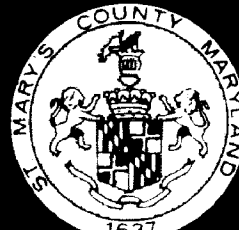


Report for the period of
JULY 1983-JUNE 1984

LLD
#162

Seventh Judicial Circuit of Maryland



Seventh Judicial Circuit of Maryland

ADMINISTRATIVE OFFICE OF THE COURTS
COURT HOUSE
UPPER MARLBORO, MARYLAND 20772

ROBERT W. MCCARTHY, JR.
ADMINISTRATOR

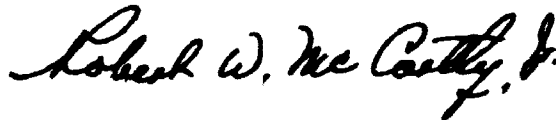
LLD #162
Seventh Judicial Circuit of
Maryland. Administrative
Annual report

(301) 952-3708

THE CHIEF JUDGE AND ASSOCIATE JUDGES
SEVENTH JUDICIAL CIRCUIT OF MARYLAND

Enclosed is the report of the Administrative Office of the Seventh Judicial Circuit of Maryland including information and statistics on Juvenile matters. This report is for the period July 1, 1983 through June 30, 1984.

Respectfully submitted.



Robert W. McCarthy, Jr.

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**THE JUDGES OF THE
SEVENTH JUDICIAL CIRCUIT COURT
OF MARYLAND**



Ernest A. Loveless, Jr.
Prince George's County
Chief Judge
Circuit Administrative Judge



Perry G. Bowen, Jr.
Calvert County
Administrative Judge



William H. McCullough
Prince George's County
Administrative Judge



James H. Taylor
Prince George's County



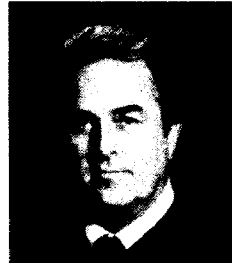
Joseph A. Mattingly
St. Mary's County
Administrative Judge



Jacob S. Levin
Prince George's County



George W. Bowling
Charles County
Administrative Judge



Albert T. Blackwell, Jr.
Prince George's County



Robert J. Woods
Prince George's County



Howard S. Chasanow
Prince George's County



Vincent J. Femia
Prince George's County



Robert H. Mason
Prince George's County



Audrey E. Melbourne
Prince George's County



David Gray Ross
Prince George's County



James Magruder Rea
Prince George's County



Richard J. Clark
Charles County



Arthur M. Ahalt
Prince George's County



G.R. Hovey Johnson
Prince George's County

BIOGRAPHICAL SKETCHES OF THE JUDICIARY OF THE SEVENTH JUDICIAL CIRCUIT

Judge Ernest A. Loveless, Jr.

The Honorable Ernest A. Loveless, Jr. was appointed to a Circuit Court judgeship by Governor Millard Tawes on December 20, 1960.

Judge Loveless was born November 29, 1922. He graduated from the University of Maryland in 1943, receiving a B.A. degree. He received his LLB degree from George Washington University Law School in 1947, his LLM in June of 1948 and his JD in July of 1970 as of November 11, 1947. The Judge was admitted to the Maryland Bar in July of 1948 and the Bar of the District of Columbia in October 1948.

Judge Loveless was a member of the House of Delegates from 1955 to 1960 when he resigned from that body to accept a judgeship. He was the attorney for the Board of License Commissioners for Prince George's County for several years. He is also a member of the Prince George's County Bar Association, the Maryland Bar Association, the American Bar Association, the American Judicature Society and the National Council on Crime and Delinquency. He also served as Chairman of the Maryland Judicial Conference for the years 1975-1976.

Judge Loveless was appointed County Administrative Judge for Prince George's County in January 1970 and served in that capacity until early 1975 when he was appointed Circuit Administrative Judge for the Seventh Judicial Circuit of Maryland. Judge Loveless became Chief Judge of the Seventh Judicial Circuit in December of 1976.

In December 1980, Judge Loveless was elected Chairman of the Maryland Circuit Judges' Conference.

Judge Perry G. Bowen, Jr.

The Honorable Perry G. Bowen, Jr. was appointed to the bench in April 1964 and was elected to a full fifteen year term on November 1966. He was reappointed in 1981 and elected to a second fifteen year term in 1982.

Judge Bowen was born November 27, 1927. He graduated from the University of Maryland School of Law with a Degree of Bachelor of Laws in 1950 and the J.D. Degree in 1969. He was admitted to the Maryland Bar in 1950.

Prior to his appointment Judge Bowen was engaged in the private practice of law in Calvert County from 1953 to 1964. He is a member of the Calvert County Bar Association, a Fellow of the Maryland State Bar Association and a member of the American Bar Association.

Judge William H. McCullough

The Honorable William H. McCullough was appointed to the bench on November 1, 1969 and has served as County Administrative Judge since August of 1975. Prior to his appointment to the Circuit Court, Judge McCullough served as a Substitute Judge for the People's Court and as an examiner for the Circuit Court.

He is a life-long resident of Prince George's County and after graduation from George Washington Law School in 1950 practiced in Mount Rainier until his appointment to the bench. He is one of the founders of the Legal Aid Society in Prince George's County. Judge McCullough is a member of the Prince George's County and D.C. Bar Associations.

Judge James H. Taylor

The Honorable James H. Taylor was appointed to the bench of the Seventh Judicial Circuit of Maryland in November 1969. He was elected to serve a term of 15 years in November 1970.

Judge Taylor graduated from the Washington College of Law of the American University in 1953 and was admitted to the Maryland Bar in 1956. He has previously served as an Assistant State's Attorney, Master for Juvenile Causes, and the Administrative Judge of the Family Law Division.

Judge Joseph A. Mattingly

The Honorable Joseph A. Mattingly was elected to the bench in May of 1972 and sworn in in December.

Judge Mattingly was born January 2, 1916. He attended the University of Maryland, Mount St. Mary's College and graduated in 1941 from the University of Maryland School of Law. He was admitted to the Maryland Bar in 1941. Judge Mattingly then served in the United States Navy from 1941 to 1946.

Judge Mattingly, prior to his appointment, served in the House of Delegates and as a Maryland Senator. In addition, he has served on the Board of Parole and Probation and the staff of the Maryland Attorney General, and two terms as State's Attorney for St. Mary's County until his appointment as Judge.

Judge Jacob S. Levin

The Honorable Jacob S. Levin was appointed to a Circuit Court judgeship on May 9, 1975 and elected to a fifteen year term in November 1976.

Judge Levin was born in the District of Columbia on December 23, 1923. After attending American University, he graduated from the George Washington University Law School in 1949, receiving a JD degree. He was admitted to the Bar of the District of Columbia in 1949 and became a member of the Maryland Bar in 1957.

Judge Levin has served over 15 years on the Executive Board of the Prince George's County Bar Association and as President of that Association in 1974. He is a past President of the George Washington Law Association of the George Washington University and served as a member of the Board of Governors of the Maryland State Bar Association in 1975.

Judge Levin serves as the Representative from the Seventh Judicial Circuit to the Executive Committee of the Maryland Judicial Conference and is a Fellow of the Maryland State Bar Association.

Judge George W. Bowling

The Honorable George W. Bowling was appointed to a Circuit Court judgeship on October 24, 1975. The vacancy was created by the retirement of Judge James C. Mitchell.

Judge Bowling was born November 6, 1925. He graduated from the University of Maryland Law School in 1950, receiving the LLB degree. The Judge was admitted to the Maryland Bar in 1949.

Judge Bowling is a member of the Charles County and Maryland State Bar Associations and was formerly State's Attorney for Charles County for two terms.

Judge Albert T. Blackwell, Jr.

The Honorable Albert T. Blackwell, Jr. was appointed to the Circuit Court November 7, 1975 to fill the 10th seat on the Seventh Judicial Circuit added by the Maryland Legislature.

Judge Blackwell was born June 27, 1925. He graduated from George Washington University in 1950 receiving the J.D. degree. The Judge was admitted to the Maryland Bar in 1951 and practiced, primarily civil work, for more than 25 years. Judge Blackwell is a Director of the Maryland State Bar Foundation, a Director for the Upper Marlboro Development Committee, and on the Advisory Board of the University of Baltimore Law School. He was a member of the Board of Governors for the Maryland State Bar Association and also a Director for the Prince George's County Bar Association. He has been active in his community's Boys Club, Citizens Association, Democratic and Optimist Clubs, and serves on the Official Board of his church.

Judge Robert J. Woods

The Honorable Robert J. Woods was appointed to the Circuit Court judgeship on August 2, 1976. The vacancy was created by the retirement of Judge Robert B. Mathias.

Judge Woods was born February 16, 1933. He graduated from Catholic University of America Law School in 1962, receiving the JD degree.

Judge Woods was appointed to the bench of the District Court of Maryland in July 1971 and served in that capacity until his appointment to the Circuit Court in 1976. On November 7, 1978, he was elected by the citizens of Prince George's County to a fifteen year term.

Judge Howard S. Chasanow

The Honorable Howard S. Chasanow was appointed to the Circuit Court on January 5, 1977. The vacancy was created by the retirement of Judge Ralph W. Powers. On November 7, 1978, Judge Chasanow was elected for a 15 year term as Judge of the Circuit Court.

Judge Chasanow received his JD degree from the University of Maryland School of Law in 1961 and his LLM from Harvard Law School in 1962. He has served as consultant to the Court of Appeals Rules Committee, Chairman of the Maryland State Bar Association Criminal Law Section, Chairman of the Maryland State Bar Association Judicial Administration Section, and four terms as Chairman of the Judicial Conference Criminal Law Committee. Judge Chasanow has been a member of the Prince George's County Bar Association's Executive Committee for over 10 years and served four terms as Chairman of the Prince George's County Bar Professional Ethics Committee.

In addition, he has been a faculty member of the University of Maryland School of Law for nine years, teaching courses in Criminal Procedure and The Administration of Criminal Justice. Judge Chasanow is also on the faculty of the National Judicial College in Reno, Nevada, where he lectures to judges from all over the country. He served with distinction in the United States Air Force in Korea and Japan, receiving among other decorations, the Air Force Commendation Medal. Judge Chasanow has also authored several publications. He is the founder of the Prince

George's Drinking Driver School. He served as Assistant and later Deputy State's Attorney for Prince George's County, substitute People's Court Judge, Judge of the District Court of Maryland, and has been specially designated to sit as a Judge of the Court of Special Appeals on several occasions.

Judge Vincent J. Femia

The Honorable Vincent J. Femia was appointed to the Circuit Court on November 7, 1977; then elected to a fifteen year term on November 7, 1978.

Judge Femia was born July 26, 1936. He graduated from the George Washington University Law School, receiving his JD degree in 1961. He was admitted to practice before the Maryland Court of Appeals on October 20, 1961.

He was appointed Associate Judge, District Court of Maryland, District Number 5 in 1972 and served there until his appointment to the Circuit Court.

Judge Robert H. Mason

The Honorable Robert H. Mason was born July 9, 1938, and has been a lifelong resident of Prince George's County. He received his Bachelor of Arts Degree in 1963 from the University of Maryland. After attending the University of Maryland School of Law he received his Juris Doctorate Degree in 1969, and was subsequently admitted to the Bar of Maryland the same year.

Judge Mason has served on the faculty of Prince George's Community College, the National College of Juvenile Court Judges, and Bowie State College. He is a former Assistant State's Attorney for Prince George's County, a teacher in the public school system in Prince George's County, and worked as a representative for a pharmaceutical laboratory. In addition, he served four years in the United States Marine Corps.

Judge Mason served as a Master of Juvenile Causes from 1970 to 1975. In 1975 he was appointed an Associate Judge of the District Court, and in 1977 was cross-designated to sit as a Judge of the Circuit Court. He served in that capacity until his appointment to the Circuit Court Bench on December 12, 1977; a vacancy created by the elevation of the Honorable James F. Couch, Jr., to the Court of Special Appeals. He was subsequently elected to a fifteen year term in the 1978 General Election.

Judge Audrey E. Melbourne

The Honorable Audrey E. Melbourne was appointed to the Circuit Court March 21, 1978, to fill an additional seat on the Seventh Judicial Circuit created by the Maryland Legislature.

Judge Melbourne was born in Chicago, Illinois. She graduated from University of Maryland School of Law, receiving her LLB degree in 1962. The Judge was admitted to the Maryland Bar in 1962 and practiced continuously in the Laurel area in general practice and trial work.

Judge Melbourne was appointed Associate Judge, District Court of Maryland in March 1977 and served in that capacity until her appointment to the Circuit Court.

Judge Melbourne was selected Woman of the Year from Business and Professional Women's Club for the litigation of *Kathy Kusner v. Maryland Racing Commission* in 1969. She has been a member of various committees, including the Executive Committee of the Prince George's County Bar Association and active in various community associations and organizations.

Judge David Gray Ross

The Honorable David Gray Ross began as a Circuit Court Judge on May 5, 1978.

He attended the George Washington and American Universities and was awarded a Bachelor of Science Degree from American University in 1961 and the degree of Juris Doctorate in 1964. Prior to appointment, he served as an Assistant Corporation Counsel of the District of Columbia, Associate County Attorney of Prince George's County, and Master of Juvenile Causes. He also practiced law with his late brother, Thomas Prescott Ross, for a number of years, and was Senior Partner of the firm of Ross, Lochte, Murray, Redding and Devlin from 1970-1978.

Judge Ross was elected to the Maryland General Assembly in 1970 and re-elected in 1974, where he served as a member of the House Ways and Means Committee and the House Judiciary Committee. He was elected by his colleagues as the First Vice Chairman of the Prince George's Legislative Delegation.

Active in the area of juvenile law, the Judge served on the Governor's Commission on Juvenile Justice during 1975-76 and in 1981 was appointed by the President of the United States to the National Advisory Committee on Juvenile Justice and Delinquency Prevention.

In 1981 he retired from the United States Army Reserve in the grade of Colonel.

He is a member of the Bar Association of the District of Columbia and Prince George's County. He is also a member of the National Council of Juvenile and Family Court Judges.

Judge James Magruder Rea

The Honorable James Magruder Rea was appointed to the Circuit Court on January 31, 1980 to fill an additional seat on the Seventh Judicial Circuit created by the Maryland Legislature.

Judge Rea was born March 11, 1924. He graduated from the University of Maryland at College Park and the University of Maryland Law School. Judge Rea was admitted to the State of Maryland Bar and District of Columbia Bar in 1951. He then practiced law for 18 years.

In September 1969, Judge Rea was appointed Judge of the People's Court for Prince George's County. In July 1971, he was appointed to Administrative Judge of the District Court of Maryland, District 5 in which he served for nine years prior to his present judgeship.

Judge Rea served as Chairman of the Property Review Board for Prince George's County and as Associate County Attorney. He held the offices of President, President-elect and Secretary of the Prince George's County Bar Association. The Judge is a member of various committees, active in Upper Marlboro community affairs and his church.

Judge Richard J. Clark

Judge Richard J. Clark graduated from the University of Maryland School of Law in January 1969, and was admitted to the Maryland Bar in July of that year. After completing service as law clerk to the late Roscoe H. Parker, Associate Judge of the Seventh Judicial Circuit, Judge Clark began the practice of law in La Plata, Maryland, in association with Edward S. Digges, Esquire. Judge Clark served as Master for Juvenile Causes from 1972 to 1974 and as District Public Defender from 1974 until his appointment as Judge of the District Court of Maryland for Charles County on February 6, 1976. In November of 1980 he was elected to serve a fifteen-year term as an Associate Judge of the Seventh Judicial Circuit of Maryland.

Judge Arthur M. Ahalt

The Honorable Arthur M. Ahalt was appointed to the Circuit Court February 9, 1982 by Governor Harry R. Hughes. The vacancy was created by the retirement of Judge Samuel W.H. Meloy.

Judge Ahalt was born April 27, 1942, and has been a life-long resident of Prince George's County. He received his B.S. from the University of Maryland in 1964 and his J.D. from the Washington College of Law of the American University in 1967. He was Law Clerk for Blair H. Smith, Esquire, the Honorable Ralph W. Powers and the Honorable J. Dudley Digges in the Seventh Judicial Circuit.

