child support work in 2.5 masters instead of the current arrangement with all masters hearing child support, will result in greater flexibility and efficiency and will decrease the waiting time for hearings before the master from 3-6 months to 5-6 weeks. One new master will add 140-160 hours of hearings each month.	

Operating Expenses	4,745
Net PC @ \$1,417	
PC maint. @ \$94 per month	
Desk @ \$750	
Chairs (3) @ \$250 ea.	
Fam. Law, CJP @ \$200	
Phone, install, 1 yr. line @ \$500	

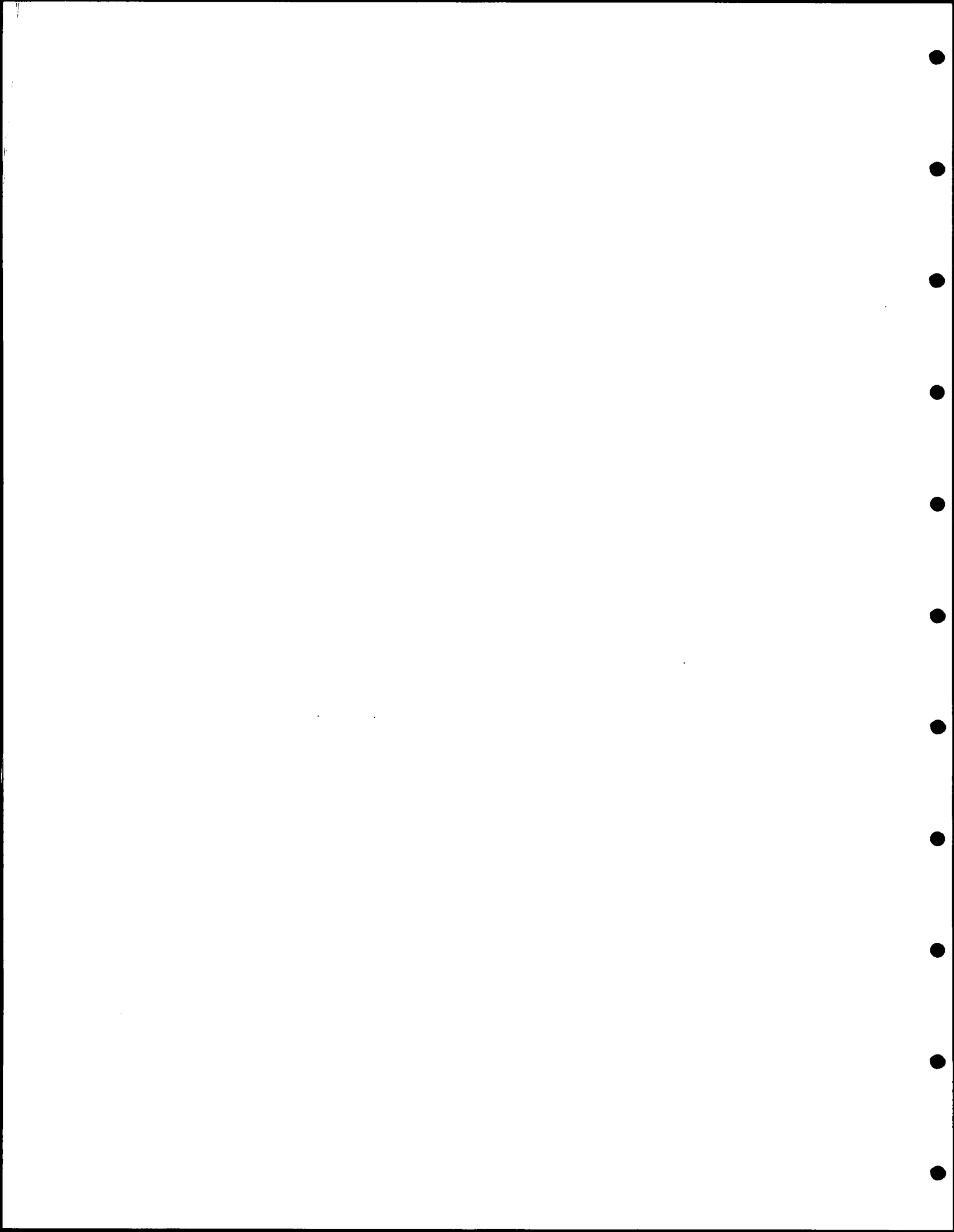
Courtroom Clerk-Clerk's Office, State Grade 9	19,178
This position will provide courtroom support to the Family Division Master	



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Operating Expenses	7,000
Includes automation hardware, workstation and supplies	
Secretary @ \$31,320 including fringe	31,320
The addition of a master will require a secretary.	
Operating Expenses	6,353
Net PC @ \$1,417	
PC maint. @ \$94 per month	
Net Printer @ \$980 ea.	
Net printer maint. @ \$94 per month	
Bar Code Pen, wedge @ \$350	
Desk @ \$600 ea.	
Chair @ \$250 ea.	
Phone, install, 1 yr. line @ \$500 ea.	
File Puller @ \$22,185 including fringe	22,185
The volume of file movement in the family division has already exceeded the ability of the two existing file pullers to pull cases for the daily dockets. The addition of a seventh master in the family division (6 domestic, 1 juvenile) will overwhelm the staff's ability to keep up with file movement. Therefore, an additional file puller is being sought.	
Operating Expenses	2,000
Telex @ \$900 per year	
Bar Code Pen, wedge, @ \$350	
Desk @ \$500	
Chair @ \$250	
Contract Attorney	3,440
To increase the current 154 hours per month spent by the 4 masters who spend only a portion of their time on child support to the equivalent of 1 full-time master = 6 more hours. The new (requested) full-time master will spend approximately half of his/her 160 hours of hearing time on support modification (80 hours per month). Therefore, an additional 86 hours of contract attorney time will be needed to handle the expanded child support docket.	

