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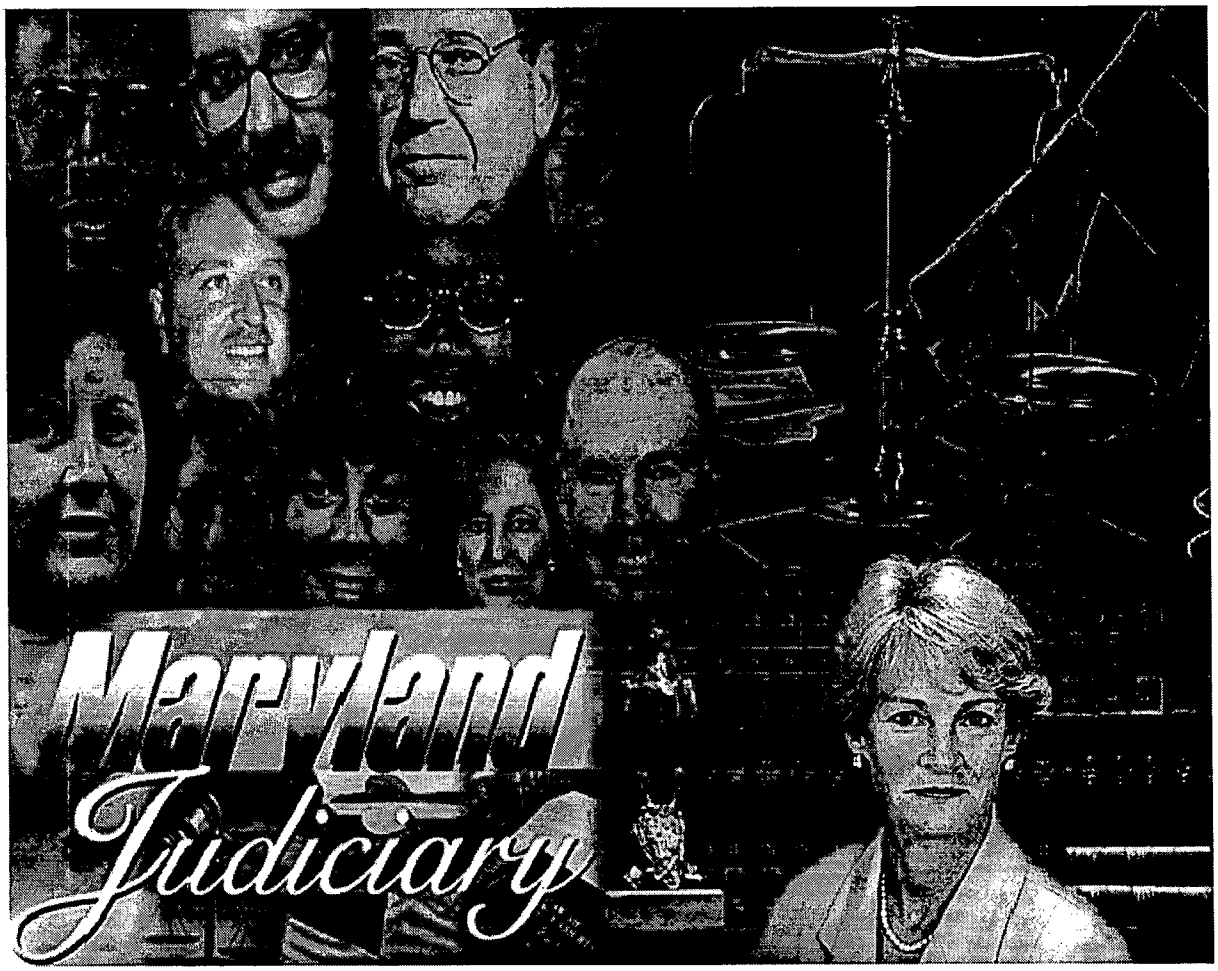
MARYLAND STATE ARCHIVES

The Annual Report



July 1, 1997 - June 30, 1998

On the Cover

Judicial and non-judicial members of the Maryland State Judiciary

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The Annual Report of the Maryland Judiciary 1997 - 1998

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ADMINISTRATIVE OFFICE OF THE COURTS

ROBERT C. MURPHY COURTS OF APPEAL BUILDING
361 ROWE BOULEVARD
ANNAPOLIS, MARYLAND 21401

STATE COURT ADMINISTRATOR
GEORGE B. RIGGIN, JR.

DEPUTY STATE COURT ADMINISTRATOR
FRANK BROCCOLINA

November 1, 1998

This is the twenty-second *Annual Report of the Maryland Judiciary* which includes the forty-third Annual Report of the Administrative Office of the Courts. The Report covers Fiscal Year 1998 beginning, July 1, 1997 and ending June 30, 1998.

This Report provides data on the operation and functions of the Maryland courts. It presents statistical information on both individual courts and an overview of the Maryland judicial system as a whole. It is hoped that this Report will provide a ready source of information to better understand Maryland's court structure and operations.

The Administrative Office of the Courts is indebted to clerks of the appellate courts and the circuit courts of the counties and Baltimore City and to the clerks of the District Court of Maryland for their invaluable assistance in providing the statistics on which most of this Report is based. My thanks to them and to all those whose talents contributed to the preparation of this publication. I commend it to your reading.

George B. Riggin, Jr.
State Court Administrator

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The Introduction

ROBERT M. BELL
CHIEF JUDGE
COURT OF APPEALS OF MARYLAND
634 COURTHOUSE EAST
111 N. CALVERT STREET
BALTIMORE, MARYLAND 21202
(410) 333-6396

November 1, 1998

The *Annual Report of the Maryland Judiciary* provides a snapshot of the operations and accomplishments of the Judicial Branch of Government. You will note that ours is a four-tiered system and that it is served and assisted by various court-related agencies. How well this interrelationship works, and has worked over time, is due entirely to the dedicated and committed efforts of all Judiciary personnel — judicial and non-judicial. Indeed, it is their effort that has resulted in the delivery, in a timely manner, of the services that the citizens of Maryland not only need, but deserve. Moreover, I applaud their hard work and dedication, evidenced by the tables, charts, and descriptive narrative, for another reason; without it, the publication of this Annual Report would not have been possible.

I present this Annual Report on behalf of the entire Maryland State Judiciary. It is, and is intended to be, a useful and informative tool, which will assist you in understanding the functions and activities of the Maryland Judiciary.

Robert M. Bell
Chief Judge

Judicial Revenues and Expenditures

The Judicial Revenues and Expenditures

In Fiscal Year 1998, state and local costs to support the operations of the Judicial branch of government were approximately $226.5 million. The Judicial branch consists of the Court of Appeals; the Court of Special Appeals; the circuit courts; the District Court of Maryland; the appellate and circuit court clerks' offices; the Administrative Office of the Courts; the Standing Committee on Rules of Practice and Procedure of the Court of Appeals; the State Board of Law Examiners; the Maryland State Law Library; and the Commission on Judicial Disabilities. There were 262 judicial positions and approximately 3,600 non-judicial positions in the Judicial branch as of June 30, 1998. The State-funded portion of the Judiciary operates on a program budget and expended $176,862,944 in Fiscal Year 1998. There are also locally funded orphans' courts.

The two appellate courts and their respective clerks' offices are funded by two programs. The circuit court program contains the compensation, travel, and educational costs for circuit court judges which totaled $23,915,884, and the costs to operate the circuit court clerks' offices of $46,394,005, all of which totaled $70,309,889. The largest program is the State-funded District Court which expended $75,946,310. The Maryland Judicial Conference contains funds for continuing judicial education and Conference activities. Remaining programs fund the Administrative Office, the Maryland State Law Library, the Standing Committee on Rules of Practice and Procedure, the State Board of Law Examiners, the State Reporter, and the Commission on Judicial Disabilities.

The Attorney Grievance Commission and the Clients' Security Trust Fund are supported by assessments paid by lawyers entitled to practice in Maryland. These supporting funds are not included in the Judicial budget.

Judicial Branch Personnel in Profile

Judicial Personnel	
Court of Appeals	7
Court of Special Appeals	13
Circuit Courts	140
District Court	102
Non-Judicial Personnel	
Court of Appeals	30
Court of Special Appeals	62
Circuit Courts	1,136.5
Circuit Courts – Local Funding	894.7
District Court	1,249.7
Administrative Office of the Courts	201.2
Court-Related Offices	
State Board of Law Examiners	6
Standing Committee on Rules of Practice and Procedure	3
State Law Library	10
State Reporter	1
Total*	3,856.1

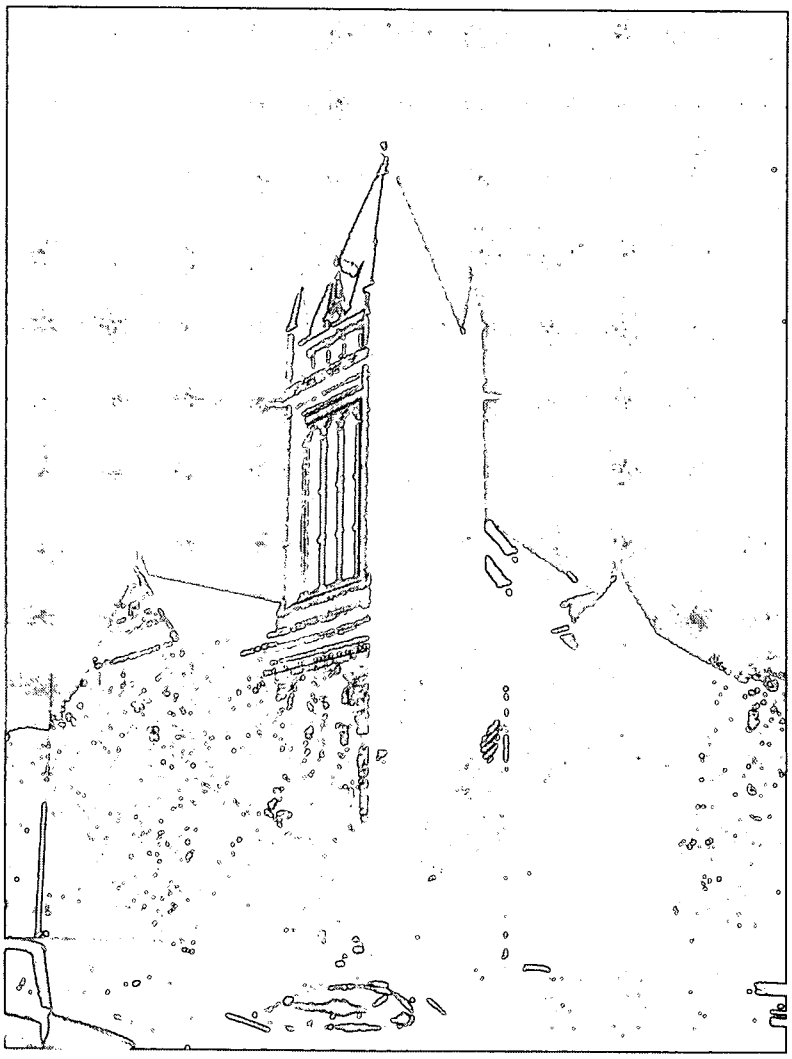
**Includes allocated, temporary and contractual positions.*

The figures and tables show the State revenue and expenditures for Fiscal Year 1998. With the exception of five special funds, all revenues are remitted to the State's general fund. The Circuit Court Real Property Records Improvement Fund, created by statute effective in Fiscal Year 1992, permits a surcharge by circuit court clerks for recording land instruments. The Fund is used for essential land records automation and equipment to improve land records operations in the clerks' offices. Three additional special funds are the Victims of Crime Fund, the Victim and Witness Protection and Relocation Fund, and the Criminal Injuries Compensation Fund. The source of the funds are additional costs assessed in criminal cases, a portion of which are to be remitted to establish programs that provide victim and witness services. The other special fund is the State Transfer Tax Fund. Prior to Fiscal Year 1993, State Transfer Tax was deposited into the general fund. During Fiscal Year 1998, the circuit court clerks' offices collected State Transfer Tax totaling $81,074,812. Shown on the following tables is the total revenue collected by the circuit court clerks in Fiscal Year 1998 for court related and non-court related activities. A total of $38,121,207 was collected for commissions on land records transactions, State licenses, court costs, and for criminal injuries compensation. In addition, the clerks' offices remitted $192,981,689 to local governments for recordation taxes, licenses, and court fines. An additional $3,453,486 was collected for the Circuit Court Real Property Records Improvement Fund, $136,223 was collected for the Victims of Crime Fund, $194,197 was

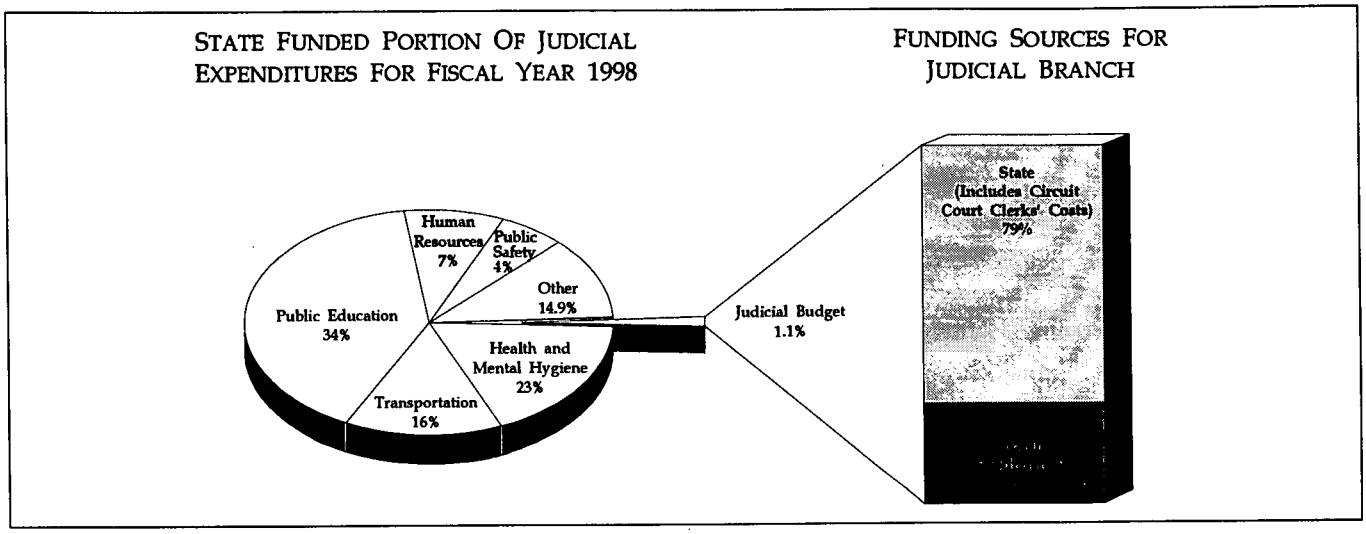
collected for the Criminal Injuries Compensation Fund, and $7,597 for the Victim and Witness Protection and Relocation Fund. The District Court remitted $66,084,401 in fees, fines, and costs to the State general fund. An additional $7,036,188 was collected for various special funds ($4,082,555 for the Law Enforcement Training Fund; $3,334,030 for the Criminal Injuries Compensation Fund; $833,976 for the Victims of Crime Fund; and $91,801 for the Victim and Witness Protection and Relocation Fund).

The total State budget was approximately $15.4 billion in Fiscal Year 1998. The illustration reflects that the State-funded Judicial budget consumes about 1.1 percent of the entire State budget. Other expenditures of the circuit courts come from local appropriations from Maryland's 23 counties and Baltimore City. These appropriations were approximately $49.6 million in Fiscal Year 1998. Revenues from fines, forfeitures and certain appearance fees are returned to the subdivisions, primarily for the support of the local court library. Other court-related revenues collected by the circuit courts come from fees and charges in domestic relations matters and service charges in collecting non-support payments.

The chart illustrating the contributions by the State and local subdivisions to support the Judicial branch of government, shows that the State portion accounts for approximately 79 percent of all costs, while the local subdivisions account for 21 percent.



The Circuit Court for Allegany County
Cumberland, Maryland



STATE FUNDED JUDICIAL BUDGET

General Revenues*

Program	Actual FY 1996	Actual FY 1997	Actual FY 1998
Court of Appeals	$ 118,208	$ 118,459	$ 118,931
Court of Special Appeals	114,291	111,854	111,590
Circuit Courts	**33,369,537	**34,257,850	**38,121,207
District Court	63,199,502	67,666,798	66,084,401
Administrative Office of the Courts	***857,506	—	—
State Board of Law Examiners	613,665	635,742	596,941
TOTAL	**$98,272,709**	**$102,790,703**	**$105,033,070**

*Please refer to the narrative for an explanation of the revenues. In addition, $3,453,486 was remitted to the Circuit Court Real Property Records Improvement Fund, $970,199 to the State's Victims of Crime Fund, $3,528,227 to the Criminal Injuries Compensation Fund, and $99,398 to the Victim and Witness Protection and Relocation Fund.

**State Transfer taxes were $81,074,812 for Fiscal Year 1998.

***These funds were collected by the Administrative Office of the Courts through administration of the Federal Child Support Enforcement Agreement.

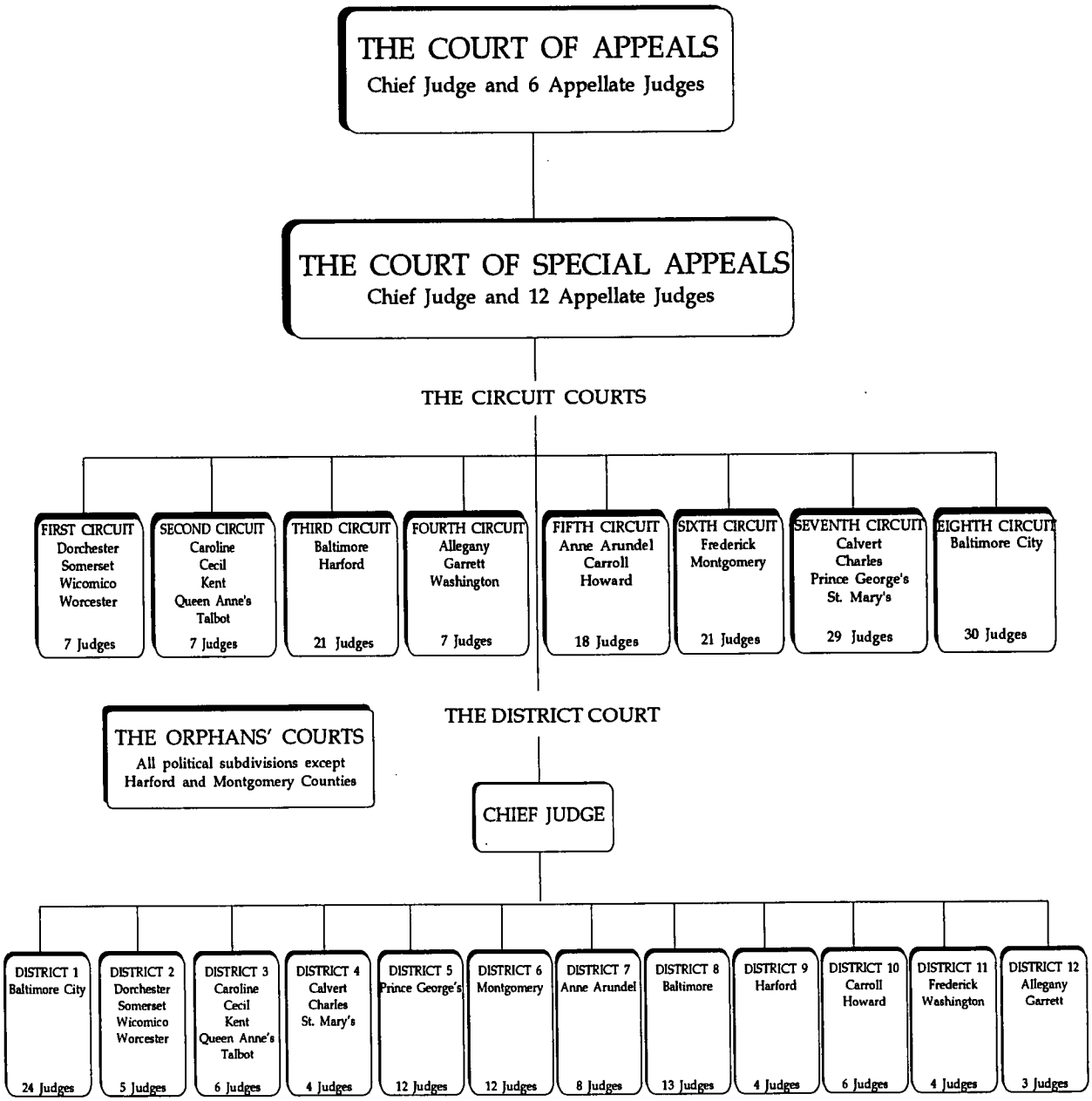
Expenditures*

Program	Actual FY 1996	Actual FY 1997	Actual FY 1998
Court of Appeals	$ 2,637,370	$ 2,774,267	$ 2,776,831
Court of Special Appeals	4,925,649	4,969,544	5,144,442
Circuit Courts (Includes Circuit Court Clerks' Offices)	69,026,258	70,469,685	71,784,478
District Court	72,028,525	74,156,451	75,946,310
Maryland Judicial Conference	48,320	50,430	84,005
Administrative Office of the Courts	3,595,040	3,923,623	3,851,970
Court-Related Agencies	1,002,926	1,340,569	1,389,473
Maryland State Law Library	737,746	777,645	825,774
Judicial Data Processing	10,034,151	10,197,274	11,329,179
TOTAL	**$164,035,985**	**$168,659,488**	**$173,132,462***

* In addition to the noted expenditures, $3,722,889 was expended from the Circuit Court Real Property Records Improvement Fund and $7,593 from the Library's copying funds.

The Maryland Judicial System

THE MARYLAND JUDICIAL SYSTEM FISCAL YEAR 1998



The Court Of Appeals

The Judges of the Court of Appeals of Maryland as of June 30, 1998

Hon. Robert M. Bell, Chief Judge
Sixth Appellate Circuit
(Baltimore City)

Hon. John C. Eldridge
Fifth Appellate Circuit
(Anne Arundel, Calvert, Charles and St. Mary's Counties)

Hon. Lawrence F. Rodowsky
Third Appellate Circuit
(Allegany, Carroll, Frederick, Garrett, Howard, and Washington Counties)

Hon. Howard S. Chasanow
Fourth Appellate Circuit
(Prince George's County)

Hon. Irma S. Raker
Seventh Appellate Circuit
(Montgomery County)

Hon. Alan M. Wilner
Second Appellate Circuit
(Baltimore and Harford Counties)

Hon. Dale R. Cathell
First Appellate Circuit
(Caroline, Cecil, Dorcester, Kent, Queen Anne's, Somerset, Talbot, Wicomico and Worcester Counties)

The Court of Appeals

Introduction

The Court of Appeals, the highest tribunal in the State of Maryland, was created by the Constitution of 1776. The Court sat in various locations throughout the State in the early years of its existence, but it has sat only in Annapolis since 1851. The Court is composed of seven judges, including the chief judge, with one judge from each of the seven appellate judicial circuits. The appellate judicial circuits were realigned after ratification of Chapter 103, Acts of 1994. As a result of that realignment, there are now seven appellate circuits. Montgomery and Prince George's Counties joined Baltimore City as single jurisdiction circuits. Members of the Court are initially appointed by the Governor and confirmed by the Senate. Subsequently, they run for office on their records, unopposed. If a judge's retention in office is rejected by the voters or there is a tie vote, that office becomes vacant and must be filled by a new appointment. Otherwise, the incumbent judge remains in office for a ten-year term. The Chief Judge of the Court of Appeals is designated by the Governor and is the constitutional administrative head of the Maryland Judiciary.

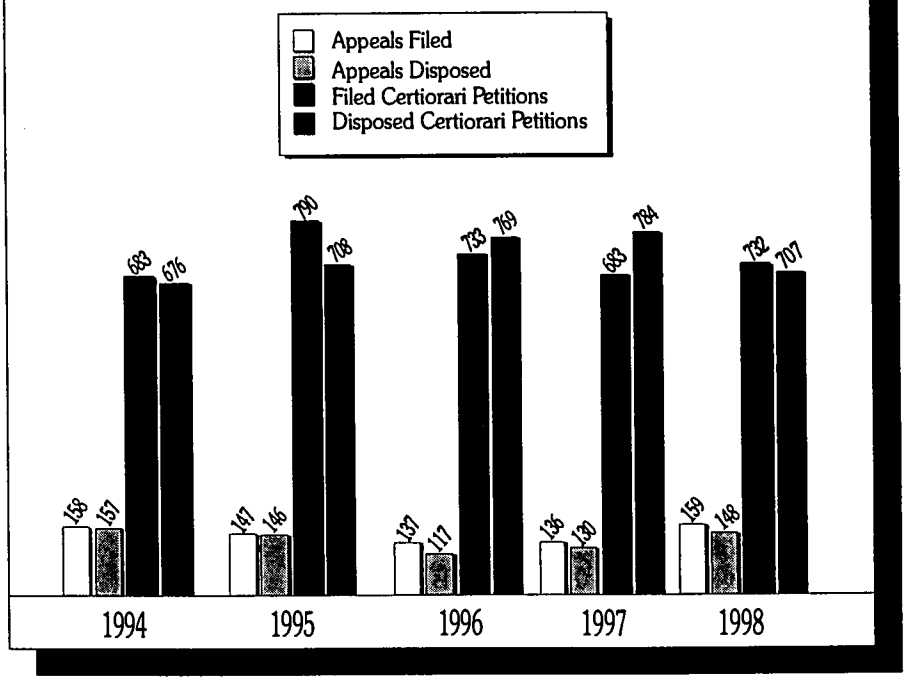
As a result of legislation effective January 1, 1975, the Court of Appeals hears cases almost exclusively by way of certiorari, a discretionary review process. That process has resulted in the reduction of the Courts' formerly excessive workload to a more manageable level, thus allowing the Court to devote more time to the most important and far-reaching issues.

The Court may review cases already decided by the Court of Special Appeals or bring up for review, cases filed in that Court before they are decided. Additionally, the Court of Appeals has exclusive jurisdiction over appeals in which a sentence of death is imposed. Cases from the circuit court level also may be reviewed by the Court of Appeals if those courts have acted in an appellate capacity with respect to an appeal from the District Court. The Court is empowered to adopt rules of judicial administration, practice, and procedure which will have the force of law. It also admits persons to the practice of law, on recommendation of the State Board of Law Examiners, and conducts disciplinary proceedings involving members of the bench and bar. Questions of law certified by federal and other state appellate courts also may be decided by the Court of Appeals.

Table CA-1 provides a graphic comparison of regular docket and certiorari petition caseloads over the last five years. During the five-year period, the Court of Appeals noted fluctuating activity in both regular docket filings and dispositions. Regular docket filings ranged from a low of 136 during Fiscal Year 1997, to a high of 159 filings during the current fiscal year. Likewise, regular docket dispositions ranged from a low of 117 during Fiscal Year 1996, to a high of 157 during Fiscal Year 1994. Overall, filings increased by one, from 158 during Fiscal Year 1994, to the current level of 159 filings, while a 5.7 percent decrease occurred in dispositions (i.e., from 157 during Fiscal Year 1994, to 148 during Fiscal Year 1998). The Court had 732 certiorari petitions filed during Fiscal Year 1998, an increase of

TABLE CA-1

COURT OF APPEALS
APPEALS ACTUALLY FILED AND
TERMINATED WITHIN FISCAL YEAR



approximately 7.2 percent over the Fiscal Year 1994 level of 683 filings. The number of disposed certiorari petitions also increased during the five-year period, from 676 during Fiscal Year 1994, to the current level of 707 dispositions, which represents an increase of 4.6 percent.

Filings

The Fiscal Year 1998 workload for the Court of Appeals was formed by the September 1997 Docket. Filings received from March 1 through February 28 are scheduled for argument on the September Term docket, beginning the second Monday in September through the beginning of the next term. Appellate court filings for the period of March 1 through February 28 are included in this report, while dispositions are counted using fiscal year data compiled July 1 through June 30.

The Court docketed 960 total filings during the 1997 Term, representing a slight increase of less than 1 percent over the 1996 Term total of 952 filings. Contributing to the slight increase was a reduction in the number of certiorari petitions filed. There were 705 certiorari petitions filed during the 1997 Term, a decrease of approximately 2.1 percent from the previous year's total of 720 filings. During the same period, a 41.4 percent increase was reported in miscellaneous appeals, from 29 filings last year, to the current level of 41 case filings. Likewise, attorney grievance filings rose 16.9 percent, from 71 during the 1996 Term, to 83 filings during the 1997 Term. Regular docket appeals remained constant over the two-year period (i.e., from 132 filings during the 1996 Term, to 131 filings during the 1997 Term).

A petition for certiorari may be filed to request a review of decisions or pending cases initially appealed to the Court of Special Appeals from the circuit and orphans' court and the Maryland Tax Court. The Court grants those petitions it deems to be "desirable and in the public interest." Additionally, certiorari may be granted to review circuit court decisions on matters appealed from the District Court or Motor Vehicle Administration.

There were 707 certiorari petitions filed during Fiscal Year 1998, including 373 petitions for civil cases (52.8 percent) and 334 criminal petitions (47.2 percent). Upon review of the petitions, the Court granted 124 or 17.5 percent, while denying 573 or 81 percent. In addition, five petitions were dismissed and five were withdrawn (Table CA-6).

From year-to-year, the Court's regular docket consists of cases that

TABLE CA-2

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS AND JURISDICTIONS COURT OF APPEALS

1997 TERM

FIRST APPELLATE CIRCUIT	**18**	**13.7%**
Caroline County	0	
Cecil County	3	
Dorchester County	2	
Kent County	2	
Queen Anne's County	2	
Somerset County	2	
Talbot County	3	
Wicomico County	1	
Worcester County	3	
SECOND APPELLATE CIRCUIT	**21**	**16.0%**
Baltimore County	17	
Harford County	4	
THIRD APPELLATE CIRCUIT	**9**	**6.9%**
Allegany County	1	
Carroll County	1	
Frederick County	1	
Garrett County	0	
Howard County	4	
Washington County	2	
FOURTH APPELLATE CIRCUIT	**19**	**14.5%**
Prince George's County	19	
FIFTH APPELLATE CIRCUIT	**23**	**17.6%**
Anne Arundel County	18	
Calvert County	0	
Charles County	4	
St. Mary's County	1	
SIXTH APPELLATE CIRCUIT	**24**	**18.3%**
Baltimore City	24	
SEVENTH APPELLATE CIRCUIT	**17**	**13.0%**
Montgomery County	17	
TOTAL	**131**	**100.0%**

have been granted certiorari and cases pending in the Court of Special Appeals that will be heard on the Court's own motion. In an effort to identify cases suitable for consideration, the Court of Appeals conducts a monthly review of appellants' briefs from cases pending in the Court of Special Appeals.

Regular docket appeals remained consistent during the past two terms with 131 appeals docketed during the 1997 Term, compared to the previous year's total of 132 filings. Civil matters (e.g., law, equity, and juvenile) comprised more than 66 percent of the regular docket during the 1997 Term (87 cases), while criminal matters comprised the remaining 33.6 percent (44 cases).

The greatest number of regular docket appeals reported during the 1997 Term (24 or 18.3 percent) were reported by Baltimore City, while Prince George's County followed with 19 cases or 14.5 percent. Anne Arundel County reported 18 cases or 13.7 percent of the docketed cases, while Baltimore and Montgomery Counties each reported 17 cases (13 percent). The remaining 36 cases or 27.5 percent were reported by the other 19 jurisdictions (Table CA-2).

Dispositions

During Fiscal Year 1998, the Court of Appeals disposed 956 cases, representing a decrease of less than 2 percent from the previous year's total of 974 dispositions. The overall decrease can be attributed to the 9.8 percent decrease noted in certiorari petition dispositions, from 784 during Fiscal Year 1997, to the current level of 707 dispositions. In contrast, regular docket dispositions increased 13.8 percent. There were 148 regular docket dispositions reported during Fiscal Year 1998, compared to the previous year's total of 130 dispositions. Likewise, attorney grievance dispositions increased nearly 92 percent, from 37 last year, to the Fiscal Year 1998 total of 71 dispositions. Miscellaneous appeals increased 19 percent (i.e., from 21 during Fiscal Year 1997, to 25 during Fiscal Year 1998), while certified questions of law rose 100 percent. The Court of Appeals admitted 1,851 persons to the practice of law, including 179 attorneys from other jurisdictions.

The 148 regular docket appeals disposed of during Fiscal Year 1998 included eight cases from the 1995 Docket, 62 from the 1996 Docket, 76 from the 1997 Docket, and two cases from the 1998 Docket. Nearly 38 percent (56 cases) of the decisions affirmed the decision of the lower court, while 30.4 percent (45 cases) reversed the lower court's decision. In addition, the Court vacated and remanded 25 decisions (16.9 percent) handed down by the lower court. The remaining cases included eight that were dismissed prior to argument or submission, seven that were dismissed without an opinion, six that were affirmed in part and reversed in part, and one case that modified and affirmed the decision of the lower court. The Court of Appeals considered and disposed 105 civil matters (70.9 percent) and 40 criminal matters (27 percent). There also were three juvenile cases considered and disposed during the fiscal year (Table CA-7). An average of 4.9 months was expended from the time certiorari was granted to argument or disposition without argument. Argument to decision averaged 5.6 months, while certiorari to decision averaged 9.8 months (Table CA-8). The Court issued 121 majority opinions and 18 per curiam orders. In addition, there were 17 dissenting opinions, seven concurring opinions and six opinions that were concurring in part and dissenting in part.

TABLE CA-3

APPEALS DOCKETED BY TERM
COURT OF APPEALS REGULAR DOCKET

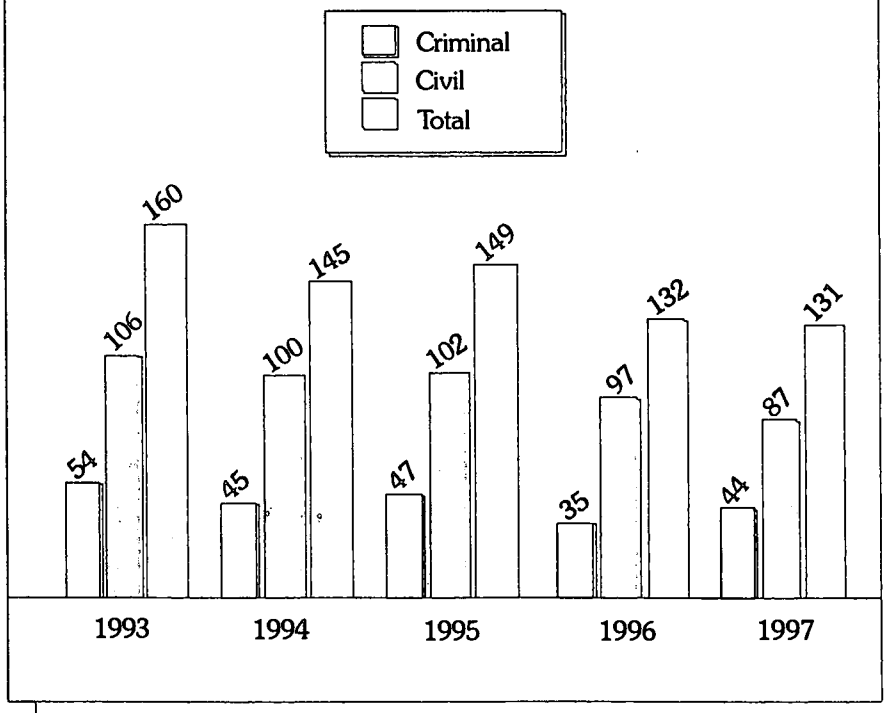


TABLE CA-4

FILINGS AND DISPOSITIONS
COURT OF APPEALS

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

	Filings	Dispositions
Regular Docket	159	148
Petitions for Certiorari	732	707
Attorney Grievance Proceedings	86	71
Bar Admission Proceedings	3	2
Certified Questions of Law	1	5
Miscellaneous Appeals	31	25
Total	**1,012**	**956**

Pending

There were 126 cases pending before the Court at the close of Fiscal Year 1998. Included in that figure were nine cases from the 1996 Docket, 48 cases from the 1997 Docket and 69 cases from the 1998 Docket. Nearly 59 percent (74 cases) of the pending cases were of a civil nature, while 39.7 percent (50 cases) were of a criminal nature. The remaining two cases involved juvenile matters (Table CA-5).