Judge Ahalt was admitted to the Bar of Maryland in 1967. He practiced law specializing in litigation until his appointment to the Bench. He has been a lecturer at the University of Maryland and an author of various articles.

Judge Ahalt is a member of the Prince George's County Bar Association, Maryland State Bar Association and American Bar Association. He served as President of the Prince George's County Bar Association from 1979 to 1980 and numerous terms on its Executive Board. He has served on the Board of Governors of the Maryland State Bar Association for three terms, elected as Chairman of its Young Lawyers Section from 1973 to 1974 and chaired and served on various committees including the Citizens Advisory Committee to the Law Related Education Project. He has also served two terms in the American Bar Association House of Delegates.

Judge Ahalt is active in his community having served on Youth Boards, as Elder of Hope Presbyterian Church, as Trustee for Riverdale Presbyterian Church and as a Boys and Girls Club coach in soccer, basketball and baseball.

Judge G.R. Hovey Johnson

The Honorable G.R. Hovey Johnson was appointed to the Bench by Governor Harry Hughes on November 12, 1982. Judge Johnson is a native of Richmond, Virginia, received his undergraduate degree in Texas at Prairie View A & M College and, later, earned a master's degree in Washington, D.C., at George Washington University. He received his J.D. degree at Georgetown University, also in Washington, D.C.

Judge Johnson is a retired Regular Army colonel who served several tours of duty worldwide to include diplomatic postings in the Middle East and two assignments to Vietnam, one as a Special Forces (Green Beret) Officer and the other as an infantry battalion commander. His decorations include two Legions of Merit, the Distinguished Flying Cross, three Bronze Stars, three Meritorious Service Medals, six Air Medals, two Joint Service Commendation Medals, the Army Commendation Medal, as well as numerous foreign and service awards and badges.

Prior to his appointment, Judge Johnson was a trial attorney on the Public Defender staff and also was engaged in the private practice of law. He is a member of the Prince George's County Bar Association, the Maryland State Bar Association, and the American Bar Association.

The Cross-Designated Judges of the Seventh Judicial Circuit of Maryland and District Courts Number 4 and 5

The Seventh Judicial Circuit Court of Maryland encompasses Calvert, Charles, Prince George's and St. Mary's Counties.

Within the District Court System, Calvert, Charles and St. Mary's Counties are in District 4, while Prince George's County is in District 5.

The interaction and logistics involved in the administration of justice between both levels of Courts in Calvert, Charles, Prince George's and St. Mary's Counties mandates a spirit of close cooperation. Therefore, the following Judges have been cross-designated to assist as required.

Circuit Court Judges Cross-Designated To Sit in District Court

Judge Perry G. Bowen, Jr.
Judge James H. Taylor
Judge Joseph A. Mattingly
Judge George W. Bowling
Judge Robert J. Woods
Judge Howard S. Chasanow

Judge Vincent J. Femia
Judge Robert H. Mason
Judge David Gray Ross
Judge James Magruder Rea
Judge Richard J. Clark

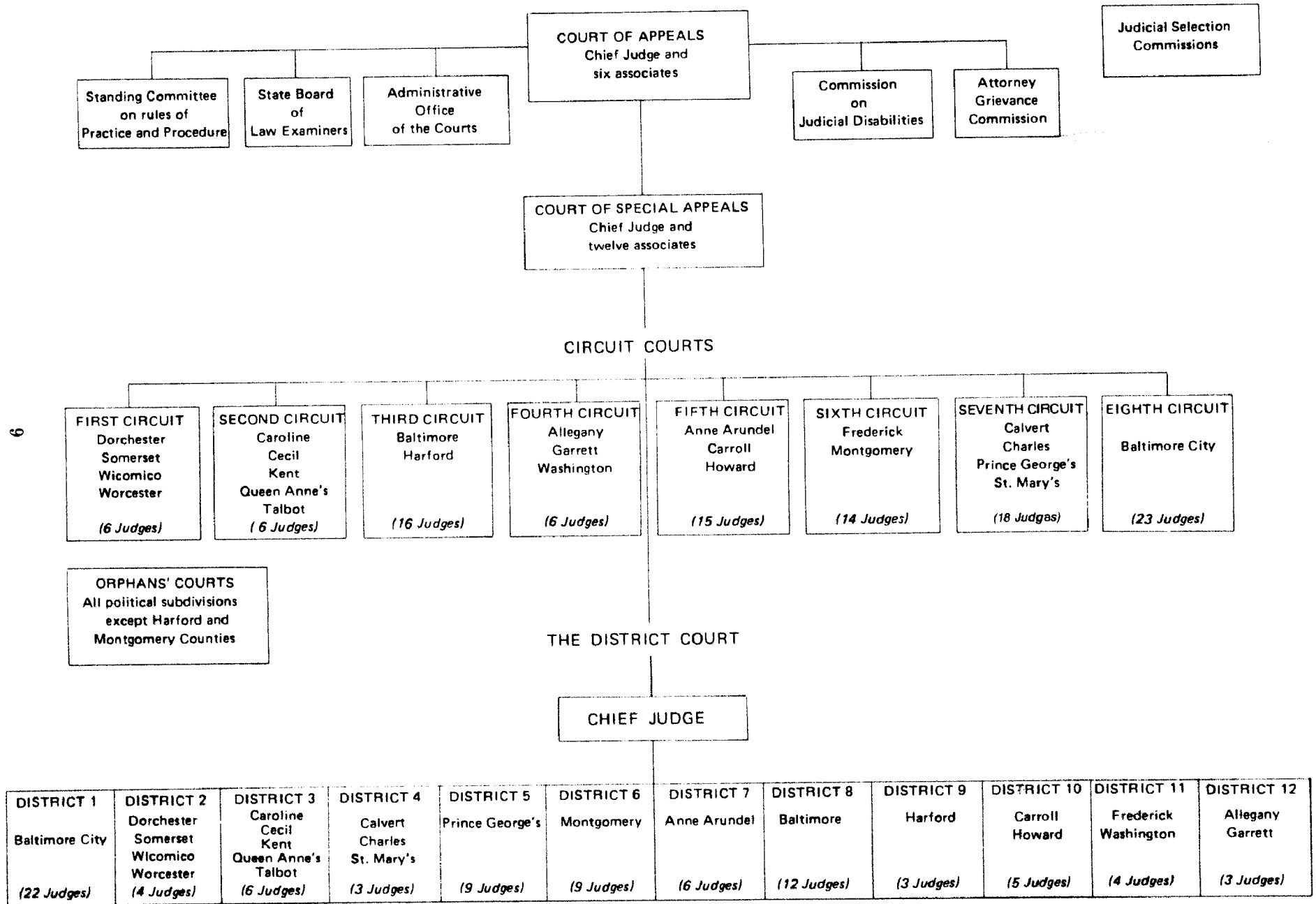
District Court Judges Cross-Designated To Sit in Circuit Court

Judge Thomas R. Brooks
Judge Irving H. Fisher
Judge Graydon S. McKee, III

Judge Larry D. Lamson
Judge Robert C. Nalley
Judge C. Clarke Raley

The assistance given by the aforementioned District Court Judges has been most helpful and greatly appreciated.

THE MARYLAND JUDICIAL SYSTEM



6

THE COURTS

OVERVIEW OF THE MARYLAND SYSTEMS AND OPERATIONS*

A. Authority, Organization and Jurisdiction

The primary responsibilities and the major description of the Maryland Courts are found in the provisions of Article IV of the Maryland Constitution and the Courts and Judicial Proceedings Article of the Annotated Code of Maryland. In these provisions, four tiers or levels of the Courts are identified: the Court of Appeals, the Court of Special Appeals, the Circuit Courts of the counties and the six courts comprising the Supreme Bench of Baltimore City, and the District Court of Maryland.

The Court of Appeals is the court of last resort in the State of Maryland. By legislation effective January 1975, this court hears cases almost entirely by way of certiorari review. This discretionary review permits the Court of Appeals to review cases decided by the Court of Special Appeals and also permits that court to direct review of cases prior to consideration by the Court of Special Appeals. In addition, it may decide to review certain decisions of the Circuit Courts (or of the Supreme Bench) if those courts themselves have acted in an appellate capacity with respect to an appeal from the District Court. This court has also the authority to adopt rules of practice, procedure and judicial administration which have the force of law, decide attorney and judicial disciplinary actions and admit new attorneys to the practice of law.

There are seven judges who serve on the Court of Appeals; one from each of the first five appellate judicial circuits and two from the Sixth Appellate Judicial Circuit (Baltimore City). The Chief Judge of the Court of Appeals is also the administrative head of the entire judicial system in Maryland. In this capacity he has the authority to assign judges anywhere in the State where judicial manpower shortages exist. He also can make and carry out various administrative policies, subject to rules promulgated by the Court of Appeals.

The Court of Special Appeals is an intermediate appellate court which was established in 1966. Its initial jurisdiction included only criminal cases. Since that time, however, the jurisdiction of the court has been expanded to include virtually all initial appellate jurisdiction. Judges in this thirteen-member court sit normally in panels of three to hear cases. One member of the court is selected from each of the five appellate judicial circuits and two from the Sixth Appellate Circuit (Baltimore City). The remaining judges are selected on an "at-large" basis throughout the State.

The Circuit Courts are the trial court of general jurisdiction. These courts are generally responsible for hearing the major civil cases, the more serious criminal trials and almost all matters arising in equity. Divided into eight geographical circuits, this court level has at

least one judge for each of the twenty-three counties in Maryland. In addition to the jurisdictional responsibilities listed above, the Circuit Courts hear all jury trials prayed in the District Court, all record and "de novo" appeals from the District Court, and appeals from administrative agencies.

The District Court of Maryland was created in July of 1971 for the purpose of developing a unified system in the courts of limited jurisdiction. The exclusive jurisdiction of the District Court generally includes all landlord/tenant cases; replevin actions; motor vehicle violations; criminal cases if the penalty is less than three years imprisonment or does not exceed a fine of \$2,500, or both; and civil cases involving amounts not exceeding \$2,500. It has concurrent jurisdiction with the circuit courts in civil cases over \$2,500 to not exceeding \$10,000; and concurrent jurisdiction is misdemeanors and certain enumerated felonies if the penalty is three years or more. Since there are no juries provided in the District Court a person entitled to and electing a jury trial must proceed to the Circuit Court. The District Court is divided into twelve geographical districts throughout the State and there is at least one judge assigned in each of Maryland's twenty-three counties and Baltimore City.

As mentioned above, the Chief Judge of the Court of Appeals is the administrative head of the entire judicial system in Maryland. Assisting the Chief Judge in this capacity are the Chief Judges of the Court of Special Appeals and the District Court, the State Court Administrator and the Administrative Office of the Courts. The Chief Judge of the District Court has a separate administrative staff which is responsible for the overall administration of the District Court. Assisting the Chief Judge and the Court of Appeals in carrying out other related functions of the Court are the State Board of Law Examiners, the Standing Committee on Rules of Practice and Procedure, the Attorney Grievance Commission and the Commission on Judicial Disabilities. Each of these groups is supported by a small group of staff personnel.

B. Selection, Qualification and Tenure of Judicial Personnel

The basis for the present method of selecting judges in Maryland can be found in the executive order signed by the Governor on June 8, 1979. Essentially, this order provides for an Appellate Judicial Nominating Commission and eight Trial Court Judicial Nominating Commissions. Each commission consists of six lay persons appointed by the Governor, six lawyers elected by members of the Bar and a Chairman, appointed by the Governor.

The Administrative Office of the Courts is secretariat to the Nominating Commissions and is responsible for informing the appropriate commission that a vacancy does or will soon exist. Upon notification, the commission asks for recommendations from its own members, the bar, and interested citizens. The proposed nominees are evaluated by the Commission, after which it recommends to the Governor those persons found to be legally and most professionally qualified. The Governor is bound to fill the vacancy from the commission's list. This procedure applies to all levels of courts in the State of Maryland, except the Orphans' Court. However, the courts differ as to the process of retention following the gubernatorial appointment. In the District Court, a judge's appointment merely must be confirmed by the Senate; upon confirmation, the judge serves a ten-year term. At the county Circuit level, a judge must stand for election at the next general election following by at least one year the vacancy the judge was appointed to fill. These elections are contested which means that one or more candidates may oppose the appointed judge. Once approved by the voters, circuit court judges serve a term of fifteen years. Judges at the appellate level must also stand for election within one year after vacancies are filled, however, at these elections judges run on their record which means all that is required of the voters is a simple "yes" or "no" vote. Appellate judges if elected serve a term of ten years.

To be eligible for a judgeship, the Constitution provides that a person must be: a citizen of Maryland, a resident of the State of Maryland for at least five years, a resident of the particular circuit or district from which

he is elected or appointed for at least six months, a qualified voter, qualified to practice law in Maryland, and at least thirty years old. He must also be selected from among those lawyers "who are most distinguished for integrity, wisdom, and sound legal knowledge". Mandatory retirement age for all judges in the State is at the age of seventy.

C. Financial Support and Personnel

The Judicial Branch of Government in Maryland has 211 judicial positions and approximately 2,700 nonjudicial positions. State and local costs to support the operations of the judicial branch of government in Maryland were approximately \$78.1 million in Fiscal 1983.

The judicial branch consists of the Court of Appeals; the Court of Special Appeals; the Circuit Courts for the counties; the District Court of Maryland; the clerk's office or headquarters of these several courts; the Administrative Office of the Courts, including the Juvenile Court Clerk's Office in Baltimore City; the Standing Committee on Rules of Practice and Procedure of the Court of Appeals; State Board of Law Examiners; the Maryland State Law Library; the Commission on Judicial Disabilities; the Clients' Security Trust Fund; and the Attorney Grievance Commission.

The State-funded (as opposed to locally funded) Judiciary budget, operating on a program budget concept, expended \$37,082,819 in the twelve-month period ending June 30, 1983.

*Annual Reports of the Maryland Judiciary 1977-1983.

OUR SOCIETY — OUR COURTS — THE INCREASED CASELOAD*

No matter how unreasonable may be the expectation, Americans appear to have unbounded faith that our judicial system can supply a hope chest for every hope and a remedy for every wrong.

Our society expects courts to end racial tensions, sweep contaminants from the globe and bring about an armistice in the battle of the sexes. They expect courts to assure them of a right to be born and a right to die. They insist that courts protect their privacy, shield them from public wrong and private temptation, penalize them for their transgressions and restrain those who would transgress against others.

Our people ask judges to marry them, divorce them and, if not to bury us, at least to tell us when they are dead and to see to it that their funeral expenses are paid.

But yet, society is dismayed to discover that overwhelmed courts cannot hear their complaints for months and even years, that the litigious path to justice is exceedingly costly and that their problems do not vanish upon the issuance of a court decree. People are even more distressed that courts do not always decide cases "right", and that some courts refuse to decide some cases at all. Yet perhaps because the people have no other recourse, the rush to the courts is unabated, and all signs and statistical projections show that the pace is accelerating each year.

Americans have always had a litigation habit. Resorting to courts to resolve socioeconomic issues as well as to decide personal disputes is as old as the republic. Almost as venerable is a judicial proclivity to seize public issues if the bench becomes convinced that a

great public need for decisions of such an issue exists and that other branches of government cannot or will not tackle it.

Other developments had to occur to explain this explosion of litigation that is now occurring. The most important catalysts have been technological and scientific developments that not only transformed every aspect of our daily lives but changed human perceptions about the world in which we live and our relationships to one another.

The people are no longer a thinly populated nation of farms and hamlets. Our population is concentrated in cities and dependent upon large complexes of public and private delivery systems to bring us food, water, light and heat. Urbanization means that people will collide with each other, literally and figuratively, much more often than they do in a rural setting. Those collisions end up on the court's civil dockets. As everyone knows, the advent of modern transportation and the resultant mobility of our society has impacted the courts to an incalculable degree. The very population growth of our nation and local jurisdictions has created a court caseload that has been impossible to keep up with. Children and young adults loaded with energy and lacking gainful employment often turn to crime for fun and profit. We see the results in the court's criminal statistics.