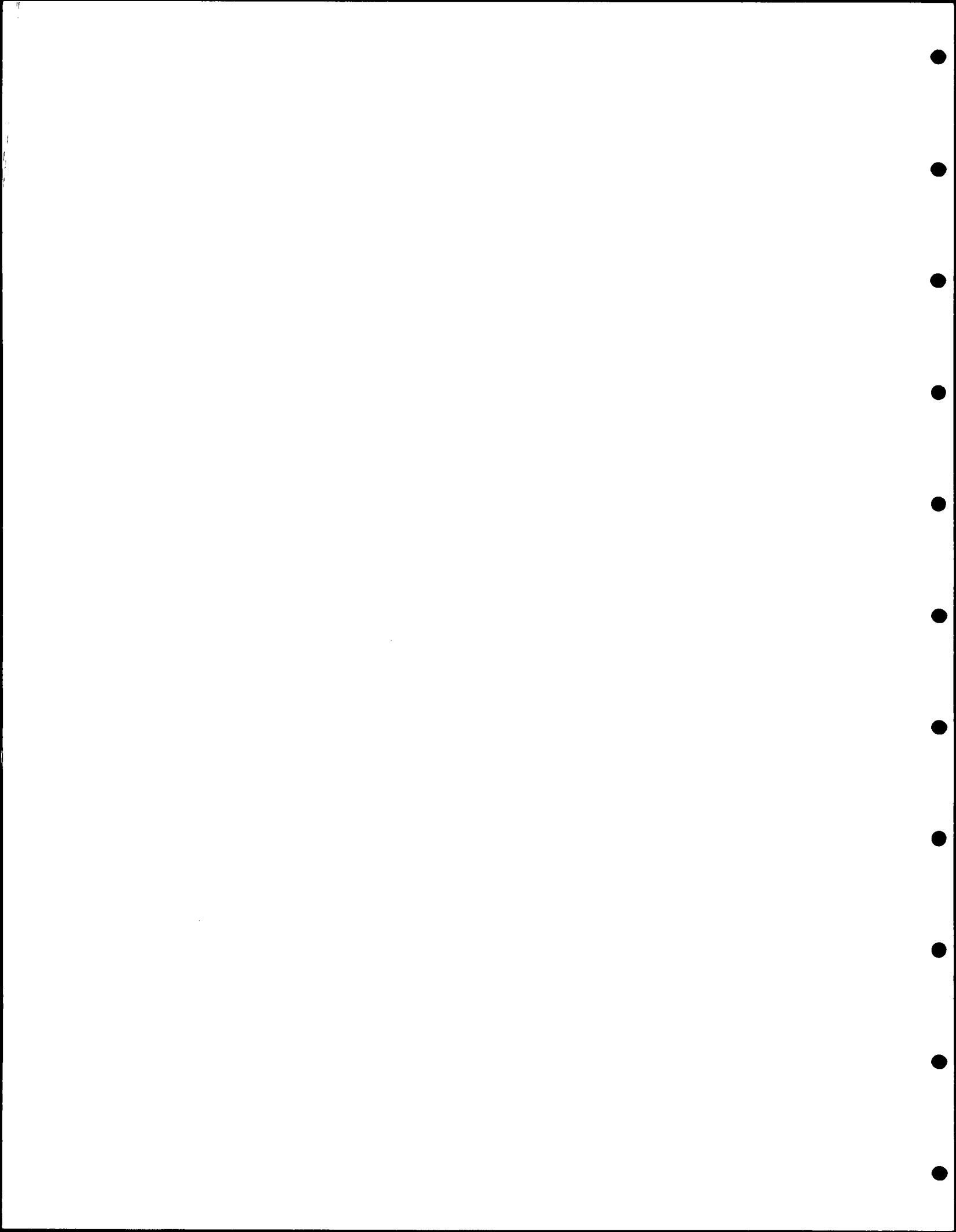
Sub Total	\$175,174



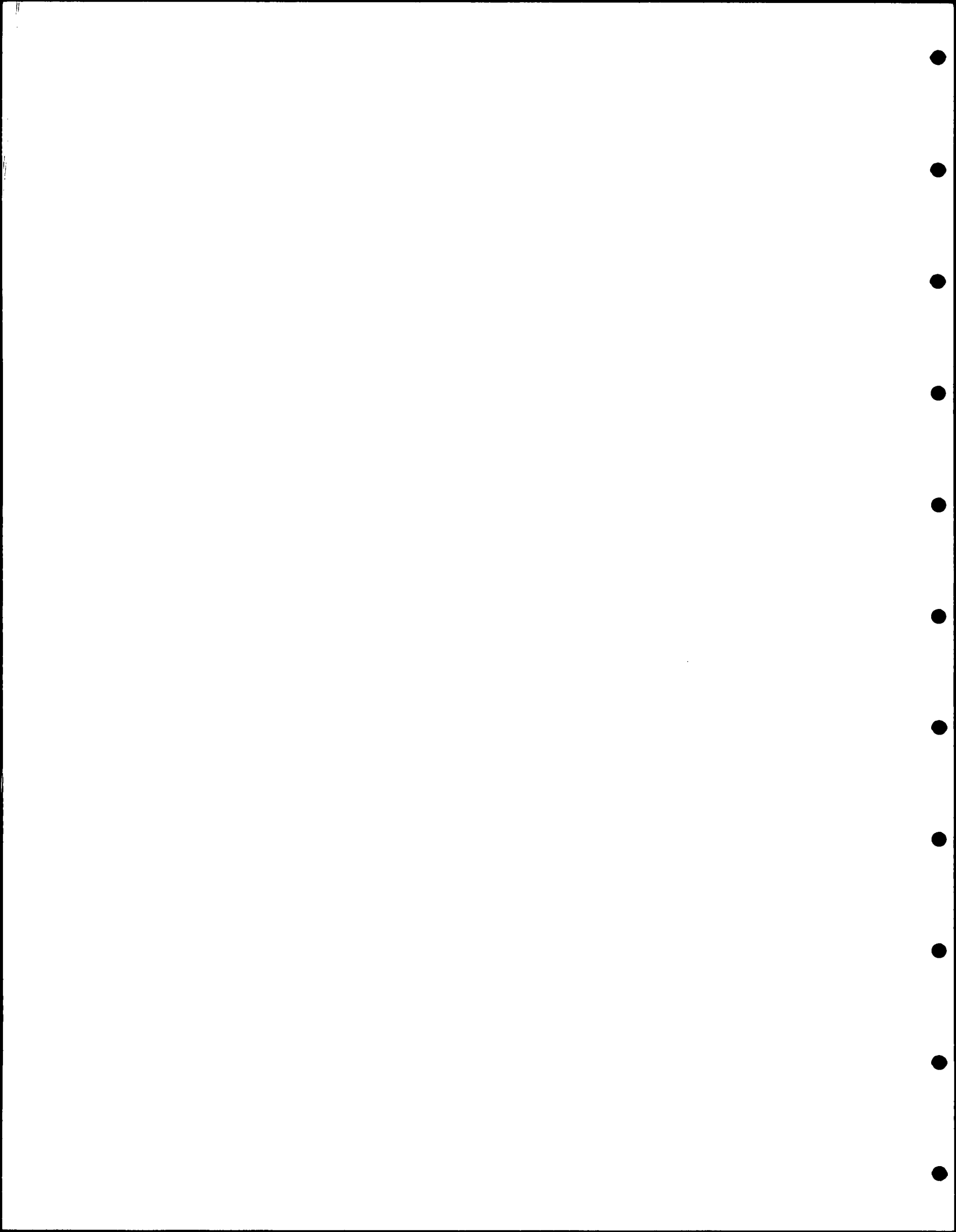
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Page 9