Trends

Over the last five years, the number of filings recorded by the Court of Appeals has increased approximately 2.6 percent. The Court had 936 cases filed during the 1993 Term, compared with the 1997 Term total of 960 cases. During the five-year period, increases were noted in certiorari petitions, miscellaneous appeals, and attorney grievance proceedings. The greatest increase occurred in attorney grievance proceedings, from 57 during the 1993 Term, to the current level of 83 filings, representing an increase of 45.6 percent. Miscellaneous appeals followed, increasing approximately 32.3 percent during the five-year period (i.e., from 31 during the 1993 Term, to 41 during the 1997 Term). There were 705 certiorari petitions filed during the 1997 Term, an increase of 2.5 percent over the 1993 Term total of 688 filings. The only decrease occurred in regular docket appeals, from 160 during the 1993 Term, to the current level of 131 filings, which represents a 18.1 percent decrease.

In contrast , dispositions in the Court of Appeals rose approximately 7.7 percent, from 888 during Fiscal Year 1994, to the current level of 956 dispositions. During the last five years, certiorari petition dispositions increased 4.6 percent (i.e., from 676 during Fiscal Year 1994, to 707 during Fiscal Year 1998), while a 102.9 percent increase was recorded in attorney grievance dispositions, from 35 during Fiscal Year 1994, to the current level of 71 dispositions. Disposed miscellaneous appeals also rose during the five-year period, from 20 during Fiscal Year 1994, to 30 dispositions during Fiscal Year 1998, representing a 50 percent increase. Parallel to the decrease in regular docket filings, a decrease of nearly 6 percent was noted in regular docket dispositions, from 157 during Fiscal Year 1994, to the current level of 148 dispositions.

The Circuit Court for Charles County La Plata, Maryland

TABLE CA-5

CASES PENDING COURT OF APPEALS

REGULAR DOCKET JUNE 30, 1998

	Civil	Juvenile	Criminal	Total
Origin				
1996 Docket	9	0	0	9
1997 Docket	29	0	19	48
1998 Docket	36	2	31	69
Total	74	2	50	126

TABLE CA-6

FIVE-YEAR COMPARATIVE TABLE PETITION DOCKET DISPOSITIONS (PETITIONS FOR CERTIORARI)

FISCAL 1994—FISCAL 1998

Petitions	Granted	Dismissed	Denied	Withdrawn	Total	Percentage of Certiorari Petitions Granted
Civil						
1993-94	63	3	267	3	336	18.8%
1994-95	63	3	314	2	382	16.5%
1995-96	69	11	301	1	382	18.1%
1996-97	76	8	342	4	430	17.7%
1997-98	74	4	292	3	373	19.8%
Criminal						
1993-94	40	12	286	2	340	11.8%
1994-95	39	0	286	1	326	12.0%
1995-96	39	6	342	0	387	10.1%
1996-97	25	6	322	1	354	7.1%
1997-98	50	1	281	2	334	15.0%

TABLE CA-7

DISPOSITION OF COURT OF APPEALS CASES

REGULAR DOCKET

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

	CIVIL	JUVENILE	CRIMINAL	TOTAL
Affirmed	37	1	18	56
Reversed	31	1	13	45
Dismissed Without Opinion	4	0	3	7
Vacated and Remanded	20	1	4	25
Affirmed in Part, Reversed in Part	4	0	2	6
Dismissed Prior to Argument or Submission	8	0	0	8
Modified and Affirmed	1	0	0	1
Origin				
1995 Docket	6	0	2	8
1996 Docket	45	1	16	62
1997 Docket	53	2	21	76
1998 Docket	1	0	1	2
Total Cases Disposed During Fiscal Year 1998	**105**	**3**	**40**	**148**

TABLE CA-8

AVERAGE INTERVALS FOR CASES DISPOSED BY COURT OF APPEALS

REGULAR DOCKET

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

	Certiorari Granted to Argument or to Disposition Without Argument*	Argument to Decision**	Certiorari Granted to Decision*
Days	146	169	295
Months	4.9	5.6	9.8
Number of Cases	148	131	148

* Includes all cases disposed in Fiscal Year 1998.
** Includes all cases disposed in Fiscal Year 1998 which were argued.

TABLE CA-9

FIVE-YEAR COMPARATIVE TABLE

AVERAGE INTERVALS FOR FILING OF APPEALS ON THE REGULAR DOCKET COURT OF APPEALS

(IN DAYS AND MONTHS)

Docket	Original Filing to Disposition In Circuit Court	Disposition In Circuit Court To Docketing In Court of Appeals
1993	437 14.6	149 5.0
1994	401 13.4	142 4.7
1995	332 11.1	142 4.7
1996	365 12.2	152 5.1
1997	390 13.0	122 4.1

The Court Of Special Appeals

The Judges of the Court of Special Appeals of Maryland as of June 30, 1998

Hon. Joseph F. Murphy, Jr., Chief Judge
(At-Large)

Hon. Charles E. Moylan, Jr.
(At-Large)

Hon. William W. Wenner
Third Appellate Circuit
(Allegany, Carroll, Frederick, Garrett, Howard and Washington Counties)

Hon. Arrie W. Davis
Sixth Appellate Circuit
(Baltimore City)

Hon. Glenn T. Harrell, Jr.
(At-Large)

Hon. Ellen L. Hollander
(At-Large)

Hon. James P. Salmon
Fourth Appellate Circuit
(Prince George's County)

Hon. James R. Eyler
Second Appellate Circuit
(Baltimore and Harford Counties)

Hon. Raymond G. Thieme, Jr.
Fifth Appellate Circuit
(Anne Arundel, Calvert, Charles, and St. Mary's Counties)

Hon. Andrew L. Sonner
Seventh Appellate Circuit
(Montgomery County)

Hon. Deborah S. Byrnes
(At-Large)

Hon. James A. Kenney, III
(At-Large)

Hon. Sally Denison Adkins
First Appellate Circuit
(Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico and Worcester Counties)

The Court of Special Appeals

Introduction

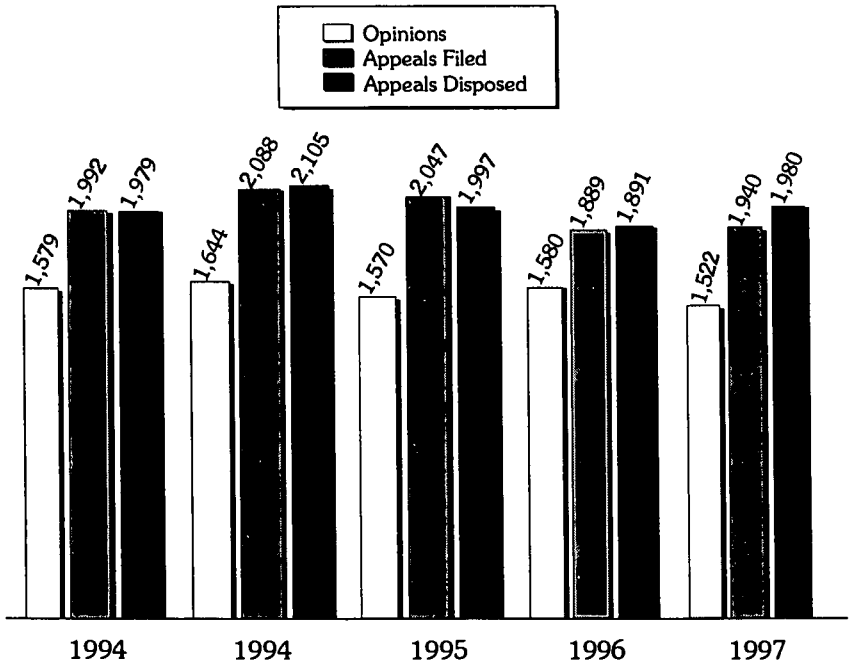
Maryland's intermediate appellate court, the Court of Special Appeals, was created in 1966 to address a substantial backlog in the Court of Appeals that had developed as a result of a rapidly increasing caseload.

The Court of Special Appeals sits in Annapolis and is composed of thirteen members, including a chief judge. One member of the Court is elected from each of the seven Appellate Judicial Circuits. The remaining six members are elected from the State at large. Members of the Court of Special Appeals are appointed by the Governor and confirmed by the Senate. The judges run on their records without opposition for ten-year terms. The Governor designates the Chief Judge of the Court of Special Appeals.

The Court has exclusive initial appellate jurisdiction over any reviewable judgment, decree, order or other action of a circuit court and generally hears cases appealed directly from the circuit courts unless otherwise provided by law. The judges of the Court are empowered to sit in panels of three. A hearing or rehearing before the Court en banc may be ordered in any case by a majority of the incumbent judges. The Court also considers applications for leave to appeal in such areas as post conviction, habeas corpus matters involving denial of or excessive bail, inmate grievances, appeals from criminal guilty pleas, violations of probation and denial of victim rights.

TABLE CSA-1

COURT OF SPECIAL APPEALS-APPEALS ACTUALLY FILED AND TERMINATED WITHIN FISCAL YEAR



Filings

The Court's workload for Fiscal Year 1998 primarily comprised cases placed on the September 1997 Docket. Filings received from March 1 through February 28 were entered on the September Term docket for argument beginning the second Monday in September and ending in June. In this report, filings are counted by term, March 1 through February 28, while dispositions are counted by fiscal year, July 1 through June 30.

The Court of Special Appeals docketed 1,951 filings during the 1997 Term, which represents an increase of approximately 2 percent over the previous year's total of 1,913 filings. Nearly 61 percent (1,186 cases) of the docketed cases comprised civil matters, while 39.2 percent (765 cases) involved criminal matters. Increases were noted in both civil and criminal filings. During the 1996 Term, the Court had 1,162 civil cases filed, compared to the current year's total of 1,186 filings, an increase of 2.1 percent. Criminal case filings rose approximately 1.9 percent, from 751 last year, to the 1997 Term level of 765 filings (Table CSA-3).

In an effort to manage its civil and criminal caseloads more effectively, the Court implemented statutorily prescribed procedures. Maryland Rule 8-204 and Courts and Judicial Proceedings Article Section 12-302, which removes the right of direct appeal in those criminal cases in which a guilty plea has been entered, were adopted to manage the criminal caseload more effectively. An application for leave to appeal is now required in those instances in which a guilty plea has been entered in a criminal case. The Court has discretionary authority to either assign the case to the regular docket or deny the appeal (Table CSA-6). Criminal filings have not exceeded the 1982

TABLE CSA-2

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS AND JURISDICTIONS COURT OF SPECIAL APPEALS 1997 TERM

FIRST APPELLATE CIRCUIT	**216**	**10.8%**
Caroline County	19	
Cecil County	40	
Dorchester County	12	
Kent County	10	
Queen Anne's County	13	
Somerset County	24	
Talbot County	28	
Wicomico County	41	
Worcester County	29	
SECOND APPELLATE CIRCUIT	**298**	**16.4%**
Baltimore County	243	
Harford County	55	
THIRD APPELLATE CIRCUIT	**240**	**10.8%**
Allegany County	31	
Carroll County	34	
Frederick County	48	
Garrett County	11	
Howard County	64	
Washington County	52	
FOURTH APPELLATE CIRCUIT	**317**	**14.8%**
Prince George's County	317	
FIFTH APPELLATE CIRCUIT	**228**	**11.7%**
Anne Arundel County	154	
Calvert County	18	
Charles County	38	
St. Mary's County	18	
SIXTH APPELLATE CIRCUIT	**351**	**19.0%**
Baltimore City	351	
SEVENTH APPELLATE CIRCUIT	**301**	**16.5%**
Montgomery County	301	
TOTAL	**1,951**	**100.0%**

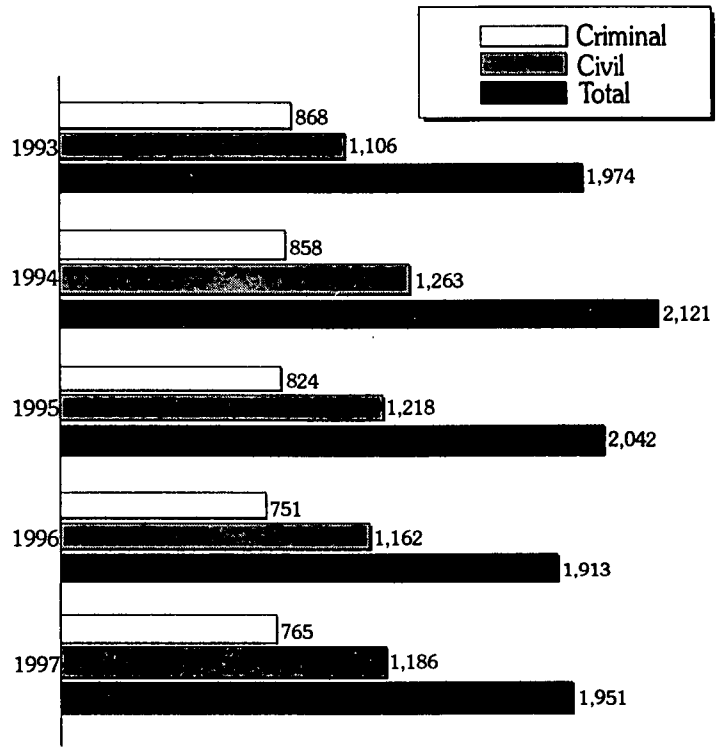
Term total, which was the term immediately preceding the adoption of the procedure, indicating that the trend has been effectively realized.

The Court of Special Appeals has used pre-hearing conferences to expedite its civil appeal process. Panels of judges review pending civil cases to identify cases suitable for resolution by the parties during the conferences. In accordance with Maryland Rule 8-206, the number of civil filings reported does not include civil notices of appeal filed in the clerks' offices. Maryland Rule 8-206(a)(1) stipulates that these appeals are either scheduled for pre-hearing conferences or proceed through the regular appellate process. If the pre-hearing conferences result in disposition, the cases are not assigned to the regular docket, nor are they reported as filings. In those instances where there is no resolution at the conference, the cases are placed on subsequent dockets and counted as filings. An information report, or summary of the actions of the circuit court, is filed whenever an appeal has been noted. The Court of Special Appeals received 1,333 information reports during the 1997 Term. That figure represents an increase of approximately 1.2 percent over the previous year's total of 1,317 reports. Of the 1,333 reports received during the 1997 Term, 372 were scheduled for pre-hearing conferences, while 961 proceeded without conferences being scheduled (Tables CSA-4). The pre-hearing conferences resulted in 223 cases (60 percent) proceeding without limitation of issues and 82 cases (22 percent) dismissed or settled before, at or as a result of the conferences. In addition, 31 cases (8.3 percent) were dismissed or remanded following the conferences, while five cases proceeded with expedited appeals and the issues of three cases were limited at or as a result of the conferences. At the close of the term, 28 cases were still pending (Table CSA-5).

The five larger jurisdictions reported a combined total of 1,366 regular docket appeals during the 1997 Term, comprising approximately 70 percent of the cases. The greatest number of appeals was from Baltimore City (351 or 18 percent). That figure compares with the previous year's total of 363 filings, representing a decrease of 3.3 percent. There were 317 appeals from Prince George's County (16.2 percent), while Montgomery County was the jurisdiction of origin for 301 appeals or 15.4 percent of the docketed cases. The 317 appeals filed by Prince George's County represent an increase of 11.6 percent over the previous year's total of 284 appeals, while a 4.7 percent decrease from the 1996 Term total of 316 appeals was noted by Montgomery County. Baltimore County contributed 243 appeals, a decrease of 7.3 percent from the previous year's total of 262 appeals. The 154 appeals filed by Anne Arundel County represent an increase of 7.7 percent over the 1996 Term total of

TABLE CSA-3

APPEALS DOCKETED BY TERM
COURT OF SPECIAL APPEALS



143 appeals. Approximately 18 percent of the trials conducted in the circuit courts during Fiscal Year 1997 were docketed on the regular docket in the Court of Special Appeals during the 1997 Term (Table CSA-9).

Dispositions

The Court of Special Appeals disposed of 1,980 regular docket cases during Fiscal Year 1998. That figure represents an increase of 4.7 percent over the previous year's total of 1,891 dispositions. There were 1,175 civil cases disposed of, comprising 59.3 percent of the caseload. Criminal matters comprised approximately 40.6 percent (804 cases), while one juvenile case was disposed of (Table CSA-7).

There were 1,039 affirmances of lower courts' decisions rendered by the Court, representing 52.5 percent of the case dispositions. Included in that figure are 562 criminal matters (54.1 percent) and 477 civil matters (45.9 percent). In addition, the Court reversed 189 decisions (9.5 percent). There were 453 cases dismissed prior to argument or submission of briefs, 126 cases affirmed in part and reversed in part, and 75 decisions were vacated. The Court also transferred 46 cases to the Court of Appeals, dismissed 45 cases with opinions being filed, and remanded seven cases without affirmance or reversal. There were three cases disposed from the 1995 Docket, 368 from the 1996 Docket, 1,531 from the 1997 Docket, and 78 cases disposed from the 1998 Docket (Table CSA-7).

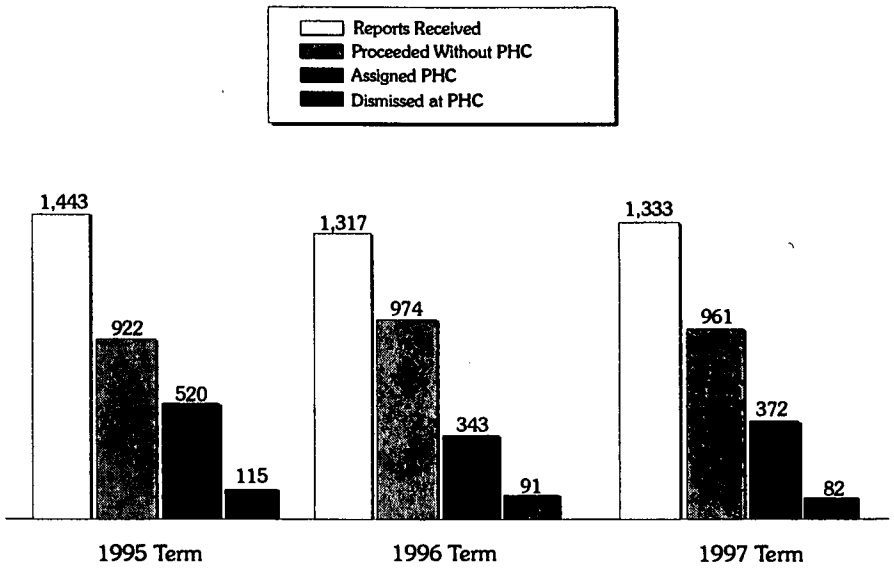
In addition to its regular docket, the Court disposed 428 cases on its miscellaneous docket during Fiscal Year 1998, representing a decrease of approximately 1.8 percent from the previous year's total of 436 cases. The 428 Fiscal Year 1998 dispositions include 280 post conviction cases, 18 inmate grievance cases, 56 violation of probation cases, and 74 other miscellaneous cases (i.e., habeas corpus, motions for execution and guilty pleas). The Court granted 12 applications for leave to appeal and denied 416 applications from its miscellaneous docket (Table CSA-6).

During Fiscal Year 1998, the Court averaged 4.9 months from docketing of an appeal to argument or to disposition without an argument. An average of two months was expended from argument to decision during the same time period (Table CSA-10).

The Court of Special Appeals issued 1,522 majority opinions during Fiscal Year 1998. That figure includes 1,325 unreported opinions and 197

TABLE CSA-4

PREHEARING CONFERENCE REPORTS
COURT OF SPECIAL APPEALS



reported opinions. Comparatively, there were 1,580 opinions filed by the Court during Fiscal Year 1997, 1,570 during Fiscal Year 1996 and 1,644 opinions during Fiscal Year 1995. In addition to the majority opinions, there were 25 dissenting opinions and six concurring opinions filed during Fiscal Year 1998.

Pending

There were 961 cases pending before the Court at the close of Fiscal Year 1998, including 578 civil cases (60.1 percent) and 383 criminal cases (39.9 percent). The Fiscal Year 1998 pending caseload compares with 1,007 pending cases at the close of Fiscal Year 1997, representing a decrease of approximately 4.6 percent. There were five cases pending from the 1995 Docket, 25 from the 1996 Docket, 383 from the 1997 Docket, and 548 cases pending from the 1998 Docket. The pending caseload consists primarily of matters that have been scheduled for argument during the September 1998 Term, as well as cases that have been argued and are awaiting issuance of opinions (Table CSA-8).

Trends

Filing activity in the Court of Special Appeals has fluctuated over the last five years, ranging from a low of 1,913 filings during the 1996 Term, to a high of 2,121 during the 1994 Term. Since the 1993 Term, regular docket filings have decreased by a slight 1.2 percent, from 1,974, to the current level of 1,951 filings. During the same period, a 7.2 percent increase in civil filings has been realized, from 1,106 during the 1993 Term, to the 1997 Term level of 1,186 filings. The fluctuation in overall filings from year-to-year was in direct correlation to fluctuating civil filing activity. In contrast, criminal filings decreased nearly 12 percent during the five-year period, from 868 filings during the 1993 Term, to the current level of 765 criminal filings.

Disposition of regular docket appeals throughout the five-year period ranged from a low of 1,891 during Fiscal Year 1997, to a high of 2,105 dispositions during Fiscal Year 1995. Overall, there has been a net increase of one disposition since Fiscal Year 1994, from 1,979 to the current level of 1,980 dispositions. Miscellaneous docket dispositions increased significantly during the five-year period, from 254 during Fiscal Year 1994, to the Fiscal Year 1998 level of 428 dispositions, an increase of approximately 68.5 percent. Contributing to the overall increase was a substantial rise in post conviction dispositions (382.8 percent), from 58 during Fiscal Year 1994, to the current level of 280 dispositions. An increase also was noted in other miscellaneous dispositions (289.5 percent), from 19 during Fiscal Year 1994, to the Fiscal Year 1998 level of 74 dispositions. In contrast, violation of probation dispositions decreased 62.2 percent over the last five years, from 148 dispositions during Fiscal Year 1994, to the current level of 56 dispositions. Inmate grievance dispositions also decreased during the five-year period (37.9 percent), from 29 during Fiscal Year, 1994 to the Fiscal Year 1998 level of 18 dispositions. The pending caseload remained relatively consistent over the last five years, increasing

by less than 1 percent, from 956 during Fiscal Year 1994, to the current level of 961 pending cases. The amount of time expended from docketing of a case to its argument or disposition without argument decreased over the last five years, from 5.1 months during Fiscal Year 1994, to 4.9 months during Fiscal Year 1998.

TABLE CSA-5

DISPOSITION OF INFORMATION REPORTS ASSIGNED FOR PREHEARING CONFERENCE

1997 TERM

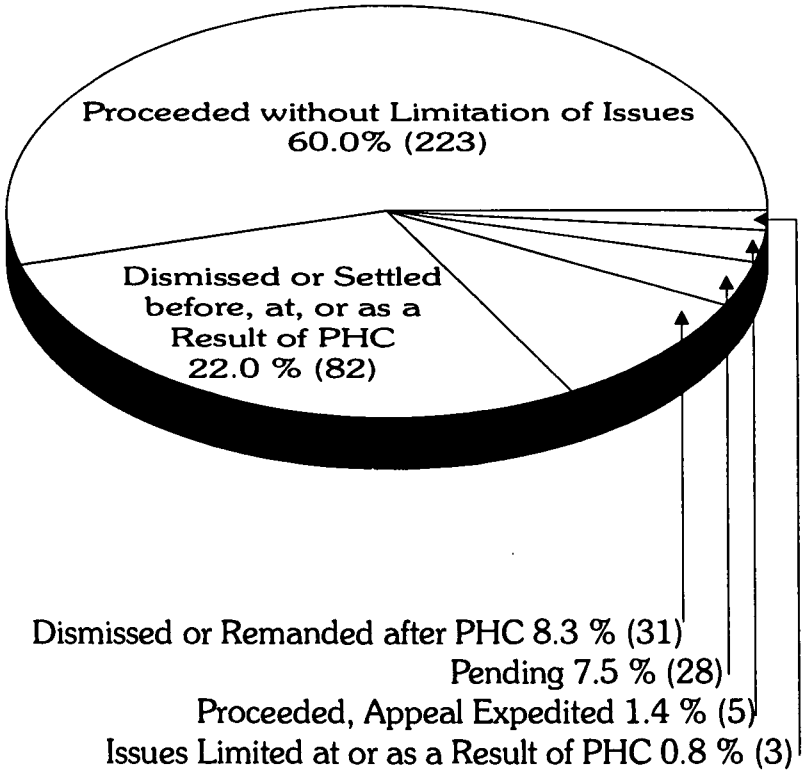


TABLE CSA-6

FIVE-YEAR COMPARATIVE TABLE
DISPOSITION OF APPLICATIONS FOR LEAVE TO APPEAL AND OTHER MISCELLANEOUS CASES
FISCAL 1994—FISCAL 1998

	1994	1995	1996	1997	1998
POST CONVICTION-TOTAL	**58**	**236**	**218**	**260**	**280**
Granted	3	14	10	15	11
Dismissed or Transferred	0	0	0	0	0
Denied	55	221	205	242	269
Remanded	0	1	3	3	0
INMATE GRIEVANCE-TOTAL	**29**	**28**	**21**	**19**	**18**
Granted	1	3	0	1	0
Dismissed or Transferred	0	0	0	0	0
Denied	26	25	21	18	18
Remanded	2	0	0	0	0
OTHER MISCELLANEOUS-TOTAL	**19**	**119**	**70**	**91**	**74**
Granted	3	5	1	4	0
Dismissed or Transferred	0	0	0	1	0
Denied	16	112	69	86	74
Remanded	0	2	0	0	0
VIOLATIONS OF PROBATION-TOTAL	**148**	**126**	**69**	**66**	**56**
Granted	14	4	2	1	1
Dismissed or Transferred	0	0	1	0	0
Denied	133	122	66	65	55
Remanded	1	0	0	0	0
TOTAL	**254**	**509**	**378**	**436**	**428**

Table CSA-7

Cases Disposed By Court Of Special Appeals

Regular Docket

July 1, 1997 – June 30, 1998 Fiscal Year 1998

	Civil	Juvenile	Criminal	Total
Affirmed	477	0	562	1,039
Reversed	123	0	66	189
Dismissed – Opinion Filed	41	0	4	45
Dismissed Without Opinion	0	0	0	0
Remanded Without Affirmance or Reversal	6	0	1	7
Vacated	61	0	14	75
Affirmed in Part, Reversed in Part	67	0	59	126
Dismissed Prior to Argument or Submission	363	1	89	453
Transferred to Court of Appeals	37	0	9	46
Origin				
1995 Docket	2	0	1	3
1996 Docket	195	0	173	368
1997 Docket	912	1	618	1,531
1998 Docket	66	0	12	78
Total Cases Disposed During Fiscal Year 1998	1,175	1	804	1,980

Table CSA-8

Pending Cases Court Of Special Appeals

Regular Docket

June 30, 1998

	Civil	Juvenile	Criminal	Total
Orgin				
1995 Docket	4	0	1	5
1996 Docket	16	0	9	25
1997 Docket	245	0	138	383
1998 Docket	313	0	235	548
Total Cases Pending at Close of Fiscal Year 1998	578	0	383	961

Includes pending cases to be heard during the September 1998 Term.

TABLE CSA-9

RELATIONSHIP BETWEEN COURT OF SPECIAL APPEALS FILINGS ON 1997 REGULAR DOCKET AND CIRCUIT COURT TRIALS IN FISCAL YEAR 1997

Jurisdiction	Court of Special Appeals 1997 Regular Docket	Circuit Court Fiscal Year 1997 Trials	Ratio of Appeals to Trials
Frederick County	48	103	.47
Somerset County	24	52	.46
Prince George's County	317	717	.44
Talbot County	28	67	.42
Baltimore County	243	610	.40
Caroline County	19	47	.40
Montgomery County	301	951	.32
Harford County	55	218	.25
Calvert County	18	83	.22
Washington County	52	245	.21
Kent County	10	53	.19
Baltimore City	351	2,113	.17
Dorchester County	12	73	.16
Wicomico County	41	259	.16
Howard County	64	459	.14
Anne Arundel County	154	1,104	.14
Allegany County	31	248	.13
St. Mary's County	18	160	.11
Charles County	38	363	.10
Queen Anne's County	13	128	.10
Garrett County	11	128	.09
Worcester County	29	611	.05
Cecil County	40	1,051	.04
Carroll County	34	1,000	.03
Total	**1,951**	**10,843**	**.18**

TABLE CSA-10

AVERAGE INTERVALS FOR CASES DISPOSED BY COURT OF SPECIAL APPEALS

REGULAR DOCKET

JULY 1, 1997— JUNE 30, 1998
FISCAL YEAR 1998

	Docketing to Argument or to Disposition Without Argument *	Argument to Decision**
Days	147	60
Months	4.9	2.0
Number of Cases	1,980	1,465

* Includes all cases disposed in Fiscal Year 1998.

** Includes all cases disposed in Fiscal Year 1998 which were argued.

TABLE CSA-11

FIVE-YEAR COMPARATIVE TABLE
AVERAGE INTERVALS
FOR FILING OF APPEALS ON THE REGULAR DOCKET
COURT OF SPECIAL APPEALS

(IN DAYS AND MONTHS)

Docket	Original Filing to Disposition In Court Below	Disposition in Circuit Court to Docketing in Court of Special Appeals
1993	415 13.8	128 4.3
1994	418 13.9	128 4.3
1995	408 13.6	129 4.3
1996	407 13.6	135 4.5
1997	401 13.4	133 4.4

The Circuit Courts

The Judges of the Circuit Courts of Maryland as of June 30, 1998

First Judicial Circuit

Dorchester County
Hon. Donald F. Johnson

Somerset County
*Hon. Daniel M. Long

Wicomico County
Hon. D. William Simpson
Hon. Richard D. Warren
Vacancy

Worcester County
Hon. Theodore R. Eschenburg, CJ
Hon. Thomas C. Groton, III

Second Judicial Circuit

Caroline County
*Hon. J. Owen Wise, CJ

Cecil County
Hon. Edward D. E. Rollins, Jr.
Hon. Dexter M. Thompson, Jr.
Hon. O. Robert Lidums

Kent County
Hon. J. Frederick Price

Queen Anne's County
Hon. John W. Sause, Jr.

Talbot County
Hon. William S. Horne

Third Judicial Circuit

Baltimore County
*Hon. Edward A. DeWaters, Jr., CJ
Hon. J. William Hinkel
Hon. John F. Fader, II
Hon. James T. Smith, Jr.
Hon. Dana M. Levitz
Hon. John G. Turnbull, II
Hon. Barbara Kerr Howe
Hon. Alfred L. Brennan, Sr.
Hon. Christian M. Kahl
Hon. Thomas J. Bollinger, Sr.
Hon. J. Norris Byrnes
Hon. Robert E. Cahill, Sr.
Hon. John O. Hennegan
Hon. Lawrence R. Daniels
Hon. Robert E. Cadigan
Hon. Alexander Wright, Jr.

Harford County
Hon. Cypert O. Whitfill
Hon. William O. Carr
Hon. Maurice W. Baldwin, Jr.
Hon. Stephen M. Waldron
Hon. Thomas E. Marshall

Fourth Judicial Circuit

Allegany County
Hon. J. Frederick Sharer
Hon. Gary G. Leasure

Garrett County
Hon. James L. Sherbin

Washington County
*Hon. Frederick C. Wright, III, CJ
Hon. John H. McDowell
Hon. W. Kennedy Boone, III
Hon. Donald E. Beachley

Fifth Judicial Circuit

Anne Arundel County
Hon. Eugene M. Lerner
Hon. James C. Cawood, Jr.
Hon. Robert H. Heller, Jr.
Hon. Lawrence H. Rushworth
*Hon. Clayton Greene, Jr.
Hon. Pamela L. North
Hon. Ronald A. Silkworth
Hon. Michael E. Loney
Hon. Joseph P. Manck
Vacancy

Carroll County
Hon. Luke K. Burns, Jr., CJ
Hon. Raymond E. Beck, Sr.
Hon. Francis M. Arnold

Howard County
Hon. Raymond J. Kane, Jr.
Hon. James B. Dudley
Hon. Dennis M. Sweeney
Hon. Diane O. Leasure
Hon. Lenore R. Gelfman

Sixth Judicial Circuit

Frederick County
Hon. G. Edward Dwyer, Jr.
Hon. Mary Ann Stepler
Hon. Herbert L. Rollins
Hon. John H. Tisdale

Montgomery County
Hon. DeLawrence Beard, CJ
Hon. J. James McKenna
*Hon. Paul H. Weinstein
Hon. Vincent E. Ferretti, Jr.
Hon. Paul A. McGuckian
Hon. James L. Ryan
Hon. Ann S. Harrington
Hon. S. Michael Pincus
Hon. D. Warren Donohue
Hon. William P. Turner
Hon. Michael D. Mason
Hon. Durke G. Thompson
Hon. Martha G. Kavanaugh
Hon. James C. Chapin
Hon. Louise G. Scrivener
Hon. Nelson W. Rupp, Jr.
Hon. Patrick L. Woodward

Seventh Judicial Circuit

Calvert County
Hon. Warren J. Krug
Hon. Marjorie L. Clagett

Charles County
Hon. Richard J. Clark
Hon. Robert C. Nalley
Hon. Steven G. Chappelle
Hon. Christopher C. Henderson

Prince George's County
Hon. Robert J. Woods, CJ
Hon. Robert H. Mason
Hon. Arthur M. Ahalt
Hon. G. R. Hovey Johnson
Hon. Joseph S. Casula
Hon. Darlene G. Perry
Hon. Graydon S. McKee, III
*Hon. William D. Missouri
Hon. Steven I. Platt
Hon. Larnzell Martin, Jr.
Hon. Richard H. Sothoron, Jr.
Hon. C. Philip Nichols, Jr.
Hon. William B. Spellbring, Jr.
Hon. Thomas P. Smith
Hon. E. Allen Shepherd
Hon. Sherrie L. Krauser
Hon. Michele D. Hotten
Hon. Sheila Tillerson Adams
Hon. Theresa A. Nolan
Hon. James J. Lombardi
Hon. Toni E. Clarke

St. Mary's County
Hon. John H. Briscoe
Hon. Marvin S. Kaminetz

Eighth Judicial Circuit

Baltimore City
Hon. Robert I. H. Hammerman, CJ
*Hon. Joseph H. H. Kaplan
Hon. John Carroll Byrnes
Hon. Kenneth Lavon Johnson
Hon. Edward J. Angeletti
Hon. Thomas E. Noel
Hon. David B. Mitchell
Hon. Kathleen O'Ferrall Friedman
Hon. Clifton J. Gordy, Jr.
Hon. Mabel H. Hubbard
Hon. John N. Prevas
Hon. Ellen M. Heller
Hon. Roger W. Brown
Hon. John C. Themelis
Hon. Richard T. Rombro
Hon. Paul A. Smith
Hon. Joseph P. McCurdy, Jr.
Hon. Martin P. Welch, Sr.
Hon. Carol E. Smith
Hon. Albert J. Matricciani, Jr.
Hon. David W. Young
Hon. Bonita J. Dancy
Hon. Gary I. Strausberg
Hon. Thomas J. S. Waxter, Jr.
Hon. William D. Quarles
Hon. Evelyn Omega Cannon
Hon. Allen L. Schwait
Hon. Alfred Nance
Hon. Marcella A. Holland
Hon. M. Brooke Murdock

Circuit Administrative Judge

The Circuit Courts

Introduction

The circuit courts are the highest common law and equity courts of record exercising original jurisdiction within the State. Each has full common law and equity powers and jurisdiction in all civil and criminal cases within its county, along with all of the additional powers and jurisdiction conferred by the Constitution and the law, except when jurisdiction has been limited or conferred upon another tribunal by law.

In each county of the State and Baltimore City, there is a circuit court which is a trial court of general jurisdiction. Its jurisdiction is very broad but, generally, it handles the major civil cases and more serious criminal matters. The circuit courts also decide appeals from the District Court and certain administrative agencies.

The courts are grouped into eight geographical circuits. Each of the first seven circuits comprises two or more counties, while the Eighth Judicial Circuit only consists of Baltimore City. On January 1, 1983, the former Supreme Bench was consolidated into the Circuit Court for Baltimore City.

As of July 1, 1997, there were 140 authorized circuit court judgeships, with at least one judge for each county and 30 in Baltimore City. Unlike the other three court levels in Maryland, there is no single chief judge who is administrative head of the circuit courts. There are, however, eight circuit administrative judges appointed by the Chief Judge of the Court of Appeals. They perform administrative duties in each of their respective circuits and are assisted by county administrative judges.

A circuit court vacancy is filled by the Governor, and the appointee must stand for election at the next general election held at least one year after the vacancy occurs. The judge may be opposed by one or more members of the bar. The successful candidate is elected to a fifteen-year term of office.

Filings

The circuit courts had 277,204 cases filed during Fiscal Year 1998, which represents an increase of 2.4 percent over the previous year's total of 270,602 total case filings. During Fiscal Year 1998, increases occurred in each of the three functional areas, with the greatest increase reported in juvenile filings. There were 45,260 juvenile filings reported during Fiscal Year 1998, a 3.9 percent increase over the 43,582 filings reported for Fiscal Year 1997. Likewise, criminal filings increased 3.8 percent, from 69,121 during Fiscal Year 1997, to the current level of 71,770 total filings. Civil case filings rose approximately 1.4 percent. There were 160,174 civil filings reported during Fiscal Year 1998, compared with 157,899 filings during Fiscal Year 1997 (Table CC-3).