The centrifugal forces of change have torn the fabric of many of our stabilizing and dispute-resolving institutions — home, family and church. But even if all of these social institutions were now as sturdy as we think they used to be, large mass of issues with which Americans must now deal could not be resolved by them.

Humans can now control birth and postpone death. We can prevent disease, cure sickness and ease or end pain. As long as only God could decree birth, death, health and a few of the basic necessities of life, deprivation was simply an aspect of the human condition to be endured. However, when man can and does intervene in all of these activities, his perceptions are drastically changed.

At first gradually, and now at an ever accelerating pace, good health, relief from pain and hunger, emancipation from slavery and servitude and at least mild affluence have come to be regarded as human rights.

This change from a general expectation of deprivation to a general expectation of well being has caused the people to think of deprivation as injustice. Injustice thus perceived, is a result not of man's breach of his covenant with God, but of man's breach of his covenant with his fellow man, and, most recently, of the government's breach of its covenant with the people. Our people's perceptions have changed and along with it they are turning to the courts to right any alleged wrongs.

What's wrong is that our judicial systems are not designed to handle this massive influx of cases, and they cannot be restructured to do so without destroying the very qualities that have made them as attractive as they are.

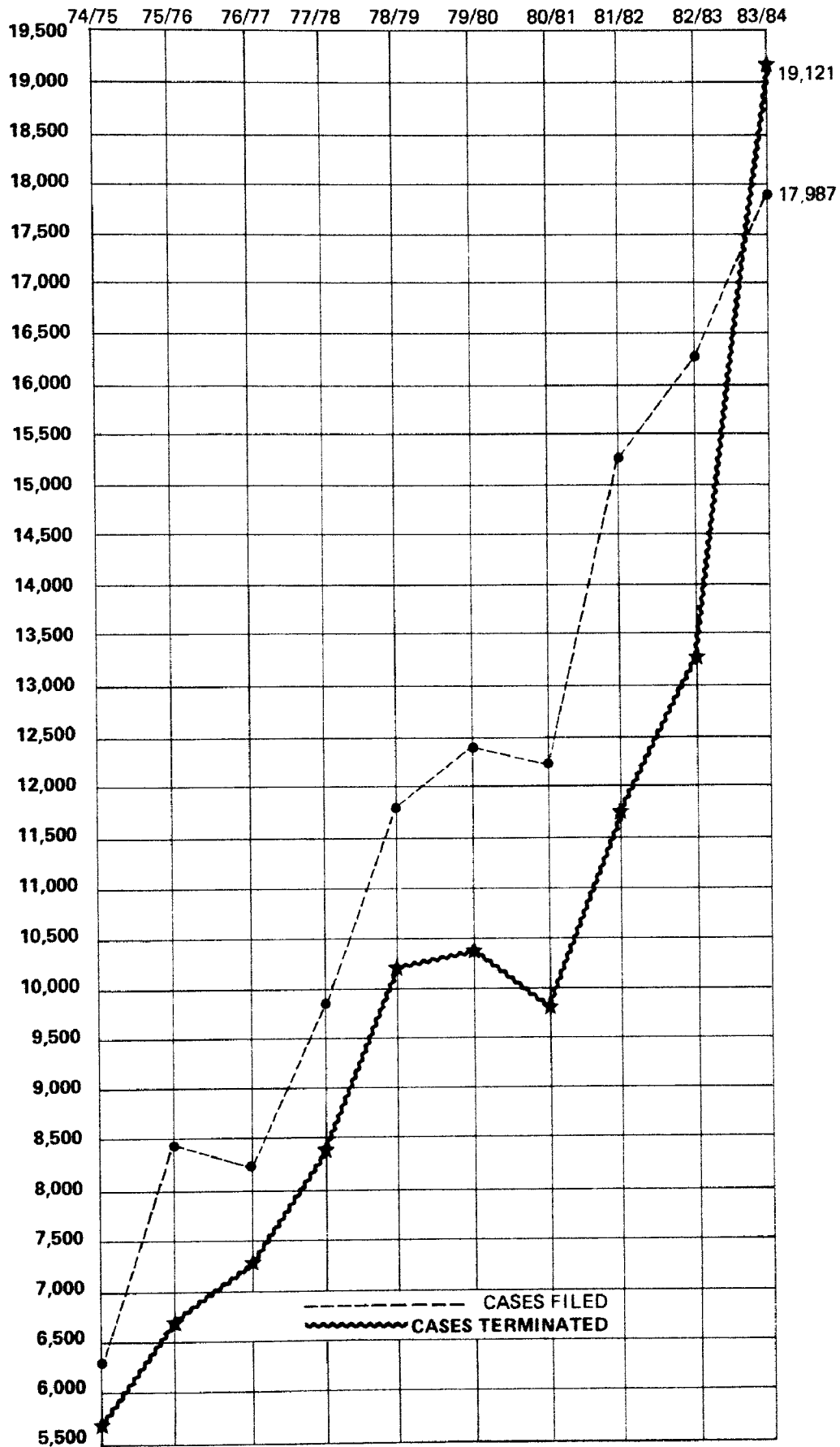
The decision making process is individualized and personal. One of the strengths of our Maryland judiciary is that it is small and personal, but this also means that the complexity and amount of decision making must be kept within the limits of what ordinary mortals can effectively do.

Americans have expectations about what courts can do that cannot be fulfilled. Courts are primarily deciders, not supervisors. Judges know, for instance, that when they grant a divorce, they are not solving matrimonial problems. Evils do not vanish with the wave of a court decree. But yet, the caseload grows year after year in alarming figures.

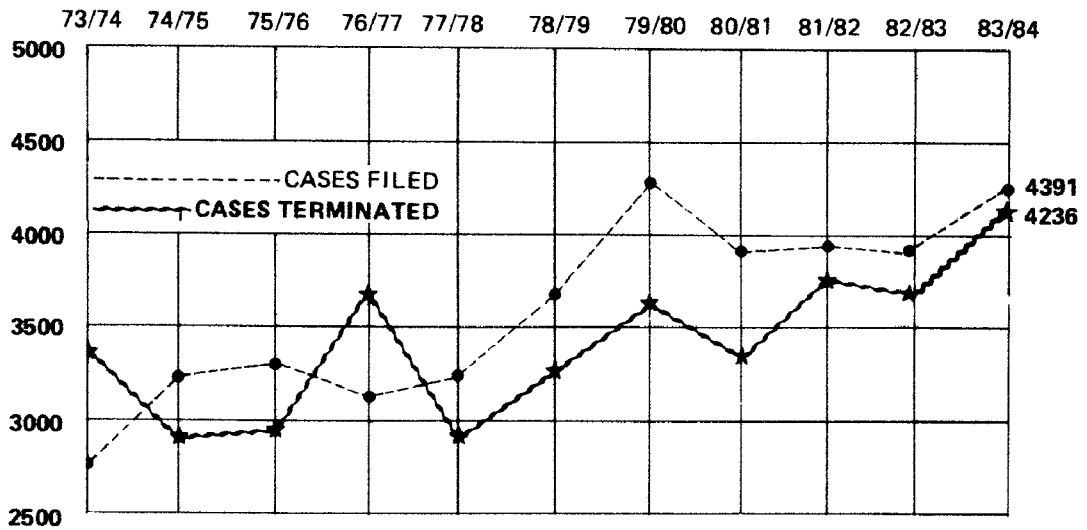
The more that we look at how our people view the judicial system and how they are using it, we realize that we cannot continue our hopes that things will get better by themselves. Our local government and legislature must increase judicial budgets enough to permit courts to hire additional judges to handle the caseload. In addition they must increase the judicial budget enough to permit courts to modernize their office equipment and systems and to hire the necessary supporting personnel. We must supply our society and citizens of the Seventh Judicial Circuit with a proper forum for their disputes. Not to do so is in of itself a gross injustice.

*Based on an article published in the Washington Post, January 1, 1978 by Judge Shirley M. Hufstetler, Ninth Circuit Court of Appeals, Los Angeles, California.

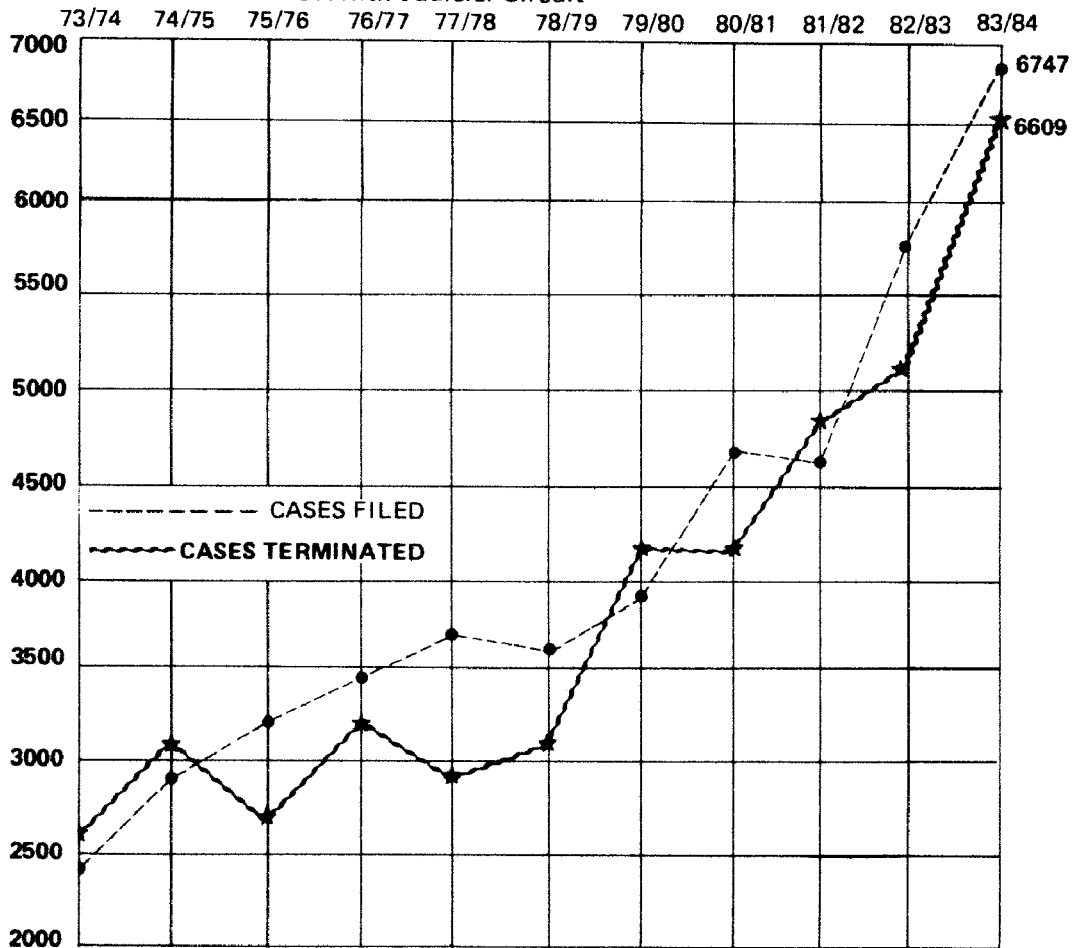
GRAPH I
COMPARATIVE GRAPH – EQUITY CASES FILED AND TERMINATED
Seventh Judicial Circuit



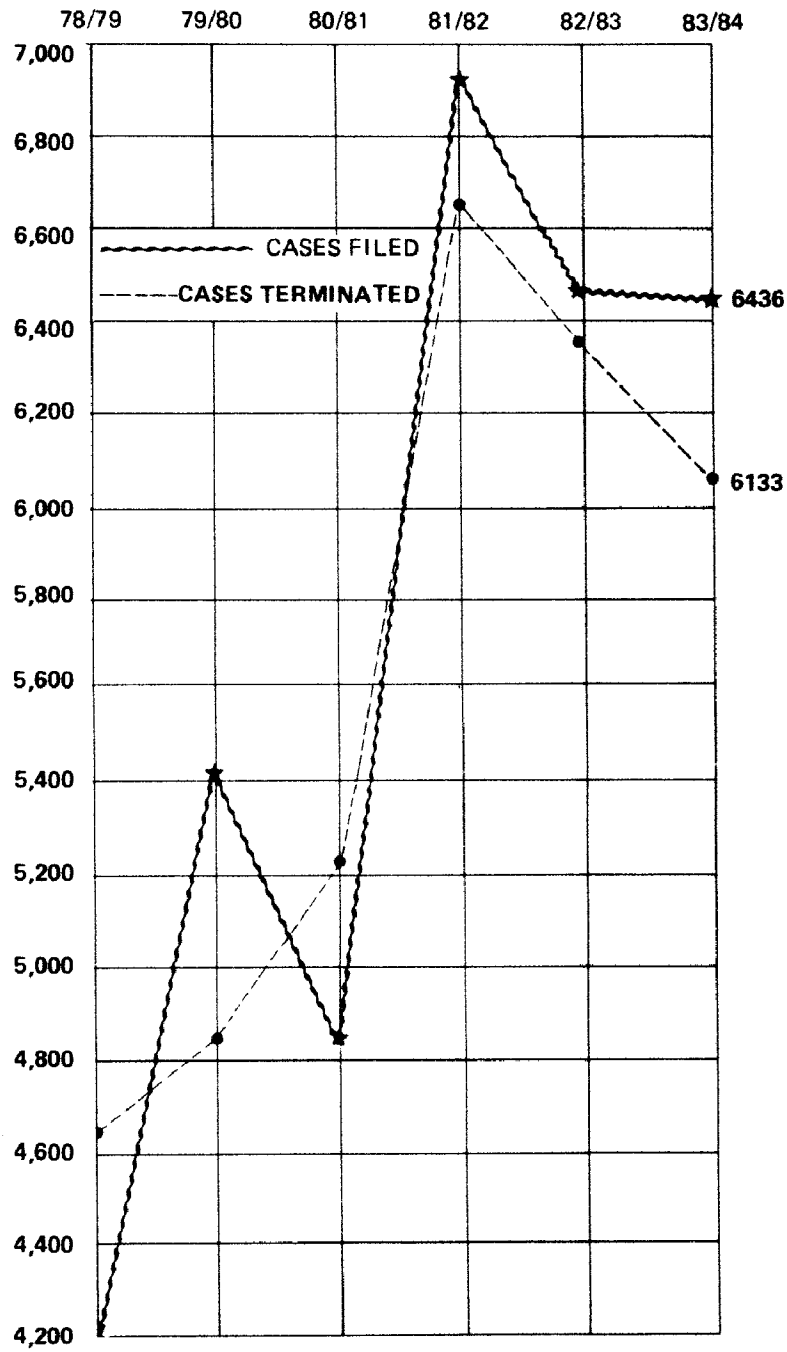
GRAPH II
COMPARATIVE GRAPH – LAW CASES FILED AND TERMINATED
Seventh Judicial Circuit