Other Miscellaneous Operating Expenses

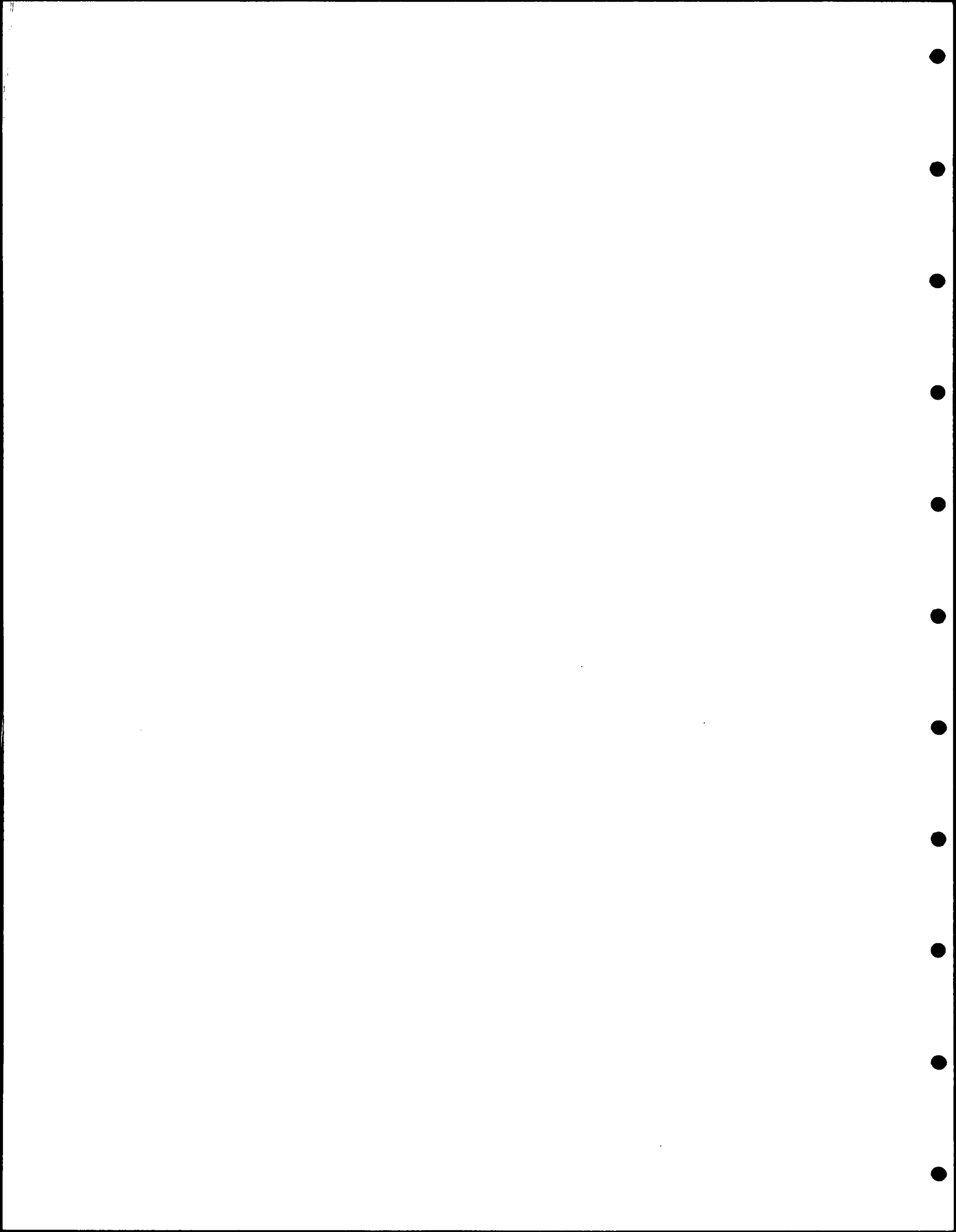
Printing additional resource materials including but not limited to community resources (legal and social), courthouse guides and general information on filings and pleadings.	\$ 5,000
Expand availability of parent communication classes combining in-house and contractual trainers.	5,000
Additional supplies for parent communication classes	2,000
Computer programming to automate processes such as checking in clients for court, and searching for information, and to modify telephone response systems	5,000
Funds for modifying computer infrastructure to accommodate moves, changes and hardware additions	5,000
Funds to move, modify and construct counters and waiting areas for the Family Division Information and Referral Center	5,000
Funds to relocate staff to and within the family Division	<u>5,000</u>
Sub Total	\$ 32,000
Grand Total	\$883,573