Nearly 58 percent of all filings reported during Fiscal Year 1998 were of a civil nature. Filings reported by the five larger jurisdictions — Anne Arundel, Baltimore, Montgomery and Prince George's Counties and Baltimore City — comprised approximately 68.1 percent of the civil caseload. Collectively, these jurisdictions reported 109,050 civil case filings during Fiscal Year 1998. The greatest number of filings was reported by Prince George's County. There were 28,964 civil case filings reported by the aforementioned jurisdiction, a slight increase of 0.1 percent over the previous year's total of 28,930 filings. Baltimore City followed with 28,119 filings, increasing 4.6 percent over the Fiscal Year 1997 total of 26,877 civil filings. Montgomery County's civil caseload decreased 1.9 percent during the two-year period, from 24,451 during Fiscal Year 1997, to the current level of 23,980 filings. There was a slight decrease of 0.2 percent reported by Baltimore County, from 15,429 during Fiscal Year 1997, to the current level of 15,402 filings. The greatest decrease among the five larger jurisdictions was reported by Anne Arundel County, from 13,033 civil case filings during Fiscal Year 1997, to 12,585 filings during Fiscal Year 1998, representing a decrease of 3.4 percent (Table CC-3).

Categorically, decreases in domestic-related case filings, District Court appeals, and contract filings, offset by increases in appeals from administrative agencies and other general civil filings, which include such matters as injunctions, changes of name, foreclosures and guardianship of persons, contributed to the slight increase recorded in total civil filings. The greatest decrease occurred in appeals from the District Court, from 1,518 during Fiscal Year 1997, to the current level of 1,319 appeals, a decrease of 13.1 percent. A decrease of more than 49 percent in the aforementioned category reported by Prince George's County (i.e., from 276 during Fiscal Year 1997, to 140 during Fiscal Year 1998) and a 31.9 percent decrease reported by Baltimore County (i.e., from 232 during Fiscal Year 1997, to 158 during Fiscal Year 1998) contributed to the overall decrease in that category. Contract filings decreased 8.5 percent, from 6,263 during Fiscal Year 1997, to the current level of 5,731, while a 1.2 percent decrease was noted in domestic case filings, from 89,522 to the current level of 88,414 filings. Rather significant decreases in other domestic relations filings reported by Montgomery County (42.3 percent) and

Anne Arundel County (30.7 percent) contributed to the reported decrease in overall domestic relations filings. There were 1,213 other domestic relations filings reported by Montgomery County, compared with the previous year's total of 2,104 filings. Likewise, Anne Arundel County's other domestic relations filings decreased from 1,010 during Fiscal Year 1997, to the current level of 700 filings. Contributing to the decrease in contract filings was a 9.7 percent decrease reported by Montgomery County (i.e., from 1,719 during Fiscal Year 1997, to 1,552 during Fiscal Year 1998) and an 8.4 percent decrease reported by Prince George's County (i.e., from 1,038 during Fiscal Year 1997, to 951 during Fiscal Year 1998). As previously mentioned, the aforementioned categorical decreases were offset by a 9.1 percent rise in appeals from administrative agencies and a 14.3 percent increase in other general filings. There were 3,986 appeals from administrative agencies reported during Fiscal Year 1998, compared with the previous year's total of 3,655 filings. Likewise, other general civil filings rose from 33,547 during Fiscal Year 1997, to the current level of 38,358 filings. Increases in other general civil filings reported by each of the five larger jurisdictions contributed to the overall increase in that category (Table CC-8).

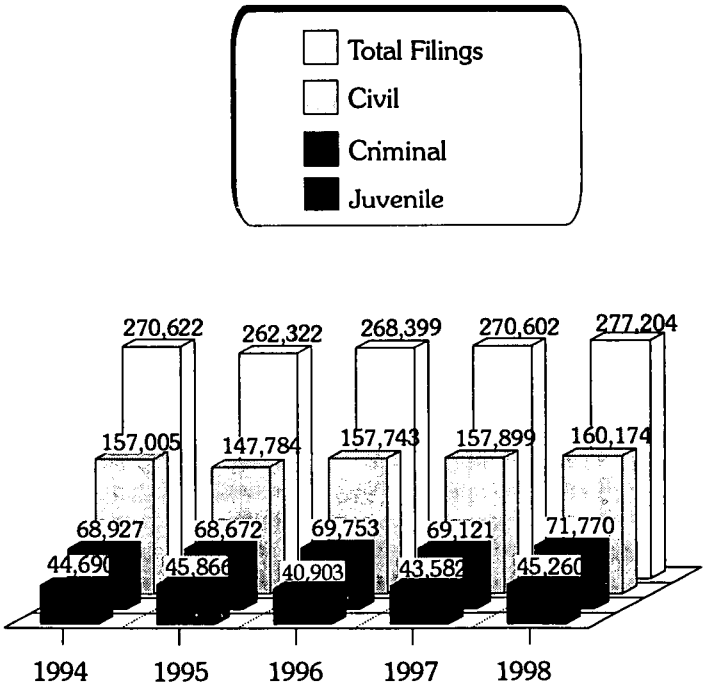
In exercising jurisdiction held elsewhere by an orphans' court, the Circuit Court for Montgomery County conducted 327 hearings and executed 7,644 orders, and the Circuit Court for Harford County conducted 30 hearings and executed 560 orders.

Criminal matters accounted for nearly 26 percent of the Fiscal Year 1998 caseload in the circuit courts. There were 71,770 criminal cases filed during Fiscal Year 1998, compared with the Fiscal Year 1997 level of 69,121 filings. The five larger jurisdictions comprised approximately 70.5 percent of the criminal caseload, reporting a combined total of 50,596 filings. Increases were reported by three of the five jurisdictions with the greatest increase reported by Baltimore City. There were 24,733 criminal cases filed by Baltimore City, an increase of 8.5 percent over the previous year's total of 22,785 filings. Likewise, Prince George's County reported a 6.9 percent increase, from 8,907 filings during Fiscal Year 1997, to the current level of 9,524 filings. The 7,667 criminal filings reported by Baltimore County represent a 1.3 percent increase over the previous year's total of 7,571 filings. There was a 3.3 percent decrease reported by Anne Arundel County, from 4,419 filings last year, to the current level of 4,272 filings. Montgomery County also reported a decrease in criminal filing activity, from 4,516 filings during Fiscal Year 1997, to 4,400 filings during Fiscal Year 1998, representing a decrease of 2.6 percent (Table CC-3).

With respect to categorical fluctuations, increases were noted in jury trial requests and appeals from the District Court. There were 24,381 requests for jury trials emanating from the District Court, a 12.3 percent increase over the previous year's total of 21,711 filings. Contributing most significantly to that increase was a 54 percent rise in jury trial prayers in Prince George's County (i.e., from 2,518 filings during Fiscal Year 1997, to 3,878 filings during Fiscal Year 1998) and a 37.4 percent increase reported by Baltimore City (i.e., from 3,841 during Fiscal Year 1997, to 5,279 during Fiscal Year 1998). Appeals from the District Court also increased during the year, from 4,680 during Fiscal Year 1997, to the current level of 4,808 filings, representing an increase of 2.7 percent. Indictment and information filings remained relatively consistent over the two-year period, increasing by less than 1 percent, from 37,864 last year, to the current level of 38,037 filings.

TABLE CC-1

CIRCUIT COURT - FILINGS BY FISCAL YEAR



The circuit courts reported 45,260 juvenile filings during Fiscal Year 1998, a 3.9 percent increase over the Fiscal Year 1997 level of 43,582 filings. In aggregate, the five larger jurisdictions reported 33,117 filings, comprising approximately 73.2 percent of the juvenile caseload statewide. Baltimore City reported the greatest number of juvenile filings with 11,796, a 2.7 percent increase over the previous year's total of 11,483 filings. Montgomery County followed with 7,167 filings, which represents a 5.7 percent rise over the Fiscal Year 1997 total of 6,781 filings. An increase of 3.9 percent was reported by Baltimore County (i.e., from 4,800 during Fiscal Year 1997, to 4,986 filings during Fiscal Year 1998), while Prince George's and Anne Arundel Counties reported decreases of 9.1 percent and 8.5 percent, respectively. There were 5,751 juvenile case filings reported by Prince George's County during Fiscal Year 1998, compared with 6,325 during Fiscal Year 1997. A 12.7 percent decrease in delinquency filings, coupled with a 6 percent decrease in C.I.N.A. filings, contributed to the overall decrease. Likewise, Anne Arundel County's juvenile caseload decreased from 3,733 during Fiscal Year 1997, to the current level of 3,417 filings. A decrease of 8.2 percent in delinquency filings contributed to the reported decrease in the aforementioned jurisdiction.

Terminations

During Fiscal Year 1998, the circuit courts recorded 236,796 terminations, an increase of 5.4 percent over the previous year's total of 224,596 terminations. Increases were noted in each functional area, with the greatest statistical increase reported in civil case terminations. There were 131,017 civil terminations reported during Fiscal Year 1998, an increase of 6,318 or 5.1 percent over the Fiscal Year 1997 total of 124,699 terminations. A 3.3 percent rise in domestic terminations, from 76,081 during Fiscal Year 1997, to 78,616 during Fiscal Year 1998 contributed to the overall increase. The five larger jurisdictions reported a combined total of 85,585 terminations, comprising more than 65 percent of civil terminations statewide. Although down by 5.2 percent, Prince George's County continued to report the greatest number of civil terminations. There were 25,655 civil cases terminated by the aforementioned jurisdiction during Fiscal Year 1998, compared with the previous year's total of 27,063 terminations. Montgomery County followed with 24,372 terminations, which represents an 8.3 percent increase over the previous year's total of 22,498 civil terminations. With 13,287 terminations, Baltimore County noted the greatest rise over the last two years, increasing approximately 13.8 percent over the Fiscal Year 1997 total of 11,678 terminations. Anne Arundel County reported 11,646 civil terminations, compared with the Fiscal Year 1997 total of 11,895 terminations, a decrease of approximately 2.1 percent. A 17.4 percent increase was reported by Baltimore City, from 9,053 last year, to the Fiscal Year 1998 level of 10,625 terminations.

During Fiscal Year 1998, the circuit courts terminated 67,614 criminal cases, which represents a 5.5 percent increase over the previous year's total of 64,087 terminations. Nearly 34 percent of the cases were terminated by Baltimore City. There were 22,885 criminal terminations reported by the aforementioned jurisdiction, an increase of approximately 10.6 percent over the Fiscal Year 1997 total of 20,689 terminations. Baltimore City's increase can be attributed to a 4.1 percent rise in indictment and information filings, coupled with a 25.1 percent increase in jury trial prayer terminations. Among the remaining four larger jurisdictions, a combined total of 24,881 criminal cases was terminated, with the greatest number reported by Prince George's County. There were 9,072 criminal case terminations reported by Prince George's County during Fiscal Year 1998, compared with the Fiscal Year 1997 total of 7,819 terminations, representing an increase of 16 percent. Baltimore County followed with 7,374 terminations, a slight increase of 1.4 percent over the Fiscal Year 1997 level of 7,272 terminations. An increase of less than 1 percent was reported by Montgomery County (i.e., from 4,372 during Fiscal Year 1997, to the current level of 4,408 terminations), while Anne Arundel County reported a decrease of 7.3 percent (i.e., from 4,345 during Fiscal Year 1997, to the current level of 4,027 criminal terminations).

Juvenile terminations rose approximately 6.6 percent during Fiscal Year 1998, from 35,810 during Fiscal Year 1997, to the current level of 38,165 terminations. Categorically, C.I.N.A. terminations increased 7.7 percent, while a 5.7 percent increase occurred in delinquency terminations over the last two years. There were 8,923 C.I.N.A. cases terminated during Fiscal Year 1998, compared with the previous year's total of 8,284 terminations. Likewise, delinquency terminations increased from 27,163 during Fiscal Year 1997, to 28,703 during Fiscal Year 1998. A combined total of 26,659 terminations was reported by the five larger jurisdictions, comprising nearly 70 percent of the terminated cases. Baltimore City terminated the greatest number of juvenile cases with 6,787, a 12.7 percent increase over the Fiscal Year 1997 total of 6,020 terminations. Montgomery County followed with 6,725 terminations, compared with 6,582 terminations during Fiscal Year 1997, representing a 2.2 percent increase. There were 5,760 juvenile cases terminated by Prince Georges's County, a 4.1 percent decrease from the 6,005 terminations reported during Fiscal Year 1997. Baltimore and Anne Arundel Counties terminated 4,269 and 3,118 juvenile cases, respectively. The 4,269 cases terminated by Baltimore County represent a 19 per-

TABLE CC-2

FIVE-YEAR COMPARATIVE TABLE
ALL CASES
FILINGS AND TERMINATIONS

FISCAL 1994 – FISCAL 1998

COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED

	1993-94		1994-95		1995-96		1996-97		1997-98	
	F	T	F	T	F	T	F	T	F	T
First Circuit	**11,096**	**10,563**	**11,079**	**10,564**	**12,004**	**11,140**	**12,515**	**11,187**	**13,312**	**12,520**
Dorchester	2,044	1,852	1,901	1,708	1,928	1,773	1,881	1,706	2,396	2,225
Somerset	2,026	1,927	2,051	2,075	2,175	2,076	2,314	2,288	2,248	2,205
Wicomico	3,936	3,531	3,924	3,825	4,532	4,155	4,935	4,129	4,778	4,583
Worcester	3,090	3,253	3,203	2,956	3,369	3,136	3,385	3,064	3,890	3,507
Second Circuit	**10,041**	**9,694**	**10,750**	**9,844**	**11,400**	**10,438**	**11,331**	**10,296**	**11,750**	**10,683**
Caroline	1,302	1,206	1,541	1,404	1,678	1,547	1,362	1,155	1,692	1,591
Cecil	4,328	4,230	4,718	4,092	4,982	4,287	4,913	4,263	4,748	4,171
Kent	1,392	1,281	1,324	1,290	1,432	1,392	1,548	1,409	1,463	1,338
Queen Anne's	1,351	1,337	1,357	1,356	1,686	1,632	1,719	1,793	1,918	1,786
Talbot	1,668	1,640	1,810	1,702	1,622	1,580	1,789	1,676	1,929	1,797
Third Circuit	**33,537**	**30,113**	**34,110**	**29,888**	**34,895**	**28,777**	**35,491**	**28,819**	**35,632**	**31,854**
Baltimore	26,500	24,267	26,810	22,960	27,952	23,209	27,800	22,538	28,055	24,930
Harford	7,037	5,846	7,300	6,928	6,943	5,568	7,691	6,281	7,577	6,924
Fourth Circuit	**10,544**	**10,621**	**10,206**	**9,583**	**11,263**	**10,241**	**11,717**	**11,173**	**13,396**	**12,208**
Allegany	3,224	3,310	2,680	2,528	3,230	2,994	3,452	3,894	3,826	3,750
Garrett	1,150	1,069	1,152	1,005	1,168	1,074	1,101	995	1,217	1,132
Washington	6,170	6,242	6,374	6,050	6,865	6,173	7,164	6,284	8,353	7,326
Fifth Circuit	**39,671**	**38,367**	**38,276**	**35,707**	**38,146**	**36,982**	**35,092**	**32,820**	**34,440**	**31,803**
Anne Arundel	26,362	25,094	24,053	21,761	23,662	22,751	21,185	19,814	20,274	18,791
Carroll	6,296	6,064	6,143	5,853	5,937	6,036	5,567	5,674	5,896	5,432
Howard	7,013	7,209	8,080	8,093	8,547	8,195	8,340	7,332	8,270	7,580
Sixth Circuit	**46,242**	**37,012**	**39,127**	**32,750**	**40,668**	**34,315**	**42,119**	**38,603**	**42,375**	**41,260**
Frederick	5,219	4,577	5,356	4,417	5,749	4,120	6,371	5,151	6,828	5,755
Montgomery*	41,023	32,435	33,771	28,333	34,919	30,195	35,748	33,452	35,547	35,505
Seventh Circuit	**55,213**	**50,303**	**59,298**	**54,166**	**60,081**	**52,748**	**61,192**	**55,936**	**61,651**	**56,171**
Calvert	2,801	2,628	3,752	3,734	4,450	4,604	4,598	4,125	4,686	4,235
Charles	5,712	5,228	6,785	5,950	6,902	6,561	7,340	6,005	7,644	6,783
Prince George's	42,721	38,950	44,664	40,576	44,024	36,860	44,161	40,887	44,239	40,487
St. Mary's	3,979	3,497	4,097	3,906	4,705	4,723	5,093	4,919	5,082	4,666
Eighth Circuit	**64,278**	**50,885**	**59,476**	**36,961**	**59,942**	**35,886**	**61,145**	**35,762**	**64,648**	**40,297**
Baltimore City	64,278	50,885	59,476	36,961	59,942	35,886	61,145	35,762	64,648	40,297
STATE	**270,622**	**237,558**	**262,322**	**219,463**	**268,399**	**220,527**	**270,602**	**224,596**	**277,204**	**236,796**

*Includes juvenile cases processed at the District Court level.
NOTE: See note on Table CC-17.

TABLE CC-3

COMPARATIVE TABLE ON FILINGS IN THE CIRCUIT COURTS

FISCAL 1997 – FISCAL 1998

	CIVIL			CRIMINAL			JUVENILE			TOTAL		
	1996-97	1997-98	% Change	1996-97	1997-98	% Change	1996-97	1997-98	% Change	1996-97	1997-98	% Change
First Circuit												
Dorchester	1,023	1,472	43.9	632	632	0.0	226	292	29.2	1,881	2,396	27.4
Somerset	1,449	1,385	-4.4	540	558	3.3	325	305	-6.2	2,314	2,248	-2.9
Wicomico	2,638	2,473	-6.3	1,922	1,874	-2.5	375	431	14.9	4,935	4,778	-3.2
Worcester	1,911	2,030	6.2	1,177	1,547	31.4	297	313	5.4	3,385	3,890	14.9
Second Circuit												
Caroline	945	1,241	31.3	214	171	-20.1	203	280	37.9	1,362	1,692	24.2
Cecil	2,668	2,522	-5.5	1,503	1,445	-3.9	742	781	5.3	4,913	4,748	-3.4
Kent	1,282	1,190	-7.2	192	182	-5.2	74	91	23.0	1,548	1,463	-5.5
Queen Anne's	1,294	1,431	10.6	183	160	-12.6	242	327	35.1	1,719	1,918	11.6
Talbot	1,119	1,157	3.4	390	487	24.9	280	285	1.8	1,789	1,929	7.8
Third Circuit												
Baltimore	15,429	15,402	-0.2	7,571	7,667	1.3	4,800	4,986	3.9	27,800	28,055	0.9
Harford	4,601	4,139	-10.0	2,236	2,459	10.0	854	979	14.6	7,691	7,577	-1.5
Fourth Circuit												
Allegany	2,428	2,779	14.5	694	698	0.6	330	349	5.8	3,452	3,826	10.8
Garrett	751	876	16.6	149	129	-13.4	201	212	5.5	1,101	1,217	10.5
Washington	4,247	4,848	14.2	1,976	2,409	21.9	941	1,096	16.5	7,164	8,353	16.6
Fifth Circuit												
Anne Arundel	13,033	12,585	-3.4	4,419	4,272	-3.3	3,733	3,417	-8.5	21,185	20,274	-4.3
Carroll	3,147	3,452	9.7	1,756	1,645	-6.3	664	799	20.3	5,567	5,896	5.9
Howard	4,688	4,755	1.4	2,504	2,221	-11.3	1,148	1,294	12.7	8,340	8,270	-0.8
Sixth Circuit												
Frederick	3,571	3,365	-5.8	1,465	1,530	4.4	1,335	1,933	44.8	6,371	6,828	7.2
Montgomery*	24,451	23,980	-1.9	4,516	4,400	-2.6	6,781	7,167	5.7	35,748	35,547	-0.6
Seventh Circuit												
Calvert	2,928	3,070	4.8	947	775	-18.2	723	841	16.3	4,598	4,686	1.9
Charles	4,910	5,242	6.8	1,535	1,479	-3.6	895	923	3.1	7,340	7,644	4.1
Prince George's	28,930	28,964	0.1	8,907	9,524	6.9	6,324	5,751	-9.1	44,161	44,239	0.2
St. Mary's	3,579	3,697	3.3	908	773	-14.9	606	612	1.0	5,093	5,082	-0.2
Eighth Circuit												
Baltimore City	26,877	28,119	4.6	22,785	24,733	8.5	11,483	11,796	2.7	61,145	64,648	5.7
STATE	157,899	160,174	1.8	69,121	71,770	3.8	43,582	45,260	3.9	270,602	277,204	2.4

* Includes juvenile cases processed at the District Court level.

cent increase over the previous year's total of 3,588 terminations, while a 12.8 percent decrease from the 3,574 Fiscal Year 1997 juvenile terminations was noted by Anne Arundel County.

Court Trials, Jury Trials and Hearings

Over the last two years, the circuit courts conducted a relatively consistent number of judicial proceedings, from 273,768 during Fiscal Year 1997, to the current level of 273,333 judicial proceedings. During Fiscal Year 1998, there were 262,251 hearings held, including 86,481 civil hearings, 92,135 criminal hearings and 83,635 juvenile hearings. In addition, the circuit courts conducted 7,732 court trials and 3,350 jury trials. Civil matters comprised nearly 65 percent (5,015 trials) of the court trials conducted during Fiscal Year 1998 and approximately 56.1 percent (1,878 trials) of the jury trials (Table CC-10).

Elapsed Time of Case Dispositions

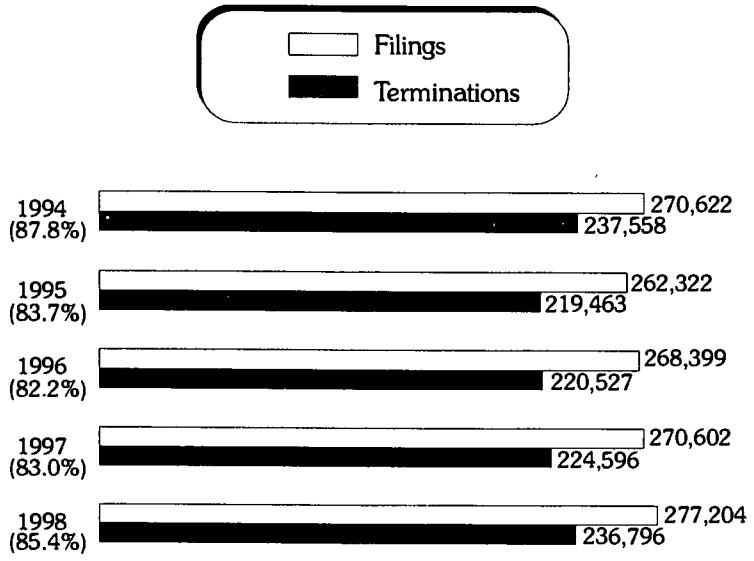
During Fiscal Year 1998, the circuit courts averaged 209 days from the filing to disposition of a civil case. An average of 114 days was expended on criminal case disposition, while juvenile cases averaged 55 days from filing to disposition during the same time period. Comparatively, a civil case averaged 202 days, a criminal case averaged 117 days and a juvenile case averaged 53 days during Fiscal Year 1997. Inactive cases were excluded in calculating the averages (Table CC-13).

Pending

The circuit courts had pending before them 400,892 cases at the close of Fiscal Year 1998. That figure represents an increase of 6.8 percent over the previous year's total of 375,313 pending cases. More than 69 percent (277,572 cases) of the pending caseload comprised civil matters, which represents an increase of 7.1 percent over the Fiscal Year 1997 total of 259,130 cases. Collectively, the five larger jurisdictions accounted for approximately 84.4 percent of the pending civil caseload. Baltimore City reported the greatest number of pending cases with 125,414, an increase of 7.6 percent over the previous year's total of 116,566 cases. Prince George's County's pending civil caseload increased 5.4 percent, from 34,736 during Fiscal Year 1997, to the current level of 36,621 cases. There were 36,281 pending civil cases reported by Baltimore County, a 6.6 percent increase over the 34,030 civil cases pending at the close of Fiscal Year 1997. Likewise, Anne Arundel and Montgomery Counties reported in-

TABLE CC-4

TERMINATIONS AS A PERCENTAGE OF FILINGS IN THE CIRCUIT COURTS



* The percentage of filings that are terminated.

creases of 4.4 percent (i.e., from 23,539 during Fiscal Year 1997, to 24,569 during Fiscal Year 1998) and 13.8 percent (i.e., from 9,958 during Fiscal Year 1997, to 11,331 during Fiscal Year 1998), respectively.

The pending criminal caseload also increased, however slightly, during the year, from 67,289 during Fiscal Year 1997, to the present level of 68,336 cases, an increase of 1.6 percent. The greatest number of pending cases was reported by Baltimore City. There were 31,218 pending criminal cases reported by the aforementioned jurisdiction, a 1.1 percent increase over the 30,865 cases reported last year. Prince George's County followed with 8,783 pending cases, compared with 8,612 cases during Fiscal Year 1997, representing an increase of approximately 2 percent. The 5,787 pending criminal cases reported by Baltimore County represents a 2.9 percent increase over the previous fiscal year's total of 5,626 pending cases. Anne Arundel and Montgomery Counties both reported decreases in their pending criminal caseloads. During Fiscal Year 1997, Anne Arundel County reported 4,678 pending criminal cases, compared with the Fiscal Year 1998 total of 4,581, a decrease of 2.1 percent. Likewise, Montgomery County's 2,629 pending criminal cases represent a 10.8 percent decrease from the previous year's total of 2,947 pending cases.

The circuit courts reported 54,984 pending juvenile cases for Fiscal Year 1998, which represents a 12.5 percent increase over the Fiscal Year 1997 total of 48,894 cases. The five larger jurisdictions continue to account for the greatest number of cases, reporting a combined total of 51,460 cases or 93.6 percent of the pending juvenile cases. In particular, Baltimore City accounts for 71.4 percent of the cases with 39,264 pending juvenile cases. That figure represents a 14.6 percent increase over the 34,255 cases reported last year. Baltimore County followed with 5,495 pending cases, an increase of 15.3 percent over the Fiscal Year 1997 total of 4,766 pending juvenile cases. Montgomery County reported a 10.4 percent increase, from 4,023 during Fiscal Year 1997, to the current level of 4,440 cases. There were 820 juvenile cases pending at the close of Fiscal Year 1998 in Anne Arundel County, compared with 633 during Fiscal Year 1997, representing an increase of 29.5 percent. The only decrease among the five larger jurisdictions was reported by Prince George's County. There were 1,441 pending juvenile cases reported by the aforementioned jurisdiction, a decrease of 32.9 percent from the Fiscal Year 1997 total of 2,147 pending juvenile cases.

Trends

The circuit court dockets across the State continue to be saturated each year with increased filing activity. Over the last five years, the courts experienced a steady increase in filings, resulting in a net increase in total caseload of approximately 2.4 percent, or nearly 6,600 additional case filings. There were 270,622 cases filed during Fiscal Year 1994, compared with the Fiscal Year 1998 total of 277,204 total filings. Increases were noted in each functional area, with the greatest numerical increase occurring in civil case filings.

Over the last five years, civil filings have increased approximately 2 percent, from 157,005 during Fiscal Year 1994, to 160,174 during Fiscal Year 1998, 3,169 additional filings. Several categorical fluctuations over the last five years impacted the rise in civil case filings. Among those fluctuations was a 47.9 percent increase in other tort filings (i.e., from 4,357 in Fiscal Year 1994, to 6,442 in Fiscal Year 1998), a 244.3 percent rise in contested confessed judgment filings (i.e., from 212 in Fiscal Year 1994, to 730 in Fiscal Year 1998), and an 8 percent rise in domestic filings (i.e., from 81,835 in Fiscal Year 1994, to 88,414 in Fiscal Year 1998). In contrast, motor tort filings decreased 17.8 percent, from 10,128 in Fiscal Year 1994, to 8,327 in Fiscal Year 1998, while contract and other law filings

TABLE CC-5
JURY TRIAL PRAYERS

	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
Baltimore City*	8,714	7,905	4,061	3,140	3,450	4,317	4,293	3,752	3,255	3,841	5,279
Anne Arundel County	1,343	2,037	2,045	2,383	2,599	1,274	827	746	692	596	479
Baltimore County	4,683	5,499	5,691	4,002	2,952	2,409	2,835	2,356	2,354	2,143	2,134
Montgomery County	3,955	3,709	2,210	1,810	2,493	2,093	1,464	1,560	1,713	1,223	1,241
Prince George's County	3,111	2,937	3,314	2,955	3,297	2,757	2,836	2,652	3,628	2,518	3,878
All Other Counties	7,978	9,339	10,562	10,814	11,471	11,434	11,452	11,883	11,575	11,390	11,370
Total	**29,784**	**31,426**	**27,883**	**25,104**	**26,262**	**24,284**	**23,707**	**22,949**	**23,217**	**21,711**	**24,381**

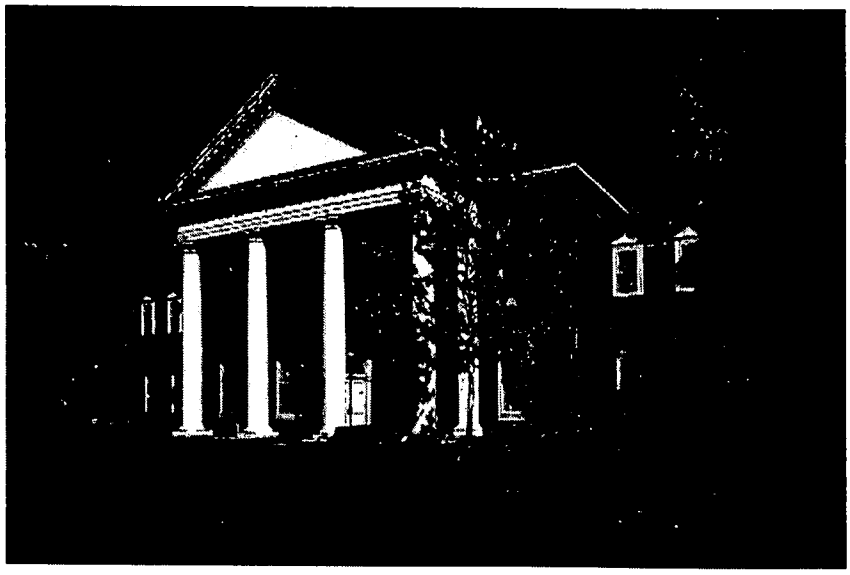
*Based on number of defendants provided by the Criminal Assignment Office of the Circuit Court for Baltimore City.

decreased 48.7 percent and 48.3 percent, respectively. There were 11,168 contract cases filed by the circuit courts during Fiscal Year 1994, compared with the current level of 5,731 filings. Likewise, other law case filings decreased from 12,221 during Fiscal Year 1994, to the Fiscal Year 1998 level of 6,321 filings. Contributing to the decreases in contract and other law case filings during the last five years was a change in reporting procedures used by one of the jurisdictions.

Criminal filings have increased more than 4 percent since Fiscal Year 1994, from 68,927 filings during Fiscal Year 1994, to the current total of 71,770 filings or 2,843 more case filings. During the five-year period, the circuit courts recorded a 7.3 percent rise in indictment and information filings, from 35,462 during Fiscal Year 1994, to the Fiscal Year 1998 level of 38,037 filings. Likewise, post conviction case filings rose approximately 163 percent over the last five years. There were 341 post conviction cases filed during Fiscal Year 1994, compared with 897 during Fiscal Year 1998. A 3.2 percent increase was noted in appeals from the District Court, from 4,661 during Fiscal Year 1994, to the current level of 4,808 filings. Jury trial prayers also rose slightly during the five-year period. There were 23,707 requests for jury trials emanating from the District Court during Fiscal Year 1994, compared with 24,381 during Fiscal Year 1998, an increase of 2.8 percent.

After decreasing nearly 11 percent during Fiscal Year 1996, juvenile filings have increased steadily over the last two years, resulting in a net increase of approximately 1.3 percent for the five-year period. During Fiscal Year 1996, a change in reporting systems and the manner in which cases were counted in one jurisdiction resulted in the reported decrease. Since Fiscal Year 1994, delinquency filings have decreased approximately 1.3 percent (i.e., from 33,331 in Fiscal Year 1994, to 32,901 in Fiscal Year 1998), while C.I.N.A. filings remained relatively constant (i.e., 11,003 in Fiscal Year 1994, compared with 11,013 in Fiscal Year 1998). Since the Fiscal Year 1996 reduction, delinquency filings have increased 25.5 percent (i.e., from 26,220 in Fiscal Year 1996, to 32,901 in Fiscal Year 1998), while C.I.N.A. filings increased 35.3 percent (i.e., from 8,141 Fiscal Year 1996, to 11,013 in Fiscal Year 1998).

Parallel to the increased caseload, the circuit courts have experienced an increased workload over the last five years. That increase is evident in the more than 6 percent rise in the number of hearings conducted, from 246,491 during Fiscal Year 1994, to the current level of 262,251 hearings. The area in which the greatest increase was noted is in civil hearings, which rose approximately 8.6 percent. Juvenile hearings followed, increasing more than 7 percent, while a 3.9 percent increase in criminal hearings was noted. Impacting the judicial workload most significantly, not only in terms of increased filings and hearings, but also in the amount of time required to adequately address the issues, has been increased activity in domestic and C.I.N.A. matters. Both areas involve sensitive issues which often result in multiple hearings and increased chambers time. Additionally, the courts are now required by legislation to conduct C.I.N.A. review hearings on a more frequent basis. The implementation of Family Divisions in the five larger jurisdictions, along with increased master assistance in several of the other jurisdictions, will undoubtedly impact judicial workload in the coming years. The impact of the reduction in and changes to social programs on society also will affect caseload and workload. The circuit courts will be tasked with finding ways to manage their ever-increasing dockets more effectively and efficiently.



The Circuit Court for Kent County
Chestertown, Maryland

TABLE CC-6

TOTAL CASES FILED, TERMINATED, AND PENDING IN THE CIRCUIT COURTS

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

	PENDING Beginning of Year	Filed	Terminated	PENDING End of Year
First Circuit	**6,304**	**13,312**	**12,520**	**7,096**
Dorchester	1,050	2,396	2,225	1,221
Somerset	1,006	2,248	2,205	1,049
Wicomico	2,165	4,778	4,583	2,360
Worcester	2,083	3,890	3,507	2,466
Second Circuit	**6,016**	**11,750**	**10,683**	**7,083**
Caroline	996	1,692	1,591	1,097
Cecil	3,472	4,748	4,171	4,049
Kent	544	1,463	1,338	669
Queen Anne's	394	1,918	1,786	526
Talbot	610	1,929	1,797	742
Third Circuit	**53,289**	**35,632**	**31,854**	**57,067**
Baltimore	44,438	28,055	24,930	47,563
Harford	8,851	7,577	6,924	9,504
Fourth Circuit	**6,447**	**13,396**	**12,208**	**7,635**
Allegany	1,592	3,826	3,750	1,668
Garrett	575	1,217	1,132	660
Washington	4,280	8,353	7,326	5,307
Fifth Circuit	**39,465**	**34,440**	**31,803**	**42,102**
Anne Arundel	28,487	20,274	18,791	29,970
Carroll	4,360	5,896	5,432	4,824
Howard	6,618	8,270	7,580	7,308
Sixth Circuit	**24,618**	**42,375**	**41,260**	**25,733**
Frederick	6,260	6,828	5,755	7,333
Montgomery	18,358	35,547	35,505	18,400
Seventh Circuit	**52,800**	**61,651**	**56,171**	**58,280**
Calvert	1,701	4,686	4,235	2,152
Charles	5,818	7,644	6,783	6,679
Prince George's	43,093	44,239	40,487	46,845
St. Mary's	2,188	5,082	4,666	2,604
Eighth Circuit	**171,545**	**64,648**	**40,297**	**195,896**
Baltimore City	171,545	64,648	40,297	195,896
STATE	**360,484**	**277,204**	**236,796**	**400,892**

NOTE: The beginning inventory figures have been adjusted to reflect additions and deletions of cases resulting from routine maintenance and the removal of old cases that were actually terminated in a prior fiscal year. This adjustment is also reflected in Tables CC-18, CC-23, and CC-28.