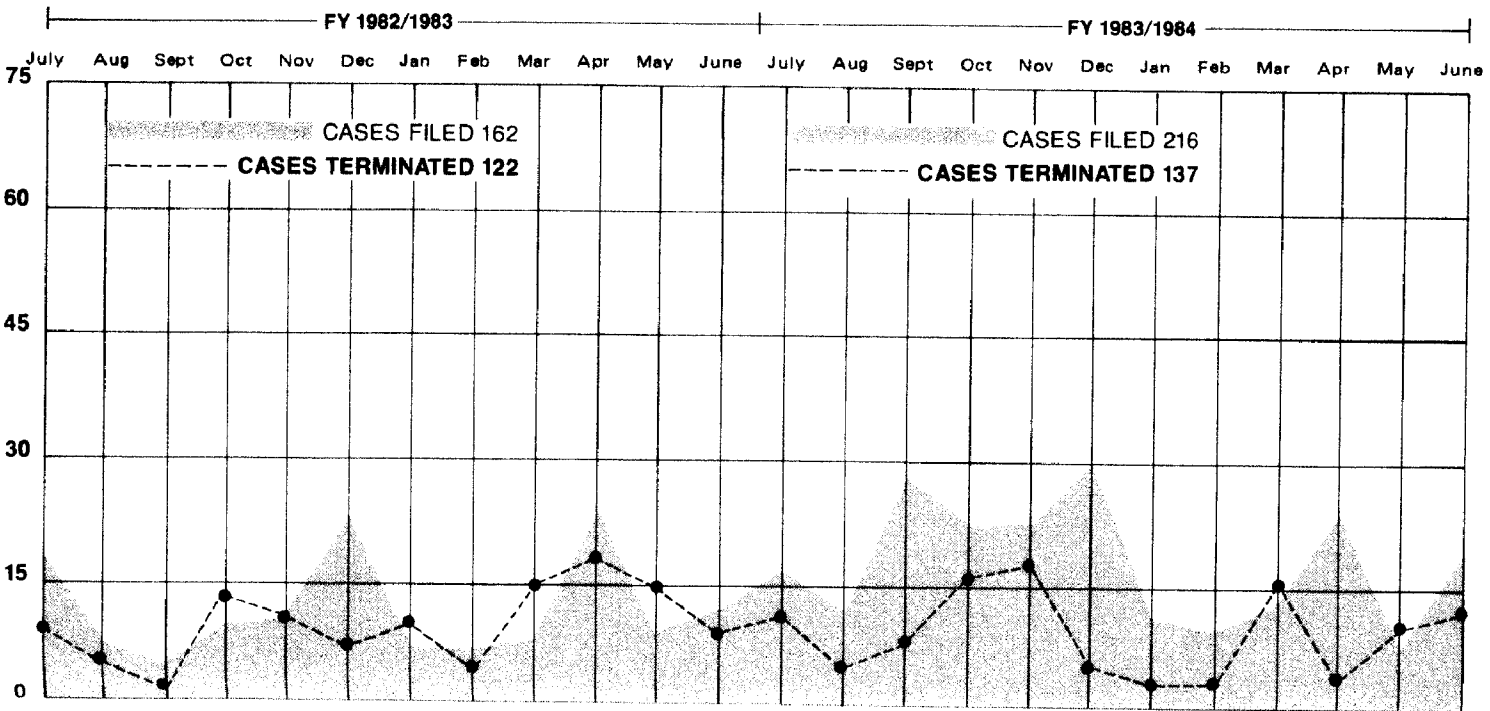
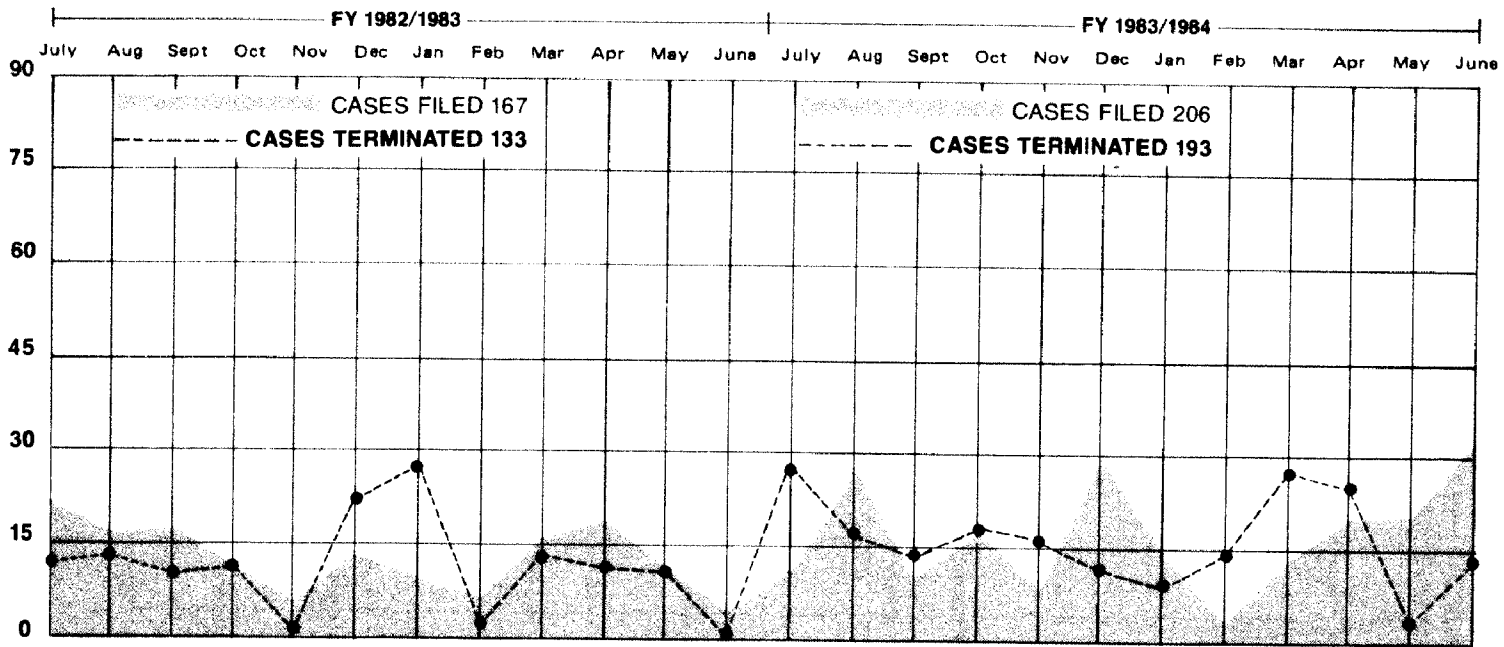


GRAPH III
COMPARATIVE GRAPH – CRIMINAL CASES FILED AND TERMINATED
Seventh Judicial Circuit

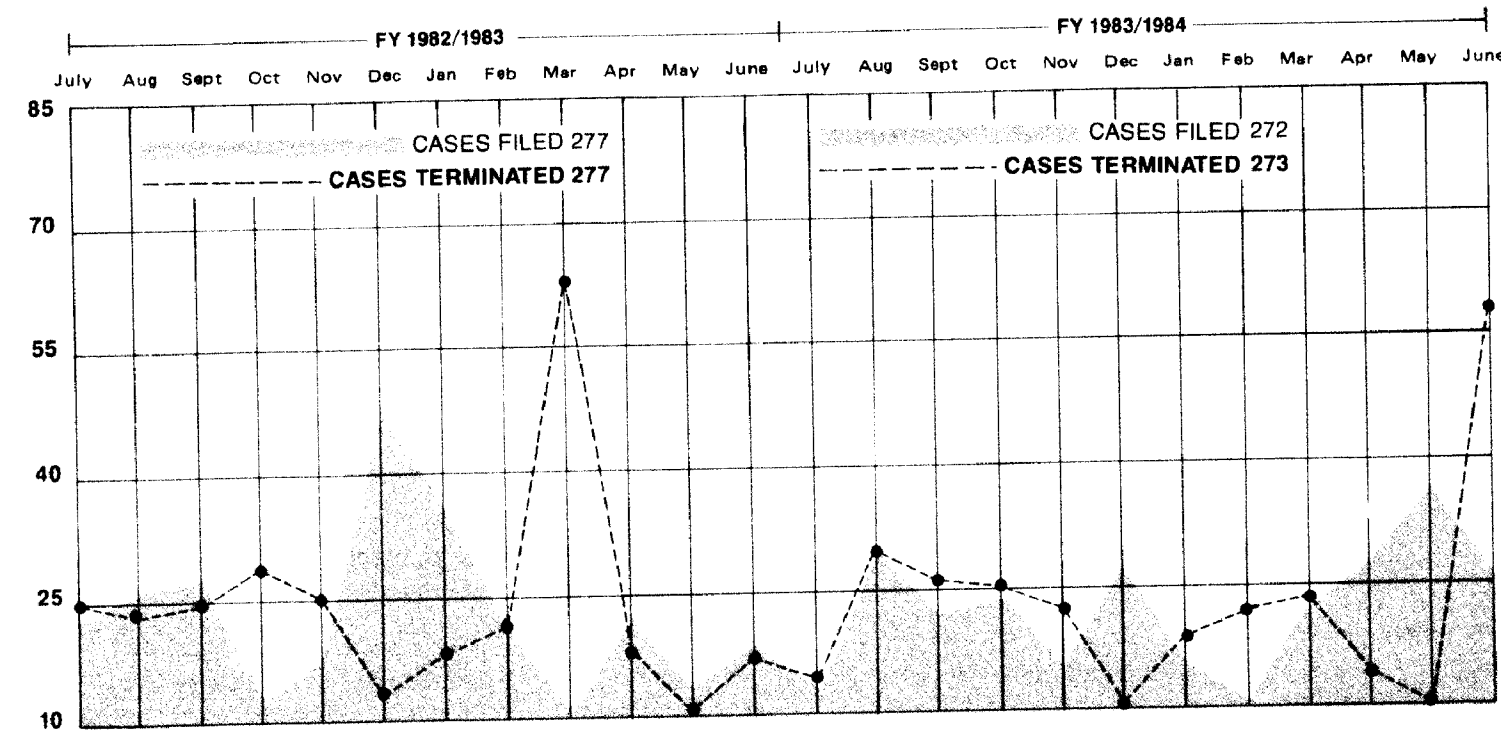
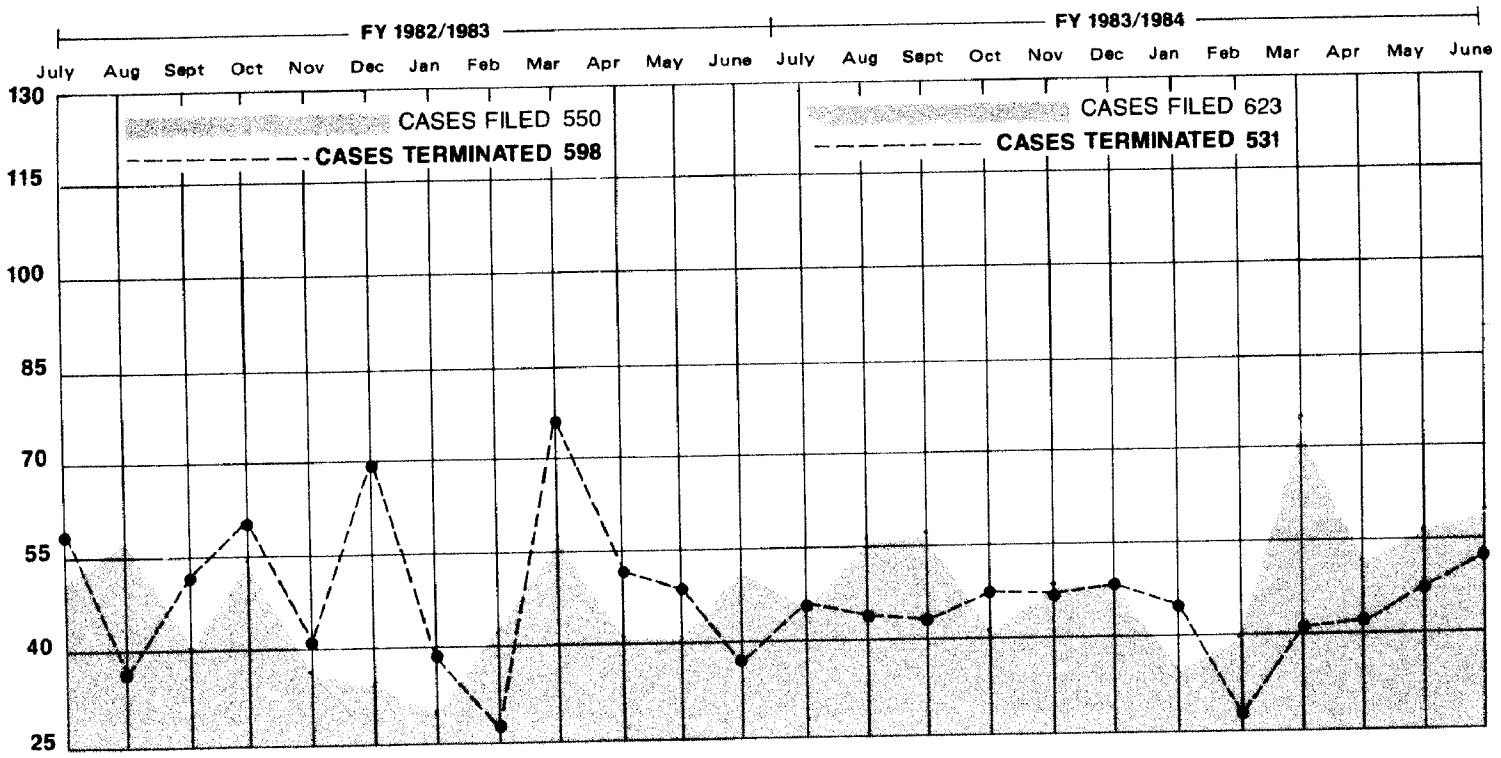


GRAPH IV
COMPARATIVE GRAPH – JUVENILE CASES FILED AND TERMINATED
Seventh Judicial Circuit