TAB 6



Program
Evaluation



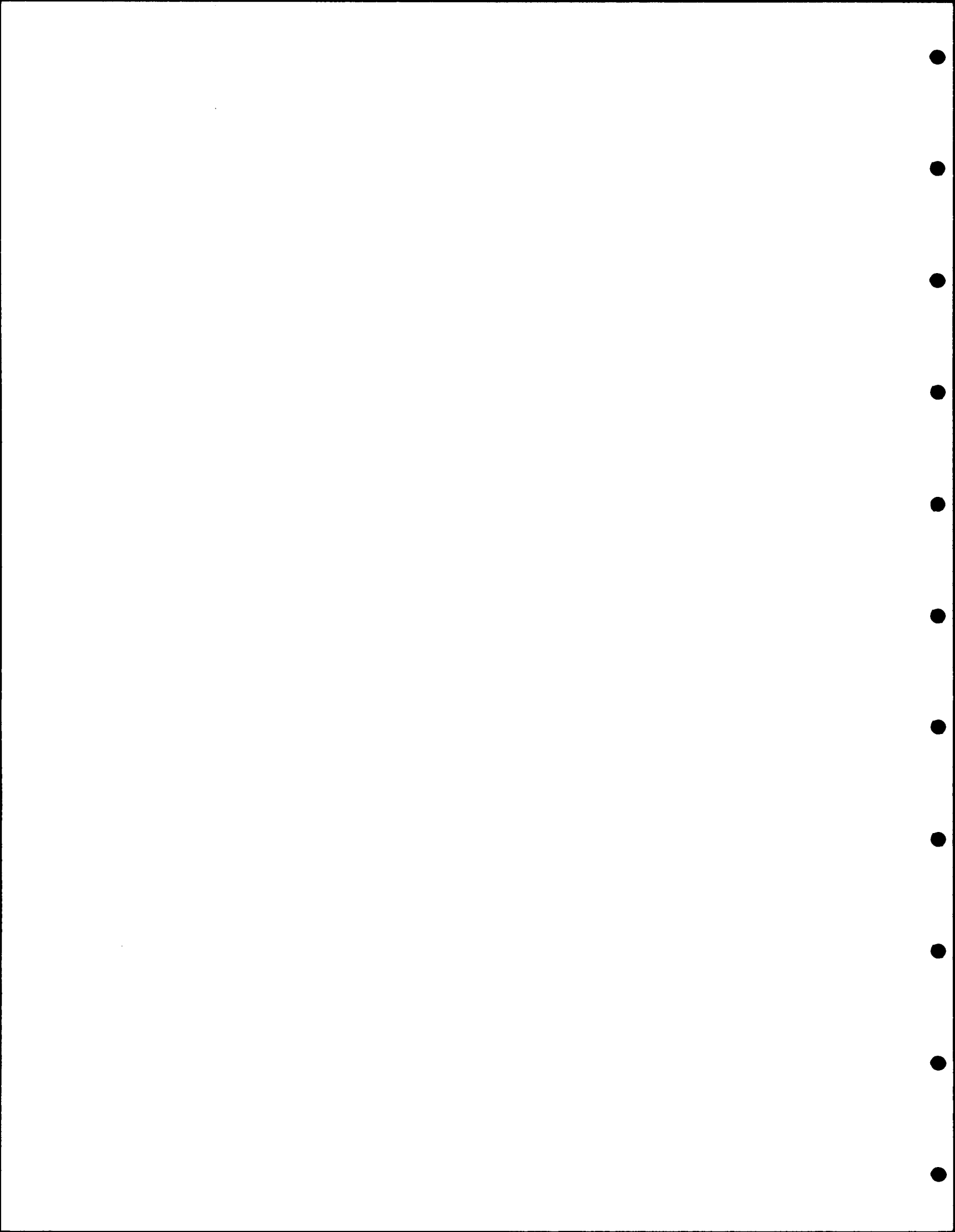
Program Evaluation

\$150,000

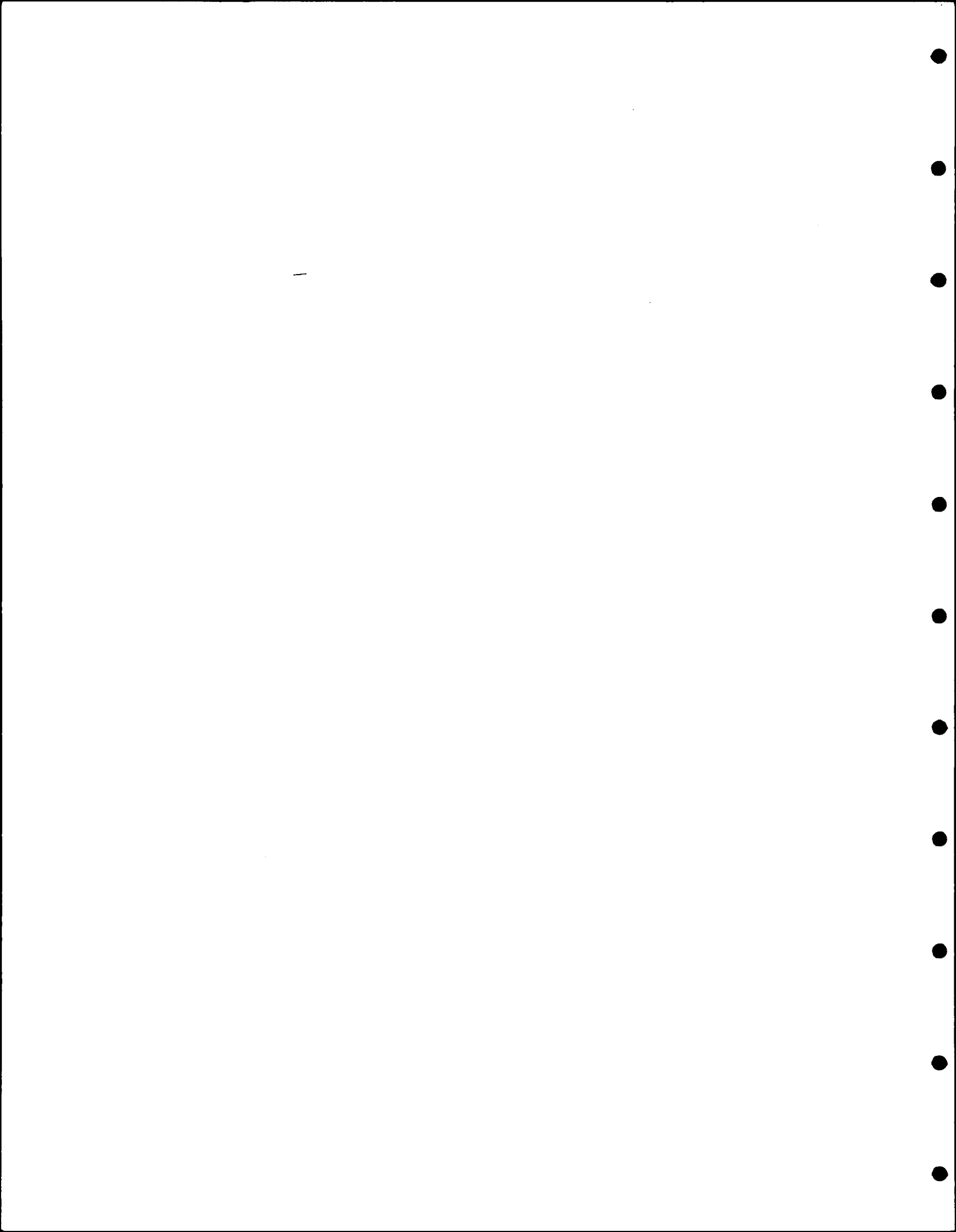
In order to determine the effectiveness of the newly established Family Divisions, it will be necessary for the Administrative Office of the Courts to evaluate both the efficacy of the proposed services and the cost effectiveness of the delivery systems. These funds will permit the retention of contractual services for this purpose with the intention of providing information to those courts for further refinements. Services for such a project would be solicited from the National Center for State Courts, the Justice Management Institute, and the American University Technical Assistance Project.