Table CC-7

Percentages Of Original And Reopened Cases Filed

July 1, 1997 – June 30, 1998
Fiscal Year 1998

	Civil		Criminal		Juvenile		Total
	Number	Percent	Number	Percent	Number	Percent	(100%)
First Circuit	**7,360**	**55.3**	**4,611**	**34.6**	**1,341**	**10.1**	**13,312**
Dorchester	1,472	61.4	632	26.4	292	12.2	2,396
Somerset	1,385	61.6	558	24.8	305	13.6	2,248
Wicomico	2,473	51.8	1,874	39.2	431	9.0	4,778
Worcester	2,030	52.2	1,547	39.8	313	8.0	3,890
Second Circuit	**7,541**	**64.2**	**2,445**	**20.8**	**1,764**	**15.0**	**11,750**
Caroline	1,241	73.3	171	10.1	280	16.6	1,692
Cecil	2,522	53.1	1,445	30.4	781	16.5	4,748
Kent	1,190	81.3	182	12.5	91	6.2	1,463
Queen Anne's	1,431	74.6	160	8.3	327	17.1	1,918
Talbot	1,157	60.0	487	25.2	285	14.8	1,929
Third Circuit	**19,541**	**54.8**	**10,126**	**28.5**	**5,965**	**16.7**	**35,632**
Baltimore	15,402	54.9	7,667	27.3	4,986	17.8	28,055
Harford	4,139	54.6	2,459	32.5	979	12.9	7,577
Fourth Circuit	**8,503**	**63.5**	**3,236**	**24.1**	**1,657**	**12.4**	**13,396**
Allegany	2,779	72.6	698	18.3	349	9.1	3,826
Garrett	876	72.0	129	10.6	212	17.4	1,217
Washington	4,848	58.0	2,409	28.9	1,096	13.1	8,353
Fifth Circuit	**20,792**	**60.4**	**8,138**	**23.6**	**5,510**	**16.0**	**34,440**
Anne Arundel	12,585	62.1	4,272	21.1	3,417	16.8	20,274
Carroll	3,452	58.5	1,645	27.9	799	13.6	5,896
Howard	4,755	57.5	2,221	26.9	1,294	15.6	8,270
Sixth Circuit	**27,345**	**64.5**	**5,930**	**14.0**	**9,100**	**21.5**	**42,375**
Frederick	3,365	49.3	1,530	22.4	1,933	28.3	6,828
Montgomery*	23,980	67.4	4,400	12.4	7,167	20.2	35,547
Seventh Circuit	**40,973**	**66.5**	**12,551**	**20.3**	**8,127**	**13.2**	**61,651**
Calvert	3,070	65.5	775	16.5	841	18.0	4,686
Charles	5,242	68.6	1,479	19.3	923	12.1	7,644
Prince George's	28,964	65.5	9,524	21.5	5,751	13.0	44,239
St. Mary's	3,697	72.8	773	15.2	612	12.0	5,082
Eighth Circuit	**28,119**	**43.5**	**24,733**	**38.3**	**11,796**	**18.2**	**64,648**
Baltimore City	28,119	43.5	24,733	38.3	11,796	18.2	64,648
STATE	**160,174**	**57.8**	**71,770**	**25.9**	**45,260**	**16.3**	**277,204**

* Includes juvenile cases heard at the District Court level.

TABLE CC-8

CATEGORIES OF FILINGS
ORIGINAL AND REOPENED CASES FILED

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
TOTAL CIVIL	1,472	1,385	2,473	2,030	1,241	2,522	1,190	1,431	1,157	15,402	4,139	2,779	876	4,848	12,585	3,452	4,755	3,365	23,980	3,070	5,242	28,964	3,697	28,119	160,174
Motor Tort	33	13	76	61	18	108	9	25	46	1,225	219	84	17	102	637	95	240	151	1,315	76	178	1,951	94	1,554	8,327
Other Tort	14	8	36	27	22	24	10	3	13	501	23	27	16	38	82	13	110	60	826	29	59	813	16	3,672	6,442
Contract	19	10	57	74	12	35	8	22	23	997	94	15	19	119	511	67	327	137	1,552	43	76	951	45	518	5,731
Condemnation	0	0	10	0	0	0	0	0	0	26	4	21	0	4	2	0	1	5	12	0	0	7	4	18	114
Contested Confessed Judgment	1	2	27	1	0	7	0	3	3	172	9	15	4	33	0	0	57	14	236	0	27	3	12	104	730
Other Law	38	60	31	39	46	135	7	4	1	148	118	38	20	96	21	1	83	84	4,629	38	86	531	55	12	6,321
Appeals																									
District Court-on Record	12	1	3	6	2	10	1	2	2	58	23	7	3	2	20	8	19	17	94	5	10	50	5	86	446
District Court-De Novo	2	4	11	5	2	15	5	7	4	100	23	14	2	1	73	26	47	50	193	8	22	90	5	164	873
Administrative Agency	25	44	50	40	0	38	21	19	28	591	157	161	18	174	541	109	192	86	578	48	76	410	43	537	3,986
Unreported Law	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Divorce/Nullity	245	154	572	256	235	494	261	269	255	3,796	1,053	607	178	952	3,475	852	1,341	1,099	5,206	618	1,006	5,344	818	3,023	32,109
Other Domestic Relations	249	328	356	285	295	554	263	259	250	1,901	808	365	252	1,199	700	759	641	532	1,213	521	899	4,962	634	436	18,661
Adoption/Guardianship	44	14	39	16	21	35	12	11	12	376	134	27	23	67	575	125	90	115	1,731	12	70	162	62	684	4,457
Paternity	643	601	725	666	400	561	473	431	333	1,284	276	668	144	1,303	1,188	218	529	352	1,487	1,141	1,748	6,677	1,415	6,316	29,579
Domestic Violence	24	54	18	38	28	61	28	6	41	378	318	31	57	69	154	317	211	22	376	107	329	200	71	670	3,608
Other General	120	90	450	514	149	431	89	365	142	3,801	854	691	114	682	4,476	856	843	626	4,504	412	647	6,795	393	10,314	38,358
Unreported Category	3	2	12	2	11	14	3	5	4	48	26	8	9	7	130	6	24	15	28	12	9	18	25	11	432
TOTAL JUVENILE	292	305	431	313	280	781	91	327	285	4,986	979	349	212	1,096	3,417	799	1,294	1,933	7,167	841	923	5,751	612	11,796	45,260
Delinquency	137	139	312	232	200	359	67	227	189	4,249	662	249	106	562	2,893	614	1,067	1,472	5,689	623	783	3,676	467	7,927	32,901
Adult	0	0	0	0	8	0	0	0	0	2	0	0	1	0	0	0	0	0	1	0	0	0	0	0	12
Child In Need of Supervision	0	0	4	1	5	0	2	5	9	2	3	15	10	14	0	17	17	58	12	2	0	11	3	84	274
Child In Need of Assistance	139	157	99	61	67	405	16	77	74	681	293	82	87	498	516	153	207	384	1,455	188	123	1,900	123	3,228	11,013
Guardianship	16	5	10	7	0	15	3	16	8	22	11	3	8	19	8	3	0	11	0	1	2	98	12	522	800
Adoption	0	0	5	8	0	0	0	0	0	0	0	0	0	0	0	12	0	4	0	25	9	0	0	31	94
Unreported Category	0	4	1	4	0	2	3	2	5	30	10	0	0	3	0	0	3	4	10	2	6	66	7	4	166
TOTAL CRIMINAL	632	558	1,874	1,547	171	1,445	182	160	487	7,667	2,459	698	129	2,409	4,272	1,645	2,221	1,530	4,400	775	1,479	9,524	773	24,733	71,770
Indictment/Information	344	187	774	334	72	331	80	66	224	4,218	846	202	62	867	3,325	705	848	492	2,250	447	765	4,738	271	15,589	38,037
Appeals From District Court																									
Motor Vehicle	11	11	27	57	7	24	8	11	32	485	94	13	4	54	198	52	176	74	327	9	22	106	8	180	1,990
Other	26	9	49	24	10	15	9	10	20	748	85	35	5	74	192	26	67	70	516	4	7	336	9	472	2,818
Jury Trial Prayed - Motor	49	114	286	522	17	543	23	19	34	397	564	107	11	470	134	244	383	360	357	120	297	1,245	158	387	6,841
Jury Trial Prayed - Other	166	231	679	609	56	472	48	38	112	1,737	806	331	41	889	345	512	712	533	884	164	327	2,633	323	7,768	20,416
Non Support	0	0	1	0	0	18	0	0	0	51	0	1	0	0	0	0	0	0	0	0	0	0	2	0	73
Post Conviction	7	0	26	0	8	15	8	14	47	0	37	0	5	23	6	0	26	0	59	10	43	352	0	211	897
Unreported Category	29	6	32	1	1	27	6	2	18	31	27	9	1	32	72	106	9	1	7	21	18	114	2	126	698
STATE	2,396	2,248	4,778	3,890	1,692	4,748	1,463	1,918	1,929	28,055	7,577	3,826	1,217	8,353	20,274	5,896	8,270	6,828	35,547	4,686	7,644	44,239	5,082	64,648	277,204

NOTE: See note on Table CC-17.

TABLE CC-9

CATEGORIES OF TERMINATIONS
TERMINATIONS OF ORIGINAL AND REOPENED CASES FILED

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
TOTAL CIVIL	1,378	1,324	2,476	1,842	1,139	2,103	1,114	1,371	1,073	13,287	3,995	2,698	792	4,004	11,646	2,978	4,229	2,490	24,372	2,727	4,471	25,655	3,228	10,625	131,017
Motor Tort	26	11	111	51	20	88	10	30	34	1,264	226	75	18	87	571	103	189	108	1,280	50	154	2,061	73	698	7,338
Other Tort	17	6	39	31	18	17	4	5	10	452	38	19	20	42	107	22	122	76	863	19	54	817	13	493	3,304
Contract	12	6	69	53	14	23	9	9	31	1,036	139	15	18	75	548	44	314	97	1,598	25	47	876	36	181	5,275
Condemnation	3	0	8	0	0	1	0	0	1	28	4	9	0	2	2	0	8	3	14	0	0	6	0	24	113
Contested Confessed Judgment	1	0	13	1	0	0	0	3	2	104	1	8	2	16	2	1	24	1	245	0	6	1	8	26	465
Other Law	43	57	46	45	40	90	9	2	0	182	110	107	19	62	53	0	38	83	4,612	40	42	460	91	10	6,241
Appeals																									
District Court-on Record	9	1	3	7	4	8	1	6	5	64	18	3	2	4	43	10	14	15	106	6	2	48	3	61	443
District Court-De Novo	1	2	12	7	3	15	5	7	4	142	24	18	4	14	95	32	45	26	185	10	18	162	4	137	972
Administrative Agency	30	46	72	36	3	32	17	27	24	636	172	148	25	139	636	116	187	88	612	43	37	451	52	299	3,928
Unreported Law	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Divorce/Nullity	232	155	602	186	235	413	238	287	229	3,563	1,089	583	168	771	3,326	760	1,321	1,040	5,199	547	888	4,852	717	735	28,136
Other Domestic Relations	242	318	261	246	254	488	243	242	234	1,453	762	323	212	889	663	584	575	351	1,458	477	831	4,474	544	218	16,342
Adoption/Guardianship	34	13	52	19	17	34	8	14	14	295	99	22	13	58	567	130	91	131	1,783	13	31	164	69	340	4,011
Paternity	600	578	706	601	358	528	469	394	315	1,019	236	707	112	1,330	886	190	448	76	1,637	1,085	1,653	6,094	1,274	5,687	26,983
Domestic Violence	24	50	16	34	29	56	25	6	38	285	265	34	51	52	129	273	199	11	368	101	302	182	65	549	3,144
Other General	104	79	465	524	131	307	76	338	131	2,759	807	626	125	462	4,015	713	642	384	4,389	307	405	5,006	279	1,167	24,241
Unreported Category	0	2	1	1	13	3	0	1	1	5	5	1	3	1	3	0	12	0	23	4	1	1	0	0	81
TOTAL JUVENILE	278	288	386	312	277	744	67	285	291	4,269	924	343	186	1,015	3,118	717	1,192	1,913	6,725	787	941	5,760	560	6,787	38,165
Delinquency	127	129	260	232	195	331	50	202	193	3,676	603	251	89	523	2,614	553	988	1,462	5,307	584	789	3,786	424	5,335	28,703
Adult	0	0	0	0	8	0	0	0	0	0	0	0	0	0	0	2	0	0	1	1	0	0	0	0	12
Child In Need of Supervision	0	0	4	1	5	0	2	4	9	1	3	19	9	12	0	10	20	57	11	2	0	11	2	11	193
Child In Need of Assistance	144	144	102	60	69	396	14	77	78	575	310	70	80	464	498	147	184	389	1,400	188	138	1,853	122	1,421	8,923
Guardianship	7	11	17	7	0	17	1	0	8	1	7	3	8	14	6	1	0	4	0	1	5	81	10	9	218
Adoption	0	0	3	10	0	0	0	0	0	0	0	0	0	0	0	4	0	1	0	11	8	0	0	10	47
Unreported	0	4	0	2	0	0	0	2	3	16	1	0	0	2	0	0	0	0	6	0	1	29	2	1	69
TOTAL CRIMINAL	569	593	1,721	1,353	175	1,324	157	130	433	7,374	2,005	709	154	2,307	4,027	1,737	2,159	1,352	4,408	721	1,371	9,072	878	22,885	67,614
Indictment/Information	304	206	718	293	86	280	79	53	212	4,079	678	208	78	829	3,107	800	870	458	2,300	425	720	4,874	275	14,252	36,184
Appeals From District Court:																									
Motor Vehicle	11	11	24	44	4	40	7	6	25	443	69	12	3	50	186	51	157	74	312	9	28	94	9	204	1,873
Other	30	12	51	20	13	7	3	7	25	724	65	33	4	59	191	20	51	41	528	8	9	364	10	469	2,744
Jury Trial Prayed - Motor	38	110	270	453	15	546	16	13	32	376	474	109	20	494	158	293	371	349	364	110	292	1,012	193	388	6,496
Jury Trial Prayed - Other	183	254	636	543	54	434	45	32	92	1,698	699	344	45	854	376	571	700	430	884	160	293	2,482	390	7,317	19,516
Non Support	0	0	1	0	0	12	0	0	0	51	0	1	0	0	1	0	0	0	0	0	0	0	1	0	67
Post Conviction	3	0	21	0	2	5	6	19	45	0	19	0	4	21	5	0	10	0	20	9	28	243	0	183	643
Unreported Category	0	0	0	0	1	0	1	0	2	3	1	2	0	0	3	2	0	0	0	0	1	3	0	72	91
STATE	2,225	2,205	4,583	3,507	1,591	4,171	1,338	1,786	1,797	24,930	6,924	3,750	1,132	7,326	18,791	5,432	7,580	5,755	35,505	4,235	6,783	40,487	4,666	40,297	236,796

NOTE: See note on Table CC-17.

TABLE CC-10

COURT TRIALS, JURY TRIALS, AND HEARINGS BY COUNTY, CIRCUIT, AND FUNCTIONAL AREA

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
TRIALS																									
Civil																									
Court Trials	32	7	147	41	15	789	33	61	30	278	212	149	44	125	710	50	198	20	407	17	134	247	44	1,225	5,015
Jury Trials	14	1	35	15	13	48	5	7	21	194	33	40	8	41	158	28	80	30	355	18	57	279	17	381	1,878
Criminal																									
Court Trials	10	38	39	688	5	13	1	3	19	96	18	5	0	54	295	589	260	10	79	3	8	19	15	450	2,717
Jury Trials	33	34	37	35	15	45	11	14	23	93	40	31	2	66	93	25	24	18	136	3	33	268	25	368	1,472
COUNTY TOTALS																									
Court Trials	42	45	186	729	20	802	34	64	49	374	230	154	44	179	1,005	639	458	30	486	20	142	266	59	1,675	7,732
Jury Trials	47	35	72	50	28	93	16	21	44	287	73	71	10	107	251	53	104	48	491	21	90	547	42	749	3,350
TOTAL	89	80	258	779	48	895	50	85	93	661	303	225	54	286	1,256	692	562	78	977	41	232	813	101	2,424	11,082
CIRCUIT TOTALS	1ST CIRCUIT				2ND CIRCUIT					3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT		7TH CIRCUIT				8TH CIRCUIT	
Court Trials	1,002				969					604		377			2,102			516		487				1,675	7,732
Jury Trials	204				202					360		188			408			539		700				749	3,350
TOTAL	1,206				1,171					964		565			2,510			1,055		1,187				2,424	11,082
HEARINGS																									
Civil Hearings	972	1,250	809	486	1,413	829	1,135	663	955	8,194	1,063	969	532	1,519	8,624	2,794	1,344	929	17,410	2,606	5,091	19,046	2,482	5,366	86,481
Criminal Hearings	1,367	776	2,809	915	495	3,224	435	212	525	7,092	4,030	1,294	201	3,696	7,678	2,062	1,950	1,291	11,499	2,202	3,757	16,606	1,474	16,545	92,135
Juvenile Hearings	313	288	630	407	278	1,452	221	381	334	4,306	888	337	420	1,344	4,945	1,258	2,636	3,028	9,851	1,380	1,772	10,683	1,142	35,341	83,635
COUNTY TOTALS	2,652	2,314	4,248	1,808	2,186	5,505	1,791	1,256	1,814	19,592	5,981	2,600	1,153	6,559	21,247	6,114	5,930	5,248	38,760	6,188	10,620	46,335	5,098	57,252	262,251
	1ST CIRCUIT				2ND CIRCUIT					3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT		7TH CIRCUIT				8TH CIRCUIT	
CIRCUIT TOTALS	11,022				12,552					25,573		10,312			33,291			44,008		68,241				57,252	262,251

NOTE: Some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings. A reporting anomaly has occurred in which the Clerk's Office for the Circuit Court for Carroll County initiates all new criminal filings as involving a court trial; however, the Clerk's Office does not amend the case if it does not result in a court trial.

Table CC-11
Domestic Violence Cases Filed In The Circuit Courts
Fiscal Year 1998

	Ex Parte			Protective Order		
	Hearings	Orders Granted	Percent Granted	Hearings	Orders Granted	Percent Granted
First Circuit						
Dorchester	17	13	76.47	11	7	63.64
Somerset	48	39	81.25	37	26	70.27
Wicomico	14	10	71.43	9	4	44.44
Worcester	33	20	60.61	20	9	45.00
Second Circuit						
Caroline	22	20	90.91	14	10	71.43
Cecil	56	44	78.57	34	22	64.71
Kent	20	17	85.00	20	12	60.00
Queen Anne's	3	1	33.33	1	0	0.00
Talbot	31	25	80.65	23	17	73.91
Third Circuit						
Baltimore	326	188	57.67	144	80	55.56
Harford	300	208	69.33	204	126	61.76
Fourth Circuit						
Allegany	24	19	79.17	20	5	25.00
Garrett	51	37	72.55	31	14	45.16
Washington	52	47	90.38	45	27	60.00
Fifth Circuit						
Anne Arundel	78	63	80.77	45	17	37.78
Carroll	253	205	81.03	208	124	59.62
Howard	201	131	65.17	129	52	40.31
Sixth Circuit						
Frederick	2	2	100.00	2	1	50.00
Montgomery	291	242	83.16	243	140	57.61
Seventh Circuit						
Calvert	103	79	76.70	75	47	62.67
Charles	286	216	75.52	219	144	65.75
Prince George's	102	86	84.31	81	45	55.56
St. Mary's	42	29	69.05	31	24	77.42
Eighth Circuit						
Baltimore City	556	473	85.07	315	195	61.90
STATE	**2,911**	**2,214**	**76.06**	**1,961**	**1,148**	**58.54**

NOTE: This table represents only those hearings that were held in Fiscal Year 1998.

TABLE CC-12

APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES AND PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING IN DISTRICT COURT

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
Appeals From District Court and Administrative Agencies																									
LAW																									
District Court-De Novo	2	4	11	5	2	15	5	7	4	100	23	14	2	1	73	26	47	50	193	8	22	90	5	164	873
District Court-On Record	12	1	3	6	2	10	1	2	2	58	23	7	3	2	20	8	19	17	94	5	10	50	5	86	446
Administrative Agencies	25	44	50	40	0	38	21	19	28	591	157	161	18	174	541	109	192	86	578	48	76	410	43	537	3,986
Subtotal	39	49	64	51	4	63	27	28	34	749	203	182	23	177	634	143	258	153	865	61	108	550	53	787	5,305
CRIMINAL																									
Motor Vehicle Appeals	11	11	27	57	7	24	8	11	32	485	94	13	4	54	198	52	176	74	327	9	22	106	8	180	1,990
Others	26	9	49	24	10	15	9	10	20	748	85	35	5	74	192	26	67	70	516	4	7	336	9	472	2,818
Subtotal	37	20	76	81	17	39	17	21	52	1,233	179	48	9	128	390	78	243	144	843	13	29	442	17	652	4,808
TOTAL	76	69	140	132	21	102	44	49	86	1,982	382	230	32	305	1,024	221	501	297	1,708	74	137	992	70	1,439	10,113
Percentage of Circuit Court Case Filings Originating In District Court																									
Prayers for Jury Trials and Appeals:																									
County	291	414	1,105	1,263	94	1,117	115	106	232	4,116	1,752	668	84	1,664	1,503	977	1,596	1,190	2,949	358	761	4,870	551	9,594	37,370
Circuit		3,073					1,664			5,868			2,416			4,076		4,139			6,540			9,594	37,370
Circuit Court Filings:																									
County	2,396	2,248	4,778	3,890	1,692	4,748	1,463	1,918	1,929	28,055	7,577	3,826	1,217	8,353	20,274	5,896	8,270	6,828	35,547	4,686	7,644	44,239	5,082	64,648	277,204
Circuit		13,312					11,750			35,632			13,396			34,440		42,375			61,651			64,648	277,204
Percentage of Circuit Court Filings that are Jury Trial Prayers and Appeals:																									
County	12.1	18.4	23.1	32.5	5.5	23.5	7.9	5.5	12.0	14.7	23.1	17.5	6.9	19.9	7.4	16.6	19.3	17.4	8.3	7.6	10.0	11.0	10.8	14.8	13.5
Circuit		23.1					14.2			16.5			18.0			11.8		9.8			10.6			14.8	13.5

TABLE CC-13

AVERAGE DAYS FROM FILING TO DISPOSITION

FISCAL 1996 – FISCAL 1998

	CIVIL			CRIMINAL			JUVENILE		
	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98
First Circuit									
Dorchester	185	190	190	139	125	131	47	53	65
Somerset	125	115	113	90	98	93	16	19	25
Wicomico	157	140	174	107	101	105	40	45	49
Worcester	164	192	178	83	80	95	45	49	62
Second Circuit									
Caroline	186	172	184	154	157	154	15	16	24
Cecil	176	172	191	177	179	180	74	68	69
Kent	171	192	191	131	139	154	56	57	67
Queen Anne's	169	166	164	131	108	101	55	53	48
Talbot	177	173	187	130	118	115	74	36	20
Third Circuit									
Baltimore	184	197	206	81	94	100	62	64	78
Harford	162	155	228	137	131	126	90	80	81
Fourth Circuit									
Allegany	237	226	171	164	167	162	66	79	65
Garrett	183	190	198	129	158	156	47	45	49
Washington	161	154	151	124	137	118	56	64	64
Fifth Circuit									
Anne Arundel	227	238	247	135	121	128	69	66	66
Carroll	176	182	188	132	139	146	78	74	70
Howard	235	220	237	144	130	134	74	74	78
Sixth Circuit									
Frederick	170	229	210	161	152	139	86	73	59
Montgomery	114	177	103	94	90	92	98	94	94
Seventh Circuit									
Calvert	224	200	204	122	116	136	100	74	82
Charles	177	181	192	164	153	139	77	75	74
Prince George's	199	225	248	114	127	109	71	67	67
St. Mary's	209	196	186	131	126	124	78	77	69
Eighth Circuit									
Baltimore City	262	272	282	112	110	109	11	11	9
STATE	**180**	**202**	**209**	**116**	**117**	**114**	**59**	**53**	**55**

NOTE: A small number of lengthy cases can increase an average, particularly in a jurisdiction with a small caseload. For that reason, civil cases over 721 days old, criminal cases over 360 days old, and juvenile cases over 271 days old have been excluded in the above calculations. Approximately 90 to 95 percent of the cases are disposed of within those time periods.

TABLE CC-14

POPULATION IN RELATION TO CIRCUIT COURT CASELOAD

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

		Population and Caseload Per Circuit Court Judge						Cases Filed In The Circuit Court Per Thousand Population			Ratio Of Jury Trials To Population	
				Cases Filed Per Judge		Cases Terminated Per Judge						
	Population*	No. of Judges	Population per Judge	Civil**	Criminal	Civil**	Criminal	Civil**	Criminal	Total	No. of Jury Trials	Per 1000 Population
First Circuit												
Dorchester***	29,900	1.1	27,182	1,604	575	1,505	517	59	21	80	47	1.57
Somerset	24,700	1.0	24,700	1,690	558	1,612	593	68	23	91	35	1.42
Wicomico***	80,500	2.9	27,759	1,001	646	987	593	36	23	59	72	0.89
Worcester	43,000	2.0	21,500	1,172	774	1,077	677	54	36	90	50	1.16
Second Circuit												
Caroline	29,900	1.0	29,900	1,521	171	1,416	175	51	6	57	28	0.94
Cecil	81,800	3.0	27,267	1,101	482	949	441	40	18	58	93	1.14
Kent	19,100	1.0	19,100	1,281	182	1,181	157	67	10	77	16	0.84
Queen Anne's	39,200	1.0	39,200	1,758	160	1,656	130	45	4	49	21	0.54
Talbot	32,800	1.0	32,800	1,442	487	1,364	433	59	15	44	44	1.34
Third Circuit												
Baltimore	723,200	16.0	45,200	1,274	479	1,097	461	28	11	39	287	0.40
Harford	216,600	5.0	43,320	1,024	492	984	401	24	11	35	72	0.33
Fourth Circuit												
Allegany	72,200	2.0	36,100	1,564	349	1,521	355	43	10	53	71	0.98
Garrett	29,600	1.0	29,600	1,088	129	978	154	37	4	41	10	0.34
Washington	128,300	4.0	32,075	1,486	602	1,255	577	46	19	65	107	0.83
Fifth Circuit												
Anne Arundel	477,300	10.0	47,730	1,600	427	1,476	403	34	9	43	251	0.53
Carroll	149,900	3.0	49,967	1,417	548	1,232	579	28	11	39	53	0.35
Howard	236,300	5.0	47,260	1,210	444	1,084	432	26	9	35	104	0.44
Sixth Circuit												
Frederick	188,900	4.0	47,225	1,325	383	1,101	338	28	8	36	48	0.25
Montgomery	832,500	17.0	48,971	1,411	259	1,434	259	29	5	34	491	0.59
Seventh Circuit												
Calvert	71,700	2.0	35,850	1,956	388	1,757	361	55	11	66	21	0.29
Charles	117,100	4.0	29,275	1,541	370	1,353	343	53	13	66	90	0.77
Prince George's	783,900	21.0	37,329	1,653	454	1,496	432	44	12	56	417	0.53
St. Mary's	84,000	2.0	42,000	2,155	387	1,894	439	51	9	60	42	0.50
Eighth Circuit												
Baltimore City	652,800	30.0	21,760	1,331	824	580	763	61	38	99	749	1.15
STATE	5,145,200	140.0	36,751	1,416	513	1,160	483	39	14	53	3,219	0.63

*Population estimate for July 1, 1998, issued by the Maryland Center for Health Statistics.
**Juvenile causes in Montgomery County are not included since they are heard at the District Court level. Juvenile causes in all other counties are included in the civil category.
***Dorchester and Wicomico Counties share one judge.

TABLE CC-15

FIVE-YEAR COMPARATIVE TABLE
APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES

FISCAL 1994 – FISCAL 1998

	1993-94		1994-95		1995-96		1996-97		1997-98	
	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies
First Circuit	**268**	175	227	176	271	188	227	157	258	159
Dorchester	69	27	69	27	58	27	44	16	51	25
Somerset	34	46	21	62	18	67	25	39	25	44
Wicomico	97	75	67	46	120	58	85	55	90	50
Worcester	68	27	70	41	75	36	73	47	92	40
Second Circuit	**175**	**140**	170	**115**	170	**124**	**186**	**110**	**196**	**106**
Caroline	19	14	27	10	24	11	21	0	21	0
Cecil	71	52	57	39	59	41	68	46	64	38
Kent	14	30	10	15	18	25	16	18	23	21
Queen Anne's	38	22	27	22	31	24	28	21	30	19
Talbot	33	22	49	29	38	23	53	25	58	28
Third Circuit	**1,480**	980	**1,563**	**933**	**1,682**	850	**1,593**	**735**	**1,616**	748
Baltimore	1,316	802	1,410	775	1,522	689	1,427	581	1,391	591
Harford	164	178	153	158	160	161	166	154	225	157
Fourth Circuit	**226**	**257**	**218**	**286**	**210**	**260**	**235**	**291**	**214**	**353**
Allegany	53	84	72	84	64	95	46	113	69	161
Garrett	13	30	17	32	24	20	23	17	14	18
Washington	160	143	129	170	122	145	166	161	131	174
Fifth Circuit	1,020	**751**	**1,101**	**804**	**1,104**	**795**	**907**	**727**	**904**	**842**
Anne Arundel	564	512	684	538	652	528	502	503	483	541
Carroll	206	95	181	123	139	104	113	86	112	109
Howard	250	144	236	143	313	163	292	138	309	192
Sixth Circuit	1,294	590	**1,292**	**545**	**1,353**	555	**1,272**	**530**	**1,341**	**664**
Frederick	144	83	176	86	158	99	185	102	211	86
Montgomery	1,150	507	1,116	459	1,195	456	1,087	428	1,130	578
Seventh Circuit	**638**	**710**	**849**	**618**	**1,006**	**703**	**928**	**605**	**696**	**577**
Calvert	32	39	57	36	52	50	42	48	26	48
Charles	83	75	83	62	102	76	87	41	61	76
Prince George's	498	541	678	465	818	525	759	466	582	410
St. Mary's	25	55	31	55	34	52	40	50	27	43
Eighth Circuit	1,108	769	**1,099**	679	**940**	637	**850**	500	**902**	**537**
Baltimore City	1,108	769	1,099	679	940	637	850	500	902	537
STATE	**6,209**	**4,372**	**6,519**	**4,156**	**6,736**	**4,112**	**6,198**	**3,655**	**6,127**	**3,986**

TABLE CC-16

APPLICATIONS FOR REVIEW OF CRIMINAL SENTENCES

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

	Filed During Year	Withdrawn by Applicant	Terminated, Considered, and Disposed Of		
			Original Sentence Unchanged	Original Sentence Increased	Original Sentence Decreased
First Circuit					
Dorchester	0	0	0	0	0
Somerset	5	0	5	0	0
Wicomico	0	0	0	0	0
Worcester	0	0	0	0	0
Second Circuit					
Caroline	0	0	0	0	0
Cecil	0	0	0	0	0
Kent	0	0	0	0	0
Queen Anne's	12	2	2	0	0
Talbot	0	0	0	0	0
Third Circuit					
Baltimore	34	10	16	0	2
Harford	16	3	18	0	0
Fourth Circuit					
Allegany	5	0	4	0	0
Garrett	20	0	19	0	1
Washington	18	0	21	0	0
Fifth Circuit					
Anne Arundel	0	0	0	0	0
Carroll	0	0	0	0	0
Howard	9	0	5	1	2
Sixth Circuit					
Frederick	4	0	0	0	0
Montgomery	0	0	0	0	0
Seventh Circuit					
Calvert	3	0	1	0	0
Charles	22	0	20	0	2
Prince George's	57	7	30	0	0
St. Mary's	0	0	0	0	0
Eighth Circuit					
Baltimore City	0	0	0	0	0
STATE	205	22	141	1	7

TABLE CC-17

FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES
FILINGS AND TERMINATIONS

FISCAL 1994 – FISCAL 1998

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1993-94		1994-95		1995-96		1996-97		1997-98	
	F	T	F	T	F	T	F	T	F	T
First Circuit	**6,463**	**6,218**	**6,275**	**6,011**	**6,789**	**6,131**	**7,021**	**6,179**	**7,360**	**7,020**
Dorchester	1,286	1,244	1,005	929	1,121	1,025	1,023	970	1,472	1,378
Somerset	1,199	1,182	1,303	1,250	1,441	1,387	1,449	1,433	1,385	1,324
Wicomico	2,263	2,045	2,141	2,205	2,371	2,032	2,638	2,036	2,473	2,476
Worcester	1,715	1,747	1,826	1,627	1,856	1,687	1,911	1,740	2,030	1,842
Second Circuit	**6,479**	**6,315**	**6,762**	**6,375**	**7,493**	**6,713**	**7,308**	**6,505**	**7,541**	**6,800**
Caroline	964	889	1,157	1,064	1,312	1,178	945	789	1,241	1,139
Cecil	2,513	2,479	2,586	2,298	2,767	2,270	2,668	2,143	2,522	2,103
Kent	1,075	1,003	967	975	1,157	1,095	1,282	1,172	1,190	1,114
Queen Anne's	895	912	959	956	1,149	1,132	1,294	1,328	1,431	1,371
Talbot	1,032	1,032	1,093	1,082	1,108	1,038	1,119	1,073	1,157	1,073
Third Circuit	**19,318**	**17,313**	**18,940**	**15,919**	**19,565**	**14,692**	**20,030**	**15,340**	**19,541**	**17,282**
Baltimore	15,300	14,023	14,957	11,990	15,574	11,717	15,429	11,678	15,402	13,287
Harford	4,018	3,290	3,983	3,929	3,991	2,975	4,601	3,662	4,139	3,995
Fourth Circuit	**6,808**	**7,208**	**6,181**	**5,585**	**7,323**	**6,711**	**7,426**	**7,230**	**8,503**	**7,494**
Allegany	2,412	2,542	1,796	1,724	2,297	2,112	2,428	2,904	2,779	2,698
Garrett	893	814	870	778	842	772	751	688	876	792
Washington	3,503	3,852	3,515	3,083	4,184	3,827	4,247	3,638	4,848	4,004
Fifth Circuit	**23,962**	**23,576**	**21,855**	**20,486**	**22,522**	**21,416**	**20,868**	**18,922**	**20,792**	**18,853**
Anne Arundel	17,205	16,610	14,759	13,172	15,010	14,086	13,033	11,895	12,585	11,646
Carroll	3,146	3,125	3,248	3,143	3,320	3,404	3,147	3,198	3,452	2,978
Howard	3,611	3,841	3,848	4,171	4,192	3,926	4,688	3,829	4,755	4,229
Sixth Circuit	**33,350**	**26,106**	**24,381**	**20,394**	**26,072**	**20,508**	**28,022**	**24,737**	**27,345**	**26,862**
Frederick	3,141	2,761	3,027	2,327	3,361	1,855	3,571	2,239	3,365	2,490
Montgomery	30,209	23,345	21,354	18,067	22,711	18,653	24,451	22,498	23,980	24,372
Seventh Circuit	**36,114**	**31,313**	**38,640**	**34,078**	**40,033**	**33,448**	**40,347**	**36,733**	**40,973**	**36,081**
Calvert	1,320	1,199	2,068	2,157	2,819	2,925	2,928	2,634	3,070	2,727
Charles	3,813	3,371	4,451	3,883	4,584	4,251	4,910	3,618	5,242	4,471
Prince George's	28,549	24,665	29,544	25,630	29,293	22,964	28,930	27,063	28,964	25,655
St. Mary's	2,432	2,078	2,577	2,408	3,337	3,308	3,579	3,418	3,697	3,228
Eighth Circuit	**24,511**	**14,074**	**24,750**	**8,762**	**27,946**	**9,345**	**26,877**	**9,053**	**28,119**	**10,625**
Baltimore City	24,511	14,074	24,750	8,762	27,946	9,345	26,877	9,053	28,119	10,625
STATE	**157,005**	**132,123**	**147,784**	**117,610**	**157,743**	**118,964**	**157,899**	**124,699**	**160,174**	**131,017**

NOTE: A civil case is reopened statistically at the time a pleading is filed (e.g., a Motion for Modification of Decree is filed in a divorce case after the final decree has been issued). In a few jurisdictions, a civil case with post-judgment activity is not reopened statistically until the time a hearing is held on the case.