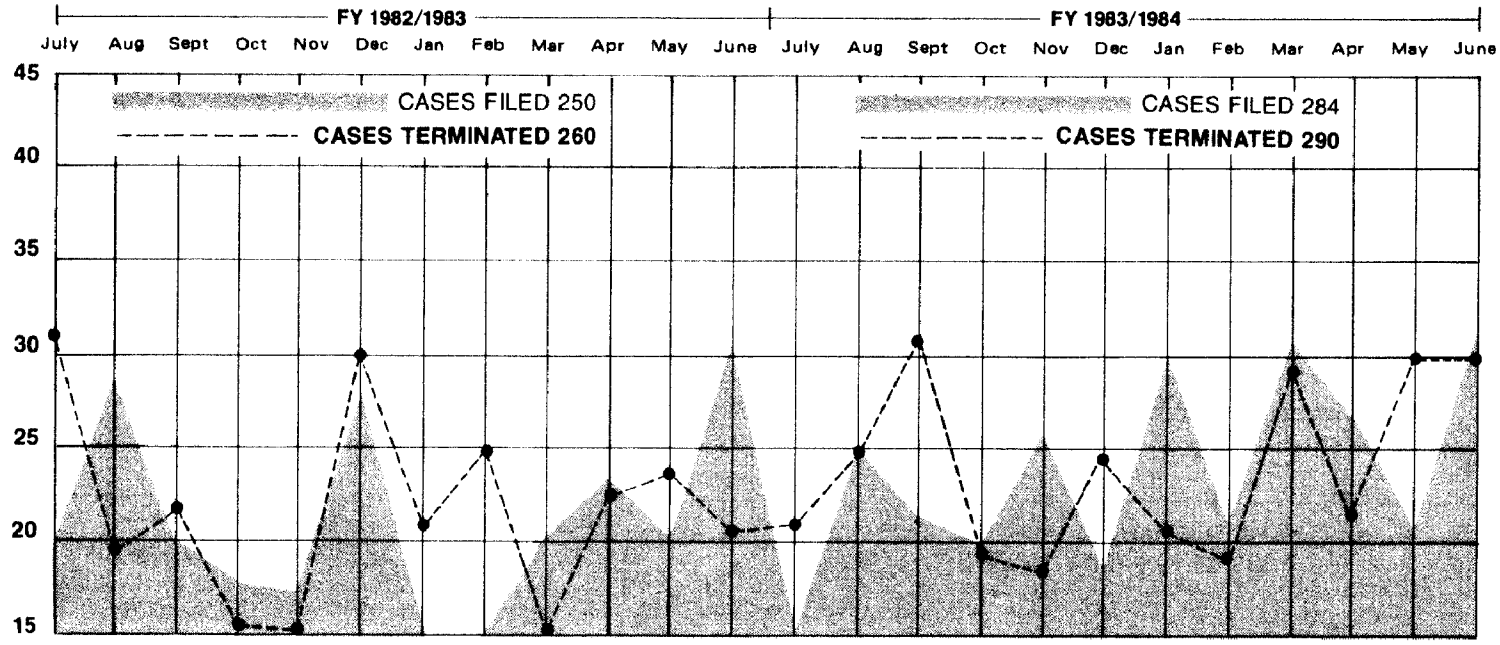
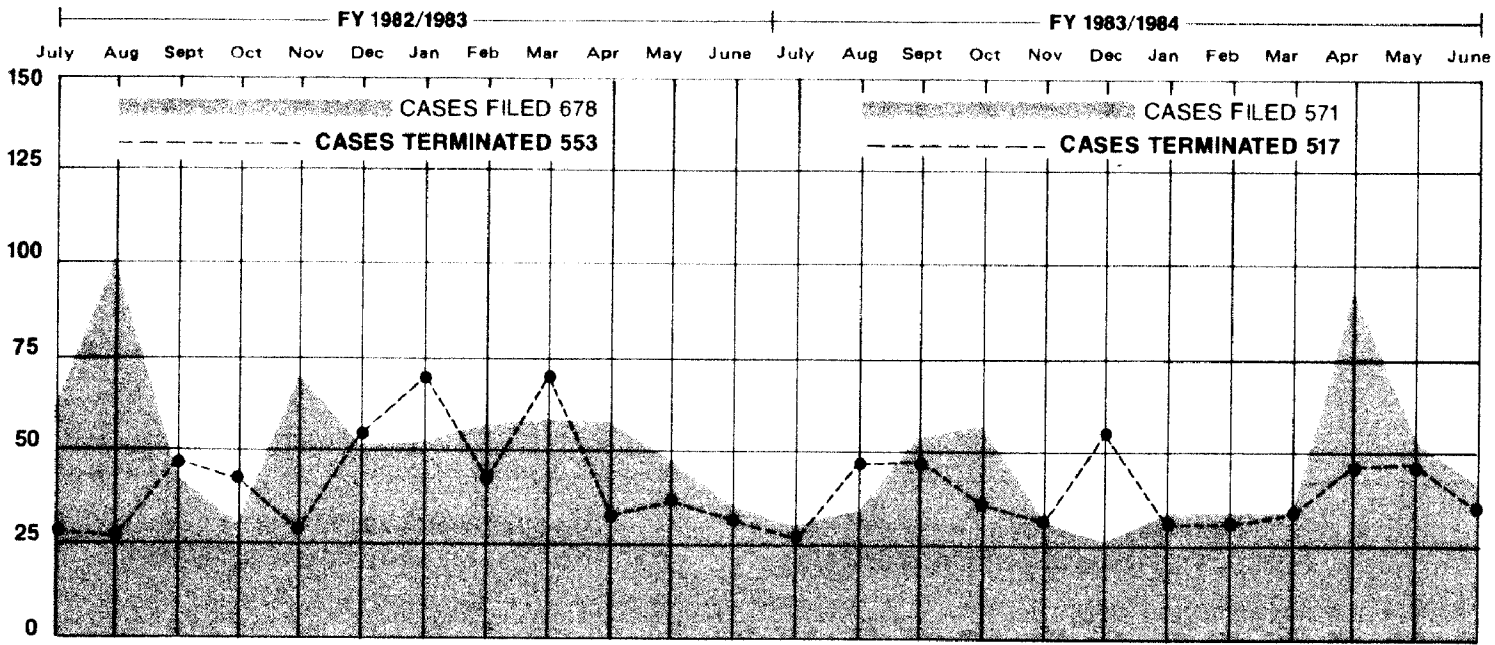




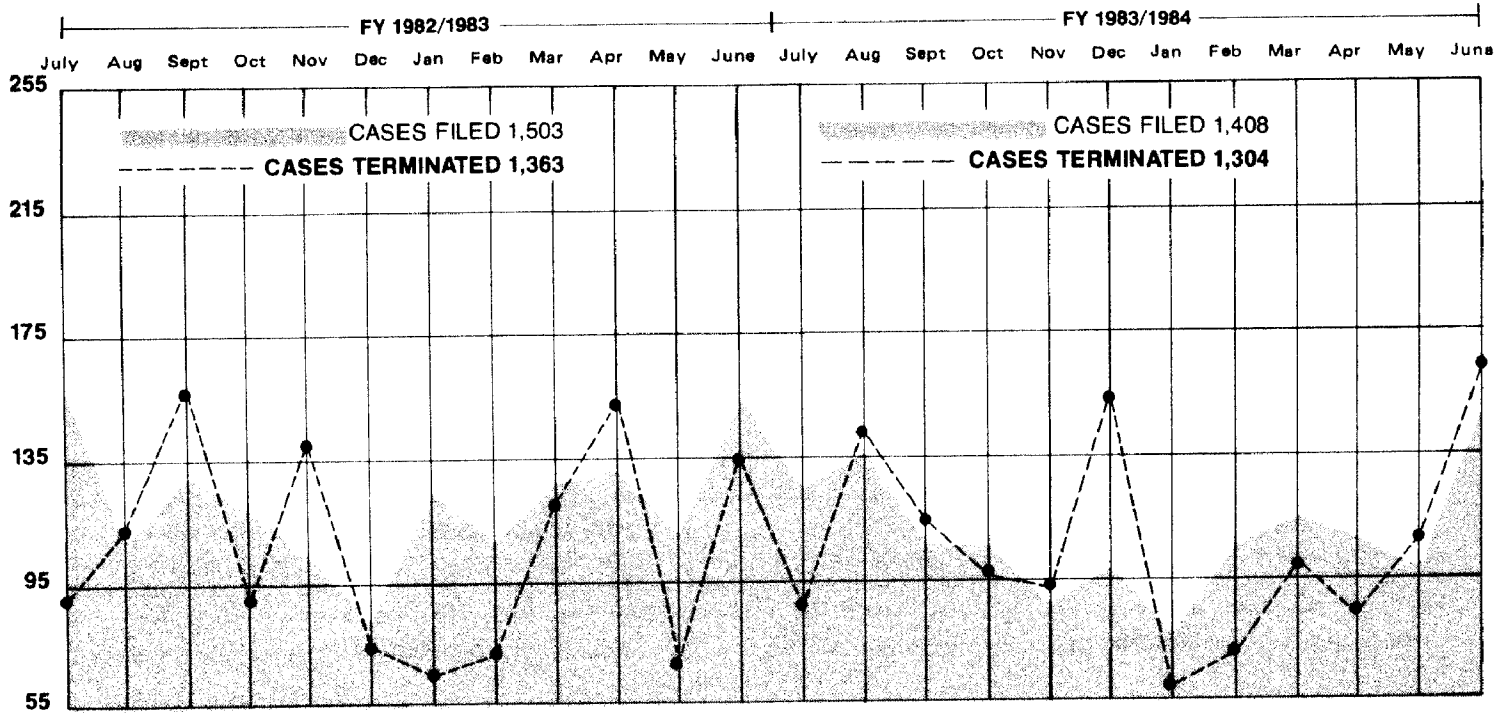
CALVERT COUNTY
July 1983 through June 1984



CALVERT COUNTY
 July 1983 through June 1984

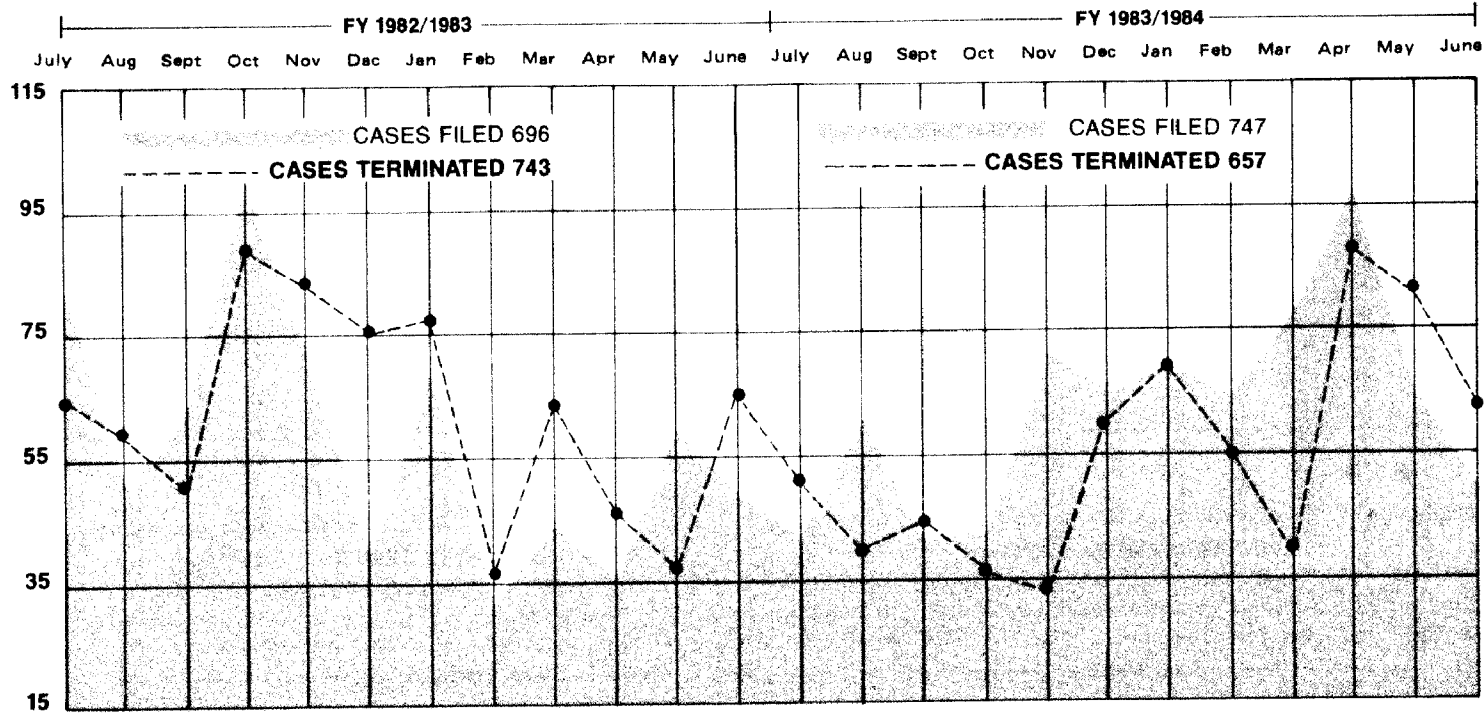


CHARLES COUNTY
July 1983 through June 1984

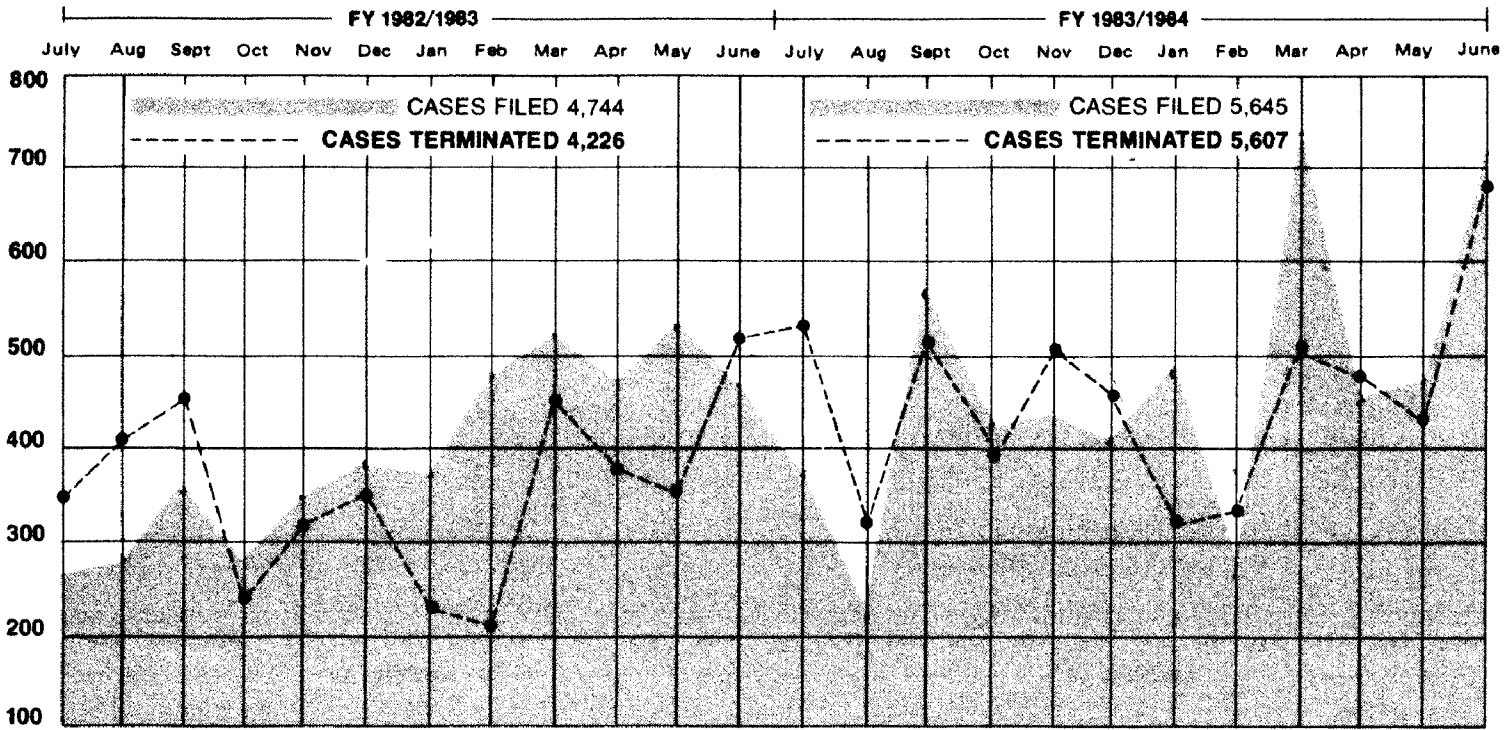


EQUITY CASES

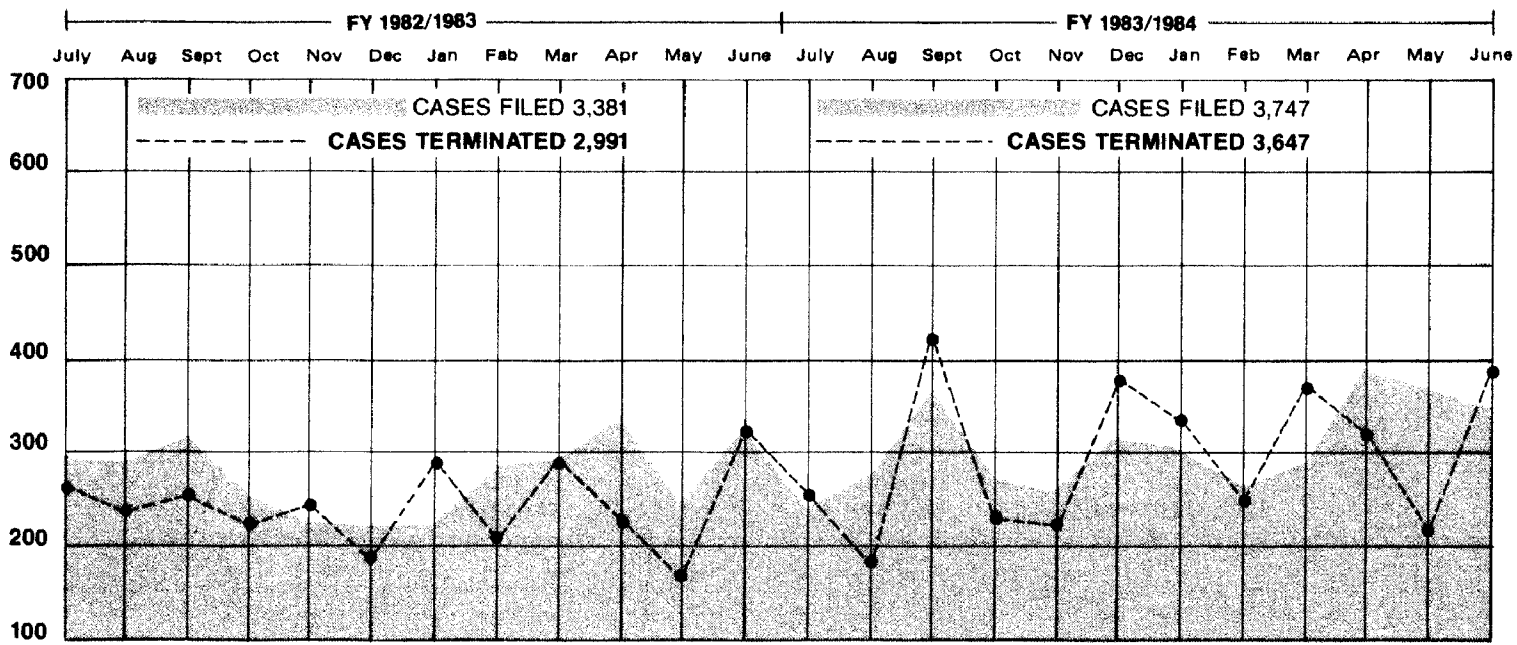
CHARLES COUNTY
July 1983 through June 1984