Total

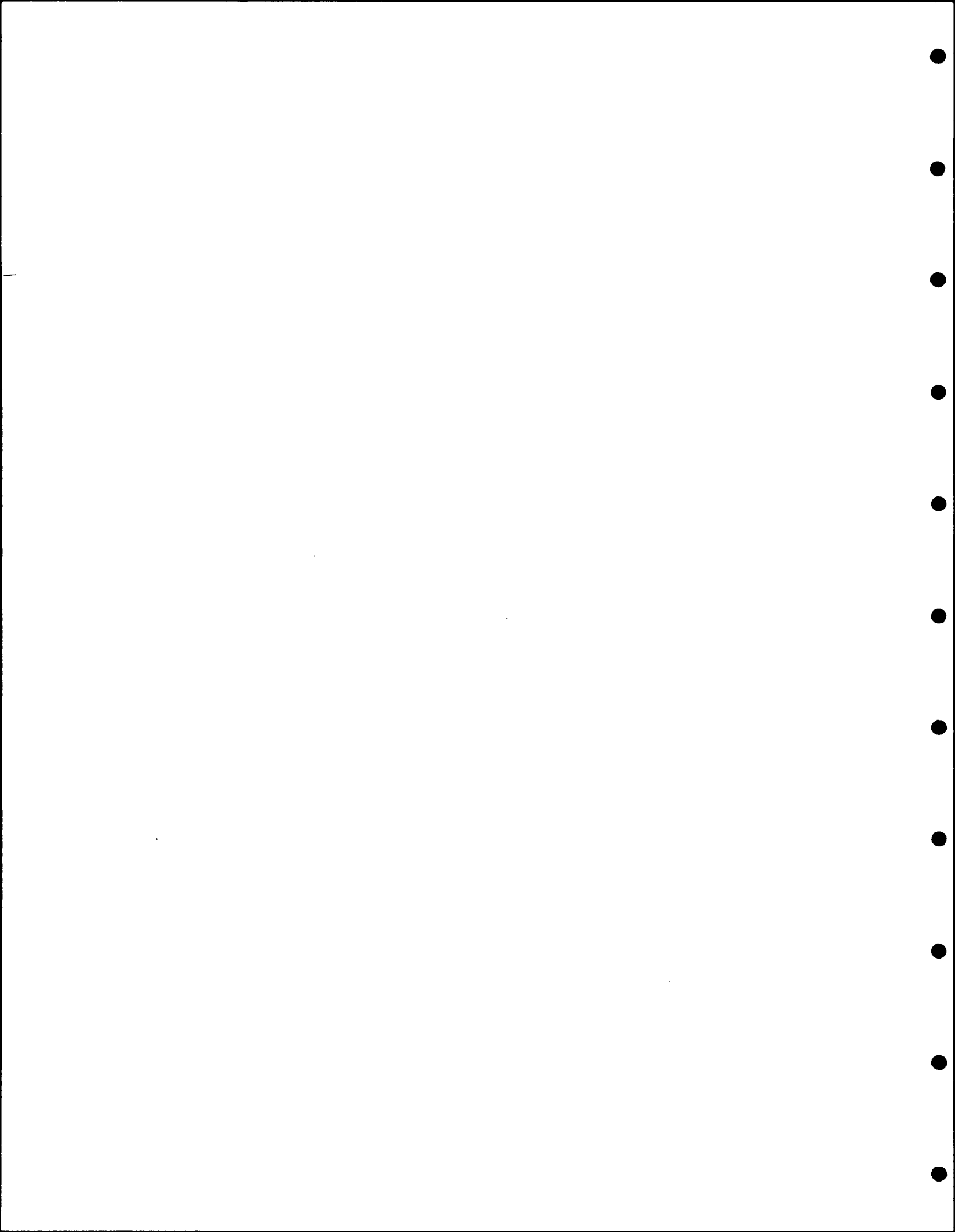
\$150,000



TAB 7



APPENDICES



MARYLAND RULES OF PROCEDURE
TITLE 16 - COURTS, JUDGES, AND ATTORNEYS
CHAPTER 200 - THE CALENDAR--ASSIGNMENT AND DISPOSITION
OF MOTIONS AND CASES

ADD new Rule 16-204, as follows:

Rule 16-204. FAMILY DIVISION AND SUPPORT SERVICES

(a) Family Division

(1) Established

In each county having more than seven resident judges of the circuit court authorized by law, there shall be a family division in the circuit court.

(2) Actions Assigned

In a court that has a family division, the following categories of actions and matters shall be assigned to that division:

(A) dissolution of marriage, including divorce, annulment, and property distribution;

(B) child custody and visitation, including proceedings governed by the Maryland Uniform Child Custody Jurisdiction Act, Code, Family Law Article, Title 9, Subtitle 2, and the Parental Kidnapping Prevention Act, 28 U.S.C. §1738A;

(C) alimony, spousal support, and child support, including proceedings under the Maryland Uniform Interstate Family Support Act;

(D) establishment and termination of the parent-child relationship, including paternity, adoption, guardianship that

terminates parental rights, and emancipation;

(E) criminal nonsupport and desertion, including proceedings under Code, Family Law Article, Title 10, Subtitle 2 and Code, Family Law Article, Title 13;

(F) name changes;

(G) guardianship of minors and disabled persons under Code, Estates and Trusts Article, Title 13;

(H) involuntary admission to state facilities and emergency evaluations under Code, Health General Article, Title 10, Subtitle 6;

(I) family legal-medical issues, including decisions on the withholding or withdrawal of life-sustaining medical procedures;

(J) actions involving domestic violence under Code, Family Law Article, Title 4, Subtitle 5;

(K) juvenile causes under Code, Courts Article, Title 3, Subtitle 8;

(L) matters assigned to the family division by the County Administrative Judge that are related to actions in the family division and appropriate for assignment to the family division; and

(M) civil and criminal contempt arising out of any of the categories of actions and matters set forth in subsections

(a)(2)(A) through (a)(2)(L) of this Rule.

Committee note: The jurisdiction of the circuit courts, the District Court, and the Orphans' Court is not affected by this section. For example, the District Court has concurrent jurisdiction with the circuit court over proceedings under Code, Family Law Article, Title 4, Subtitle 5, and, in Montgomery County, the District Court sits as a juvenile court pursuant to Code, Courts Article, §4-403 and has exclusive original jurisdiction over certain termination of parental rights

proceedings and related adoption proceedings pursuant to Code, Courts Article, §3-804.

(3) Family Support Services

Subject to the availability of funds, the following family support services shall be available through the family division for use when appropriate in a particular action:

- (A) mediation in custody and visitation matters;
- (B) custody investigations;
- (C) trained personnel to respond to emergencies;
- (D) mental health evaluations and evaluations for alcohol and drug abuse;
- (E) information services, including procedural assistance to pro se litigants;

Committee note: This subsection is not intended to interfere with existing projects that provide assistance to pro se litigants.

- (F) information regarding lawyer referral services;
- (G) parenting seminars; and
- (H) any additional family support services for which funding is provided.

Committee note: Examples of additional family support services that may be provided include general mediation programs, case managers, and family follow-up services.

(4) Responsibilities of the County Administrative Judge

The County Administrative Judge of the Circuit Court for each county having a family division shall:

- (A) allocate sufficient available judicial resources to the family division so that actions are heard expeditiously in accordance with applicable law and the case management plan required by Rule 16-202 b;

Committee note: This Rule neither requires nor prohibits the assignment of one or more judges to hear family division cases on a full-time basis. Rather, it allows each County Administrative Judge the flexibility to determine how that county's judicial assignments are to be made so that actions in the family division are heard expeditiously. Additional matters for county-by-county determination include whether and to what extent masters, special masters, and examiners are used to assist in the resolution of family division cases. Nothing in this Rule affects the authority of a circuit court judge to act on any matter within the jurisdiction of the circuit court.

(B) provide in the case management plan required by Rule 16-202 b criteria for:

(i) requiring parties in an action assigned to the family division to attend a scheduling conference in accordance with Rule 2-504.1 (a)(1) and

(ii) identifying those actions in the family division that are appropriate for assignment to a specific judge who shall be responsible for the entire case unless the County Administrative Judge subsequently decides to reassign it;

Cross reference: For rules concerning the referral of matters to masters as of course, see Rules 2-541 and 9-207.

(C) appoint a family support services coordinator whose responsibilities include:

(i) compiling, maintaining, and providing lists of available public and private family support services,

(ii) coordinating and monitoring referrals in actions assigned to the family division, and

(iii) reporting to the County Administrative Judge concerning the need for additional family support services or the modification of existing services; and

(D) prepare and submit to the Chief Judge of the Court of Appeals, no later than October 15 of each year, a written report

that includes a description of family support services needed by the court's family division, a fiscal note that estimates the cost of those services for the following fiscal year, and, whenever practicable, an estimate of the fiscal needs of the Clerk of the Circuit Court for the county pertaining to the family division.

(b) Circuit Courts Without a Family Division

(1) Applicability

This section applies to circuit courts for counties having less than eight resident judges of the circuit court authorized by law.

(2) Family Support Services

Subject to the availability of funds, the family support services listed in subsection (a)(3) of this Rule shall be available through the court for use when appropriate in cases in the categories listed in subsection (a)(2) of this Rule.

(3) Family Support Services Coordinator

The County Administrative Judge shall appoint a full-time or part-time family support services coordinator whose responsibilities shall be substantially as set forth in subsection (a)(4)(C) of this Rule.