TABLE CC-18

CIVIL CASES FILED, TERMINATED, AND PENDING IN THE CIRCUIT COURTS

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

	PENDING Beginning of Year	Filed	Terminated	PENDING End of Year
First Circuit	**4,244**	**7,360**	**7,020**	**4,584**
Dorchester	677	1,472	1,378	771
Somerset	723	1,385	1,324	784
Wicomico	1,376	2,473	2,476	1,373
Worcester	1,468	2,030	1,842	1,656
Second Circuit	**3,872**	**7,541**	**6,800**	**4,613**
Caroline	828	1,241	1,139	930
Cecil	1,895	2,522	2,103	2,314
Kent	378	1,190	1,114	454
Queen Anne's	330	1,431	1,371	390
Talbot	441	1,157	1,073	525
Third Circuit	**39,650**	**19,541**	**17,282**	**41,909**
Baltimore	34,166	15,402	13,287	36,281
Harford	5,484	4,139	3,995	5,628
Fourth Circuit	**4,456**	**8,503**	**7,494**	**5,465**
Allegany	1,154	2,779	2,698	1,235
Garrett	446	876	792	530
Washington	2,856	4,848	4,004	3,700
Fifth Circuit	**30,818**	**20,792**	**18,853**	**32,757**
Anne Arundel	23,630	12,585	11,646	24,569
Carroll	2,347	3,452	2,978	2,821
Howard	4,841	4,755	4,229	5,367
Sixth Circuit	**16,895**	**27,345**	**26,862**	**17,378**
Frederick	5,172	3,365	2,490	6,047
Montgomery	11,723	23,980	24,372	11,331
Seventh Circuit	**40,560**	**40,973**	**36,081**	**45,452**
Calvert	1,208	3,070	2,727	1,551
Charles	4,485	5,242	4,471	5,256
Prince George's	33,312	28,964	25,655	36,621
St. Mary's	1,555	3,697	3,228	2,024
Eighth Circuit	**107,920**	**28,119**	**10,625**	**125,414**
Baltimore City	107,920	28,119	10,625	125,414
STATE	**248,415**	**160,174**	**131,017**	**277,572**

NOTE: See note on Table CC-6.

TABLE CC-19

CIVIL CASES
RATIO OF TRIALS TO DISPOSITIONS

JULY 1, 1997–JUNE 30, 1998
FISCAL YEAR 1998

	Dispositions	Trials	Percentages	Court Trials	Percentages	Jury Trials	Percentages
First Circuit	**7,020**	**292**	**4.1**	**227**	**3.2**	**65**	**0.9**
Dorchester	1,378	46	3.3	32	2.3	14	1.0
Somerset	1,324	8	0.6	7	0.5	1	0.1
Wicomico	2,476	182	7.3	147	5.9	35	1.4
Worcester	1,842	56	3.0	41	2.2	15	0.8
Second Circuit	**6,800**	**1,022**	**15.0**	**928**	**13.6**	**94**	**1.4**
Caroline	1,139	28	2.5	15	1.3	13	1.2
Cecil	2,103	837	39.8	789	37.5	48	2.3
Kent	1,114	38	3.4	33	3.0	5	0.4
Queen Anne's	1,371	68	5.0	61	4.5	7	0.5
Talbot	1,073	51	4.8	30	2.8	21	2.0
Third Circuit	**17,282**	**717**	**4.1**	**490**	**2.8**	**227**	**1.3**
Baltimore	13,287	472	3.6	278	2.1	194	1.5
Harford	3,995	245	6.1	212	5.3	33	0.8
Fourth Circuit	**7,494**	**407**	**5.4**	**318**	**4.2**	**89**	**1.2**
Allegany	2,698	189	7.0	149	5.5	40	1.5
Garrett	792	52	6.6	44	5.6	8	1.0
Washington	4,004	166	4.1	125	3.1	41	1.0
Fifth Circuit	**18,853**	**1,224**	**6.5**	**958**	**5.1**	**266**	**1.4**
Anne Arundel	11,646	868	7.5	710	6.1	158	1.4
Carroll	2,978	78	2.6	50	1.7	28	0.9
Howard	4,229	278	6.6	198	4.7	80	1.9
Sixth Circuit	**26,862**	**812**	**3.0**	**427**	**1.6**	**385**	**1.4**
Frederick	2,490	50	2.0	20	0.8	30	1.2
Montgomery	24,372	762	3.1	407	1.7	355	1.4
Seventh Circuit	**36,081**	**813**	**2.2**	**442**	**1.2**	**371**	**1.0**
Calvert	2,727	35	1.3	17	0.6	18	0.7
Charles	4,471	191	4.3	134	3.0	57	1.3
Prince George's	25,655	526	2.0	247	0.9	279	1.1
St. Mary's	3,228	61	1.9	44	1.4	17	0.5
Eighth Circuit	**10,625**	**1,606**	**15.1**	**1,225**	**11.5**	**381**	**3.6**
Baltimore City	10,625	1,606	15.1	1,225	11.5	381	3.6
STATE	**131,017**	**6,893**	**5.3**	**5,015**	**3.8**	**1,878**	**1.5**

Table CC-20

Five-Year Comparative Table
Civil Cases Tried

Fiscal 1994—Fiscal 1998

	1993-94	1994-95	1995-96	1996-97	1997-98
First Circuit	**452**	**320**	**223**	**234**	**292**
Dorchester	298	52	55	24	46
Somerset	8	32	10	6	8
Wicomico	69	155	94	142	182
Worcester	77	81	64	62	56
Second Circuit	**833**	**917**	**1,117**	**1,227**	**1,022**
Caroline	129	91	81	20	28
Cecil	502	587	850	1,009	837
Kent	43	60	34	37	38
Queen Anne's	105	121	117	104	68
Talbot	54	58	35	57	51
Third Circuit	**1,091**	**755**	**637**	**547**	**717**
Baltimore	963	617	483	378	472
Harford	128	138	154	169	245
Fourth Circuit	**408**	**328**	**623**	**489**	**407**
Allegany	48	77	243	210	189
Garrett	109	40	54	109	52
Washington	251	211	326	170	166
Fifth Circuit	**1,368**	**1,304**	**1,064**	**1,017**	**1,224**
Anne Arundel	1,040	1,027	784	724	868
Carroll	153	116	108	106	78
Howard	175	161	172	187	278
Sixth Circuit	**1,021**	**1,093**	**788**	**700**	**812**
Frederick	55	72	69	48	50
Montgomery	966	1,021	719	652	762
Seventh Circuit	**1,978**	**1,034**	**964**	**855**	**813**
Calvert	302	253	82	64	35
Charles	553	382	472	313	191
Prince George's	1,089	334	311	375	526
St. Mary's	34	65	99	103	61
Eighth Circuit	**1,630**	**1,675**	**1,643**	**1,380**	**1,606**
Baltimore City	1,630	1,675	1,643	1,380	1,606
STATE	**8,781**	**7,426**	**7,059**	**6,449**	**6,893**

NOTE: See note on Table CC-10.

TABLE CC-21

CIVIL – AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

		Average In Days Filing To Disposition		Cumulative Percentages Of Total Cases Disposed Of Less Than:				
	Number of Cases	All Cases	Excluding Cases Over 721 Days	61 Days	181 Days	361 Days	721 Days	1081 Days
First Circuit								
Dorchester	688	237	190	31.7	56.0	75.9	94.0	98.4
Somerset	629	147	113	48.2	75.7	89.5	97.1	99.0
Wicomico	1,794	395	174	26.6	54.0	65.7	79.3	89.2
Worcester	1,023	216	178	24.5	58.3	83.9	95.7	98.3
Second Circuit								
Caroline	628	371	184	23.6	54.1	69.4	83.9	96.7
Cecil	1,200	295	191	21.2	52.8	72.2	88.6	98.8
Kent	320	209	191	27.2	61.3	77.8	97.2	100.0
Queen Anne's	604	169	164	33.4	65.1	85.4	99.3	100.0
Talbot	559	214	187	34.0	59.6	73.7	96.2	99.6
Third Circuit								
Baltimore	11,326	514	206	20.1	44.1	64.0	80.1	85.0
Harford	3,729	363	228	25.0	49.0	60.8	85.2	94.5
Fourth Circuit								
Allegany	1,578	183	171	21.3	63.1	86.0	98.5	99.7
Garrett	542	260	198	23.2	57.0	72.7	92.3	97.6
Washington	2,343	198	151	37.4	67.6	83.4	95.2	98.3
Fifth Circuit								
Anne Arundel	8,119	358	247	17.9	41.2	58.8	87.4	95.9
Carroll	2,274	256	188	29.9	55.4	72.7	91.5	97.7
Howard	3,127	305	237	16.0	44.8	69.5	91.9	97.3
Sixth Circuit								
Frederick	2,104	426	210	15.5	47.3	60.1	78.3	88.6
Montgomery	14,778	116	103	30.5	62.9	85.2	98.6	99.7
Seventh Circuit								
Calvert	1,044	240	204	17.7	53.9	77.4	95.2	99.1
Charles	1,944	271	192	25.6	53.1	76.0	92.1	96.4
Prince George's	17,375	340	248	18.7	42.5	65.0	89.6	96.4
St. Mary's	1,272	232	186	18.7	57.7	80.7	95.0	98.3
Eighth Circuit								
Baltimore City	4,409	721	282	15.2	30.1	44.2	74.6	84.5
STATE	**83,409**	**338**	**209**	**22.7**	**49.6**	**69.3**	**89.2**	**94.7**

NOTE: This table does not include reopened cases. In some counties, the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. Also see note on Table CC-13.

TABLE CC-22

FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES
FILINGS AND TERMINATIONS

FISCAL 1994 – FISCAL 1998

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1993-94		1994-95		1995-96		1996-97		1997-98	
	F	T	F	T	F	T	F	T	F	T
First Circuit	**3,655**	**3,450**	**3,620**	**3,456**	**4,172**	**4,001**	**4,271**	**3,873**	**4,611**	**4,236**
Dorchester	595	466	633	539	632	583	632	523	632	569
Somerset	615	534	528	617	535	494	540	538	558	593
Wicomico	1,375	1,239	1,451	1,319	1,808	1,791	1,922	1,776	1,874	1,721
Worcester	1,070	1,211	1,008	981	1,197	1,133	1,177	1,036	1,547	1,353
Second Circuit	**2,299**	**2,045**	**2,535**	**2,122**	**2,425**	**2,264**	**2,482**	**2,215**	**2,445**	**2,219**
Caroline	186	154	228	185	203	196	214	159	171	175
Cecil	1,224	1,097	1,454	1,174	1,491	1,306	1,503	1,347	1,445	1,324
Kent	263	222	265	240	188	217	192	167	182	157
Queen Anne's	224	196	171	180	213	202	183	206	160	130
Talbot	402	376	417	343	330	343	390	336	487	433
Third Circuit	**9,595**	**8,911**	**9,519**	**9,113**	**9,890**	**9,145**	**9,807**	**9,135**	**10,126**	**9,379**
Baltimore	7,328	7,047	7,225	7,092	7,789	7,415	7,571	7,272	7,667	7,374
Harford	2,267	1,864	2,294	2,021	2,101	1,730	2,236	1,863	2,459	2,005
Fourth Circuit	**2,601**	**2,325**	**2,842**	**2,896**	**2,700**	**2,380**	**2,819**	**2,602**	**3,236**	**3,170**
Allegany	544	492	619	574	617	583	694	672	698	709
Garrett	102	114	142	92	193	159	149	136	129	154
Washington	1,955	1,719	2,081	2,230	1,890	1,638	1,976	1,794	2,409	2,307
Fifth Circuit	**10,097**	**9,516**	**10,330**	**9,566**	**9,940**	**10,043**	**8,679**	**8,594**	**8,138**	**7,923**
Anne Arundel	5,439	4,922	5,279	4,911	4,917	4,986	4,419	4,345	4,272	4,027
Carroll	2,240	2,109	2,106	1,900	1,953	2,033	1,756	1,822	1,645	1,737
Howard	2,418	2,485	2,945	2,755	3,070	3,024	2,504	2,427	2,221	2,159
Sixth Circuit	**6,212**	**4,639**	**6,221**	**4,948**	**6,815**	**6,411**	**5,981**	**5,983**	**5,930**	**5,760**
Frederick	1,394	1,194	1,418	1,225	1,522	1,393	1,465	1,611	1,530	1,352
Montgomery	4,818	3,445	4,803	3,723	5,293	5,018	4,516	4,372	4,400	4,408
Seventh Circuit	**11,294**	**11,028**	**11,277**	**10,742**	**12,075**	**11,625**	**12,297**	**10,996**	**12,551**	**12,042**
Calvert	953	898	1,092	997	879	899	947	837	775	721
Charles	1,265	1,227	1,518	1,268	1,502	1,514	1,535	1,549	1,479	1,371
Prince George's	7,906	7,806	7,642	7,432	8,851	8,248	8,907	7,819	9,524	9,072
St. Mary's	1,170	1,097	1,025	1,045	843	964	908	791	773	878
Eighth Circuit	**23,174**	**22,161**	**22,328**	**20,137**	**21,736**	**21,085**	**22,785**	**20,689**	**24,733**	**22,885**
Baltimore City	23,174	22,161	22,328	20,137	21,736	21,085	22,785	20,689	24,733	22,885
STATE	**68,927**	**64,075**	**68,672**	**62,980**	**69,753**	**66,954**	**69,121**	**64,087**	**71,770**	**67,614**

Table CC-23

Criminal Cases Filed, Terminated, And Pending In The Circuit Courts

July 1, 1997 – June 30, 1998
Fiscal Year 1998

	Pending Beginning of Year	Filed	Terminated	Pending End of Year
First Circuit	**1,760**	**4,611**	**4,236**	**2,135**
Dorchester	351	632	569	414
Somerset	248	558	593	213
Wicomico	611	1,874	1,721	764
Worcester	550	1,547	1,353	744
Second Circuit	**1,896**	**2,445**	**2,219**	**2,122**
Caroline	164	171	175	160
Cecil	1,399	1,445	1,324	1,520
Kent	127	182	157	152
Queen Anne's	60	160	130	90
Talbot	146	487	433	200
Third Circuit	**8,631**	**10,126**	**9,379**	**9,378**
Baltimore	5,494	7,667	7,374	5,787
Harford	3,137	2,459	2,005	3,591
Fourth Circuit	**1,655**	**3,236**	**3,170**	**1,721**
Allegany	383	698	709	372
Garrett	103	129	154	78
Washington	1,169	2,409	2,307	1,271
Fifth Circuit	**7,007**	**8,138**	**7,923**	**7,222**
Anne Arundel	4,336	4,272	4,027	4,581
Carroll	1,439	1,645	1,737	1,347
Howard	1,232	2,221	2,159	1,294
Sixth Circuit	**3,550**	**5,930**	**5,760**	**3,720**
Frederick	913	1,530	1,352	1,091
Montgomery	2,637	4,400	4,408	2,629
Seventh Circuit	**10,311**	**12,551**	**12,042**	**10,820**
Calvert	366	775	721	420
Charles	1,113	1,479	1,371	1,221
Prince George's	8,331	9,524	9,072	8,783
St. Mary's	501	773	878	396
Eighth Circuit	**29,370**	**24,733**	**22,885**	**31,218**
Baltimore City	29,370	24,733	22,885	31,218
STATE	**64,180**	**71,770**	**67,614**	**68,336**

NOTE: See note on Table CC-6.

TABLE CC-24

CRIMINAL CASES
RATIO OF TRIALS TO DISPOSITIONS

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

	Dispositions	Trials	Percentages	Court Trials	Percentages	Jury Trials	Percentages
First Circuit	**4,236**	**914**	**21.6**	**775**	**18.3**	**139**	**3.3**
Dorchester	569	43	7.6	10	1.8	33	5.8
Somerset	593	72	12.1	38	6.4	34	5.7
Wicomico	1,721	76	4.4	39	2.3	37	2.1
Worcester	1,353	723	53.4	688	50.8	35	2.6
Second Circuit	**2,219**	**149**	**6.7**	**41**	**1.8**	**108**	**4.9**
Caroline	175	20	11.4	5	2.8	15	8.6
Cecil	1,324	58	4.4	13	1.0	45	3.4
Kent	157	12	7.6	1	0.6	11	7.0
Queen Anne's	130	17	13.1	3	2.3	14	10.8
Talbot	433	42	9.7	19	4.4	23	5.3
Third Circuit	**9,379**	**247**	**2.6**	**114**	**1.2**	**133**	**1.4**
Baltimore	7,374	189	2.6	96	1.3	93	1.3
Harford	2,005	58	2.9	18	0.9	40	2.0
Fourth Circuit	**3,170**	**158**	**5.0**	**59**	**1.9**	**99**	**3.1**
Allegany	709	36	5.1	5	0.7	31	4.4
Garrett	154	2	1.3	0	0.0	2	1.3
Washington	2,307	120	5.2	54	2.3	66	2.9
Fifth Circuit	**7,923**	**1,286**	**16.2**	**1,144**	**14.4**	**142**	**1.8**
Anne Arundel	4,027	388	9.6	295	7.3	93	2.3
Carroll	1,737	614	35.3	589	33.9	25	1.4
Howard	2,159	284	13.1	260	12.0	24	1.1
Sixth Circuit	**5,760**	**243**	**4.2**	**89**	**1.5**	**154**	**2.7**
Frederick	1,352	28	2.1	10	0.8	18	1.3
Montgomery	4,408	215	4.9	79	1.8	136	3.1
Seventh Circuit	**12,042**	**374**	**3.1**	**45**	**0.4**	**329**	**2.7**
Calvert	721	6	0.8	3	0.4	3	0.4
Charles	1,371	41	3.0	8	0.6	33	2.4
Prince George's	9,072	287	3.2	19	0.2	268	3.0
St. Mary's	878	40	4.5	15	1.7	25	2.8
Eighth Circuit	**22,885**	**818**	**3.6**	**450**	**2.0**	**368**	**1.6**
Baltimore City	22,885	818	3.6	450	2.0	368	1.6
STATE	**67,614**	**4,189**	**6.2**	**2,717**	**4.0**	**1,472**	**2.2**

NOTE: See note on Table CC-10.

TABLE CC-25

FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES TRIED

FISCAL 1994 – FISCAL 1998

	1993-94	1994-95	1995-96	1996-97	1997-98
First Circuit	**928**	**768**	**916**	**761**	**914**
Dorchester	67	57	154	49	43
Somerset	64	75	55	46	72
Wicomico	162	143	116	117	76
Worcester	635	493	591	549	723
Second Circuit	**351**	**248**	**156**	**119**	**149**
Caroline	25	22	27	27	20
Cecil	40	37	35	42	58
Kent	5	13	22	16	12
Queen Anne's	25	21	30	24	17
Talbot	256	155	42	10	42
Third Circuit	**551**	**466**	**414**	**281**	**247**
Baltimore	470	408	340	232	189
Harford	81	58	74	49	58
Fourth Circuit	**144**	**125**	**114**	**132**	**158**
Allegany	35	37	45	38	36
Garrett	9	15	16	19	2
Washington	100	73	53	75	120
Fifth Circuit	**2,188**	**1,834**	**1,776**	**1,546**	**1,286**
Anne Arundel	537	415	426	380	388
Carroll	1,468	1,256	1,223	894	614
Howard	183	163	127	272	284
Sixth Circuit	**259**	**299**	**303**	**354**	**243**
Frederick	32	53	45	55	28
Montgomery	227	246	258	299	215
Seventh Circuit	**792**	**646**	**374**	**468**	**374**
Calvert	39	48	18	19	6
Charles	60	57	73	50	41
Prince George's	225	176	240	342	287
St. Mary's	468	365	43	57	40
Eighth Circuit	**700**	**720**	**697**	**733**	**818**
Baltimore City	700	720	697	733	818
STATE	**5,913**	**5,106**	**4,750**	**4,394**	**4,189**

NOTE: See note on Table CC-10.

TABLE CC-26

CRIMINAL – AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

		AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
	Number of Cases	All Cases	Excluding Cases Over 360 Days	61 Days	91 Days	121 Days	181 Days	361 Days
First Circuit								
Dorchester	364	145	131	9.3	25.8	48.6	78.8	96.4
Somerset	483	99	93	13.0	63.4	77.8	92.3	98.1
Wicomico	1,109	113	105	17.0	45.4	72.3	88.3	98.5
Worcester	1,176	97	95	13.5	58.2	82.6	93.3	99.5
Second Circuit								
Caroline	135	167	154	7.4	13.3	30.4	66.7	95.6
Cecil	1,067	204	180	3.0	4.7	10.3	52.6	93.3
Kent	110	459	154	10.0	15.5	30.9	60.0	97.3
Queen Anne's	89	101	101	24.7	41.6	69.7	91.0	100.0
Talbot	243	120	115	14.0	25.5	56.8	90.5	99.2
Third Circuit								
Baltimore	4,906	117	100	32.4	51.2	64.4	83.2	97.6
Harford	1,426	191	126	25.0	37.7	49.4	64.9	87.8
Fourth Circuit								
Allegany	622	180	162	5.1	16.9	28.1	61.3	94.4
Garrett	101	183	156	11.9	17.8	34.7	55.4	93.1
Washington	1,800	137	118	11.2	41.9	61.1	82.2	96.4
Fifth Circuit								
Anne Arundel	1,953	168	128	17.8	32.9	51.0	72.8	95.0
Carroll	800	163	146	7.1	24.6	43.5	67.5	94.9
Howard	1,292	185	134	7.2	32.7	47.7	70.8	93.3
Sixth Circuit								
Frederick	1,298	168	139	11.1	27.4	45.2	69.6	93.1
Montgomery	2,436	114	92	45.2	59.7	68.6	85.2	97.6
Seventh Circuit								
Calvert	391	166	136	17.4	33.0	44.5	69.3	94.1
Charles	901	158	139	5.5	23.1	43.2	74.9	96.2
Prince George's	7,049	134	109	25.0	41.2	59.2	79.2	95.7
St. Mary's	828	204	124	21.5	38.6	53.3	73.4	92.8
Eighth Circuit								
Baltimore City	17,013	158	109	36.9	44.6	52.8	67.2	89.0
STATE	**47,592**	**149**	**114**	**26.9**	**41.8**	**55.2**	**73.9**	**93.3**

NOTE: This table does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. Also see note on Table CC-13.

TABLE CC-27

FIVE-YEAR COMPARATIVE TABLE
JUVENILE CASES
FILINGS AND TERMINATIONS

FISCAL 1994 – FISCAL 1998

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1993-94		1994-95		1995-96		1996-97		1997-98	
	F	T	F	T	F	T	F	T	F	T
First Circuit	**978**	**895**	**1,184**	**1,097**	**1,043**	**1,008**	**1,223**	**1,135**	**1,341**	**1,264**
Dorchester	163	142	263	240	175	165	226	213	292	278
Somerset	212	211	220	208	199	195	325	317	305	288
Wicomico	298	247	332	301	353	332	375	317	431	386
Worcester	305	295	369	348	316	316	297	288	313	312
Second Circuit	**1,263**	**1,334**	**1,453**	**1,347**	**1,482**	**1,461**	**1,541**	**1,576**	**1,764**	**1,664**
Caroline	152	163	156	155	163	173	203	207	280	277
Cecil	591	654	678	620	724	711	742	773	781	744
Kent	54	56	92	75	87	80	74	70	91	67
Queen Anne's	232	229	227	220	324	298	242	259	327	285
Talbot	234	232	300	277	184	199	280	267	285	291
Third Circuit	**4,624**	**3,889**	**5,651**	**4,856**	**5,440**	**4,940**	**5,654**	**4,344**	**5,965**	**5,193**
Baltimore	3,872	3,197	4,628	3,878	4,589	4,077	4,800	3,588	4,986	4,269
Harford	752	692	1,023	978	851	863	854	756	979	924
Fourth Circuit	**1,135**	**1,088**	**1,183**	**1,102**	**1,240**	**1,150**	**1,472**	**1,341**	**1,657**	**1,544**
Allegany	268	276	265	230	316	299	330	318	349	343
Garrett	155	141	140	135	133	143	201	171	212	186
Washington	712	671	778	737	791	708	941	852	1,096	1,015
Fifth Circuit	**5,612**	**5,275**	**6,091**	**5,655**	**5,684**	**5,523**	**5,545**	**5,304**	**5,510**	**5,027**
Anne Arundel	3,718	3,562	4,015	3,678	3,735	3,679	3,733	3,574	3,417	3,118
Carroll	910	830	789	810	664	599	664	654	799	717
Howard	984	883	1,287	1,167	1,285	1,245	1,148	1,076	1,294	1,192
Sixth Circuit	**6,680**	**6,267**	**8,525**	**7,408**	**7,781**	**7,396**	**8,116**	**7,883**	**9,100**	**8,638**
Frederick	684	622	911	865	866	872	1,335	1,301	1,933	1,913
Montgomery*	5,996	5,645	7,614	6,543	6,915	6,524	6,781	6,582	7,167	6,725
Seventh Circuit	**7,805**	**7,962**	**9,381**	**9,346**	**7,973**	**7,675**	**8,548**	**8,207**	**8,127**	**8,048**
Calvert	528	531	592	580	752	780	723	654	841	787
Charles	634	630	816	799	816	796	895	838	923	941
Prince George's	6,266	6,479	7,478	7,514	5,880	5,648	6,324	6,005	5,751	5,760
St. Mary's	377	322	495	453	525	451	606	710	612	560
Eighth Circuit	**16,593**	**14,650**	**12,398**	**8,062**	**10,260**	**5,456**	**11,483**	**6,020**	**11,796**	**6,787**
Baltimore City	16,593	14,650	12,398	8,062	10,260	5,456	11,483	6,020	11,796	6,787
STATE	**44,690**	**41,360**	**45,866**	**38,873**	**40,903**	**34,609**	**43,582**	**35,810**	**45,260**	**38,165**

* Includes juvenile cases processed at the District Court level.

TABLE CC-28

JUVENILE CASES FILED, TERMINATED, AND PENDING IN THE CIRCUIT COURTS

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

	PENDING Beginning of Year	Filed	Terminated	PENDING End of Year
First Circuit	**300**	**1,341**	**1,264**	**377**
Dorchester	22	292	278	36
Somerset	35	305	288	52
Wicomico	178	431	386	223
Worcester	65	313	312	66
Second Circuit	**248**	**1,764**	**1,664**	**348**
Caroline	4	280	277	7
Cecil	178	781	744	215
Kent	39	91	67	63
Queen Anne's	4	327	285	46
Talbot	23	285	291	17
Third Circuit	**5,008**	**5,965**	**5,193**	**5,780**
Baltimore	4,778	4,986	4,269	5,495
Harford	230	979	924	285
Fourth Circuit	**336**	**1,657**	**1,544**	**449**
Allegany	55	349	343	61
Garrett	26	212	186	52
Washington	255	1,096	1,015	336
Fifth Circuit	**1,640**	**5,510**	**5,027**	**2,123**
Anne Arundel	521	3,417	3,118	820
Carroll	574	799	717	656
Howard	545	1,294	1,192	647
Sixth Circuit	**4,173**	**9,100**	**8,638**	**4,635**
Frederick	175	1,933	1,913	195
Montgomery*	3,998	7,167	6,725	4,440
Seventh Circuit	**1,929**	**8,127**	**8,048**	**2,008**
Calvert	127	841	787	181
Charles	220	923	941	202
Prince George's	1,450	5,751	5,760	1,441
St. Mary's	132	612	560	184
Eighth Circuit	**34,255**	**11,796**	**6,787**	**39,264**
Baltimore City	34,255	11,796	6,787	39,264
STATE	47,889	45,260	38,165	54,984

NOTE: See note on Table CC-6.

*Includes juvenile cases processed at the District Court level.

TABLE CC-29

JUVENILE-AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

		Average In Days Filing To Disposition		Cumulative Percentages Of Total Cases Disposed Of Less Than:					
	Number of Cases*	All Cases	Excluding Cases Over 271 Days	31 Days	61 Days	121 Days	181 Days	271 Days	361+ Days
First Circuit									
Dorchester	103	65	65	23.3	48.5	94.2	97.1	100.0	100.0
Somerset	101	28	25	70.3	89.1	95.0	99.0	99.0	100.0
Wicomico	203	85	49	41.9	71.4	87.2	89.2	93.6	96.6
Worcester	226	77	62	24.8	70.8	88.9	93.8	95.6	95.6
Second Circuit									
Caroline	62	77	24	61.3	93.5	96.8	96.8	96.8	96.8
Cecil	435	105	69	20.0	43.7	82.8	91.0	94.3	95.2
Kent	41	77	67	17.1	56.1	82.9	90.2	97.6	97.6
Queen Anne's	63	48	48	33.3	60.3	96.8	98.4	100.0	100.0
Talbot	64	20	20	78.1	93.8	96.9	98.4	100.0	100.0
Third Circuit									
Baltimore	3,589	87	78	17.5	29.3	84.0	93.2	97.7	98.7
Harford	592	92	81	17.7	33.3	79.7	92.1	96.8	97.8
Fourth Circuit									
Allegany	326	70	65	20.9	47.2	86.8	96.3	98.5	99.4
Garrett	97	54	49	38.1	75.3	89.7	94.8	97.9	100.0
Washington	473	74	64	26.6	53.1	87.5	95.3	98.1	98.1
Fifth Circuit									
Anne Arundel	1,588	83	66	14.9	58.8	87.6	93.8	96.1	97.4
Carroll	427	90	70	24.1	65.1	80.8	83.4	94.4	97.0
Howard	811	104	78	9.6	28.0	80.1	90.1	94.7	95.6
Sixth Circuit									
Frederick	747	62	59	23.4	62.8	93.4	97.5	99.1	99.5
Montgomery**	2,017	142	94	13.1	32.9	62.8	78.8	89.0	92.2
Seventh Circuit									
Calvert	389	91	82	6.7	40.6	81.5	90.0	96.7	98.7
Charles	552	77	74	11.8	37.3	91.7	97.3	99.1	99.5
Prince George's	2,202	105	67	18.0	44.3	85.7	93.1	95.1	95.6
St. Mary's	211	71	69	20.9	51.7	88.6	94.3	99.1	100.0
Eighth Circuit									
Baltimore City***	5,722	26	9	90.2	92.8	95.5	96.6	97.7	98.4
STATE	**21,041**	**75**	**55**	**37.8**	**56.4**	**86.2**	**92.8**	**96.3**	**97.3**

* This table does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other table sin this report. Also see note on Table CC-13.
** Includes juvenile cases processed at the District Court level.
*** There appears to be a reporting problem in Baltimore City that had not been confirmed as of this printing.

Table CC-30

Delinquency Terminations By Type Of Disposition

July 1, 1997 – June 30, 1998
Fiscal Year 1998

	Jurisdiction Waived	Dismissed	Stet	Probation	Social Services	Juvenile Services	Hospital Facility	Institutional	Transferred In	Transferred Out	Continued	Guardianship	Adoption	Other	TOTAL
First Circuit															
Dorchester	3	27	0	28	2	0	0	0	0	0	0	0	0	67	127
Somerset	16	8	0	26	13	30	0	0	0	1	16	0	0	19	129
Wicomico	7	10	15	31	14	126	0	7	5	5	1	0	0	39	260
Worcester	30	36	0	92	6	40	0	2	2	4	1	0	0	19	232
Second Circuit															
Caroline	1	0	2	21	4	21	0	6	2	0	125	0	0	13	195
Cecil	17	102	13	116	6	62	0	0	0	1	0	0	0	14	331
Kent	1	11	0	16	1	14	0	0	2	2	0	0	0	3	50
Queen Anne's	1	10	0	33	1	14	0	0	5	1	0	0	0	137	202
Talbot	3	14	0	36	3	2	0	18	0	1	59	0	0	57	193
Third Circuit															
Baltimore	146	425	1,164	1,298	113	385	1	0	38	18	0	0	0	88	3,676
Harford	17	72	0	242	42	40	0	57	11	12	0	3	0	107	603
Fourth Circuit															
Allegany	0	68	2	130	1	30	0	0	3	5	0	0	0	12	251
Garrett	0	6	0	22	6	23	0	0	0	10	6	0	0	16	89
Washington	33	47	2	166	22	146	0	0	7	11	0	0	0	89	523
Fifth Circuit															
Anne Arundel	18	303	176	1,015	12	235	0	46	59	59	258	0	0	433	2,614
Carroll	5	122	52	198	1	82	0	1	0	1	0	0	0	91	553
Howard	32	231	202	354	4	79	0	0	25	12	1	0	0	48	988
Sixth Circuit															
Frederick	8	282	28	312	30	186	13	1	9	21	446	0	1	125	1,462
Montgomery*	6	379	42	1,503	99	317	0	1,042	0	2	498	0	1	1,418	5,307
Seventh Circuit															
Calvert	0	55	88	197	7	39	0	0	4	0	0	0	0	194	584
Charles	5	130	87	307	4	79	0	84	9	1	0	0	0	83	789
Prince George's	0	3	378	1,234	6	4	0	0	0	2	66	0	0	2,093	3,786
St. Mary's	0	76	3	108	17	65	0	28	9	3	0	0	0	115	424
Eighth Circuit															
Baltimore City	75	2,936	0	6	9	1,415	0	0	0	6	0	0	0	888	5,335
STATE	**424**	**5,353**	**2,254**	**7,491**	**423**	**3,434**	**14**	**1,292**	**190**	**178**	**1,477**	**3**	**2**	**6,168**	**28,703**

*Includes juvenile cases for Montgomery County that are handled by the District Court.

The District Court

The Judges of the District Court of Maryland as of June 30, 1998

Hon. Martha F. Rasin, CJ

District 1

Baltimore City

Hon. Martin A. Kircher
* Hon. Mary Ellen T. Rinehardt
Hon. Charlotte M. Cooksey
Hon. H. Gary Bass
Hon. Keith E. Mathews
Hon. Askew W. Gatewood, Jr.
Hon. Alan J. Karlin
Hon. Theodore B. Oshrine
Hon. Kathleen M. Sweeney
Hon. Teaette S. Price
Hon. Barbara B. Waxman
Hon. Jamey H. Weitzman
Hon. C. Yvonne Holt-Stone
Hon. Gale R. Caplan
Hon. Norman E. Johnson, Jr.
Hon. Nancy B. Shuger
Hon. John M. Glynn
Hon. Jack I. Lesser
Hon. Ben C. Clyburn
Hon. Charles A. Chiapparelli
Hon. Audrey J. Carrion
Hon. John P. Miller
Hon. Timothy J. Doory
Hon. John R. Hargrove, Jr.

District 2

Dorchester County

* Hon. John L. Norton, III

Somerset County

Hon. Robert D. Horsey

Wicomico County

Hon. R. Scott Davis
Hon. Lloyd O. Whitehead

Worcester County

Hon. Richard R. Bloxom

District 3

Caroline County

Hon. L. Edgar Brown

Cecil County

* Hon. James C. McKinney
Hon. Stephen J. Baker

Kent County

Hon. Floyd L. Parks, Jr.

Queen Anne's County

Hon. John T. Clark, III

Talbot County

Hon. William H. Adkins, III

District 4

Calvert County

* Hon. Stephen L. Clagett

Charles County

Hon. Gary S. Gasparovic
Hon. Richard A. Cooper

St. Mary's County

Hon. C. Clarke Raley

District 5

Prince George's County

Hon. Gerard F. Devlin
Hon. John F. Kelly, Sr.
Hon. Thurman H. Rhodes
* Hon. Frank M. Kratovil
Hon. Patrice E. Lewis
Hon. Josef B. Brown
Hon. Michael P. Whalen
Hon. Ronald D. Schiff
Hon. Melanie M. Shaw-Geter
Hon. Thomas J. Love
Hon. Joel D. Worshtil
Hon. Beverly J. Woodard

District 6

Montgomery County

Hon. Louis D. Harrington
* Hon. Cornelius J. Vaughey
Hon. Dennis M. McHugh
Hon. Thomas L. Craven
Hon. Joanne T. Wills
Hon. Barry A. Hamilton
Hon. Eric M. Johnson
Hon. Patricia M. Goldberg
Hon. Mary E. McCormick
Hon. Katherine D. Savage
Hon. Stephen P. Johnson
Vacancy

District 7

Anne Arundel County

Hon. Vincent A. Mulieri
* Hon. James W. Dryden
Hon. Essom V. Ricks, Jr.
Hon. Nancy L. Davis-Loomis
Hon. Robert C. Wilcox
Hon. Paul A. Hackner
Hon. Megan B. Johnson
Vacancy

District 8

Baltimore County

* Hon. John H. Garmer
Hon. A. Gordon Boone, Jr.
Hon. Patricia S. Pytash
Hon. Charles E. Foos, III
Hon. I. Marshall Seidler
Hon. Michael L. McCampbell
Hon. Barbara R. Jung
Hon. G. Darrell Russell
Hon. Robert N. Dugan
Hon. Darryl G. Fletcher
Hon. Alexandra N. Williams
Hon. Robert J. Steinberg
Vacancy

District 9

Harford County

Hon. Lawrence S. Lanahan, Jr.
Hon. John L. Dunnigan
* Hon. Emory A. Plitt, Jr.
Hon. Victor K. Butanis

District 10

Carroll County

Hon. JoAnn M. Ellinghaus-Jones
Hon. Marc G. Rasinsky

Howard County

* Hon. James N. Vaughan
Hon. Louis A. Becker, III
Hon. Neil E. Axel
Hon. Alice P. Clark

District 11

Frederick County

* Hon. Frederick J. Bower
Hon. W. Milnor Roberts

Washington County

Hon. R. Noel Spence
Hon. Ralph H. France, II

District 12

Allegany County

* Hon. Paul J. Stakem
Hon. W. Timothy Finan

Garrett County

Hon. Ralph M. Burnett

* District Administrative Judge

The District Court

Introduction

The District Court of Maryland was created as a result of the ratification in 1970 of a constitutional amendment proposed by the legislature in 1969. Operation of the District Court began on July 5, 1971, replacing a miscellaneous system of trial magistrates and people's and municipal courts with a fully State-funded court of record possessing Statewide jurisdiction.