JUVENILE CASES

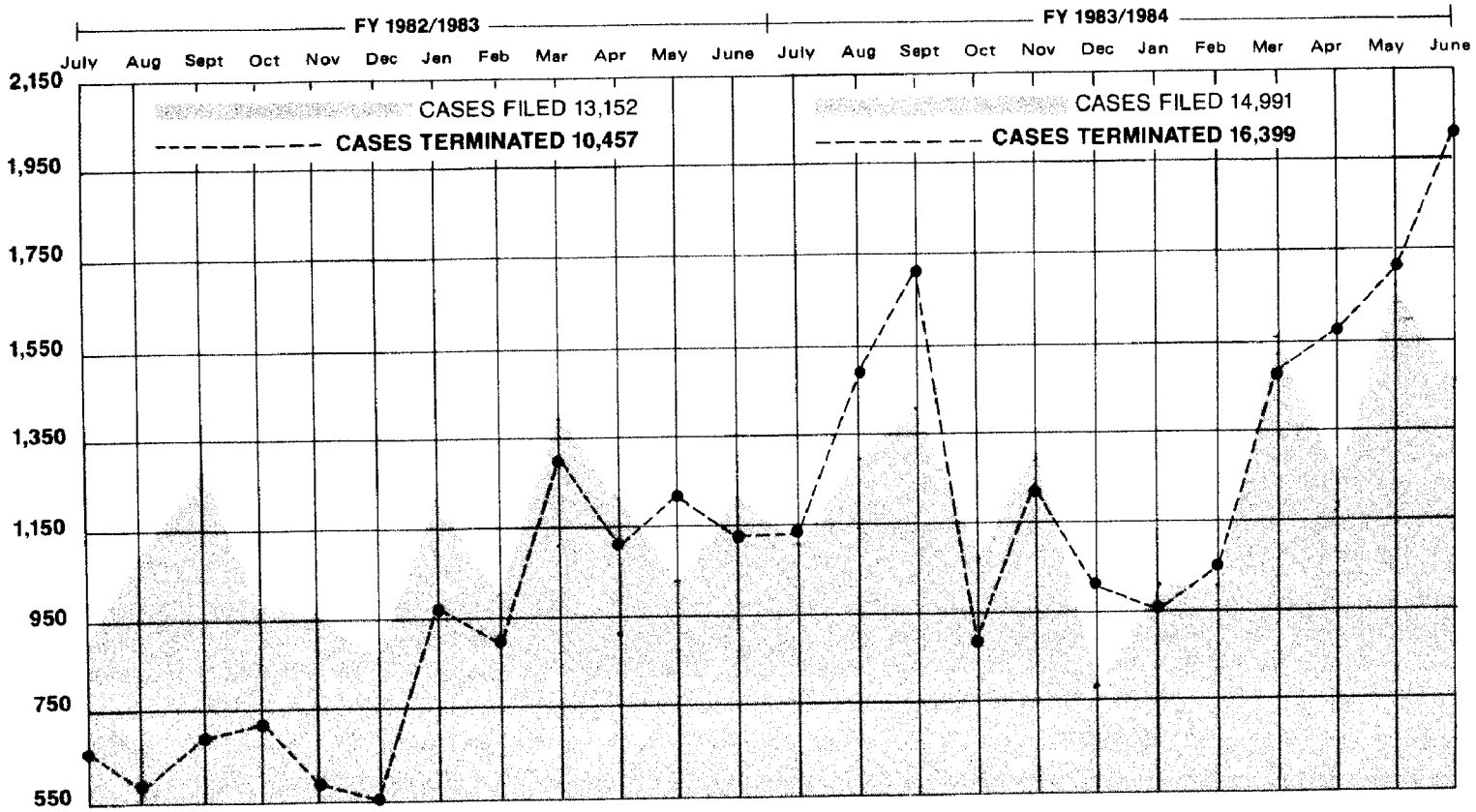


PRINCE GEORGE'S COUNTY
 July 1983 through June 1984

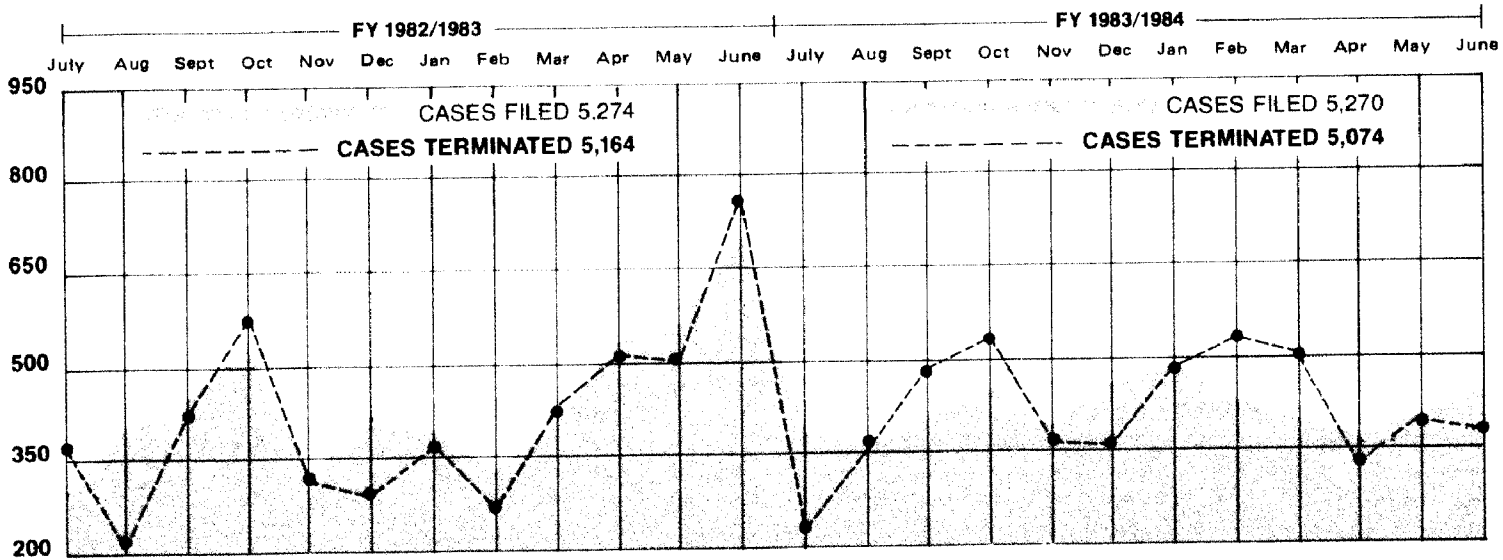


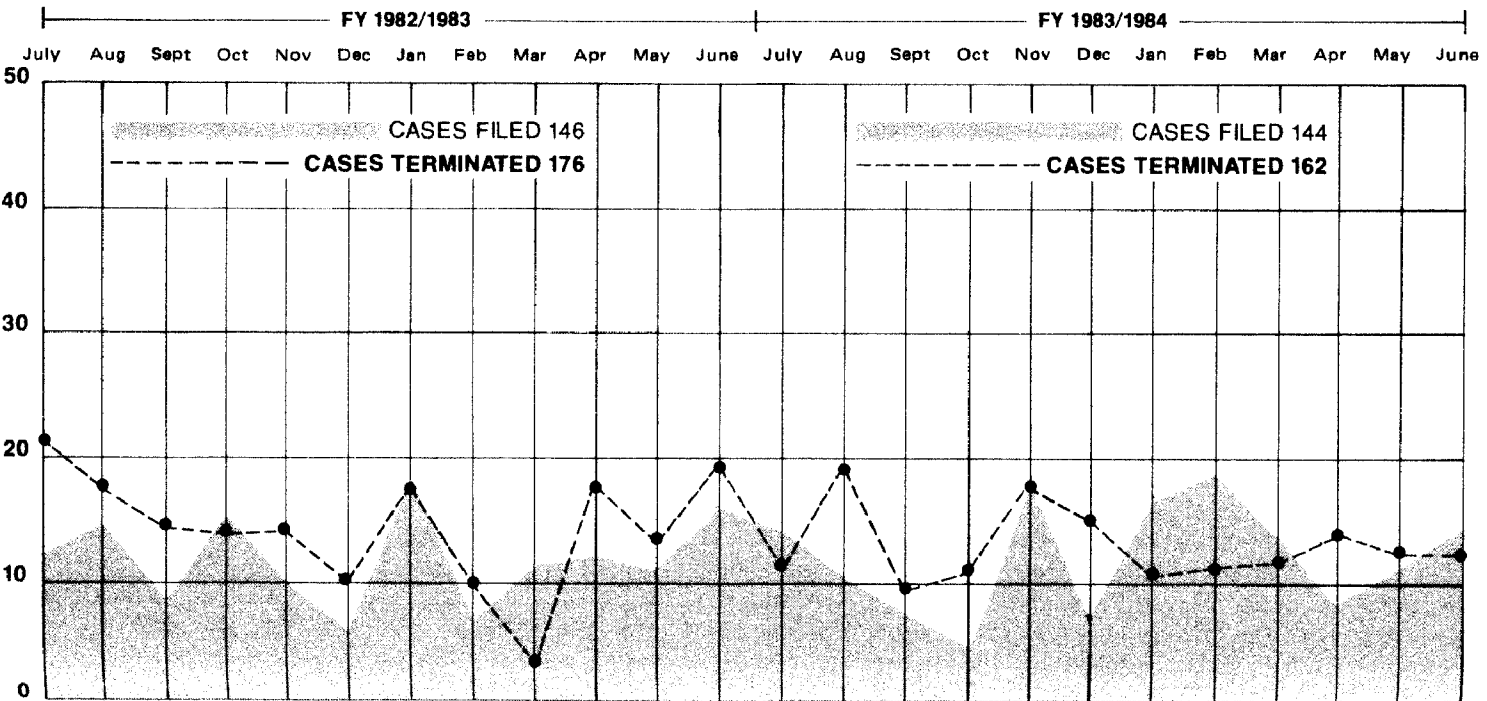
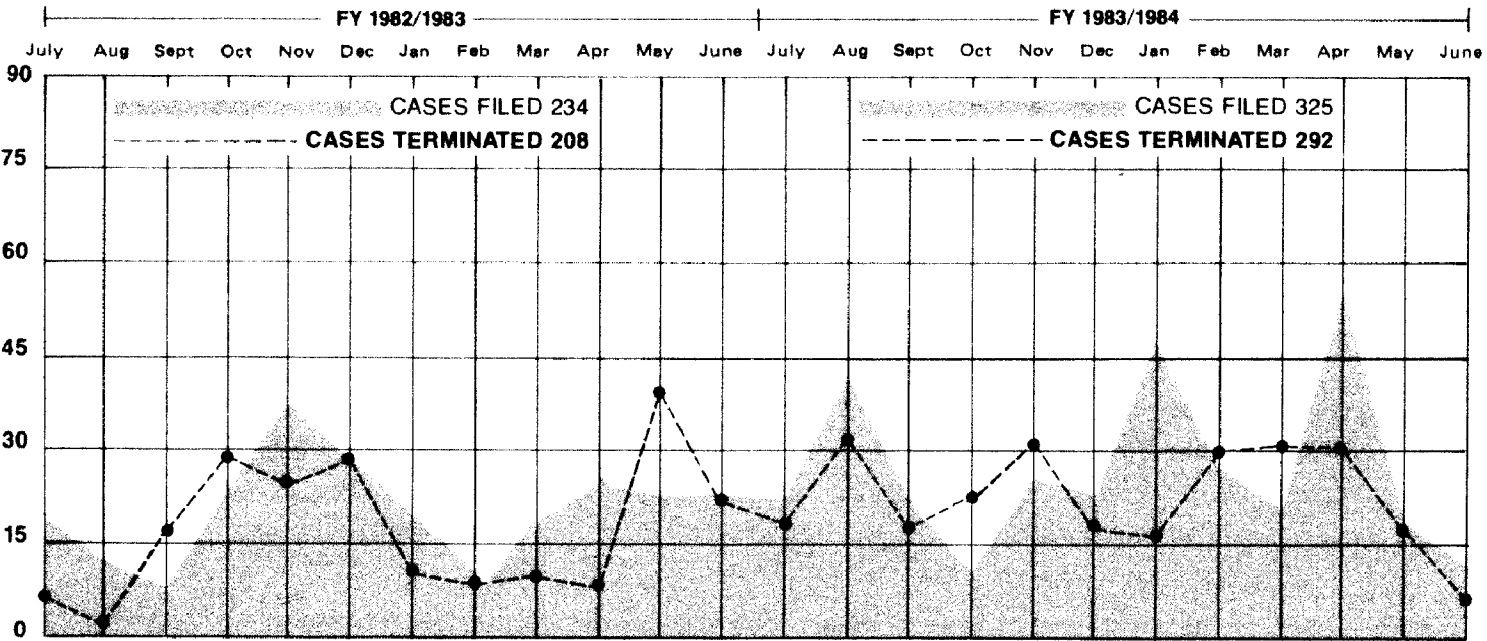
PRINCE GEORGE'S COUNTY
July 1983 through June 1984