(4) Report to the Chief Judge of the Court of Appeals

The County Administrative Judge shall prepare and submit to the Chief Judge of the Court of Appeals, no later than October 15 of each year, a written report that includes a description of the family support services needed by the court, a fiscal note that estimates the cost of those services for the following

fiscal year, and, whenever practicable, an estimate of the fiscal needs of the Clerk of the Circuit Court for the county pertaining to family support services.

Source: This Rule is new.

MARYLAND RULES OF PROCEDURE
TITLE 16 - COURTS, JUDGES, AND ATTORNEYS
CHAPTER 200 - THE CALENDAR -- ASSIGNMENT AND DISPOSITION
OF MOTIONS AND CASES

AMEND Rule 16-202 to add certain requirements to the case management plans of courts in which a family division is established in accordance with new Rule 16-204 and to add a cross reference to new Rule 9-204.1, as follows:

Rule 16-202. Assignment of Actions for Trial.

a. Generally.

The County Administrative Judge in each county shall supervise the assignment of actions for trial to achieve the efficient use of available judicial personnel and to bring pending actions to trial and dispose of them as expeditiously as feasible. Procedures instituted in this regard shall be designed to:

- (1) eliminate docket calls in open court;
- (2) insure the prompt disposition of motions and other preliminary matters;
- (3) provide for the use of scheduling and pretrial conferences, and the establishment of a calendar for that purpose, when appropriate;
- (4) provide for the prompt disposition of uncontested and ex parte matters, including references to an examiner-master, when appropriate;

(5) provide for the disposition of actions under Rule 2-507;

(6) establish trial and motion calendars and other appropriate systems under which actions ready for trial will be assigned for trial and tried, after proper notice to parties, without necessity of a request for assignment from any party; and Cross reference: See Rule 16-201 (Motion Day -- Calendar).

(7) establish systems of regular reports which will indicate the status of all pending actions with respect to their readiness for trial, the disposition of actions, and the availability of judges for trial work.

b. Case Management Plan; Information Report.

(1) The County Administrative Judge shall develop and, upon approval by the Chief Judge of the Court of Appeals, implement and monitor a case management plan for the prompt and efficient scheduling and disposition of actions in the circuit court. The plan shall include a system of differentiated case management in which actions are classified according to complexity and priority and are assigned to a scheduling category based on that classification. In courts that have a family division, the plan shall provide criteria for (A) requiring parties in an action assigned to the family division to attend a scheduling conference in accordance with Rule 2-504.1 (a)(1) and (B) identifying actions in the family division that are appropriate for assignment to a specific judge who shall be responsible for the entire case unless the County Administrative Judge subsequently decides to reassign it.

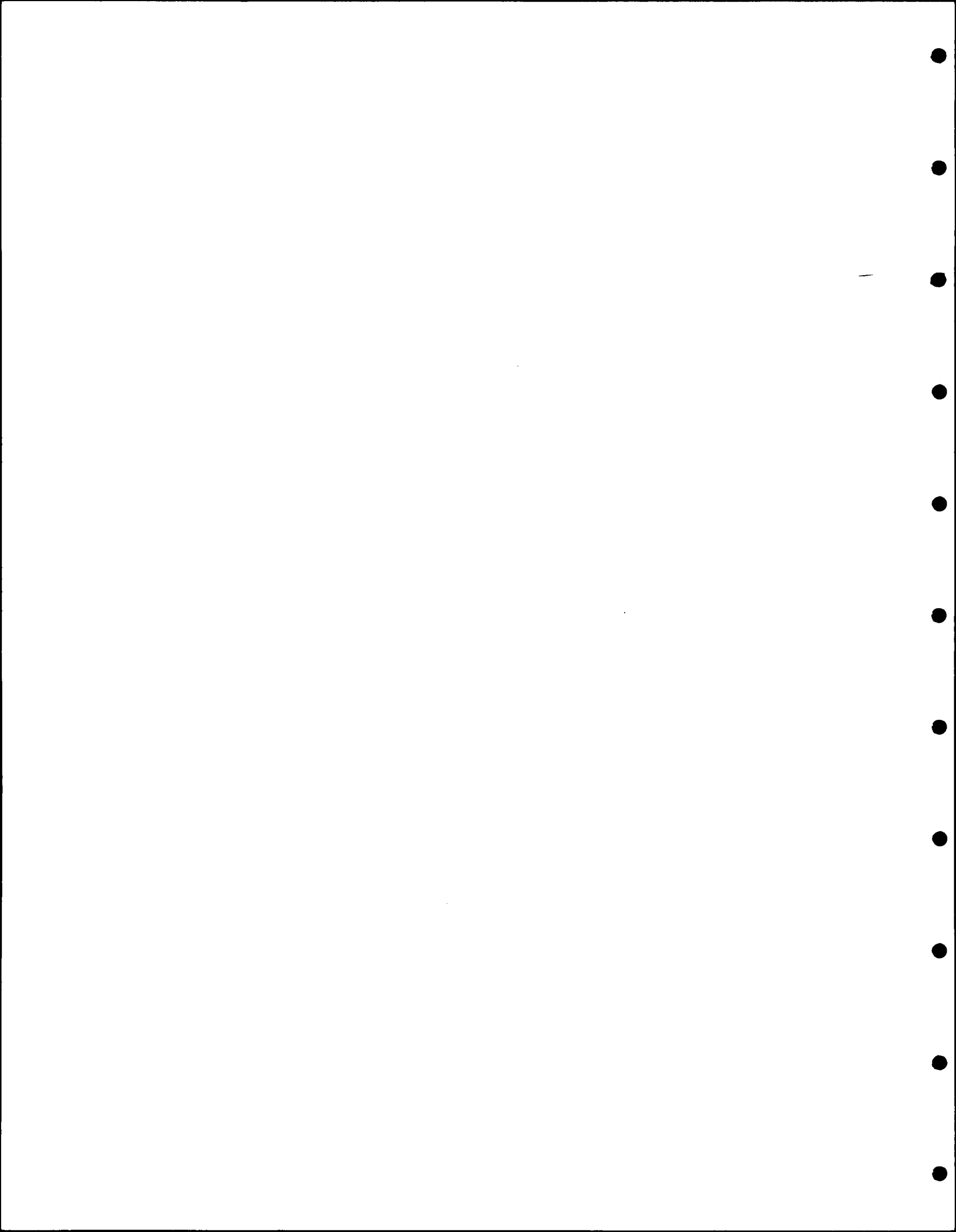
Cross reference: See Rule 9-204.1 for provisions that may be included in the case management plan concerning an educational seminar for parties in actions in which child support, custody, or visitation are involved.

(2) In developing and implementing the case management plan, the County Administrative Judge shall (i) consult with the Administrative Office of the Courts and with other county administrative judges who have developed or are in the process of developing such plans in an effort to achieve as much consistency and uniformity among the plans as is reasonably practicable, and (ii) seek the assistance of the county bar association and such other interested groups and persons as the judge deems advisable.

(3) As part of the plan, the clerk shall make available to the parties, without charge, a form approved by the County Administrative Judge that will provide the information necessary to implement the case management plan. The information contained in the information report shall not be used for any purpose other than case management.