District Court judges are appointed by the Governor and confirmed by the Senate. They are not required to stand for election. The first chief judge was designated by the Governor, but all subsequent chief judges are subject to appointment by the Chief Judge of the Court of Appeals. The District Court is divided into twelve geographical districts, each containing one or more political subdivisions, with at least one judge in each subdivision.

There were 102 District Court judgeships, including the Chief Judge, as of July 1, 1997. The Chief Judge is the administrative head of the Court and appoints administrative judges for each of the twelve districts, subject to the approval of the Chief Judge of the Court of Appeals. The Chief Judge of the District Court also appoints a chief clerk of the Court. Additionally, administrative clerks for each district, as well as commissioners who perform such duties as issuing arrest warrants and setting bail or collateral, also are appointed.

The District Court's jurisdiction includes criminal, including motor vehicle, and civil areas. It also has jurisdiction over juvenile causes, but only in Montgomery County. The exclusive jurisdiction of the District Court generally includes all landlord and 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, but not exceeding, $20,000; and concurrent jurisdiction in misdemeanors with penalties over 3 years and/or $2,500 and certain enumerated felonies. 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.

Motor Vehicle

The District Court received 1,107,493 motor vehicle filings during Fiscal Year 1998, representing an increase of 2.9 percent over the previous year's total of 1,076,325 filings. Motor vehicle cases comprised more than 51 percent of the District Court's caseload. Approximately 61.6 percent of the filings (682,569 cases) were reported by the five larger jurisdictions, compared with 657,662 filings or 61.1 percent during Fiscal Year 1997. Prince George's County reported the greatest number of filings with 171,969 or 15.5 percent of the motor vehicle caseload. Baltimore County followed with 162,988 filings, comprising nearly 15 percent of the filings. There were 121,929 motor vehicle filings reported by Montgomery County, accounting for 11 percent of the filings. Baltimore City and Anne Arundel County reported 120,114 (10.8 percent) and 105,569 (9.5 percent) motor vehicle filings, respectively. Baltimore County was the only larger jurisdiction to report a decreased number of motor vehicle filings (1.5 percent decrease). The greatest increase was reported by Anne Arundel County (18 percent).

In addition to recording an increased number of filings during the fiscal year, the District Court processed approximately 4.5 percent more motor vehicle cases, from 962,322 during Fiscal Year 1997, to the current level of 1,005,709 dispositions. That figure includes 308,837 cases that were tried, 566,104 tickets that were paid, and 130,768 "other" dispositions (e.g., nolle prossed, stet, and jury trial prayers). Baltimore County processed the greatest number of motor vehicle cases with 157,511, an increase of 7.3 percent over the previous year's total of 146,756 cases. Prince George's County followed with 143,709 processed motor vehicle cases, representing a slight decrease of 0.5 percent from the Fiscal Year 1997 level of 144,457 cases. There were 115,895 motor vehicle cases processed by Montgomery County, a decrease of 1.6 percent from the prior year's total of 117,826 cases. Anne Arundel County reported a 10.1 percent increase in processed motor vehicle cases, from 87,510 during Fiscal Year 1997, to the current level of 96,376 cases. A slight increase was reported by Baltimore City (0.7 percent), from 75,490 last year, to the Fiscal Year 1998 total of 75,994 dispositions (Table DC-4).

Criminal

During Fiscal Year 1998, the District Court filed 210,465 criminal cases, an increase of 8 percent over the previous year's total of 194,833 case filings. The five larger jurisdictions reported a combined total of 162,155 criminal filings, comprising approximately 77 percent of the total criminal caseload. With 84,848 criminal case filings, Baltimore City accounted for more than 40 percent of the District Court's criminal caseload during Fiscal Year 1998. In comparison, there were 72,487 criminal cases filed by Baltimore City during Fiscal Year 1997, comprising

approximately 37.2 percent of the cases. Prince George's County's criminal caseload remained consistent during the two-year period, with 25,029 criminal filings reported during Fiscal Year 1997, compared to 25,052 during Fiscal Year 1998. A 2.2 percent increase in criminal filings was reported by Baltimore County, from 22,845 during Fiscal Year 1997, to the current level of 23,348 filings. During the year, Anne Arundel County recorded 14,736 criminal case filings, representing an 8.6 percent increase over the previous year's total of 13,573 filings. Likewise, a 2.8 percent rise in criminal filings was reported by Montgomery County, from 13,785 during Fiscal Year 1997, to the Fiscal Year 1998 level of 14,171 filings.

The District Court processed 213,866 criminal cases during Fiscal Year 1998, which represents a 12.7 percent increase over the previous year when 189,708 criminal cases were processed. Baltimore City comprised approximately 40 percent of the criminal dispositions with 85,532 cases, representing an increase of 21 percent over the Fiscal Year 1997 total of 70,675 criminal dispositions. Prince George's County reported 26,223 criminal dispositions during Fiscal Year 1998, compared with 23,391 dispositions during Fiscal Year 1997, an increase of 12.1 percent. There were 25,188 criminal cases disposed by Baltimore County, an increase of 14.5 percent over the prior year's total of 21,992 dispositions. Anne Arundel County reported a 18.4 percent increase in criminal dispositions over the last two years, from 11,894 during Fiscal Year 1997, to the current level of 14,084 dispositions. The only larger jurisdiction to note a decreased number of criminal dispositions was Montgomery County. There were 12,563 dispositions reported by this jurisdiction, a 2 percent decrease from the previous year's total of 12,823 dispositions (Table DC-4).

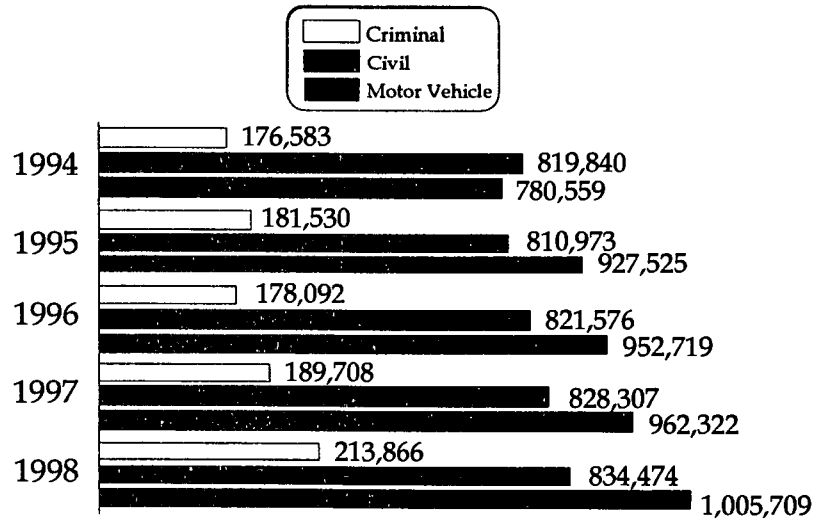
Civil

The District Court had 834,474 civil cases filed during Fiscal Year 1998, comprising nearly 39 percent of the total caseload. In comparison, 828,307 civil cases were filed during Fiscal Year 1997, representing a two-year increase of approximately 0.7 percent. Nearly 85 percent (708,614 cases) of the cases were reported by the five larger jurisdictions. Among those jurisdictions, Baltimore City reported the greatest number of civil case filings with 227,974, representing a slight decrease of 0.6 percent from the previous year when 229,332 civil cases were filed. Prince George's and Baltimore Counties followed with 199,775 and 146,424 civil filings, respectively. There was a 4.4 percent rise in civil case filings over the last two years reported by Prince George's County (191,291 filings during Fiscal Year 1997), while a 3.9 percent decrease was noted by Baltimore County (152,389 filings during Fiscal Year 1997). Montgomery County's 88,050 civil filings represent a 1.3 percent decrease from the Fiscal Year 1997 total of 89,177 filings. A slight increase of 0.6 percent in civil case filings was reported by Anne Arundel County, from 46,103 during Fiscal Year 1997, to the current level of 46,391 civil filings.

Categorically, landlord and tenant cases comprised approximately 70.4 percent of the civil caseload. There were 587,368 landlord and tenant cases filed during Fiscal Year 1998, representing a slight decrease of 0.3 percent from the previous year's total of 588,985 filings. The five larger jurisdictions reported a combined total of 524,481 cases, comprising 89.3

TABLE DC-1

DISTRICT COURT-CASELOAD BY FISCAL YEAR



Total caseload for Fiscal Year 1998 - 2,054,049

percent of the landlord and tenant cases filed during the year. Baltimore City had the greatest number of landlord and tenant cases with 175,268 case filings, a slight decrease of 1.4 percent from the previous year's total of 177,737 filings. Prince George's County followed with 158,155 filings, compared with the Fiscal Year 1997 level of 155,258 filings, representing a 1.9 percent increase. There were 107,838 landlord and tenant cases filed in Baltimore County, a decrease of 5.3 percent from the previous year when 113,841 cases were filed. Montgomery County reported 54,139 filings, a slight 0.4 percent increase over the Fiscal Year 1997 level of 53,910 filings. Over the two-year period, Anne Arundel County's landlord and tenant filings decreased less than 1 percent, from 29,242 during Fiscal Year 1997, to the current level of 29,081 filings. Approximately 4 percent (23,568 filings) of the landlord and tenant cases were contested (Table DC-4).

Contract and tort filings accounted for nearly 26 percent of the Fiscal Year 1998 civil caseload. There were 215,587 contract and tort filings reported, which is an increase of 3.8 percent over the previous year's total of 207,792 filings. Increases in contract and tort filings were reported by four of the five larger jurisdictions, contributing to the overall increase during Fiscal Year 1998. Baltimore City had 47,130 contract and tort cases, representing an increase of 0.8 percent over the previous year's total of 46,746 filings. During the same period, Prince George's County reported a 17.8 percent increase, from 31,261 filings during Fiscal Year 1997, to the current level of 36,818 filings. Baltimore County's 33,264 contract and tort filings represent a 2.2 percent rise over the Fiscal Year 1997 level of 32,562 filings. Anne Arundel County also experienced an increase in contract and tort filings, from 14,601 during Fiscal Year 1997, to the current level of 14,940 filings, an increase of approximately 2.3 percent. The only larger jurisdiction to report a decrease in the number of contract and tort filings was Montgomery County, from 31,467 filings during Fiscal Year 1997, to the current level of 29,689 filings, which represents a 5.7 percent decrease. Approximately 22 percent of the contract and tort cases were contested during Fiscal Year 1998, compared with 20.7 percent during the previous fiscal year. The District Court also filed 31,519 "other" civil complaints which included attachments before judgment and replevin actions (Table DC-4).

There were 21,335 special proceedings filed in the District Court during Fiscal Year 1998, including 2,632 emergency evaluations, 18,077 domestic violence cases and 626 child abuse cases. The five larger jurisdictions reported a combined total of 2,077 emergency evaluations, 13,758 domestic violence filings, and 388 child abuse filings. Approximately 23 percent of the domestic violence filings (4,150 cases) were reported by Baltimore City, while Prince George's County had 3,607 cases, comprising 20 percent of the domestic violence caseload. Baltimore County's 3,018 domestic violence filings represent 16.7 percent of the total filings, while Anne Arundel and Montgomery Counties reported 1,696 (9.4 percent) and 1,287 (7.1 percent) filings, respectively. Over the two-year period, domestic violence filings increased 6.2 percent, from 17,020 during Fiscal Year 1997, to the current level of 18,077 filings (Table DC-12).

Trends

Caseload in the District Court of Maryland increased nearly 20 percent over the last five years, from 1,798,133 total filings reported during Fiscal Year 1994, compared with the current level of 2,152,432 filings. Categorically, increases were noted in each functional area — motor vehicle, 37.7 percent; criminal, 20.9 percent; and civil, 1.8 percent.

As indicated above, the most significant increase in case filings during the five-year period occurred in motor vehicle cases. The District Court had 804,247 motor vehicle cases during Fiscal Year 1994, compared with the Fiscal Year 1998 total of 1,107,493 filings, representing an increase of 303,246 case filings. Relatively significant increases were reported by each of the five larger jurisdictions with the greatest increase (49.5 percent) reported by Baltimore City, from 80,328 filings during Fiscal Year 1994, to the current level of 120,114 filings. Baltimore County followed with a five-year increase of 45.8 percent increase, from 111,753 to the Fiscal Year 1998 level of 162,988 filings. A 44.8 percent rise in motor vehicle filings over the last five years was recorded by Montgomery County. There were 84,234 cases filed in the aforementioned jurisdiction during Fiscal Year 1994, compared to the present level of 121,929 filings. Since Fiscal Year 1994, a 43.1 percent increase in motor vehicle filings has occurred in Prince George's County, from 120,145 during Fiscal Year 1994, to 171,969 filings during Fiscal Year 1998. Anne Arundel County's 105,569 filings represent a 31.7 percent rise in motor vehicle filings since Fiscal Year 1994 when 80,143 motor vehicle filings were recorded. Driving while intoxicated filings have increased steadily over the last five years for a net increase of 15.1 percent, from 29,826 filings during Fiscal Year 1994, compared with the current level of 34,342 filings.

More than 36,000 additional criminal cases have been filed in the District Court since Fiscal Year 1994. During Fiscal Year 1994, the Court had 174,046 criminal cases filed, compared with the current level of 210,465 filings. The five larger jurisdictions comprised more than 77 percent (162,155 filings) of the criminal docket during Fiscal Year 1998. In comparison, approximately 74.5 percent (129,613 filings) of the Fiscal Year 1994 criminal cases were filed in the five larger jurisdictions. During

the five-year period, Baltimore City's criminal caseload rose 37.7 percent, from 61,616 filings during Fiscal Year 1994, to the current level of 84,848 filings. Likewise, Baltimore County reported a 25.2 percent increase in criminal case filings, from 18,654 during Fiscal Year 1994, to the Fiscal Year 1998 level of 23,348 filings. A 23.9 percent rise in criminal case filings was noted by Anne Arundel County, from 11,895 during Fiscal Year 1994, to the present level of 14,736 filings. Prince George's County reported a 6.3 percent increase in criminal filings over the last five years, while a 2 percent increase occurred in Montgomery County. Parallel to the increase in criminal filings over the last five years was a 21.1 percent rise in criminal dispositions, from 176,583 during Fiscal Year 1994, to the current level of 213,866 dispositions. Contributing most significantly to the reported increase in overall dispositions was a 37 percent rise in criminal dispositions in Baltimore City, from 62,419 to the current level of 85,532 dispositions.

The area experiencing the lowest overall increase during the five-year period was civil case filings. There were 819,840 civil cases filed during Fiscal Year 1994, compared with the current level of 834,474, an additional 14,634 filings. Contributing to the slight increase was a 2.9 percent rise in landlord and tenant filings, mitigated by a 6 percent decrease in "other" civil complaints. There were 587,368 landlord and tenant cases filed during Fiscal Year 1998, compared with the Fiscal Year 1994 level of 570,828 filings. "Other" civil complaints decreased from 33,517 during Fiscal Year 1994, to the current level of 31,519 filings. During the five-year period, the five larger jurisdictions continued to contribute the greatest number of civil cases. They combined for a total of 710,360 filings during Fiscal Year 1994, comprising 86.6 percent of the civil caseload, compared with 708,614 cases or 84.9 percent during Fiscal Year 1998. Contributing to the reported decrease was a 10.3 percent decrease in total civil filings reported by Baltimore City, from 254,051 during Fiscal Year 1994, to the current level of 227,974 filings. During that same period, Baltimore City experienced an 8 percent reduction in landlord and tenant filings (i.e., from 190,537 during Fiscal Year 1994, to 175,268 during Fiscal Year 1998) and a 18 percent decrease in contract and tort filings (i.e., from 57,510 during Fiscal Year 1994, to 47,130 filings during Fiscal Year 1998). Baltimore County also reported a decrease in civil case filings during the five-year period, from 146,895 during Fiscal Year 1994, to the current level of 146,424 filings. Of the remaining five larger jurisdictions, the greatest increase (14.1 percent) occurred in Montgomery County, from 77,152 civil cases filed during Fiscal Year 1994, to the current level of 88,050 filings. A 17 percent rise in landlord and tenant filings, coupled with a 12.4 percent increase in contract and tort filings contributed to the overall increase in that jurisdiction. Prince George's County followed with a 6.5 percent increase, from 187,513 filings during Fiscal Year 1994, to 199,775 filings during Fiscal Year 1998. Contributing to the reported increase was a 9.6 percent rise in landlord and tenant filings. There were 46,391 civil cases filed by Anne Arundel County during Fiscal Year 1998, an increase of 3.7 percent over the Fiscal Year 1994 total of 44,749 filings. Landlord and tenant and contract and tort filings increased 2.9 percent and 5.5 percent, respectively, during the five-year period, contributing to the overall increase. The percentage of contested civil cases increased during the five-year period, from 6.9 percent during Fiscal Year 1994, to 8.5 percent during Fiscal Year 1998.

Since Fiscal Year 1994, domestic violence filings have steadily increased, from 12,522 filings during Fiscal Year 1994, to the current level of 18,077 filings, representing an increase of 44.4 percent. Contributing to that rather significant increase was a 43.2 percent rise in the number of cases reported by the five larger jurisdictions. During Fiscal Year 1994, the five larger jurisdictions reported a combined total of 9,605 domestic violence cases, compared with the Fiscal Year 1998 total of 13,758 filings. Each of those jurisdictions reported increases with the greatest increase occurring in Baltimore County, from 1,800 cases filed during Fiscal Year 1994, to the current total of 3,018 filings, which represents an increase of 67.7 percent. Anne Arundel County followed with a 55.6 percent increase, from 1,090 filings during Fiscal Year 1994, to the Fiscal Year 1998 total of 1,696 filings. There were 1,287 domestic violence cases filed by Montgomery County during Fiscal Year 1998, an increase of 44.8 percent over the Fiscal Year 1994 level of 889 filings. Prince George's County and Baltimore City reported increases of 36.8 percent and 30.1 percent, respectively. There were 2,636 domestic violence cases filed by Prince George's County during Fiscal Year 1994, compared with the current level of 3,607 filings. Likewise, Baltimore City's domestic violence filings increased from 3,190 during Fiscal Year 1994, to 4,150 during Fiscal Year 1998.

As indicated by the above data, the District Court has been inundated with an ever-increasing caseload. Domestic violence and criminal matters have significantly increased over the last five years, particularly in the five larger jurisdictions, continuing to strain the Court's judicial resources. Total caseload increased five times more than judicial resources over the last five years. At the present rate, the District Court will have to employ innovative techniques that allow for expeditious adjudication while continuing to provide the quality service the citizens of Maryland deserve.

TABLE DC-2

FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE AND CRIMINAL CASES PROCESSED
AND CIVIL CASES FILED IN THE DISTRICT COURT OF MARYLAND

FISCAL 1994 – FISCAL 1998

	1993-94	1994-95	1995-96	1996-97	1997-98
District 1					
Baltimore City	389,512	402,059	383,410	375,497	389,500
District 2					
Dorchester	15,488	15,913	13,885	12,543	14,545
Somerset	10,896	12,223	10,743	11,462	13,867
Wicomico	33,514	40,063	44,376	43,096	47,802
Worcester	24,214	30,176	29,434	30,457	30,475
District 3					
Caroline	7,355	9,522	9,478	8,557	9,183
Cecil	32,455	37,244	38,533	47,897	44,222
Kent	6,868	8,641	7,670	7,653	7,619
Queen Anne's	13,611	17,765	18,290	18,264	19,023
Talbot	13,205	16,935	16,982	14,355	15,264
District 4					
Calvert	16,741	18,992	21,696	19,879	19,615
Charles	26,781	33,355	35,059	31,675	39,135
St. Mary's	17,294	21,499	27,597	24,445	24,377
District 5					
Prince George's	317,687	336,404	347,495	359,139	369,707
District 6					
Montgomery	171,275	197,416	224,709	219,826	216,508
District 7					
Anne Arundel	136,407	145,792	137,525	145,507	156,851
District 8					
Baltimore	286,541	286,708	298,983	321,137	329,123
District 9					
Harford	53,748	54,639	51,656	55,207	54,850
District 10					
Carroll	26,375	31,666	33,295	29,279	32,244
Howard	67,233	78,801	83,821	88,371	95,091
District 11					
Frederick	45,977	50,734	49,627	49,459	53,247
Washington	34,142	37,428	37,073	36,458	40,777
DISTRICT 12					
Allegany	19,192	20,814	18,341	18,243	19,913
Garrett	10,471	15,239	12,709	11,931	11,111
STATE	**1,776,982**	**1,920,028**	**1,952,387**	**1,980,337**	**2,054,049**

TABLE DC-3

COMPARATIVE TABLE ON CASES FILED OR PROCESSED IN THE DISTRICT COURT OF MARYLAND

FISCAL 1997 – FISCAL 1998

	Motor Vehicle Cases Processed			Criminal Cases Processed			Civil Cases Filed		
	1996-97	1997-98	% Change	1996-97	1997-98	% Change	1996-97	1997-98	% Change
District 1									
Baltimore City	75,490	75,994	0.7	70,675	85,532	21.0	229,332	227,974	-0.6
District 2									
Dorchester	7,194	8,763	21.8	1,687	1,415	-16.1	3,662	4,367	19.3
Somerset	8,575	10,748	25.3	761	820	7.8	2,126	2,299	8.1
Wicomico	27,489	31,503	14.6	3,369	3,073	-8.8	12,238	13,226	8.1
Worcester	22,046	21,851	-0.9	3,936	4,764	21.0	4,475	3,860	-13.7
District 3									
Caroline	4,889	5,593	14.4	1,545	1,293	-16.3	2,123	2,297	8.2
Cecil	40,034	36,292	-9.3	2,990	2,569	-14.1	4,873	5,361	10.0
Kent	5,629	5,401	-4.1	703	637	-9.4	1,321	1,581	19.7
Queen Anne's	15,604	16,155	3.5	1,015	1,055	3.9	1,645	1,813	10.2
Talbot	10,268	11,210	9.2	1,615	1,445	-10.5	2,472	2,609	5.5
District 4									
Calvert	14,587	14,033	-3.8	2,073	2,262	9.1	3,219	3,320	3.1
Charles	21,052	27,463	30.5	3,117	3,787	21.5	7,506	7,885	5.0
St. Mary's	16,479	16,493	0.1	2,805	2,749	-2.0	5,161	5,135	-0.5
District 5									
Prince George's	144,457	143,709	-0.5	23,391	26,223	12.1	191,291	199,775	4.4
District 6									
Montgomery	117,826	115,895	-1.6	12,823	12,563	-2.0	89,177	88,050	-1.3
District 7									
Anne Arundel	87,510	96,376	10.1	11,894	14,084	18.4	46,103	46,391	0.6
District 8									
Baltimore	146,756	157,511	7.3	21,992	25,188	14.5	152,389	146,424	-3.9
District 9									
Harford	34,127	33,319	-2.4	4,412	4,373	-0.9	16,668	17,158	2.9
District 10									
Carroll	20,119	23,203	15.3	2,759	2,796	1.3	6,401	6,245	-2.4
Howard	65,071	70,936	9.0	4,439	4,506	1.5	18,861	19,649	4.2
District 11									
Frederick	34,197	36,674	7.2	3,487	3,987	14.3	11,775	12,586	6.9
Washington	21,456	24,599	14.6	3,815	4,047	6.1	11,187	12,131	8.4
District 12									
Allegany	11,599	13,030	12.3	3,197	3,459	8.2	3,447	3,424	-0.7
Garrett	9,868	8,958	-9.2	1,208	1,239	2.6	855	914	6.9
STATE	**962,322**	**1,005,709**	**4.5**	**189,708**	**213,866**	**12.7**	**828,307**	**834,474**	**0.7**

TABLE DC-4

MOTOR VEHICLE, CRIMINAL, AND CIVIL CASES FILED AND PROCESSED IN THE DISTRICT COURT OF MARYLAND

JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

	Motor Vehicle Cases					Criminal Cases		Civil Cases							
								Landlord and Tenant		Contract and Tort		Other Complaints Filed	Total		Total Cases Filed
	Cases Filed	Cases Tried	Cases Paid	Other Dispositions	Total Cases Processed	Cases Filed	Cases Processed	Filed	Contested	Filed	Contested		Filed	Contested	
District 1	**120,114**	**31,325**	**35,027**	**9,642**	**75,994**	**84,848**	**85,532**	**175,268**	**4,828**	**47,130**	**12,883**	**5,576**	**227,974**	**17,711**	**432,936**
Baltimore City	120,114	31,325	35,027	9,642	75,994	84,848	85,532	175,268	4,828	47,130	12,883	5,576	227,974	17,711	432,936
District 2	**77,106**	**12,442**	**51,127**	**9,296**	**72,865**	**9,592**	**10,072**	**11,484**	**1,377**	**10,684**	**1,404**	**1,584**	**23,752**	**2,781**	**110,450**
Dorchester	10,145	2,233	5,865	665	8,763	1,304	1,415	1,730	412	2,279	188	358	4,367	600	15,816
Somerset	11,376	908	9,044	796	10,748	810	820	902	176	1,265	133	132	2,299	309	14,485
Wicomico	32,966	5,724	22,357	3,422	31,503	2,635	3,073	7,860	653	4,687	548	679	13,226	1,201	48,827
Worcester	22,619	3,577	13,861	4,413	21,851	4,843	4,764	992	136	2,453	535	415	3,860	671	31,322
District 3	**76,391**	**16,319**	**51,975**	**6,357**	**74,651**	**6,879**	**6,999**	**5,080**	**526**	**7,451**	**1,417**	**1,130**	**13,661**	**1,943**	**96,931**
Caroline	6,034	1,435	3,668	490	5,593	1,170	1,293	716	8	1,404	143	177	2,297	151	9,501
Cecil	36,253	5,928	27,496	2,868	36,292	2,761	2,569	2,913	250	1,907	458	541	5,361	708	44,375
Kent	5,329	1,123	3,797	481	5,401	567	637	363	72	1,102	56	116	1,581	128	7,477
Queen Anne's	16,019	4,383	10,135	1,637	16,155	1,059	1,055	326	57	1,331	328	156	1,813	385	18,891
Talbot	12,756	3,450	6,879	881	11,210	1,322	1,445	762	139	1,707	432	140	2,609	571	16,687
District 4	**62,234**	**11,982**	**35,140**	**10,867**	**57,989**	**8,695**	**8,798**	**7,526**	**536**	**7,772**	**1,360**	**1,042**	**16,340**	**1,896**	**87,269**
Calvert	13,233	3,955	7,436	2,642	14,033	2,233	2,262	755	125	2,324	423	241	3,320	548	18,786
Charles	31,847	6,018	17,773	3,672	27,463	3,969	3,787	3,761	287	3,633	631	491	7,885	918	43,701
St. Mary's	17,154	2,009	9,931	4,553	16,493	2,493	2,749	3,010	124	1,815	306	310	5,135	430	24,782
District 5	**171,969**	**42,329**	**73,297**	**28,083**	**143,709**	**25,052**	**26,223**	**158,155**	**9,177**	**36,818**	**9,739**	**4,802**	**199,775**	**18,916**	**396,796**
Prince George's	171,969	42,329	73,297	28,083	143,709	25,052	26,223	158,155	9,177	36,818	9,739	4,802	199,775	18,916	396,796
District 6	**121,929**	**38,464**	**65,626**	**11,805**	**115,895**	**14,171**	**12,563**	**54,139**	**2,490**	**29,689**	**4,167**	**4,222**	**88,050**	**6,657**	**224,150**
Montgomery	121,929	38,464	65,626	11,805	115,895	14,171	12,563	54,139	2,490	29,689	4,167	4,222	88,050	6,657	224,150
District 7	**105,569**	**29,647**	**48,280**	**18,449**	**96,376**	**14,736**	**14,084**	**29,081**	**947**	**14,940**	**3,715**	**2,370**	**46,391**	**4,662**	**166,696**
Anne Arundel	105,569	29,647	48,280	18449	96,376	14,736	14,084	29,081	947	14,940	3,715	2,370	46,391	4,662	166,696
District 8	**162,988**	**64,411**	**76,761**	**16,339**	**157,511**	**23,348**	**25,188**	**107,838**	**1,762**	**33,264**	**7,247**	**5,322**	**146,424**	**9,009**	**332,760**
Baltimore	162,988	64,411	76,761	16,339	157,511	23,348	25,188	107,838	1,762	33,264	7,247	5,322	146,424	9,009	332,760
District 9	**33,055**	**11,308**	**19,167**	**2,844**	**33,319**	**4,109**	**4,373**	**10,125**	**420**	**5,567**	**1,461**	**1,466**	**17,158**	**1,881**	**54,322**
Harford	33,055	11,308	19,167	2,844	33,319	4,109	4,373	10,125	420	5,567	1,461	1,466	17,158	1,881	54,322
District 10	**89,337**	**32,708**	**53,047**	**8,384**	**94,139**	**6,974**	**7,302**	**15,369**	**559**	**8,533**	**2,022**	**1,992**	**25,894**	**2,581**	**122,205**
Carroll	23,300	7,682	13,185	2,336	23,203	2,845	2,796	2,162	244	3,450	804	633	6,245	1,048	32,390
Howard	66,037	25,026	39,862	6,048	70,936	4,129	4,506	13,207	315	5,083	1,218	1,359	19,649	1,533	89,815
District 11	**64,181**	**13,997**	**40,893**	**6,383**	**61,273**	**7,374**	**8,034**	**12,328**	**706**	**10,618**	**2,159**	**1,771**	**24,717**	**2,865**	**96,272**
Frederick	38,099	9,381	23,479	3,814	36,674	3,559	3,987	5,721	279	5,925	1,150	940	12,586	1,429	54,244
Washington	26,082	4,616	17,414	2,569	24,599	3,815	4,047	6,607	427	4,693	1,009	831	12,131	1,436	42,028
District 12	**22,620**	**3,905**	**15,764**	**2,319**	**21,988**	**4,687**	**4,698**	**975**	**240**	**3,121**	**595**	**242**	**4,338**	**835**	**31,645**
Allegany	12,965	2,836	8,534	1,660	13,030	3,444	3,459	874	239	2,407	423	143	3,424	662	19,833
Garrett	9,655	1,069	7,230	659	8,958	1,243	1,239	101	1	714	172	99	914	173	11,812
STATE	**1,107,493**	**308,837**	**566,104**	**130,768**	**1,005,709**	**210,465**	**213,866**	**587,368**	**23,568**	**215,587**	**48,169**	**31,519**	**834,474**	**71,737**	**2,152,432**

TABLE DC-5

POPULATION AND CASELOAD PER DISTRICT COURT JUDGE*
AS OF JUNE 30, 1998
JULY 1, 1997 – JUNE 30, 1998
FISCAL YEAR 1998

	Number of Judges	Population Per Judge**	Cases Filed Or Processed Per Judge			
			Civil	Motor Vehicle	Criminal	Total
District 1						
Baltimore City	24	27,200	9,499	3,166	3,564	16,229
District 2						
Dorchester	1	29,900	4,367	8,763	1,415	14,545
Somerset	1	24,700	2,299	10,748	820	13,867
Wicomico	2	40,250	6,613	15,752	1,537	23,902
Worcester	1	43,000	3,860	21,851	4,764	30,475
District 3						
Caroline	1	29,900	2,297	5,593	1,293	9,183
Cecil	2	40,900	2,681	18,146	1,285	22,112
Kent	1	19,100	1,581	5,401	637	7,619
Queen Anne's	1	39,200	1,813	16,155	1,055	19,023
Talbot	1	32,800	2,609	11,210	1,445	15,264
District 4						
Calvert	1	71,700	3,320	14,033	2,262	19,615
Charles	2	58,550	3,943	13,732	1,894	19,569
St. Mary's	1	84,000	5,135	16,493	2,749	24,377
District 5						
Prince George's	12	65,325	16,648	11,976	2,185	30,809
District 6						
Montgomery	9***	92,500	9,783	12,877	1,396	24,056
District 7						
Anne Arundel	8	59,663	5,799	12,047	1,761	19,607
District 8						
Baltimore	13	55,631	11,263	12,116	1,938	25,317
District 9						
Harford	4	54,150	4,290	8,330	1,093	13,713
District 10						
Carroll	2	74,950	3,123	11,602	1,398	16,123
Howard	4	59,075	4,912	17,734	1,127	23,773
District 11						
Frederick	2	94,450	6,293	18,337	1,994	26,624
Washington	2	64,150	6,066	12,300	2,024	20,390
District 12						
Allegany	2	36,100	1,712	6,515	1,730	9,957
Garrett	1	29,600	914	8,958	1,239	11,111
STATE	98	52,502	8,515	10,262	2,182	20,959

* Chief Judge of District Court not included in statistics. Number of judges as of June 30, 1998.
** Population estimates for July 1, 1998, issued by the Maryland Center for Health Statistics.
*** Three Juvenile Court judges and juvenile causes omitted as included in juvenile statistics.

TABLE DC-6

CASES FILED OR PROCESSED IN THE DISTRICT COURT PER THOUSAND POPULATION

JULY 1, 1997 – JUNE 30, 1998 FISCAL YEAR 1998

	Population	Civil Filed	Motor Vehicle Processed	Criminal Processed	Total
District 1					
Baltimore City	652,800	349	116	131	596
District 2					
Dorchester	29,900	146	293	47	486
Somerset	24,700	93	435	33	561
Wicomico	80,500	164	391	38	593
Worcester	43,000	90	508	111	709
District 3					
Caroline	29,900	77	187	43	307
Cecil	81,800	66	444	31	541
Kent	19,100	83	283	33	399
Queen Anne's	39,200	46	412	27	485
Talbot	32,800	80	342	44	466
District 4					
Calvert	71,700	46	196	32	274
Charles	117,100	67	235	32	334
St. Mary's	84,000	61	196	33	290
District 5					
Prince George's	783,900	255	183	33	471
District 6					
Montgomery	832,500	106	139	15	260
District 7					
Anne Arundel	477,300	97	202	30	329
District 8					
Baltimore	723,200	202	218	35	455
District 9					
Harford	216,600	79	154	20	253
District 10					
Carroll	149,900	42	155	19	216
Howard	236,300	83	300	19	402
District 11					
Frederick	188,900	67	194	21	282
Washington	128,300	95	192	32	319
District 12					
Allegany	72,200	47	180	48	275
Garrett	29,600	31	303	42	376
STATE	5,145,200	162	195	42	399

* Population estimate for July 1, 1998, issued by the Maryland Center for Health Statistics.