EQUITY CASES

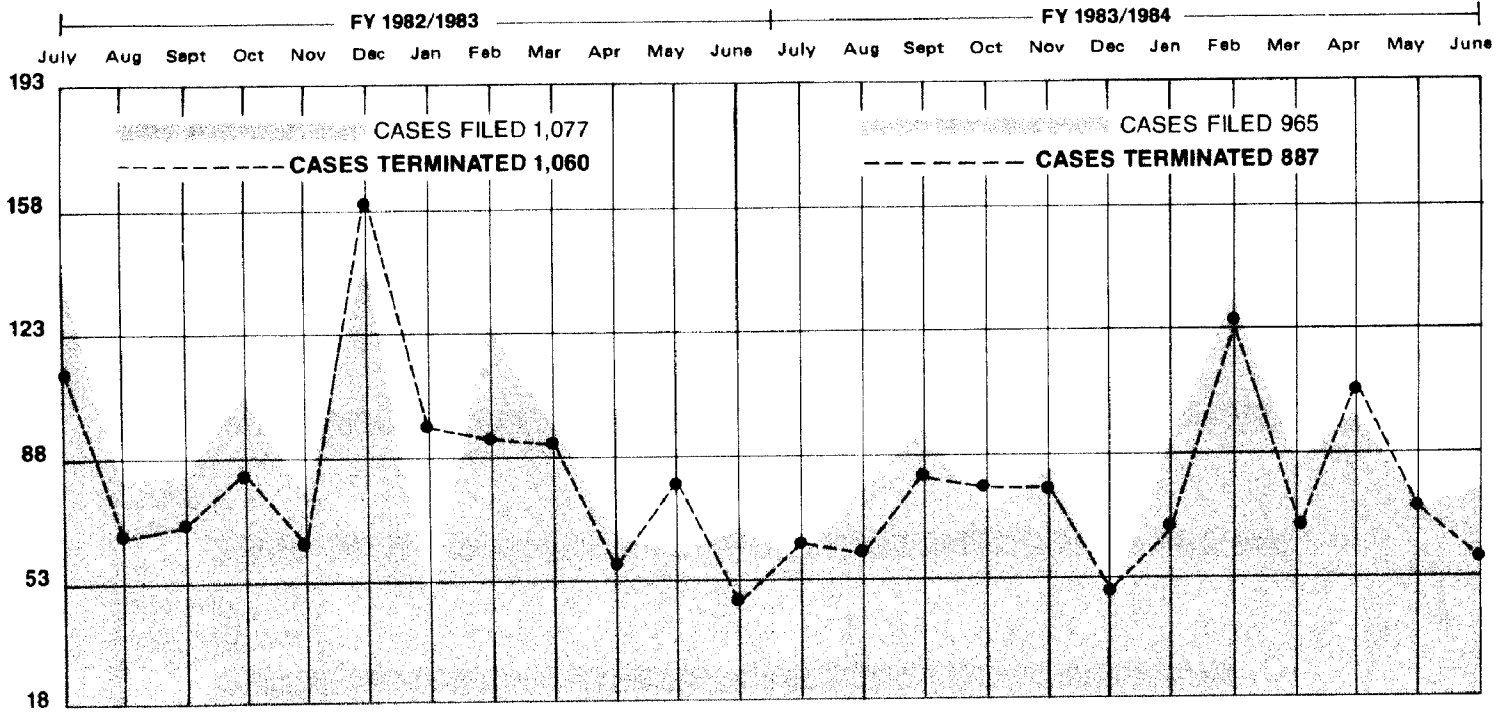


JUVENILE CASES

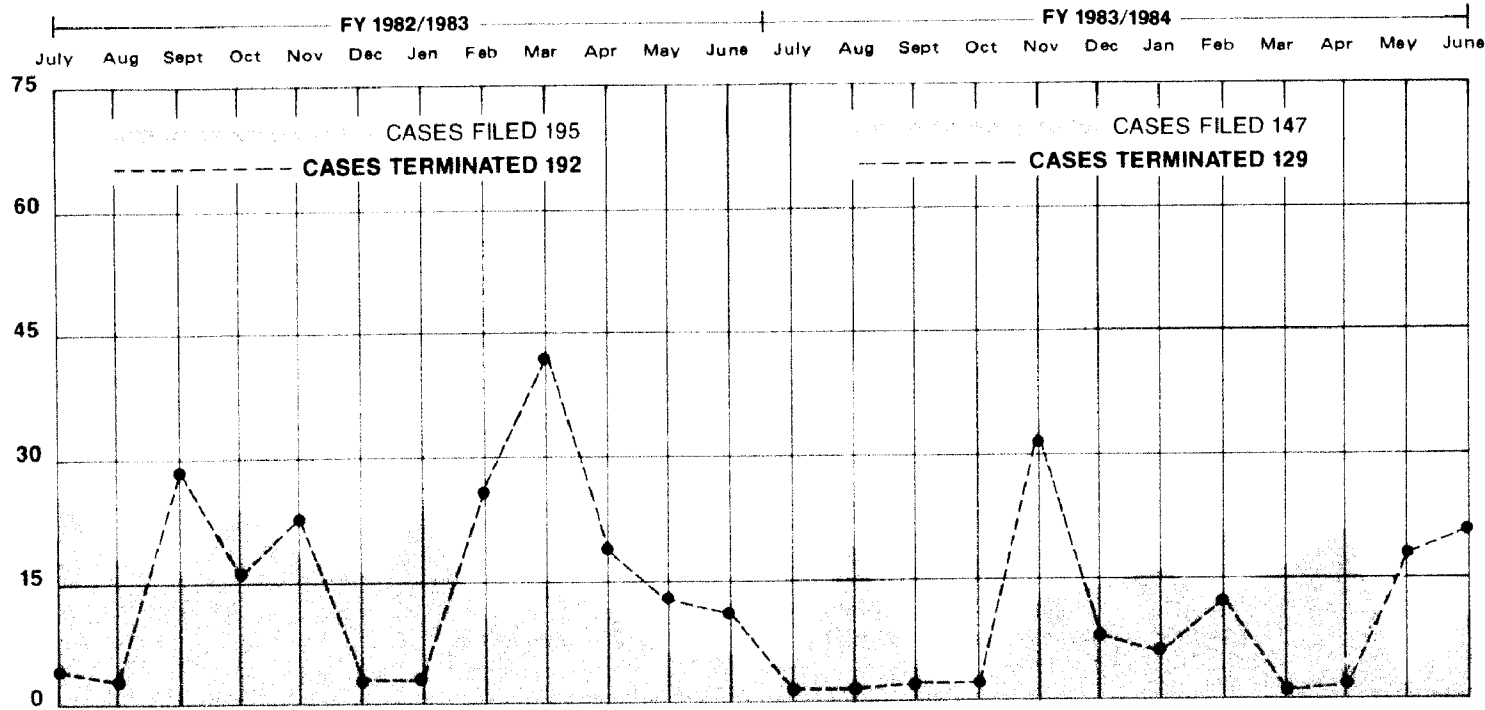




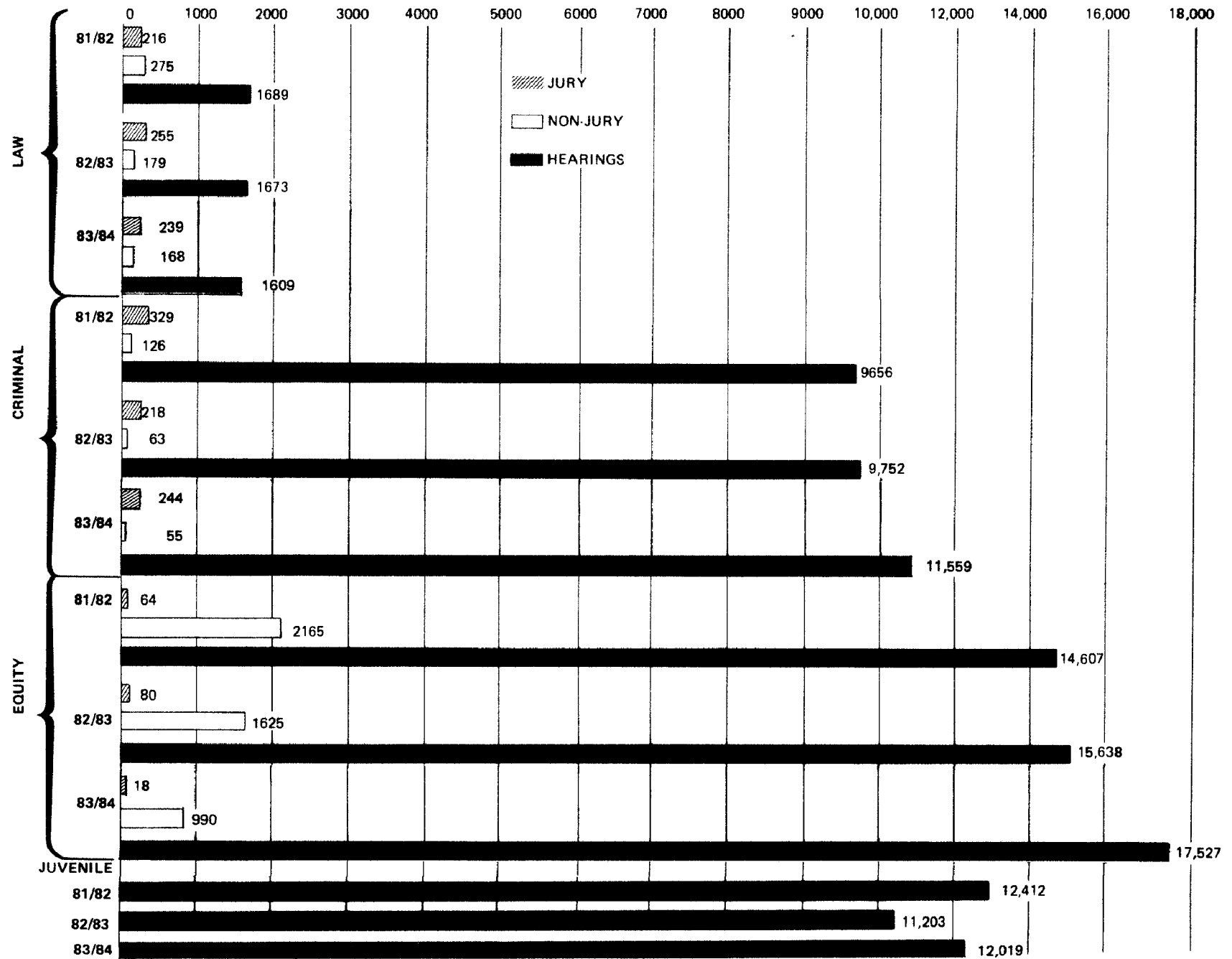
ST. MARY'S COUNTY
July 1983 through June 1984



ST. MARY'S COUNTY
July 1983 through June 1984



COMPARATIVE GRAPH – JURY TRIALS – NON-JURY AND HEARINGS
Seventh Judicial Circuit



ADMINISTRATIVE OFFICE OF THE COURTS

The increasing complexity of American urban life creates an administrative burden on court systems which simply cannot be handled by judges and routine court staff alone. A Court Administrator is needed to organize and administer non-adjudicative work in the Courts under the general guidance of the judges.

This activity by the Court Administrator to manage a court efficiently and economically relieves Judges of most administrative functions which prevent them from fully performing their adjudicative role.

The Administrative Office of the Courts for the Seventh Judicial Circuit of Maryland was created pursuant to Article 26, Section 42A of the Annotated Code of Maryland and has been continued under Section 13-102 of the new Courts and Judicial Proceedings Article of the Annotated Code of Maryland. The Office is charged with the general administrative supervision of the courts within the Circuit and includes but is not limited to: personnel administration, budget planning and preparation, purchasing, statistical compilation and preparation of reports for the bench. The Admin-

istrative Office also acts as a coordinating body for the Courts among the various Federal, State and local agencies and departments in matters relative to the administrative functions of the Court. In addition it plans and implements new or revised programs and procedures. The office also is responsible to plan and assist in the renovation of the Courthouse.

The Administrative Office for the four counties of the Seventh Judicial Circuit is located in the Prince George's County Court House in Upper Marlboro, Maryland and is staffed with an administrator, a deputy administrator and three secretaries.

Staff of Administrative Office

Robert W. McCarthy, Jr.	Administrator
Robert L. Miller	Deputy Administrator
Janet Tucker	Secretary
Monica King	Secretary
Mary Jane Fratantuono-Harris	Secretary

ADOPTIONS

To the person not familiar with the judicial system the word court normally carries a negative connotation of such matters as lawsuits, criminal trials and divorces. However, not all courts proceedings justify this negative connotation. Some of the most rewarding and happy experiences evolve from an adoption.

Adoption in Maryland is a legal process by statute Article 16, Section 67-85, where an order of Court is necessary to secure the legal rights and privileges of a son or daughter. When an adoption case has been adjudicated and a decree entered adoptive parents have the same right to a child's custody as natural parents. Therefore the status of an adopted person is that of a child born in lawful wedlock.

The policies and procedures for adoption contained in the statutes have as their purpose the threefold protection of: (1) the adoptive child, from unnecessary separation from its natural parents and from adoption by persons unfit to have such responsibility; (2) the natural parents, from hurried and abrupt decisions to give up the child; and (3) the adopting parents, by providing them information about the child and the child's background, and protecting them from subsequent disturbance of their relationships with the child by natural parents.

The primary consideration in an adoption proceeding is the welfare of the child or adult since the statute specifies that ". . . Any person whether a minor child or an adult, may be adopted."

The Legislature passed Chapter 514, Laws of 1982, which has tightened and clarified the adoption law. It is now more difficult to adopt a child unless all necessary consents are obtained.

The Maryland Courts are very proud of those who find the happiness of parenthood through adoption. Listed below is the number of adoptions filed by the counties within the Seventh Judicial Circuit for FY-80 through FY-84.

The Number of Adoptions Filed by Each of the Four Local Courts for FY-80 Through FY-84

COUNTY	79-80	80-81	81-82	82-83	83-84
Calvert	29	25	26	35	33
Charles	37	38	55	40	51
Prince George's	341	344	400	249	315
St. Mary's	38	39	40	48	31
TOTALS	445	446	521	372	430

DOMESTIC RELATIONS

The Office of the Master for Domestic Relations Causes was created by Chapter 684, Laws of Maryland, 1968. Prior to that time, uncontested divorces and annulments had been heard by Examiners in Chancery in their Offices, which testimony was later transcribed and presented to the Court for consideration as to whether or not the divorce or annulment should be granted. Due to the increased number of cases to be heard, beginning on July 1, 1966, a single Master for Domestic Relations was designated. In 1970, an additional full-time Master was appointed by the Court, and since June 26, 1978, four full-time Masters have served on a daily basis.

Grounds for divorce a vinculo matrimonii in Maryland under Article 16, Section 24, of the *Annotated Code of Maryland* are as follows:

First, for adultery; secondly, when the court shall be satisfied by competent testimony that the party complained against has abandoned the party complaining, and that such abandonment has continued uninterruptedly for at least twelve months, and is deliberate and final, and the separation of the parties is beyond any reasonable expectation of reconciliation; thirdly, when the husband and wife shall have voluntarily lived separate and apart, without any cohabitation, for twelve consecutive months prior to the filing of the bill of complaint, and such separation is beyond any reasonable expectation of reconciliation; fourthly, when the party complained against has been convicted of a felony or a misdemeanor under the laws of this State or of any other state in the United States, or the United States, and has been sentenced to serve at least three years or an indeterminate sentence in any penitentiary or penal institution twelve months of which sentence has been served; fifthly, on the application of either party when the husband and wife have lived separate and apart without any cohabitation and without interruption for two years.

A plea of recrimination is not a bar to either party obtaining a divorce on the first, second, third, or fourth ground but is a factor to be considered by the court in a case involving the first ground; and a plea of res adjudicata or of recrimination with respect to any other provisions of this section is not a bar to either party obtaining a divorce on the fifth ground. Condonation is not an absolute bar to an award of divorce on the ground of adultery, but is a factor for the court to consider in determining whether a divorce should be granted.

Under Article 16, Section 26, a divorce a vinculo matrimonii may be granted in some cases on the ground of the permanent insanity of either party. When granting a divorce a vinculo matrimonii, divorce a mensa et thoro, or an annulment, if the court finds that one of the

parties is permanently and incurably insane, the court may require a party to pay certain support expenses for the benefit of the insane party under the provisions of Section 26A.

The grounds for divorce a mensa et thoro (a limited divorce) under Article 16, Section 25 of the Maryland Code are as follows:

First, cruelty of treatment; secondly, excessively vicious conduct; thirdly, abandonment and desertion; fourthly, the voluntary living separate and apart of husband and wife, without cohabitation, when such separation is beyond any reasonable expectation of reconciliation; and the court may decree such divorces forever, or for a limited time; and in all cases where divorce a mensa et thoro is decreed it may be revoked at any time thereafter by the court granting the same, upon the joint application of the parties to be discharged from the operation of the decree; and the court may decree a divorce a mensa et thoro in cases where a divorce a vinculo matrimonii is prayed, if the causes proved to be sufficient to entitle the party to the same. Under an amendment to Section 25, effective July 1, 1983, the court, as a condition precedent to issuing a divorce a mensa et thoro, may require the parties to participate in good faith in such efforts to achieve reconciliation as the court may prescribe and assess the costs of any prescribed efforts to achieve reconciliation.

The Annotated Code of Maryland, Courts and Judicial Proceedings Article, Title 3, Subtitle 6 (Family Law), provides that a circuit court sitting in equity has jurisdiction in an action for adoption and jurisdiction over the custody, guardianship, legitimation, maintenance, visitation and support of a child. A court of equity also has jurisdiction in an action for divorce, alimony, or annulment of marriage, and may issue an injunction to protect any party to those actions from physical harm or harassment.