(4) The clerk of each circuit court shall make available for public inspection a copy of the current administrative order of the Chief Judge of the Court of Appeals exempting categories of actions from the information report requirement of Rule 2-111 (a).

Source: This Rule is former Rule 1211.





DISTRICT COURT OF MARYLAND

MARTHA F. RASIN
Chief Judge

Courts of Appeal Building
Annapolis, Maryland 21401
Tel: (410) 260-1525
Fax: (410) 974-5026

MEMORANDUM

TO: The Honorable Robert M. Bell
Chief Judge, Court of Appeals of Maryland

FROM: Martha F. Rasin *M. Rasin*

DATE: November 19, 1997

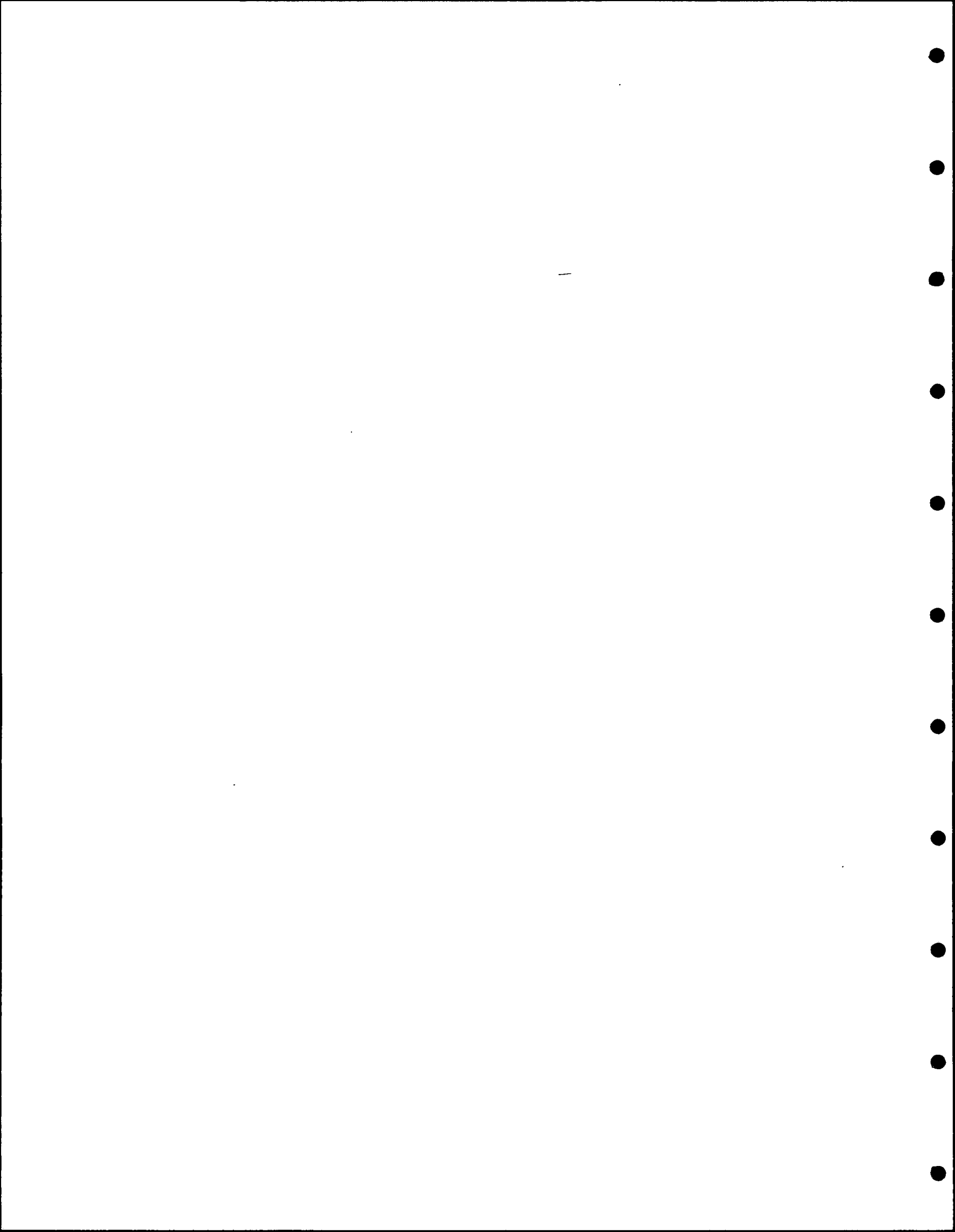
SUBJ: Measures to Address Needs Created by Domestic Violence Dockets In District Court

As you requested, I have reviewed ways in which I believe the District Court might be helped in coping with the ever-growing caseload of domestic violence cases. Although a family division in the circuit courts in the five largest jurisdictions will address many family issues in ways that benefit those who use the courts, I do not envision that the domestic violence dockets in the District Court will be affected. This is because these cases may be filed in either the District or circuit courts. Without a change in the law or rules, those victims who seek a civil protection order in the District Court will not become part of the circuit court family division dockets.

To give you an idea of the impact of these cases on our court, let me give you the statistics from the most recent *Annual Report of the Maryland Judiciary* for the "big five" jurisdictions where a family division will be placed:

Number of Domestic Violence Cases Filed, FY 1996

<u>Jurisdiction</u>	<u>Circuit Court</u>	<u>District Court</u>
Baltimore City	512	3,648
Prince George's County	111	3,228
Montgomery County	393	1,008
Anne Arundel County	58	1,332
Baltimore County	228	2,475
Totals	1,302	12,993