TABLE DC-7

FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE CASES PROCESSED
BY THE DISTRICT COURT OF MARYLAND

FISCAL 1994 – FISCAL 1998

	1993-94	1994-95	1995-96	1996-97	1997-98
District 1					
Baltimore City	73,042	85,100	87,678	75,490	75,994
District 2					
Dorchester	10,244	10,578	8,221	7,194	8,763
Somerset	8,130	9,750	8,312	8,575	10,748
Wicomico	19,769	25,440	29,237	27,489	31,503
Worcester	17,142	22,554	22,103	22,046	21,851
District 3					
Caroline	4,583	6,088	5,998	4,889	5,593
Cecil	25,644	29,940	31,072	40,034	36,292
Kent	4,956	6,758	5,585	5,629	5,401
Queen Anne's	11,086	14,849	15,671	15,604	16,155
Talbot	9,722	12,756	12,931	10,268	11,.210
District 4					
Calvert	12,116	14,107	16,629	14,587	14,033
Charles	15,911	21,970	24,388	21,052	27,463
St. Mary's	9,879	13,879	19,988	16,479	16,493
District 5					
Prince George's	107,631	125,999	128,919	144,457	143,709
District 6					
Montgomery	80,818	106,394	120,021	117,826	115,895
District 7					
Anne Arundel	79,381	88,415	82,376	87,510	96,376
District 8					
Baltimore	118,461	129,865	134,794	146,756	157,511
District 9					
Harford	34,958	36,003	31,916	34,127	33,319
District 10					
Carroll	18,127	23,585	24,722	20,119	23,203
Howard	44,799	55,887	61,978	65,071	70,936
District 11					
Frederick	31,089	36,210	34,867	34,197	36,674
Washington	21,148	23,845	22,721	21,456	24,599
District 12					
Allegany	13,235	14,290	11,795	11,599	13,030
Garrett	8,688	13,263	10,797	9,868	8,958
STATE	780,559	927,525	952,719	962,322	1,005,709

Table DC-8

Five-Year Comparative Table
Criminal Cases By The Number Of Defendants Charged Processed In The District Court Of Maryland

Fiscal 1994 – Fiscal 1998

	1993-94	1994-95	1995-96	1996-97	1997-98
District 1					
Baltimore City	62,419	64,537	64,221	70,675	85,532
District 2					
Dorchester	1,868	1,673	1,608	1,687	1,415
Somerset	1,003	887	791	761	820
Wicomico	3,451	4,252	3,568	3,369	3,073
Worcester	3,286	3,515	3,042	3,936	4,764
District 3					
Caroline	946	1,191	1,172	1,545	1,293
Cecil	2,484	2,576	2,633	2,990	2,569
Kent	495	545	588	703	637
Queen Anne's	854	1,034	929	1,015	1,055
Talbot	1,276	1,555	1,411	1,615	1,445
District 4					
Calvert	2,239	2,144	2,021	2,073	2,262
Charles	3,600	3,765	3,280	3,117	3,787
St. Mary's	2,673	2,334	2,491	2,805	2,749
District 5					
Prince George's	22,543	25,351	24,999	23,391	26,223
District 6					
Montgomery	13,305	13,030	12,741	12,823	12,563
District 7					
Anne Arundel	12,277	11,340	10,322	11,894	14,084
District 8					
Baltimore	21,185	19,348	20,157	21,992	25,188
District 9					
Harford	3,949	3,870	3,827	4,412	4,373
District 10					
Carroll	2,313	2,356	2,567	2,759	2,796
Howard	4,055	4,820	4,914	4,439	4,506
District 11					
Frederick	3,565	3,610	3,570	3,487	3,987
Washington	3,067	3,459	3,236	3,815	4,047
District 12					
Allegany	2,740	3,310	2,954	3,197	3,459
Garrett	990	1,028	1,050	1,208	1,239
STATE	**176,583**	**181,530**	**178,092**	**189,708**	**213,866**

Table DC-9

Five-Year Comparative Table
Civil Cases Filed
In The District Court Of Maryland

Fiscal 1994 – Fiscal 1998

	1993-94	1994-95	1995-96	1996-97	1997-98
District 1					
Baltimore City	254,051	252,422	231,511	229,332	227,974
District 2					
Dorchester	3,376	3,662	4,056	3,662	4,367
Somerset	1,763	1,586	1,640	2,126	2,299
Wicomico	10,294	10,371	11,571	12,238	13,226
Worcester	3,786	4,107	4,289	4,475	3,860
District 3					
Caroline	1,826	2,243	2,308	2,123	2,297
Cecil	4,327	4,728	4,828	4,873	5,361
Kent	1,417	1,338	1,497	1,321	1,581
Queen Anne's	1,671	1,882	1,690	1,645	1,813
Talbot	2,207	2,624	2,640	2,472	2,609
District 4					
Calvert	2,386	2,741	3,046	3,219	3,320
Charles	7,270	7,620	7,391	7,506	7,885
St. Mary's	4,742	5,286	5,118	5,161	5,135
District 5					
Prince George's	187,513	185,054	193,577	191,291	199,775
District 6					
Montgomery	77,152	77,992	91,947	89,177	88,050
District 7					
Anne Arundel	44,749	46,037	44,827	46,103	46,391
District 8					
Baltimore	146,895	137,495	144,032	152,389	146,424
District 9					
Harford	14,841	14,766	15,913	16,668	17,158
District 10					
Carroll	5,935	5,725	6,006	6,401	6,245
Howard	18,379	18,094	16,929	18,861	19,649
District 11					
Frederick	11,323	10,914	11,190	11,775	12,586
Washington	9,927	10,124	11,116	11,187	12,131
District 12					
Allegany	3,217	3,214	3,592	3,447	3,424
Garrett	793	948	862	855	914
STATE	819,840	810,973	821,576	828,307	834,474

TABLE DC-10

FIVE-YEAR COMPARATIVE TABLE
DRIVING WHILE INTOXICATED CASES RECEIVED BY THE DISTRICT COURT OF MARYLAND

FISCAL 1994 – FISCAL 1998

	1993-94	1994-95	1995-96	1996-97	1997-98	% Change
District 1						
Baltimore City	1,666	1,819	1,697	1,531	1,467	-4.2
District 2						
Dorchester	239	220	213	224	240	7.1
Somerset	192	161	152	168	158	-6.0
Wicomico	515	483	559	572	565	-1.2
Worcester	884	832	891	834	1,018	22.1
District 3						
Caroline	222	254	191	206	196	-4.9
Cecil	726	849	969	1,157	1,030	-11.0
Kent	224	154	173	216	178	-17.6
Queen Anne's	255	333	333	403	434	7.7
Talbot	298	389	320	306	268	-12.4
District 4						
Calvert	729	749	656	603	613	1.7
Charles	676	724	802	713	878	23.1
St. Mary's	608	741	1,223	1,263	1,250	-1.0
District 5						
Prince George's	3,630	4,267	4,325	4,561	4,708	3.2
District 6						
Montgomery	2,934	3,348	4,042	5,317	6,013	13.1
District 7						
Anne Arundel	6,967	6,501	6,164	6,230	6,196	-0.5
District 8						
Baltimore	2,521	2,498	2,734	2,683	2,948	9.9
District 9						
Harford	1,235	1,191	1,152	1,157	1,151	-0.5
District 10						
Carroll	792	577	631	586	694	18.4
Howard	1,698	1,621	1,539	1,669	1,447	-13.3
District 11						
Frederick	1,274	1,340	1,529	1,488	1,541	3.6
Washington	781	865	907	730	684	-6.3
District 12						
Allegany	552	468	492	509	456	-10.4
Garrett	208	264	204	235	209	-11.1
STATE	**29,826**	**30,648**	**31,898**	**33,361**	**34,342**	**2.9**

TABLE DC-11

DRIVING WHILE INTOXICATED DISPOSITIONS

FISCAL YEAR 1998

	Guilty	Not Guilty	Probation Before Judgment	Nolle Prossed	Stet	Merged	Jury Trial Prayers	Dis-missed	Miscel-laneous	Total Dispositions
District 1										
Baltimore City	575	62	533	147	118	2	112	8	5	1,562
District 2										
Dorchester	166	4	21	22	0	0	22	2	2	239
Somerset	91	1	5	23	0	0	57	0	1	178
Wicomico	264	16	191	59	13	0	119	0	6	668
Worcester	403	8	136	117	0	0	315	0	2	981
District 3										
Caroline	158	4	36	18	6	0	6	1	1	230
Cecil	259	9	248	184	12	6	430	1	8	1,157
Kent	109	7	92	14	3	0	10	0	4	239
Queen Anne's	323	13	106	68	0	0	7	0	0	517
Talbot	192	8	103	22	2	0	10	0	5	342
District 4										
Calvert	297	4	204	86	22	0	42	1	4	660
Charles	317	5	251	80	6	2	139	2	9	811
St. Mary's	362	35	77	466	29	11	190	70	4	1,244
District 5										
Prince George's	297	79	800	1,936	70	11	1,104	15	19	4,331
District 6										
Montgomery	1,097	83	2,081	1,770	253	11	243	21	38	5,597
District 7										
Anne Arundel	1,109	238	1,426	1,427	2,285	188	91	49	45	6,858
District 8										
Baltimore	1,047	67	1,371	219	60	0	143	11	27	2,945
District 9										
Harford	649	10	487	56	5	1	275	9	4	1,496
District 10										
Carroll	270	11	268	79	7	8	111	0	3	757
Howard	450	57	848	263	64	1	228	31	2	1,944
District 11										
Frederick	500	8	619	92	40	0	282	3	9	1,553
Washington	206	4	275	28	1	0	260	2	0	776
District 12										
Allegany	224	7	205	29	11	0	55	0	8	539
Garrett	136	2	95	13	11	1	5	0	1	264
STATE	9,501	742	10,478	7,218	3,018	242	4,256	226	207	35,888

TABLE DC-12

FIVE-YEAR COMPARATIVE TABLE
EMERGENCY EVALUATION AND DOMESTIC ABUSE HEARINGS HELD IN THE DISTRICT COURT OF MARYLAND

FISCAL 1994—FISCAL 1998

	Emergency Hearings					Domestic Violence				
	1993-94	1994-95	1995-96	1996-97	1997-98	1993-94	1994-95	1995-96	1996-97	1997-98
DISTRICT 1										
Baltimore City	782	610	465	593	448	3,190	3,393	3,648	3,907	4,150
DISTRICT 2										
Dorchester	22	22	25	25	9	102	106	114	117	105
Somerset	4	6	1	1	1	25	33	40	35	25
Wicomico	64	40	55	62	87	371	476	536	465	515
Worcester	25	21	7	29	12	87	112	123	121	155
DISTRICT 3										
Caroline	4	4	4	0	2	58	81	88	59	76
Cecil	52	32	50	32	42	233	294	312	243	322
Kent	30	12	5	0	4	29	23	23	25	23
Queen Anne's	10	9	6	13	19	59	64	69	88	92
Talbot	5	3	2	4	1	40	41	33	61	76
DISTRICT 4										
Calvert	22	22	24	14	10	111	116	133	156	178
Charles	66	64	47	44	58	207	194	204	240	265
St. Mary's	26	18	34	28	39	128	183	190	165	192
DISTRICT 5										
Prince George's	482	447	457	345	358	2,636	2,882	3,228	3,485	3,607
DISTRICT 6										
Montgomery	534	497	453	443	519	889	897	1,008	1,109	1,287
DISTRICT 7										
Anne Arundel	263	296	230	242	279	1,090	1,159	1,332	1,632	1,696
DISTRICT 8										
Baltimore	493	577	517	492	473	1,800	2,170	2,475	2,847	3,018
DISTRICT 9										
Harford	29	37	56	54	57	226	261	373	400	375
DISTRICT 10										
Carroll	25	24	25	44	26	133	92	152	206	225
Howard	62	51	64	64	89	214	277	278	332	337
DISTRICT 11										
Frederick	58	52	50	55	68	311	364	387	447	475
Washington	42	48	47	64	1	304	362	403	504	510
DISTRICT 12										
Allegany	39	37	49	22	23	199	240	245	277	280
Garrett	7	17	6	5	7	80	105	98	99	93
STATE	3,146	2,946	2,679	2,675	2,632	12,522	13,925	15,492	17,020	18,077

The Orphans' Court

The Orphans' Courts

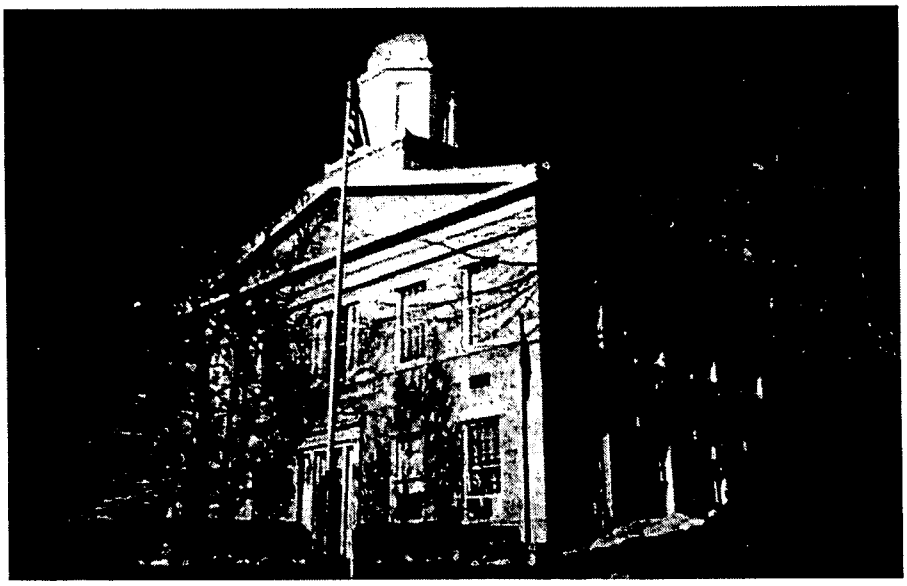
In almost every county and in Baltimore City, the Orphans' Court is the court of probate. When Maryland was a British colony, testamentary functions were the responsibility of the Commissary General of the Prerogative Court and a deputy commissary in each county tended to these matters. This centralized administration of probate was abolished during the Revolutionary War.

Maryland's first constitution, adopted in November of 1776, authorized a Register of Wills to oversee probate in each county. The following spring, the General Assembly formally established the Orphans' Court as the mechanism for probate administration, with the Register of Wills as the Court's Chief Clerk. The name, as well as the idea, was taken from the Court of Orphans of the City of London. That Court had the care and guardianship of orphaned children of London citizens and could compel executors and guardians to file inventories and accounts and give securities for their estates.

Today, the Orphans' Court hears all matters involving decedents' estates which are contested and supervises all of those estates which are probated judicially. It approves accounts, awards of personal representative's commissions, and attorney's fees in all estates. The Court also has concurrent jurisdiction with the circuit court in the guardianships of minors and their property. All matters involving the validity of wills and the transfer of property in which legal questions and disputes occur are resolved by the Orphans' Court.

There are three judges who sit on the Orphans' Court in Baltimore City and in each of the counties, except Montgomery County and Harford County. The judges are elected every four years and, in the case of a vacancy, the Governor is authorized to appoint a suitable person, subject to Senate confirmation, to fill such vacancy for the unexpired term. Of the three persons elected in Baltimore City and in each of the counties, the Governor designates one as the Chief Judge of the Court. In Montgomery County and Harford County, circuit court judges sit as Orphans' Court judges.

In contrast to the State's trial and appellate court judges, individuals elected to serve as judges of the Orphans' Court are not required to be attorneys. The General Assembly prescribes the powers and jurisdiction of the Court and fixes the compensation of each of the three elected judges, who are paid by the city or county government. An appeal from a decision by the Orphans' Court may be to a circuit court, where the matter is tried de novo before a judge or jury, or to the Court of Special Appeals, where the matter is heard on the record.



The Circuit Court for Howard County
Ellicott City, Maryland

Judicial Administration

The Judicial Administration

Administrative Office of the Courts

Under Article IV, §18(b) of the Maryland Constitution, the Chief Judge of the Court of Appeals is the "administrative head of the Judicial system of the State."

Forty years ago, the Maryland Legislature took an additional step to provide the administrative and professional staff necessary to assist the Chief Judge to carry out the administrative responsibilities under the Constitution by enacting a statute now codified as §13-101 of the Courts and Judicial Proceedings Article. This statute establishes the Administrative Office of the Courts under the direction of the State Court Administrator, who is appointed by and serves at the pleasure of the Chief Judge. The State Court Administrator and the Administrative Office of the Courts provide the Chief Judge with advice, information, facilities, and staff to assist in the performance of the Chief Judge's administrative responsibilities. The administrative responsibilities include personnel admin-istration, preparation and administration of the Judiciary budget, liaison with the legislative and executive branches, planning and research, education of judges and court support personnel. Staff support is provided to the Maryland Judicial Conference and its committees, the Conference of Circuit Judges, the Judicial Institute of Maryland, the Conference of Circuit Clerks and the Select Committee on Gender Equality. In addition, the Administrative Office of the Courts serves as secretariat to the Appellate and Trial Courts Judicial Nominating Commissions. Personnel also are responsible for the complex operation of data processing systems, collection and analysis of statistics and other management information. The Office also assists the Chief Judge in the assignment of active and former judges to cope with case backloads or address shortages of judicial personnel in critical locations.

What follows are some of the details pertaining to certain important activities of the Administrative Office of the Courts during the last twelve months.

Human Resources Services

The Department of Human Resources provides personnel-related support services to the twenty-four circuit court clerks' offices, the Administrative Office of the Courts, and court-related agencies. These services include recruitment and selection assistance, compensation and benefits administration, payroll processing, leave accounting, legally-mandated record keeping, employee relations management, and training/staff development.

In-service training was provided quarterly for Human Resources employees to enable them to broaden their knowledge and understanding of relative human resource topics. The Sexual Harassment Prevention training program will assist employees in acquiring knowledge of the topic in order to recognize their rights and responsibilities for fostering a work environment free of any form of sexual harassment. A program on Work Place Communication and Customer Service was presented to help the staff apply effective listening and responding skills when interacting with internal and external customers. Opportunities for personal and professional growth were afforded human resources employees through a program of Self-Awareness, Self-Esteem, and Self-Confidence. The concentration of the Write Right Program was on effective writing by improving grammar, punctuation, format, and proofing skills. In order to continue to provide quality training and guidance concerning compliance with employment laws, Human Resources staff has continued to attend various conferences, seminars, and workshops to keep abreast of human resource developments.

The Department of Human Resources has continued to utilize computer-based testing for both secretarial and clerical applicants at the Human Resources Office and at regional sites throughout the State. Skills that can be tested include: speed typing, data entry, shorthand, letter form, statistical typing, and ten key, as well as the applicants' knowledge of WordPerfect and Microsoft Word. This testing program has provided a concrete tool that is being used to rank candidates based on skill and has resulted in increased confidence by managers when making hiring decisions. In order to improve the quality of service, the applicant testing process was expanded to include primary skills tests. These tests rate applicants on their abilities in math, editing, proofing, reasoning, and other vital office skills. This service, which is being used by the Department of Human Resources, also will assist with identifying qualified applicants. Once the computers at the other testing sites are upgraded, the primary skills tests will be available in those locations. In addition, the Human Resources Department has responded to the requests by various jurisdictions to provide ID cards for employees of the clerks' offices.

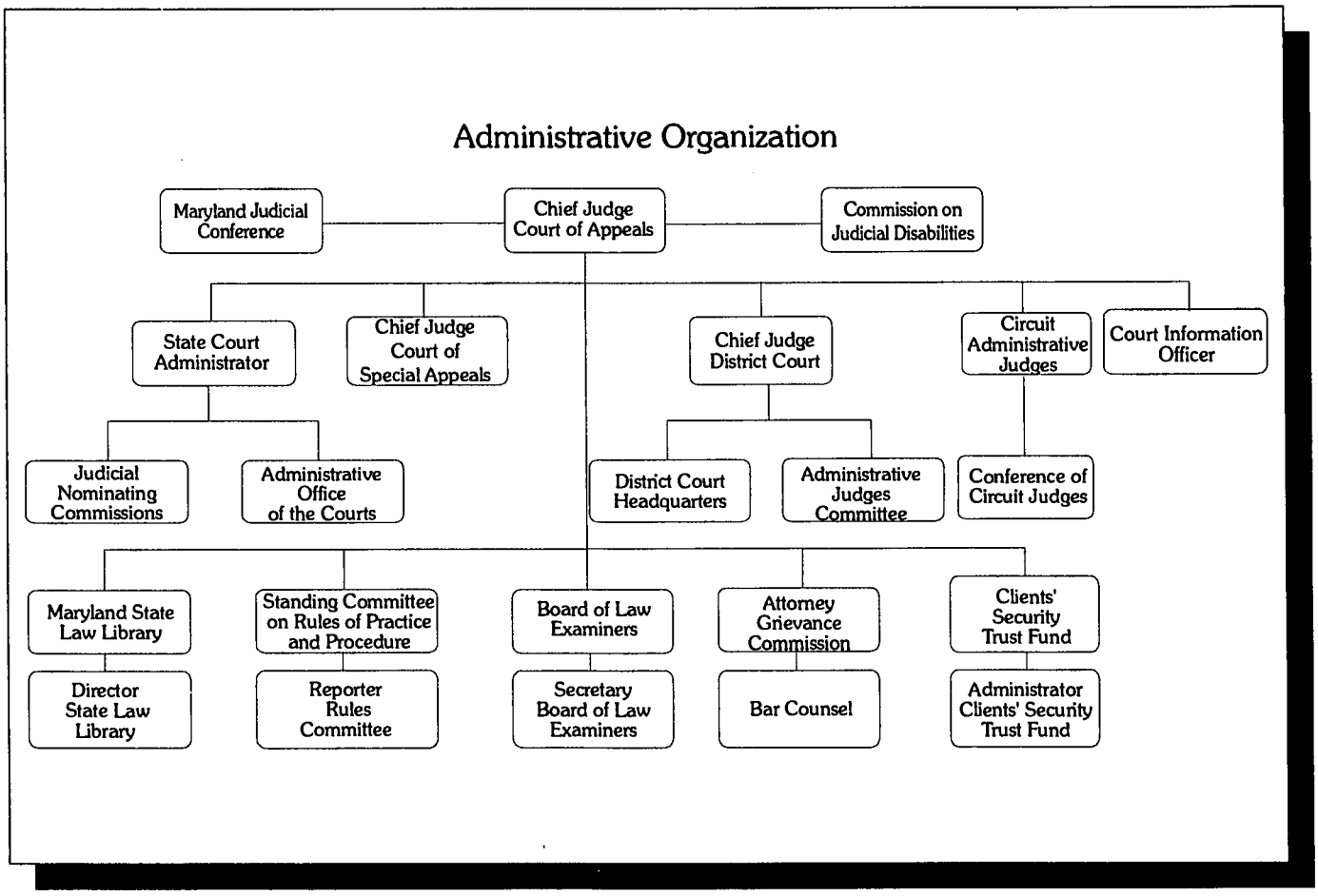
Abra Suite, an upgrade of the Human Resource Information System, was installed this year. This software, which is Windows 95 compatible, allows for greater multitasking and maintenance of employee data, as well as the capability to generate more customized reports. A new leave accounting system was devel-

oped to interface with Abra Suite. This system is more user-friendly and extremely flexible. It is set up to expedite the entire leave accounting process through an expanded leave maintenance screen containing more employee data. The system has prompts for overuse of leave, greater capability for generating ad hoc reports, and the potential to track more data. Abra Train, which also was installed this year, simplifies the tasks of training administration and documentation.

The recruitment process has been improved through the use of the following new forms: the Checklist for Employee Recruitment, Selection and Hiring, the Judiciary Requisition, the Interview Evaluation, and the Applicant Log/Recruitment and Selection. The results have been that hiring managers now have easy reference tools, updated information, and mechanisms to capture required data. In addition, a benefits pamphlet was produced to furnish the prospective employee with a benefits overview that includes information on paid leave, health plans, the pension plan, and supplemental retirement plans.

A comprehensive review and revision process of the Human Resources Policy Manual, which will be conducted in ten phases, began in April 1998. The purposes of this undertaking are to incorporate previously distributed employee notices into appropriate policies, reflect changes in employment law, establish the name change from "Personnel" to "Human Resources," clarify policy language, and change the style/format for a more user friendly policy manual. Since policies and procedures impact an employee's daily work-life, voluntary teams were established to gather and compile suggestions and revisions from all employees. Draft policies are being distributed every six weeks for review and comment.

An Alternative Work Schedule Pilot Program was initiated to meet the needs of a changing work force by providing assistance to employees in managing their work and family responsibilities. This pilot program enabled selected employees to make decisions about their work schedules within specific parameters. The Judiciary, through the use of alternative work schedules, seeks to help employees accommodate personal and professional responsibilities; enhance morale, commitment, and productivity; improve office coverage, increase recruitment and retention; and reduce peak hour traffic flow. Upon completion of this 12-week pilot program, an evaluation and recommendation will be made to the State Court Administrator regarding implementation throughout the Judiciary.



For the third year, employees of the Judiciary were presented service award pins for length of service ranging from five to thirty-five years. As employees proudly wear their lapel pins, they are reminded of the Judiciary's appreciation of its employees. The service awards program provides a means to recognize employees of the Judiciary as they continue in their mission to improve the operations of the courts.

In response to requests from the clerks of the circuit courts to review the allocated grade levels of specific jobs, a Job Classification and Proficiencies Committee was formed in 1995. The function of this Committee is to provide input and assistance to the Administrative Office of the Courts Human Resources Department with structuring, developing and implementing programs or projects in job leveling and pay delivery mechanisms that have an impact on the circuit courts. The Committee continues to work with clerks whose offices require restructuring or reorganization of positions. In addition, the Committee will develop job standards and revise minimum qualifications for the jobs in the clerks' offices.

During the past fiscal year, the compensation unit initiated a number of major compensation and classification projects. During the latter half of the fiscal year, a position classification study was undertaken and completed which encompassed all positions in the central administrative offices of the Judiciary. With the completion of this study, positions in all areas of the Judiciary have now been documented, evaluated, and classified in a consistent and integrated manner, providing the basis for the development of independent grading structures. As part of the study, an in-depth salary survey was done to compare the Judiciary's position compensation with that of the general economy. Survey data indicates that the Judiciary's pay practices are somewhat less than the competitive market. One of the major objectives of the Judiciary has been the development of its own independent compensation structures. In conjunction with the District Court, more effective compensation programs to include more competitive salary structures will be developed. Projected implementation of these plans is July 1, 1999.

Training and Development

The Administrative Office of the Courts recognizes training as an investment in the human resources of the Judiciary. Based on an assessment of the organizational, operational, and personal needs of the Judiciary and its employees, five key training programs were presented to 1,054 employees during Fiscal Year 1998. Through the learning process, employees were able to acquire behaviors, concepts, skills, and knowledge essential to the operations of the court system. Effective training programs result in greater productivity, increased employee effectiveness, fewer mistakes, greater job satisfaction, and lower turnover. One of the training unit's most important objectives is to continue to prepare today's employees for tomorrow's challenges.

Supervisory Training for New Supervisors and Managers was held on September 22 and 23 for twenty-eight participants. This year was the first time a two-day program was offered; however, it is the fourth year for this type of training for newly-hired or appointed supervisors and managers. The concentration and emphasis of the program was on leadership, management skills, employment law, personnel policies and procedures, progressive discipline, employment interviewing and decision making, performance appraisal, and work place challenges. The program was conducted by AOC Human Resources staff.

The training and development unit has continued to provide support, enrichment, and growth for all supervisors and managers through training programs. A Supervisory VI Training Program, Leading by Example, which began in June 1997, continued with four sessions held in July 1997 for 110 participants. The focus of the full day sessions was on cultural diversity and sexual harassment prevention. One of the objectives of the program was to better understand and utilize differences, to work together through better communication, education, and interaction. The training emphasized that sexual harassment and offensive behaviors are considered harassing, are forms of discrimination and will not be tolerated in the work place. An overview of the sexual harassment policy was presented and employer/supervisor liability issues were discussed. Training programs of this nature affirm the Judiciary's commitment to its employees to provide a work environment free of all forms of harassment.

The commitment to provide a respectful work environment for all Judiciary employees was continued in the Spring of 1998. Respect in the Work Place, a one-day training program, was attended by 845 employees in 23 sessions conducted between April and June in Annapolis, Centreville, Easton, Salisbury, Frederick, and Hagerstown. The program consisted of two half-day workshops, "A Winning Balance" (a cultural diversity training program) and "Sexual Harassment Prevention." The Human Resources staff were the program trainers.

Based upon assessed needs, the training and development unit continued to offer customized training programs upon request. On March 13, 1998, two-half day sessions on "Employment Interview Training" were conducted in Baltimore City for 30 supervisory employees. The program emphasis was on the art of interviewing, guidelines for interview questions, legally defensible interviewing, and the employment decision. This training was conducted by the supervisor of the training and development unit.

"Overcoming Work Place Negativity," a one-half day supervisory training program, is specifically designed for all supervisory and mana-

gerial personnel. The focus of this program is on recognizing signs of negativity, dealing with negative behavior, and fostering a positive, productive, and enjoyable work environment. Two sessions were conducted in Annapolis for 31 participants by the supervisor of the training and development unit. The remaining seven sessions are to be conducted in July and August of 1998.

Every effort has been taken to vary training approaches, apply principles of adult learning, and use training techniques that foster maximum learning and participation in all of the training programs. The overall goal of the training programs was to reinforce the standard of conduct expected of Judiciary employees and empower them to demonstrate respect and sensitivity toward each other and the Judiciary's diverse clients. By enhancing employee awareness, strengthening supervisory skills, and improving the service Judiciary employees provide to the public, the Judiciary can be a more effective branch of government.

Judicial Institute of Maryland

The Judicial Institute of Maryland was established in 1981 to provide comprehensive, relevant, diverse, and cost-effective continuing legal education to the judges of Maryland. In keeping with the Institute's objectives, in Calendar Year 1998, the Board of Directors offered a curriculum that consisted of 20 courses, New Trial Judge Orientation, and the Family Law Curriculum. The Institute also collaborated with The Einstein Institute for Science, Health & the Courts (EINSHAC) and the Ad Hoc Judicial Conference Planning Committee to coordinate the fall 1998 Mid-Atlantic Conference. Finally, in cooperation with the Maryland Association of the Judges of the Orphans' Courts, the Judicial Institute staff provided administrative support to the New Orphans' Court Judges Orientation.

Two hundred and forty-eight state judges, representing 93 percent of the active trial and appellate judges, registered for the Judicial Institute courses. Three federal judges and 35 masters also responded to the Institute's invitation to register for 1998 courses.

The majority of the Judicial Institute courses were held at the People's Resource Center in Crownsville. *Computer Assisted Legal Research* was conducted at the Judicial Information Systems training room in Annapolis, *Processing Criminal Cases Involving Mentally Disabled Defendants* at Clifton T. Perkins Hospital, and *Maryland Legal History* at the Prince George's County Courthouse and Surratt House Museum.

Of the 20 Judicial Institute courses that were offered 13 were new, and 7 were revised and repeated. The new courses are as follows: *What Your Sentence Means, Processing Criminal Cases Involving Mentally Disabled Defendants, Beyond the Domestic Violence Petition, Computer Assisted Legal Research, Maryland Legal History, The Law of European Union, Summary Judgment, Effectively Handling Family Law Matters, Insurance Policy Interpretation, Damages Under the U.C.C. and at Common Law in Contract Actions, Handling a Workers' Compensation Appeal, Common Procedural Errors by Judges,* and *Maryland Constitutional Law.*

Courses revised and repeated include: *Handling the Capital Case, Pre-Trial Motions for Criminal Cases, Evidence, Judicial Demeanor-Controlling the Courtroom, Electronic Surveillance, Cultural Diversity Training,* and *Humanities.*

The Judicial Institute continues to maintain its high standard for recruiting instructors who possess the necessary skills and experience to serve on its faculty. Most courses are taught by Maryland judges; however, professionals in the private and public sector are recruited to team-up with judges when additional expertise is sought.

The 1998 New Trial Judge Orientation was presented to a class of two appellate, eleven circuit, and seven District Court judges on May 11-15, 1998, at the DoubleTree Inn at the Colonnade in Baltimore City. This mandatory five-day program is presented annually to newly appointed appellate, circuit, and District Court judges. Included in the group of participants are judges who were elevated from the District Court to the circuit court. The faculty, comprised of Maryland judges, educators, and other professionals, served as instructors for the following subjects: *The Judicial Challenge, Judicial Ethics, Judicial Procedures to Initiate the Civil Commitment, Fair and Equal Treatment, Selected Topics in Evidence, Landlord/Tenant Housing Issues, Business Law: Special Problems, Civil Motions, The Fifth and Sixth Amendments, Assorted Special Proceedings, Selected Evidence Issues, Sentencing Procedures, Managing the Criminal Trial, Contract Damages,* and *The Judicial Response to Substance Abuse and Domestic Violence.*

A Family Law Curriculum is planned for November 17-20, 1998. This intensive three and half day program is offered on a regular basis to newly appointed circuit court judges and masters. The curriculum, mandatory for circuit court judges, covers important legal, economic, psychological, and case management issues as they relate to handling family law cases. It was developed by the Family Law Curriculum Committee in conjunction with a team of Maryland judges, masters, lawyers and family law professionals.

The Maryland Judicial Conference will celebrate its 50th meeting at the Mid-Atlantic Conference on October 29-30, 1998 at the Sheraton-Fontainebleau Conference Hotel in Ocean City, Maryland. This year's conference, sponsored by the Human Genome Project of the United States Department of Energy, will bring together, for the first time, the entire judiciaries of Delaware and Maryland for an intensive educational program on genetics in the courtroom. Federal

judges of Delaware and Maryland have also be been invited along with a delegation of 50 judges from Pennsylvania and New Jersey. Participants will receive training on a range of challenging topics that will focus on the scientific, ethical, and legal implications of genetics, molecular biology, and biotechnology.

Judicial Education and Training Media Projects

In response to the increasing demand for training media, and the need to develop a modern storage and retrieval system for the Judicial Institute library, the media unit has upgraded its video and editing equipment, and has hired a part-time technician who will join the existing staff of two media developers. These additions will promote greater production efficiencies and improve the quality of the Institute's training videos.

This spring the media developers videotaped the courses: *Handling the Capital Case, Beyond the Domestic Violence Petition, Evidence, Judicial Demeanor-Controlling the Courtroom, The Law of European Union, Summary Judgment* and portions of *New Trial Judge Orientation*. The Institute plans to videotape in the fall: *Effectively Handling Family Law Maters, Handling a Workers' Compensation Appeal, Common Procedural Errors by Judges*, and *Maryland Constitutional Law*. All of the videotapes and accompanying written materials have been added to the library's existing holdings and are available to judges upon request.

Judicial Information Systems

The Judicial Information Systems (JIS) unit of the Administrative Office of the Courts (AOC) is responsible for the administration and operation of the Judicial Data Center (JDC) and all automated data systems and support infrastructure within the Maryland Judiciary.

In Fiscal Year 1998, the District Court Commissioners' segment rewrite using a program written for Windows 95 and the Wide Area Network was completed. The new system was deployed in the Glen Burnie and Annapolis Commissioner's stations for live testing. With the testing completed, an aggressive installation schedule that will have the system deployed Statewide by the first week in September of 1998, has been developed.

Judicial Information Systems continued to work closely with the Department of Public Safety and Correctional Services (DPSCS) in the implementation of the Statewide Warrant System. Every system in JIS has to be changed to interface with the Statewide Warrant System. This has been a tremendous undertaking and work will continue on some segments after the initial deployment in the second or third quarter.

During Fiscal Year 1998, work continued on the analysis phase for a total system rewrite of both the District Court Criminal and District Court Traffic case management systems. These systems, which run on the JDC mainframe, are approaching 20 years of age and are in need of modernization.

Judicial Information Systems is involved with all aspects of the conversion of the Judiciary's programs to become Year 2000 compliant. With the millennium rapidly approaching , this has become the first priority and will affect all aspects of the organization.

Throughout the fiscal year, work accelerated dramatically on the Uniform Court System/Maryland (UCS/MD), which is the Case Management System (CMS) being installed in the circuit courts and Montgomery County Juvenile District Court. Within this effort, work is being performed on each module of the UCS/MD system, and in multiple jurisdictions across the state.

As of the end of the fiscal year, fourteen counties had been equipped with the Civil Module of UCS/MD. Those counties are Allegany, Baltimore, Calvert, Cecil, Charles, Dorchester, Frederick, Garrett, Harford, Howard, St. Mary's, Talbot, Washington and Wicomico. It is planned to install the Civil Module in the remaining counties that are not automated before the end of Calendar Year 1998.

Work is proceeding on the conversion of the current PROMIS automated Criminal System in Baltimore County for inclusion of that data into the UCS/MD system. While that work is in progress, it is planned to implement the base Criminal Module in Charles County for the purpose of piloting that module without conversion. This will provide the ability to accelerate deployment of the Criminal Module to other jurisdictions.

The Juvenile Module of UCS/MD in the District Court for Montgomery County has been deployed. Work is continuing on enhancements such as remote printing and mailing of notices. Since this is the first location in which the Juvenile Module is being deployed, it will serve as the model for future deployment.

The other area of heavy concentration for UCS/MD has been in the Circuit Court for Baltimore City. In addition to the Civil Module, this effort has addressed the Differentiated Case Management (DCM) component of the system. As of the end of the fiscal year, work was nearing completion with training being scheduled to begin within 60 days of the beginning of the new fiscal year.

To accommodate the increased user base, a major upgrade to the mainframe was implemented during the year. The new inventory control and problem tracking system was implemented. In addition, several critical segments of our network from 768KB to 10MB to accommodate increased usage on the segments were upgraded.

Circuit Court Management Services

The Circuit Court Management Services Unit operates under the di-

rect supervision of the Deputy State Court Administrator. The Unit continues with its dual mission of providing oversight of the circuit court clerks' offices pursuant to an electoral mandate that transferred responsibility for the management of these offices to the Judiciary effective January 1, 1991. The Unit continues with its effort to bring procedural uniformity within the circuit court clerks' offices in response to the General Assembly and the Legislative Auditors.

Circuit Court Management Services continues to provide staff support to the Foster Care Grant Committee, and the Advisory Committee on Interpreters. The Foster Care Grant Committee has formed several subcommittees to implement its recommendations. The subcommittees include the Representation subcommittee, charged with establishing uniform standards of representation; Statistical/Judicial Information Systems subcommittee, charged with clarifying and enhancing the collection of basic case statistics in child welfare cases; Training subcommittee charged with planning a conference of juvenile judges and masters who handle child welfare cases; and a CINA Statute subcommittee; charged with revising the current CINA statute. Relative to the work of the Advisory Committee on Interpreters, the spirit and mission of the Judiciary's Court Interpreters Program continues to be the focus as the Committee continues to address the court-related needs of the non-English speaking populations, as well as the needs of the hearing impaired. During Fiscal Year 1998, the Administrative Office of the Courts, through Circuit Court Management Services, sponsored two non-language specific orientation workshops. These workshops are designed to train students of interpreting at the most basic level and provide an orientation to the court interpreting profession, informing participants of the role of the interpreter and the knowledge, skills and abilities they possess to practice the profession. In an innovative application of language testing and technology, the consecutive portion of the certification of language testing and technology, the consecutive portion of the certification for interpreters of Spanish was successfully delivered using CD-ROM technology.