In 1978, the Maryland legislature passed the Divorce and Annulment-Disposition of Property Law (Family Property Law) which became effective January 1, 1979 and applies only to cases filed after that date. Briefly, that law, in divorce and annulment proceedings, provides that a court of equity may determine the ownership of real and personal property and, as to jointly owned property, make a division of the property between the parties or order a sale of the property and a division of the proceeds. The court may not, however, transfer the ownership of real or personal property from one spouse to the other. The court can determine the value of marital property and grant a monetary award as an adjustment of the equities and rights of the parties concerning the marital property. One important facet of the new law is a spouse's entitlement, in a

proper case, to a part of the other spouse's retirement benefits which were earned by the retiree during their marital life of the parties. As of July 1, 1983, military pensions shall be considered in the same manner as any other pension or retirement benefit. The Family Property Law also makes provisions for such things as awarding the possession of the marital home of the parties to a custodial parent for use by that parent and minor children of the family. This new law is now codified in the Annotated Code of Maryland, Courts and Judicial Proceedings Article, Title 3, Subtitle 6A.

Under Md. Ann. Code, Art. 72A and Art. 89C, both parents are charged with the reciprocal obligation of the support of any minor children of the marriage.

Maryland is one of the jurisdictions which recognizes any deed or agreement made between husband and wife respecting support, maintenance, property rights or personal rights or any settlement made in lieu of support, maintenance, property rights or personal rights as a valid, binding and enforceable agreement. It should be noted that the statute says any agreement between husband and wife shall be valid, binding and enforceable to every intent and purpose. It need not necessarily be in writing.

As in many other states, the trend in Maryland has been to liberalize the divorce laws, such as adding new grounds for divorce or to make less stringent the existing ones. A few years ago, the only ground for divorce in most states was adultery — not so today. It should be noted, however, that while the 1983 Maryland General Assembly reduced from three to two years the time the parties must live apart for a divorce a vinculo matrimonii on the fifth ground noted above, it also eliminated two grounds for divorce a vinculo matrimonii (the impotence of either party at the time of the marriage and any cause which renders a marriage null and void ab initio under the laws of this State.)

In the past there has been much confusion regarding jurisdiction over non-resident defendants in domestic relations causes. Beginning on July 1, 1978, a new law became effective in Maryland that gives Maryland Courts jurisdiction over non-residents, in any civil proceeding arising out of the marital relationship or involving a demand for child support, spousal support or counsel fees if the plaintiff resides in this state at the time the suit is filed and the non-resident has been personally served with the process pursuant to the Maryland Rules and:

- (1) This state was the matrimonial domicile of the parties immediately before their separation; or
- (2) The obligation to pay child support, spousal support, or counsel fees arose under the laws of this state or under an agreement executed by one of the parties in this state.

Under the present system in the State of Maryland, a Master for Domestic Relations Causes hears all uncontested divorces, i.e. wherein the grounds for the divorce are uncontested. He also hears contested matters, such as custody of children, alimony, child support, modification of prior decrees, visitation, division of personal property, enforcement of Separation Agreements between husband and wife, Uniform Reciprocal Support cases where the defendant (generally the husband) resides in Maryland and the petitioner (generally the wife) resides in some jurisdiction other than Maryland, and Petition for Support relating to the foregoing. All contested divorce cases, as to the merits of the divorce itself, are heard by the Court unless the Master is otherwise ordered to hear such cases.

The Master's Office is responsible for scheduling all cases to be heard by the Master and all Domestic Relations cases to be heard by a Circuit Court Judge. All hearings before the Master are electronically recorded. Thereafter, the Master makes his recommendations based on the evidence, and the decrees are generally prepared by the attorneys in the case, approved by the Master and signed by a Judge of the Circuit Court. Ordinarily, this closes the matter unless an amendment to the decree is sought by one party or the other. By far, the majority of cases heard by the Master at this time (June 1984) are Contempt proceedings and other related support matters when support is being paid through the Support Collection Unit.

DOMESTIC RELATIONS MASTERS FOR PRINCE GEORGE'S COUNTY

Ewing C. Whitaker, *Esquire*
David K. Rumsey, *Esquire*
Theresa A. Nolan, *Esquire*
C. Calvert Lancaster, *Esquire*

JUVENILE COURT

On July 1, 1969, a model Juvenile Act became law which completely changed the Court's operation and the manner in which a youngster was processed through the Court. The act provided uniformity throughout the State and incorporated a number of changes that resulted from the Supreme Court decision *In Re: Gault*. Since that date the juvenile laws have been amended and revised in order to better reflect the General Assembly's intent that juvenile proceedings are of a special species, and should be considered in terms of guidance, treatment and rehabilitation.

The category of cases heard by the Court makes a clear distinction between the delinquent child and the nondelinquent child, and the jurisdiction extends to age eighteen. The categories are: delinquency, child in need of supervision and the child in need of assistance (the mentally handicapped, the abused, or the abandoned).

The law provides, in some cases, for an intake proceeding conducted by the Juvenile Services Administration. Many juvenile complaints are handled informally at the intake level. If the intake worker feels that formal court action is warranted or if the complainant disagrees with an intake decision to informally adjust, the complaint is forwarded to the Office of the State's Attorney for preparation of the juvenile petition. The statutes provide that a child alleged to be delinquent is guaranteed the right of due process. He is entitled to be represented by counsel,

and the State must prove the alleged act beyond a reasonable doubt.

The Juvenile Court does not have jurisdiction over a child fourteen years or older who is alleged to have done an act that would be a crime punishable by death or life imprisonment. The Court does not have jurisdiction over a child sixteen years or older who has committed a crime of robbery or attempted with a deadly weapon. The Circuit Court Judge exercising Juvenile Court jurisdiction also has the statutory right to determine whether a juvenile fifteen years or older should be tried in Criminal Court.

Under the Law, parents and children may be held liable for restitution not to exceed \$5,000 per case.

Judges presiding in juvenile proceedings must be approved by the Chief Judge of the Court of Appeals for the State of Maryland.

The Juvenile Court Program of Prince George's County has been designated as outstanding by the National Association of Counties.

Within the Seventh Circuit to assist the Juvenile Judges there has been created the position of Juvenile Master.

Juvenile Masters Within the Seventh Judicial Circuit

Ann R. Sparrough, Esquire
Prince George's County
Marvin S. Kamnetz, Esquire
St. Mary's County

BAIL BOND COMMISSIONER

A bail bond is a means to procure the release of people from legal custody by pledging that they will appear at the time and place designated and submit themselves to the jurisdiction and judgment of the court by some form of surety.

The objectives of a bail bond are: to prevent punishment of the accused before conviction and to insure his attendance at trial.

The office of the Bail Bond Commissioner for Prince George's County was established on June 4, 1971 in accordance with Article 27, Section 616½(e) of the Annotated Code of Maryland (1957) Supplement, and in conjunction with Maryland Rules 722 (Bail Bonds) and 1285 (appointment of the Bail Bond Commissioner) to administer bail bonding activity in Prince George's County pertaining to professional bondsmen or agents of surety companies. This section of the Maryland Code further authorizes the Bail Bond Commissioner to charge a license fee against each bond written for the purpose of meeting the costs of the office and its administration. Seventh Circuit Rule 714 specifies licensing requirements and rules to be followed by professional bondsmen in the conduct of their business.

The average number of bonds written each month by professional bondsmen in all courts in Prince George's County is 635.

The average monetary value of bonds written by professional bondsmen in all courts in Prince George's County exceeds \$900,000.00 each month. The Bond Commissioner's Office records all bonds written by bondsmen and their final disposition. It also takes care of all billing for license fees, bond forfeitures, extradition expenses, bookkeeping and general secretarial duties.

The office also conducts background investigations on defendants in Criminal cases of the Circuit Court when referred to this office by the presiding Judges. These investigations surround cases before the court for setting a bond, reinstatement of a bond, or reduction of a bond.

The Bond Commissioner is available as a consultant to the other three counties in the Seventh Judicial Circuit regarding Rule 714 and all other matters relative to bail bonds. The office is located in the Court Administrative Office of the Prince George's County Courthouse in Upper Marlboro, Maryland. The phone number is 952-3422.

Staff of the Bail Bond Commissioner's Office

Robert D. Taylor Bail Bond Commissioner
Kim A. Dagner Statistical Clerk

SUPPORT COLLECTION UNIT

On January 4, 1975, the President of the United States signed into law, Public Law 93-647. Its purpose is to enforce support obligations owed by absent parents, establish paternity for children born out of wedlock and to enforce support of destitute parents. As a result of the enactment of Public Law 93-647, the federal Office of Child Support Enforcement in the Department of Health, Education and Welfare was established. Each state was required to set up a smaller operation. The efforts of state and federal governments in this regard are collectively referred to as the "IV-D Program". The statutory base is the Title IV-D of the Social Security Act of 1975.

In response to the IV/D provision of the Social Security Act, the State of Maryland passed House Bill 1478 (Art. 88A Sec. 45) effective July 1, 1975 with the provision that the state would set up a IV-D agency under the Department of Human Resources to administer the federally mandated child support enforcement program.

The Circuit Court for Prince George's County is in its seventh contract year with the State of Maryland Department of Human Resources under Title IV-D for the subsistence of the Support Collection Unit. The primary function of the Support Collection Unit is to provide the residents of Prince George's County with a centralized facility to assist them in the collection and enforcement of child support, maintenance and restitution payments as ordered by the court.

All support cases are programmed into an automated support system, and the management of these cases is controlled, and records are produced daily reflecting the activity for each obligor.

The Support Collection Unit of Prince George's County during the fiscal year July 1, 1983 to June 30, 1984 collected \$11,821,642.70 of which \$1,885,905.46 was collected on AFDC cases. The amount of money collected on AFDC cases brings in a 12% incentive to the County.

The Support Collection Units in Calvert, Charles and

St. Mary's Counties are all handled by the Department of Social Services.

Calvert County

Mr. Olin Dovell, Director
Department of Social Services
Calvert Executive Plaza
Prince Frederick, MD 20678
Phone: 535-4700

Charles County

Charlotte King, Director
Department of Social Services
8 Kent Avenue
La Plata, MD 20646
Phone: 934-2700 (X30-X35)

Prince George's County

Mrs. Gloria Pearson, Director
Mr. Philip A. Clark, Asst. Director
Support Collection Unit
14701 Governor Oden Bowie Drive
Suite 302
Upper Marlboro, MD 20772
Phone: 952-4716

St. Mary's County

Mr. Joseph Carter, Director
Department of Social Services
P.O. Box 317
Leonardtown, MD 20650
Phone: 475-3051

CIRCUIT COURT MENTAL HYGIENE CONSULTATION SERVICE

The Circuit Court Mental Hygiene Consultation Service was established in May 1971. The service's primary objectives are (1) to serve in a consultative/liason capacity to the bench, (2) to conduct diagnostic evaluations, (3) develop dispositional recommendations, and (4) to initiate referrals for ongoing treatment when indicated. The service is professionally staffed by two licensed psychologists and a licensed social worker in addition to secretarial support. Referrals by the Court are initiated because of situations of apparent and/or documented evidence that the behavior of the court-involved offender was attributable to possible mental health concerns. Additionally, referrals are made in other court actions not involving offenders.

Upon evaluation a final written report is completed. The report summarizes the clinical history and presenting behaviors. The report encompasses the entire evaluation process and concludes with a section developing the combined recommendations of the staff. The report is forwarded to the Circuit Administrative Judge who in turn sends written statements to involved attorneys citing the fact that the report has been completed and is available for their perusal.

The Circuit Court Mental Hygiene Consultation Service has the capability for comprehensive psychological testing in the following areas:

- (1) Personality Assessment
- (2) Family/Marital Evaluation
- (3) Differential Diagnostic Evaluation
- (4) Assessment of Intellectual Potentials and Deficits
- (5) Neuropsychological Assessment

- (6) Perceptual Motor Evaluation
- (7) Academic Achievement Evaluation
- (8) Vocational Preference Evaluation

Referrals for evaluation can occur at any stage of the judicial process. The following are the primary but not exclusive areas of evaluation requests.

- (1) Criminal Cases
- (2) Juvenile Cases
- (3) Family Law Division Cases
- (4) Competency Situations
- (5) Special Clinical Problems
- (6) Accessing Community Resources

In conjunction with their evaluation, the service maintains a full complement of medical and mental health referral sources. These sources allow the service to offer an array of referrals for medical, neurological as well as mental health resources.

The offices of the Circuit Court Mental Hygiene Consultation Service are in the Court House, Room G-31, Upper Marlboro, Maryland. Their telephone number is (301) 952-3477.

Staff of the Circuit Court Mental Hygiene Consultation Service

Joseph G. Poirier, Ph.D.	Co-Director
Harold J. Wain, Ph.D.	Co-Director
Robin J. Derwin, ACSW	Social Worker
Joanne C. Hasson	Secretary
Clara M. Fratantuono	Secretary

JURY SELECTION FOR CALVERT, CHARLES, PRINCE GEORGE'S AND ST. MARY'S COUNTIES

Courts and Judicial Proceedings, Section 8-201. and Section 8-202. of the Annotated Code of Maryland require that a random selection procedure be established for the selection of jurors and that a Master Jury Wheel or "pool" be filled with names from which each juror is chosen. In each county the source of prospective jurors for the Master Jury Wheel is the voters' registration list from the respective county. To assist in the above selection of jurors within the Seventh Judicial Circuit, the computer has been utilized since July 1, 1969.

Once each year the Jury Judge for each county determines that a specific number of names should be selected from the county voter registration list. This

pool of names constitutes the Master Jury Wheel. In determining this number the Jury Judge will take into consideration the fact that many people will have to be excused or disqualified from possible jury duty because of sickness, military duty, age, or for other valid reasons. This process is accomplished in the following manner: If, for example, it is estimated that 200 names will be needed for all juries during the year and there are 2,000 persons on the voters' registration list, the necessary ratio for the random selection will be 1 to 10. The Jury Judge will then draw a number from one to ten. The number from which he draws will be the starting number for the selection. If, for example, the num-

ber five is drawn the fifth name on the list will be the first one selected followed by every tenth name thereafter. Each person selected is then sent a questionnaire which he is required to complete and return to the Clerk's and/or Jury Commissioner's Office within ten days.

The questionnaires are then reviewed. The Clerk and/or Jury Commissioner will then eliminate the names of those persons who should be disqualified or excused on the basis of the information that was included in the questionnaire. After the Jury Judge has reviewed the list provided him by the Clerk and/or Jury Commissioner the persons who have not been disqualified or excused from jury duty will then constitute the Qualified Jury Wheel for the following twelve month period.

After the Qualified Jury Wheel has been selected and approximately four months before the first jury term in each county the computer is programmed to select a specified number of persons from the Qualified Jury Wheel who will then be considered for jury service for the upcoming term. This selection is accomplished in the same manner as the selection for the Master Jury Wheel except that for each primary juror selected alternate jurors are selected. Both the Grand Jury and the Petit Jury are selected in this manner. The terms of court for each county lasts six months, however, a juror will be required to serve only a portion of the six-month period.

The terms of court are as follows:

1. Calvert County, the third Monday of April and the third Monday of October.
2. Charles County, the fourth Monday of March and the fourth Monday of September.
3. Prince George's County, the first Monday of April and the first Monday of October.

4. St. Mary's County, the third Monday of March and the third Monday of September.

After the jurors have been selected for the particular term of court they are notified by certified mail or first class mail or summoned by the Sheriff of each county. The names of those who were not used or who were excused for the current term will be returned to the qualified jury wheel and may be selected to serve on the Grand or Petit Jury for the next term of court. At the end of each year the Master Jury Wheel is emptied of all remaining names.

Persons not selected to serve as Petit or Grand Jurors in either of the two terms in the preceeding year will again be eligible to have their names placed in the Master Jury Wheel for the following year. Those persons who have served on either the Grand Jury or Petit Jury may be excused from serving within a three year period, if so requested, if their name should appear within three years from the date of previous service.

Jury Commissioners of the Seventh Judicial Circuit

Gail D. Gibbs
Calvert County
Court House
Prince Frederick,
Maryland 20678
Phone: 535-1600

Barbara S. Nelson
Charles County
Court House
La Plata,
Maryland 20646
Phone: 645-0560

Susan H. Shuey
Prince George's County
Court House
Upper Marlboro,
Maryland 20772
Phone: 952-3437

Mary R. Bell
Jury Manager
St. Mary's County
Court House
Leonardtwn,
Maryland 20650
Phone: 475-5621