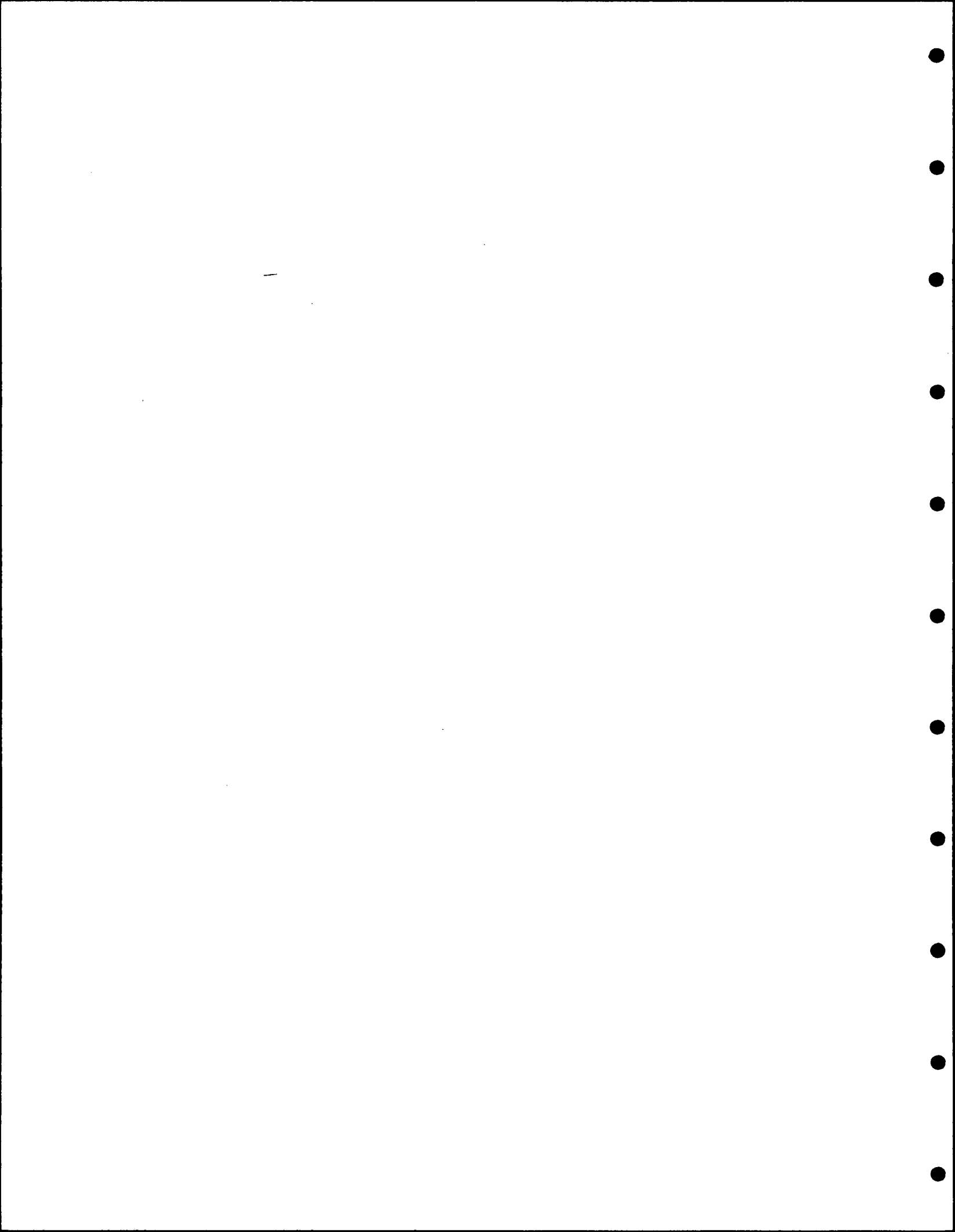
The Honorable Robert M. Bell
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These cases are particularly compelling and present unique challenges to District Court clerks and judges. By law they must be heard promptly. A judge should conduct an *ex parte* hearing within an hour or two of the time it is filed, and a second protective order hearing must be conducted within seven days of the *ex parte* hearing. This accelerated schedule is certainly warranted by the subject matter. Persons who seek protection from abusers are often at high risk, and their families have emergency needs that must be met. It is sometimes a matter of life and death. But this accelerated schedule also places special pressures on clerks and judges alike. In most counties, these cases are heard along with the regular docket, and so it has become an ordinary part of the daily schedule for a judge to be assigned a full docket of over a hundred traffic cases, or thirty criminal cases, and to be called on to handle all domestic violence petitions as they walk in and to handle the ones scheduled from the previous week as well, all as "add ons." The accelerated schedule requires everyone involved in the process to put all else aside and address the domestic violence case, which means that hearing notices must be prepared and sent out immediately, police or sheriff must be called immediately to pick up papers for service, Protective Services reports must be ordered, completed and returned to the Court within seven days, and so on.

In conjunction with the establishment of a division of the circuit courts in each of the five largest jurisdictions for the purpose of addressing the needs of families in a cogent and comprehensive way, I ask that in those same jurisdictions a corresponding complement of assistance be given to address the needs of the same clientele whose cases bring them to the District Court. Therefore, I ask that the following positions be added to the District Court budget:

District 1 - Baltimore City	2 civil clerks (although there is but one court that processes these petitions, the caseload would indicate the need for two clerks) 1 criminal clerk (Baltimore City has a special criminal docket for domestic violence cases and a clerk is needed at that location)
District 5 - Prince George's County	2 civil clerks (Upper Marlboro & Hyattsville)
District 6 - Montgomery County	2 civil clerks (Rockville & Silver Spring)
District 7 - Anne Arundel County	2 civil clerks (Annapolis & Glen Burnie)
District 8 - Baltimore County	2 civil clerks (Towson & Essex)

The clerks we seek for the District Court would perform the following: case filing (assist the person who seeks the order, who is almost always unrepresented); check in case registries and District Court database for other cases involving the same party or parties, and pull that for the judge; direct the case to the proper courtroom, which often involves physically taking the file and the petitioner to a courtroom and giving the file to the courtroom personnel for the judge; picking the file up from the courtroom, and escorting the petitioner back to the clerk's office to explain further procedures (the vast majority of cases do not end at the *ex parte* stage); determine whether financial forms are needed and explain them to petitioner; determine whether Protective Services report is needed and notify Department of Social Services and transmit a copy of the



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Ex Parte order to DSS; provide petitioner with appropriate copies and referrals to service providers and State's Attorney if appropriate; prepare respondent's copy of order for service and notify law enforcement of pickup; keep records of service; schedule protective order hearing; send out notices; be certain DSS reports are received and filed within 7 days; if order of protection is issued, make and deliver service copies, prepare triple seal copy; deliver to central registry; enter all developments in database; monitor order for compliance with counseling, support payments; process all post-hearing paperwork such as modifications, petitions for contempt, etc.

As you can see, these duties are considerable, particularly when required under a very tight time frame and under circumstances where the petitioner often has questions and special needs.

I have asked Richard Clemens, the District Court's Deputy Assistant Chief Clerk-Fiscal, to work up figures to reflect this request in the upcoming budget. The only changes would be in Object 01-Salaries and Wages. The information to effect that supplementation is as follows:

Object 01 as presently in District Court budget:	\$51,958,750
Changes Proposed to Object 01: Delete 6 positions presently in proposed budget for new judges in Howard and Montgomery Counties, and add 11 new clerical positions as requested in this memo	
Object 01 incorporating changes	51,903,627
Difference between original budget request and revised budget request, incorporating both changes	\$ (55,123)

I would also hope two other measures might be taken to address these cases. One is that the resources that are made available to the family court division would be equally accessible, when appropriate, for the domestic violence cases filed in District Court. There is seldom time in these cases to make use of many of the resources envisioned, but to the extent we can share, it would benefit the litigants.

Finally, I ask that you support the establishment of a working relationship between the circuit and District courts in each of these jurisdictions for the benefit of those parties who have cases in both courts. Under the present scheme of rules and statutes, it is extremely difficult to "transfer" a case from District to circuit court, even when it would benefit the parties and the courts. Some measure of cooperation already exists in several of these jurisdictions whereby the District Court will contact the circuit court in cases involving the same parties, and time and duplication can be saved by engineering the cases to the circuit judge already working with the parties.



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I very much appreciate your response to the concerns of the District Court in the matter of shared resources in these domestic matters, and I know that you will give this request serious consideration. Please contact me if you would like me to elaborate or answer questions.

MFR:bjā

cc: George B. Riggin, Jr., Esq.