Seeking to expand the pool of certified interpreters in languages other than Spanish, the certification examination for interpreters of Russian was administered in April and May of 1998. The Administrative Office of the Courts is preparing to offer a certification examination to interpreters of Vietnamese. Recognizing the salient relationship between skills building and interpreting performance, the Administrative Office of the Courts has applied for a Bureau of Justice Assistance grant to design and deliver a series of language-specific courses.

The Administrative Office of the Courts, through Circuit Court Management Services, continues to provide staff support to the Ad Hoc Committee on Business Licenses as it diligently works toward its goal of providing Maryland's existing and emerging business clients with a user friendly, efficient and responsive system for license acquisition and renewal. The work of the Ad Hoc Committee has culminated in the development of a One-Stop Business License Network which will be piloted in Charles and Washington Counties. This project will use the Internet as an interactive communication vehicle which will enable consumers to access business license services through the use of personal computers or a public terminal in locations throughout the State.

The Circuit Court Management Services Unit continues to be involved in improving the operation of the Land Records offices in the circuit court clerks' offices. The major focus has been continuing the migration of the optical imaging system (ELROI) into other clerks' offices. ELROI has been migrated into the Circuit Court for Harford County and is scheduled for migration into Cecil, Kent and Queen Anne's Counties. Circuit Court Management Services has continued with its efforts to convert copying systems in land records departments to self-service debit card systems. The debit card system has been successfully placed in 21 jurisdictions. Additionally, Circuit Court Management Services has been involved in providing staff support to subcommittees established to assist with the implementation of the Family Divisions established by MR 16-204.

Staff support also was provided to the Juvenile Law Committee and the Criminal Law and Procedure Committee of the Maryland Judicial Conference, as well as serving as the Judiciary's representative on the Criminal Justice Information System Advisory Board.

Conference of Circuit Court Clerks

The Conference of Circuit Court Clerks was constituted at the direction of the Chief Judge of the Court of Appeals in November 1996. The mission of the Conference to act as liaison between the offices of the Clerks of the Circuit Court, the Chief Judge of the Court of Appeals, and the Administrative Office of the Courts has continued to be fulfilled in the work of the Conference. The Conference has provided the Chief Judge key input in the development of the Statewide Consumer Survey and Judicial Employee Professional Development.

The Select Committee on Gender Equality

The Select Committee on Gender Equality, a joint committee of the Maryland Judiciary and the Maryland State Bar Association, is chaired by Pamela J. White, Esq. The 21 judge and attorney members met seven times during the year.

Members of the Committee were active during the year working with the Rules Committee, the Commission on Judicial Disabilities, the Judicial Institute and MICPEL. Members

continue to plan educational programs, monitor legislation, investigate complaints, and deliver speeches on gender issues. The Committee offers its assistance and expertise to alleviate gender fairness problems.

Sentencing Guidelines

In the Maryland circuit courts, sentences in most criminal cases are determined using recommended guidelines, which define sentencing ranges based upon information specific to the nature of an offense and criminal history of an offender. A statue enabling the Judiciary to institute voluntary guidelines was enacted in 1983. The Sentencing Guidelines Advisory Board, consisting of circuit court judges and representatives from State criminal justice agencies and the private bar, was created in 1979 to develop and implement guidelines in four pilot jurisdictions. Maryland Sentencing Guidelines was established within the Administrative Office of the Courts to provide staff support to the Advisory Board and compile sentencing data.

The Maryland Sentencing Guidelines Manual is issued on behalf of the Advisory Board and used by the circuit courts and State criminal justice agencies to reference the various sentencing matrices and Sentencing Guidelines offenses. An orientation on use of the Manual is provided to each newly appointed circuit court judge.

Supervised by an Assistant Administrator in the Circuit Court Management Services Unit of the Administrative Office of the Courts, Maryland Sentencing Guidelines processes worksheets which are used to produce statistical reports on sentencing patterns and anomalies, as well as compliance rates used to revise the Sentencing Guidelines.

As Chair of the Sentencing Guidelines Advisory Board, Judge Joseph H. H. Kaplan directed the 1996 revision of Appendix A of the Maryland Sentencing Guidelines Manual by including the statutory changes into the Manual. The Sentencing Guidelines Revision Committee, chaired by Judge Eugene Lerner, has recommended new revisions to the Sentencing Guidelines to be presented to the Maryland Sentencing Guidelines Advisory Board. These recommendations involve revisions to offense seriousness categories, matrix cell amendments, a reduction in the number of judges' reasons for departure from the Sentencing Guidelines to assist in future revisions, and additional statutory updates to the Manual.

Currently, the Maryland Sentencing Guidelines Department has revised its software for the collection of data from the Sentencing Guidelines work sheets submitted by circuit court judges. In addition, the software can assist those users of the Maryland Sentencing Guidelines in the calculation of guidelines, as well as generate completed guidelines worksheets for one convicted count to criminal events involving multiple convicted counts. The software has components for table maintenance of the software (e.g., update offenses) and production of reports on sentencing statistics and Sentencing Guidelines compliance rates.

Cooperative Reimbursement Agreement

The Cooperative Reimbursement Agreement (CRA) provides for reimbursement by the Federal Government for Title IV-D child support services that are supplied by the circuit court clerks' offices. Title IV-D child support cases are filed by the State's Attorneys' Offices or special counsel appointed by the State Attorney General. The CRA is a contract between the Administrative Office of the Courts and the Child Support Enforcement Administration of the Maryland Department of Human Resources.

The Federal Government, working through the offices of the Child Support Enforcement Administration in Maryland, reimburses the State's General Fund for 66 percent of a circuit court clerk employee's salary for the time dedicated to child support tasks. It also reimburses 66 percent of the costs for postage, supplies, photocopies, and other related items. This figure has remained the same for the past six years that the Administrative Office of the Courts has supervised the contract.

Employees of the circuit court clerks' offices assist with the annual collection of data for the time and task studies; monthly collection of child support establishment and enforcement data; and monthly costs for expenditures. The assistance and the cooperation of the clerks are the reason why the CRA contract continues to be successful.

Fiscal Management and Procurement

Fiscal Management and Procurement prepares and monitors the annual Maryland Judiciary budget, excluding the District Court of Maryland. This budget preparation and monitoring function includes the budgets for all 24 circuit court clerks' offices. All accounts payable for the Judiciary are processed through this office, including all the clerks' offices. Accounting records for revenues and accounts payable are kept by the staff in cooperation with the General Accounting Division of the State Comptroller's Office. In addition, the Office prepares monthly reports showing budget balances and expenditures for distribution to the clerks' offices. The working fund is also the responsibility of the Fiscal Management and Procurement staff. Records are maintained in order for the Legislative Auditor to perform audits on the fiscal activities of the Judiciary.

General supplies and equipment are purchased by this office. Staff members also prepare and solicit competitive bids on equipment, furniture, and supplies. This activity now includes purchasing of forms, equipment and other supplies for the circuit court clerks' offices and Judicial Information Services, as well as bid preparation for large projects. Bulk

purchasing and blanket purchase orders of forms, copy paper copy machine supplies, and office stationary have been established. These procedures have resulted in greater savings and inventory control.

An automated inventory control system was established in 1987 for all furniture and equipment used by the Maryland Judiciary. This system uses a bar code attached to all equipment and furniture. Inventory is completed with a scanning device which automatically counts the items, producing financial totals that are required by the State Comptroller's Office. Effective July 1, 1992, the clerks' offices were incorporated into this system. The Fiscal Management Unit, therefore, currently maintains the inventory for each clerk's office. The inventory control staff scan the furniture and equipment that has been bar coded. The new data provided by the scanner is then compared to the existing inventory list. Discrepancies are reported to the clerk's office and resolved before the inventory is certified as complete.

Fiscal Management and Procurement also monitors and compiles monthly financial data for the Federal Child Support Administration Grant. This grant includes 23 counties and the Administrative Office of the Courts. Due to the extensive services provided, Montgomery County operates under a separate Grant. Responsibility for this program requires preparation of 48 Federal budgets, in addition to the budget prepared for each county. Invoices are prepared each quarter for submission to the Department of Human Resources for reimbursement by the Federal government. These invoices are detailed compilations of salaries and hours for each employee participating in the program statewide, as well as, summaries of costs for supplies and other expenses.

Another program monitored by the Fiscal Management and Procurement is the Court Appointed Special Advocates (CASA) Program. Staff members oversee grants and monitor quarterly expenditure reports, as well as prepare a year-end annual report of CASA Statewide activities for the Chief Judge of the Court of Appeals.

In addition, the Fiscal Management and Procurement Unit is involved in developing and implementing an automated cash register system and an accounts receivable system for the circuit court clerks' offices. These programs are being prepared to help the clerks' offices provide faster more accurate services for the public. Both the development and the installation phases of the automated cash register system have been completed. Now that computer-based cash registers have been installed in all counties, an accompanying accounting software package has been developed. This too has been installed in most offices. The accounts receivable program is available to the clerks' offices upon request.

Other responsibilities include distribution of payroll checks for all Judiciary personnel except the District Court and circuit courts; maintaining lease agreements for all leased property; monitoring the safety and maintenance records of the Judiciary automobile fleet; and performing assignments as directed by the Chief Judge of the Court of Appeals.

Assignment of Judges

Article IV, §18(b) of the Maryland Constitution provides the Chief Judge with the authority to make temporary assignments of active judges to the appellate and trial courts. Also, pursuant to Article IV, §3A and §1-302 of the Courts Article, the Chief Judge, with approval of the Court of Appeals, recalls former judges to sit in courts throughout the State. Their use enhances the Judiciary's ability to cope with growing caseloads, extended illnesses, and judicial vacancies. It minimizes the need to assign full time judges, thus disrupting schedules and delaying case disposition.

Pursuant to the Maryland Rules, Circuit Administrative Judges assigned active judges within their circuits and exchanged judges between circuits upon designation by the Chief Judge of the Court of Appeals. Further, by designating District Court judges as circuit court judges, vital assistance to these courts was provided during Fiscal Year 1998. This assistance consisted of 50 judge days. The Chief Judge of the District Court, pursuant to constitutional authority, made assignments internal to that Court to address backlogs, unfilled vacancies and extended illnesses. During Fiscal Year 1998, these assignments totaled 294 judge days. At the appellate level, the use of available judicial manpower continued. Caseload in the Court of Special Appeals is being addressed by limitations on oral argument, assistance by a central professional staff, and a prehearing settlement conference. The Chief Judge of the Court of Appeals exercised his authority by designating appellate and trial judges to sit in both appellate courts to hear specific cases. Finally, a number of judges of the Court of Special Appeals were designated to different circuit courts for various lengths of time to assist those courts in handling the workload.

During Fiscal Year 1998, the Chief Judge recalled 25 former circuit court judges and 11 former appellate judges to serve in the circuit courts for approximately 1,094 judge days for the reasons given. In addition, 20 former District Court judges, six former circuit court judges, and three former appellate judges were recalled to sit in that court totaling approximately 1,432.5 judge days. Thirteen former judges were recalled to assist both the Court of Appeals and the Court of Special Appeals for a combined total of 482.2 judge days.

Court Information Office

The Court Information Office, established in June 1997, is responsible for planning, designing, and executing programs to inform and educate the

public about the services, programs, and activities of the Judiciary. These efforts are coordinated with the Judicial Conference Committee on Public Awareness.

This year's focus was on developing programs and activities to increase the public's awareness of the court's role in the community. To improve the internal communication process, the Judiciary introduced a quarterly newsletter, *Justice Matters*. The newsletter provides information about court activities, programs, and events across the State of interest to the court community.

With the approval of the Maryland Judicial Conference, the Speakers Bureau was created to fulfill the Judiciary's commitment to engage in greater public outreach. Community groups can hear directly from judges and other court officials by submitting a request to the Court Information Office. Topics include alternative dispute resolution (ADR), the appeals process, bail review, domestic violence, jury duty, juvenile court, landlord and tenant cases, plea bargaining, the role of a judge, sentencing, and traffic court/DWI. Judges have participated in radio and television interviews, and have spoken to community groups as a result of the Speakers Bureau.

The Court Information Office keeps the general public, through the media, apprized of newsworthy events by researching and issuing press releases, and responds to media requests for information, statistics, and photographs. The Court Information Office monitors media reporting for court coverage, public opinion, and trends. Media relations assistance is available to Maryland judges when handling high profile cases, or responding to unjust criticism.

Contacts are maintained with court public information offices across the country so that activities, programs, and experiences can be shared and resources can be identified for future use. The Court Information Office is coordinating work of the committee formed in preparation for the Building Trust and Confidence in the Justice System, a national conference to be held in Washington, D.C. next year.

The District Court of Maryland

The legal system in the United States is arguably the best in the world. We firmly believe and practice that an individual is innocent until proven guilty and that everyone is entitled to his "day in court." We disallow an individual to dole out independently his own version of justice, but we do make the court system available to anyone and everyone, with or without legal counsel, to have the alleged crime or civil dispute fairly presented and adjudicated by a judge or a jury of one's peers. Our system is brilliant and fair and most often operates very smoothly and effectively. However, in the litigious society in which we find ourselves, the courts in many states cannot keep up as the number of cases being brought before them grows exponentially. Our own District Court in Maryland is one such entity that is realizing an ever-increasing volume of landlord/tenant, domestic violence, contract, tort, motor vehicle and criminal cases being filed and processed and even with the appointment of new judges, the building of new courthouses, the hiring of additional support staff, and the help of technology, we cannot keep up with the proliferation of litigation.

In an effort to deal with this situation in an innovative and creative way, the District Court is turning with increasing frequency to Alternative Dispute Resolution (ADR), i.e., pretrial conferences and mediation. This year, Chief Judge Martha Rasin conducted a Statewide survey of existing ADR in the District Court and discovered that programs already exist, in varying degrees, in most of the twelve districts. The survey demonstrated that in the counties that choose to hold them, pretrial conferences are conducted by the judge, usually with the attorneys or unrepresented parties, with the primary purpose being to narrow the issues, identify witnesses, and essentially pare down a complicated case so that it will take less time to try. As a result of this time and attention, the conferences sometimes result in settlement, which is often considered a desirable side effect.

Mediation, a process which gives responsibility for a problem and control over outcome back to the people involved in a dispute, has the exciting potential to reduce court dockets substantially while helping disputing parties resolve their differences quickly and effectively. In this timely and expedient alternative to litigation, the parties are urged to participate in a highly confidential mediation conference, on a voluntary basis. To assist them toward a mutually satisfactory settlement, an impartial, third party works with the parties. The hope is that the resolution of the particular dispute, as well as the experience of going through the mediation process, will help participants see how they can work out disputes similar in nature in the future. When done properly, the process should both stop the ongoing conflict which resulted in going to court and help people use mediation before disputes escalate in the future.

The Chief Judge's survey showed that mediation is already being used in many of the twelve districts, more often in criminal than civil cases. Criminal mediation, usually initiated by the State's Attorney's Office, has proven to be a useful vehicle in the resolution of minor criminal matters. Many of the potential "customers" cannot afford extra costs associated with the resolution of their case, and so the District Court is fortunate that a large number of the mediators providing services are trained volunteers. While ADR has failed in some locations, the possibilities for its use are vast and there is a lot of promise for its ability to both alleviate docket congestion in the District Court and give parties an alternative, but equally

satisfying method of resolving their dispute.

Leading the way is the Maryland Alternative Dispute Resolution Commission, a multi-disciplinary Statewide body, chaired by the Honorable Robert M. Bell, Chief Judge of the Maryland Court of Appeals, with Dean Donald G. Gifford of the University of Maryland School of Law serving as Vice Chair and Rachel Wohl as the Executive Director. Commission members include judges, legislators, state and local government officials, lawyers, mediators, arbitrators, business and community representatives, academics, court personnel and other policy makers from across the state.

Chief Judge Rasin and Chief Clerk of the District Court Patricia L. Platt, as well as various District Court judges and administrators, are members of or are otherwise involved with the Maryland ADR Commission. Over the course of the next year, Judge Rasin intends to form a subgroup of the State Commission to continue her independent study and collaborate in an effort to develop and implement a practical plan of action to expand and create ADR services and public understanding in the District Court. Issues to be considered in adapting the program to the District Court include the fact that many litigants are not prepared to spend additional money on the resolution of their case; many parties are pro se; and frequently there is a desire for speedy dispositions. Judge Rasin's vision is that expanded and new ADR services and education will increase the public's access to justice, make the Court more user-friendly, increase resources for traditional litigation, empower more people to control the outcomes of their own disputes, and promote a more peaceful and civil society.

The District Court is pleased to have already found ways to use ADR to help resolve cases and believes that the result is one that benefits not only the Court, but the public it serves. In Montgomery County, for instance, there are roughly thirty volunteer lawyers who are coordinated and assigned to civil dockets by two bar association members. A lawyer is assigned to one docket; four dockets per week are covered in each of the two District Court locations. At the beginning of the morning and afternoon court session, a judge reviews the docket and determines which cases are appropriate for mediation. Some judges will explain the process and then invite parties and/or their lawyers to volunteer to try it. Others will simply earmark certain cases and require the parties to at least speak with the mediator. The result is that many disputes are resolved more quickly, with the parties expressing a high degree of satisfaction with the outcome and the Court experiences a reduced docket. The coordinators of the program consider it to be a great success.

An example of a successful criminal mediation program can be seen in Anne Arundel County. There, criminal cases are screened by the State's Attorney's Office and if they are considered appropriate for mediation, put on that track. Cases also may be suggested for mediation by the police, defense attorneys and others by contacting the State's Attorney's Office. Although about twenty to thirty cases a week are referred to mediation, only about half are actually mediated, due to one or both parties not being interested in trying it. About 90% of the cases mediated are resolved. If mediation is successful, the case will be dropped or placed on an inactive docket. If it is not successful, the case proceeds on the next trial date. Again, the general consensus is that the program is valuable to both the parties and the District Court.

Because it operates under such a high volume, the Court's effectiveness and success depend on its uniform procedures. Accordingly, while further developing ADR programs over the next year, the District Court will strive to develop standards in its districts to promote efficiency and predictability. The District Court looks forward to the organized expansion of its role in the delivery of ADR services in cases on its dockets, and to promoting it in a constructive way that discourages potential litigants, in appropriate cases, from choosing a traditional adversarial approach to solve problems. Ideally, the result will be positive for the parties involved, who may feel more involved and satisfied with the resolution of their dispute; as well as the District Court, which should realize a reduced caseload.

Court-Related Units

The Court Related Units

Board of Law Examiners

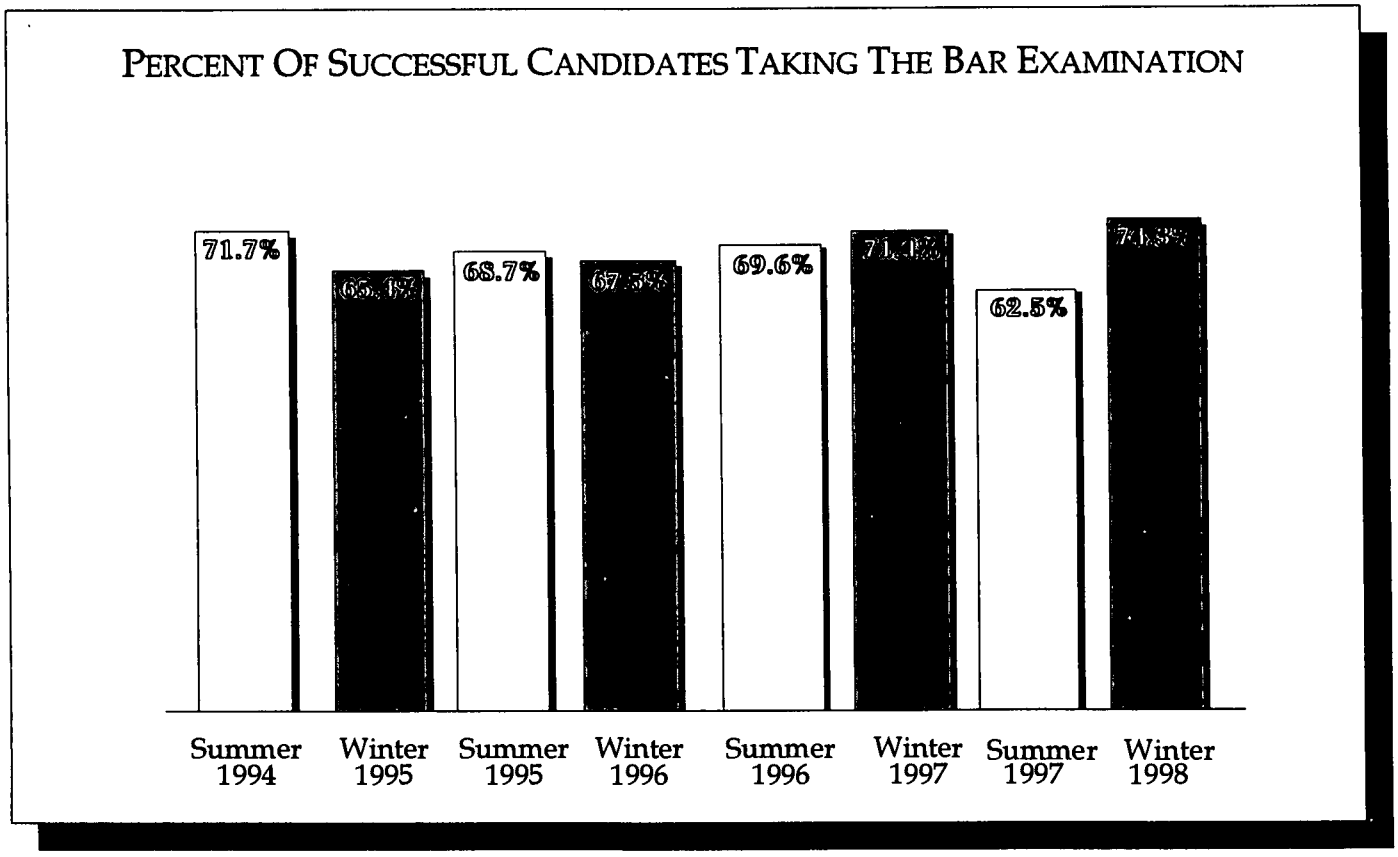
In Maryland, the various courts were originally authorized to examine persons seeking to be admitted to the practice of law. The examination of attorneys remained a function of the courts until 1898 when the State Board of Law Examiners was created (Chapter 139, Laws of 1898). The Board is presently composed of seven lawyers appointed by the Court of Appeals.

The Board and its staff administer bar examinations twice annually during the last weeks of February and July. Each is a two-day examination of not more than twelve hours nor less than nine hours of writing time.

Commencing with the summer 1972 examination and pursuant to rules adopted by the Court of Appeals, the Board adopted, as part of the overall examination, the Multistate Bar Examination (MBE). This is the nationally recognized law examination consisting of multiple-choice questions and answers, prepared and graded under the direction of the National Conference of Bar Examiners. The MBE test generally is administered on the second day of the examination. The first day is devoted to the traditional essay examination, prepared and graded by the Board. The MBE test is now used in fifty-one jurisdictions. The states not using the MBE are Indiana, Louisiana, and Washington. It is a six-hour test that covers six subjects: contracts, criminal law, evidence, real property, torts and constitutional law. Maryland does not participate in the administration of the Multistate Professional Responsibility Examination (MPRE) prepared under the direction of the National Conference of Bar Examiners.

Pursuant to the Rules Governing Admission to the Bar, the subjects covered by the Board's test (essay examination) shall be within, but need not include, all of the following subject areas: agency, business associations, commercial transactions, constitutional law, contracts, criminal law and procedure, evidence, family law, Maryland civil procedure, professional conduct, property, and torts. Single questions on the essay examination may encompass more than one subject area and subjects are not specifically labeled on the examination paper.

Rule 11 of the Rules Governing Admission to the Bar of Maryland, effective August 1, 1990, requires all persons recommended for bar admission to complete a course on legal professionalism during the period between the announcement of the examination results and the scheduled bar admission ceremony. This course is administered by the Maryland State Bar Association, Inc., and was implemented beginning with the February 1992 examinations.



The State Board of Law Examiners

Jonathan A. Azrael, Esquire, Chairman; *Baltimore County Bar & Baltimore City Bar*
John F. Mudd, Esquire; *Charles County Bar*
Robert H. Reinhart, Esquire; *Allegany County Bar*
Christopher B. Kehoe, Esquire; *Talbot County Bar*
Robert L. Bloom, Esquire; *Baltimore County Bar & Monumental City Bar*
Maurene Epps Webb, Esquire; *Prince George's County Bar*
Linda D. Schwartz, Esquire; *Montgomery County Bar*

Results of examinations given by the State Board of Law Examiners during Fiscal Year 1998 are as follows:

Examination	Number of Candidates	Total Successful Candidates	Number of Candidates Taking First Time	Number of Candidates Passing First Time*
JULY 1997	1,616	1,011 (62.5%)	1,395	963 (69.0%)
Graduates				
University of Baltimore	270	168 (62.2%)	239	162 (67.7%)
University of Maryland	189	134 (70.8%)	172	129 (75.0%)
Out-of-State Law Schools	1,157	709 (61.2%)	984	672 (68.2%)
FEBRUARY 1998	896	666 (74.3%)	426	352 (82.6%)
Graduates				
University of Baltimore	139	100 (71.9%)	51	41 (80.3%)
University of Maryland	83	65 (78.3%)	35	31 (88.5%)
Out-of-State Law Schools	674	501 (74.3%)	340	280 (82.3%)

*Percentages are based upon the number of first-time applicants.

The results of the examinations given during Fiscal Year 1998 are as follows: a total of 1,616 applicants sat for the July 1997 examination with 1,011 (62.5 percent) obtaining a passing grade; and 896 sat for the February 1998 examination with 666 (74.3 percent) being successful.

Passing percentages for the two previous fiscal years are as follows: July 1995, 68.7 percent; February 1996, 67.5 percent; July 1996, 69.6 percent; February 1997, 71.4 percent.

In addition to administering two regular bar examinations per year, the Board also processes applications for admission filed under Rule 13 which governs out-of-state attorney applicants who must take and pass an attorney examination. That examination is an essay test limited in scope and subject matter to the rules in Maryland which govern practice and procedure in civil and criminal cases, including evidence, the Rules of Professional Conduct and the Rules governing certain non-litigation transactions and proceedings administered by Maryland courts. The test is of three hours' duration and is administered on the same day as the essay test for the regular bar examination.

A total of 76 applicants took the Attorney Examination administered in July 1997. Out of this number, 65 passed. This represents a passing rate of 85.5 percent.

In February 1998, 115 applicants took the examination. Out of this number, 98 passed. This represents a passing rate of 85.2 percent.

Rules Committee

Under Article IV, Section 18 (a) of the Maryland Constitution, the Court of Appeals is empowered to regulate and revise the practice and procedure in, and the judicial administration of, the courts of this State; and under Annotated Code of Maryland, Courts and Judicial Proceedings Article, §13-301 the Court of Appeals may appoint "a standing committee of lawyers, judges, and other persons competent in judicial practice, procedure or administration" to assist the Court in the exercise of its rule-making power. The Standing Committee on Rules of Practice and Proce-

dure, often referred to simply as the Rules Committee, was originally appointed in 1946 to succeed an *ad hoc* Committee on Rules of Practice and Procedure created in 1940. Its members meet regularly to consider proposed amendments and additions to the Maryland Rules of Practice and Procedure and submit recommendations for change to the Court of Appeals.

Completion of the comprehensive reorganization and revision of the Maryland Rules of Practice and Procedure continues to be the primary goal of the Rules Committee. Phase I of this project culminated with the adoption by the Court of Appeals of Titles 1, 2, 3, and 4 of the Maryland Rules of Practice and Procedure, which became effective July 1, 1984. Phase II of the project began with the adoption of Title 8, dealing with practice and procedure in the Court of Appeals and Court of Special Appeals, which became effective July 1, 1988; Title 6, dealing with practice and procedure in the orphans' courts, which became effective January 1, 1991; Title 7, dealing with appellate and other judicial review in the circuit courts, which became effective July 1, 1993; and Title 5, containing a code of evidence, which became effective July 1, 1994.

With the adoption of new Titles 9 through 16, effective January 1, 1997, the reorganization and revision project is nearing completion. All of the rules have been revised, except the rules now located in Title 9, Chapter 200 (Divorce, Annulment, and Alimony), Title 11 (Juvenile Causes), and Title 16 (Courts, Judges, and Attorneys). These rules were transferred, without re-adoption and without revision except as to internal cross references, to the new titles and renumbered accordingly. Work on the substantive revision of the transferred rules remains to be completed by the Rules Committee.

Pending before the Court of Appeals at the beginning of the fiscal year were proposed new Rule 4-245.1 and amendments to Rules 2-423, 2-648, 3-648, 9-105, and 1-204, contained in the One Hundred Thirty-Seventh Report of the Rules Committee and recommended for adoption on an emergency basis. At an open meeting on July 23, 1997, the Court made modifications to certain of the proposed rules changes and the Rules Committee withdrew the proposed amendment to Rule 1-204. By Order dated July 23, 1997, the Court adopted amendments to Rules 2-423, 2-648, and 3-648; rejected proposed new Rule 4-245.1; and remanded the proposed amendments to Rule 9-105 to the Rules Committee. That Order, effective July 23, 1997, was published in the *Maryland Register*, Vol. 24, Issue 17 (August 15, 1997).

During the past year the Rules Committee submitted to the Court of Appeals certain rules changes and additions considered necessary. The One Hundred Thirty-Eighth Report, published in the *Maryland Register*, Vol. 24, Issue 22 (October 24, 1997), contained proposed new Title 10, Chapter 400; proposed new Rules 16-204, 9-204.1, and 6-455; and proposed amendments to Rules 16-202, 10-701, 10-104, 10-202, 10-205, 6-108, 6-122, 6-201, 6-301, 6-311, 6-312, 6-403, 6-404, 6-414, 6-416, 6-417, 6-454, 2-305, 2-341, 2-326, 2-510, 3-510, 5-901, 1-302, and Forms 22, RGAB 20/M, and RGAB 20/0 in the Appendix of Forms.

The principal aspects of the rules changes contained in the One Hundred Thirty-Eighth Report were:

(1) New Rule 16-204 provides for the establishment of a family division in the circuit courts of the five largest jurisdictions. In all jurisdictions, the Rule requires the appointment of a family support services coordinator and, subject to the availability of funds, the availability of certain family support services through the circuit courts.

(2) New Rule 9-204.1 implements the provisions of Code, Family Law Article, §7-103.2, concerning educational seminars about the effects of divorce on children. The Rule prescribes the content of the seminar, time for completion of it, sanctions for failure to attend, the fee to be charged, and criteria for exemption.

(3) New Title 10, Chapter 400 and a conforming amendment to Rule 10-701 provide procedures pertaining to standby guardianships under Code, Estates and Trusts Article, Title 13, Subtitle 9.

(4) Amendments to Rules 10-202 and 10-205, requested by the Department of Veterans Affairs, reinstate certain provisions of former Rules R73 and R77.

(5) New Rule 6-455 and amendments to other rules in Title 6 conform these rules to recent legislation and address concerns of practitioners in the area of settlement of decedents' estates.

(6) Proposed amendments to Rules 2-305 and 2-341 address questions concerning amendment of an ad damnum clause after a jury verdict, in light of Falcinelli v. Cardascia, 339 Md. 414 (1995).

(7) An amendment to Rule 2-326 eliminates the "new complaint" requirement of current section (c) of the Rule; adds a new "answer or other response" requirement applicable to all defendants, counter-defendants, cross defendants, and third-party defendants in cases transferred to the circuit court pursuant to a demand for a jury trial; and, for the purposes of the Rule, eliminates the distinction between actions that are "within the exclusive original jurisdiction of the District Court" and those that are not.

(8) Amendments to Rules 2-510 and 3-510 address the improper use of subpoenas, issuance of blank subpoenas, time of service of subpoenas, modification of subpoenas, and protection of persons subject to subpoenas.

At an open meeting on January 13, 1998, the Court of Appeals considered proposed new Rules 16-204

The Standing Committee on Rules of Practice and Procedure

Hon. Joseph F. Murphy, Jr., Chair, *Chief Judge, Court of Special Appeals*
Linda M. Schuett, Esq., Vice Chair, *Anne Arundel County Bar*

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Baltimore City Bar

Prof. Robert R. Bowie
Talbot County Bar; Emeritus

Albert D. Brault, Esq.
Montgomery County Bar

Robert L. Dean, Esq.
Deputy State's Attorney, Montgomery County

Bayard Z. Hochberg, Esq.
Baltimore County Bar

H. Thomas Howell, Esq.
Baltimore County Bar

Hon. G. R. Hovey Johnson
Circuit Court for Prince George's County

Harry S. Johnson, Esq.
Baltimore City Bar

Hon. Joseph H. H. Kaplan
Administrative Judge, Circuit Court for Baltimore City

Richard M. Karceski, Esq.
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Robert D. Klein, Esq.
Anne Arundel County Bar

Joyce H. Knox, Esq.
Baltimore City Bar

Hon. James J. Lombardi
Circuit Court for Prince George's County

Hon. John F. McAuliffe
Court of Appeals (retired); Emeritus

Anne C. Ogletree, Esq.
Caroline County Bar

Hon. Mary Ellen T. Rinehardt
District Court, Baltimore City

Larry W. Shipley
Clerk, Circuit Court for Carroll County

Hon. Norman R. Stone, Jr.
State Senator, Baltimore County

Melvin J. Sykes, Esq.
Baltimore City Bar

Roger W. Titus, Esq.
Montgomery County Bar

Hon. Joseph F. Vallario, Jr.
State Delegate, Prince George's County

Hon. James N. Vaughan
District Court, Howard County

Robert A. Zarnoch, Esq.
Assistant Attorney General

Sandra F. Haines, Esq., *Reporter*
Sherie B. Libber, Esq., *Assistant Reporter*

and 9-204.1, together with conforming amendments to Rule 16-202, and made modifications to certain of the proposed rules changes. By Order dated January 13, 1998, effective July 1, 1998, the Court adopted new Rules 16-204 and 9-204.1 and amendments to Rule 16-202, and it deferred action on all other rules changes contained in the One Hundred Thirty-Eighth Report. That Order was published in the *Maryland Register*, Vol. 25, Issue 4 (February 13, 1998).

At an open meeting on February 10, 1998, the Court of Appeals considered the remaining rules changes contained in the One Hundred Thirty-Eighth Report and made modifications to certain of the proposed changes. By Order dated February 10, 1998, effective July 1, 1998, the Court adopted new Title 10, Chapter 400; new Rule 6-455; and amendments to Rules 10-701, 10-104, 10-202, 10-205, 6-108, 6-122, 6-201, 6-301, 6-311, 6-312, 6-403, 6-404, 6-414, 6-416, 6-417, 6-454, 2-305, 2-341, 2-326, 2-510, 3-510, 5-901, 1-302, and Forms 22, RGAB 20/M, and RGAB 20/O in the Appendix of Forms. That Order was published in the *Maryland Register*, Vol. 25, Issue 6 (March 13, 1998).

As of the beginning of the fiscal year, proposed rules changes contained in the One Hundred Thirty-Sixth Report pertaining to computer-generated evidence and material had been recommitted to the Rules Committee for further study. A Supplement to the One Hundred Thirty-Sixth Report, published in the *Maryland Register*, Vol. 24, Issue 23, (November 7, 1997), contained revisions to those rules changes, comprising new Rule 2-

504.3 and amendments to Rules 2-504, 2-504.1, 4-263, and 4-322.

At an open meeting on February 10, 1998, the Court of Appeals considered the rules changes contained in the Supplement to the One Hundred Thirty-Sixth Report and made modifications to certain of the proposed changes. By Order dated February 10, 1998, effective July 1, 1998, the Court adopted new Rule 2-504.3 and amendments to Rules 2-504, 2-504.1, 4-263, and 4-322. That Order was published in the *Maryland Register*, Vol. 25, Issue 6 (March 13, 1998).

The One Hundred Thirty-Ninth Report, published in the *Maryland Register*, Vol. 25, Issue 2 (January 16, 1998), contained proposed new Rules 16-205, 16-108, 1-361, 11-601, and 4-632; proposed new Forms 4-504.1 and 4-508.1; proposed new Appendix: Model Standards of Conduct for Mediators; proposed amendments to Rules 16-202, 5-408, 4-502, 4-504, 4-505, 4-507, 4-508, 4-509, 4-512, 4-212, 4-216, 4-252, 4-341, 4-342, 4-343, 11-104, 11-110, 11-121, 11-118, and 5-412; proposed amendments to Forms 4-503.2 and 4-508.3; and the proposed rescission of current Rule 16-108 and Forms 4-504.1, 4-504.2, 4-504.3, 4-508.1, and 4-508.2.

The principal aspects of the proposed rules changes contained in the One Hundred Thirty-Ninth Report were:

(1) Proposed new Rule 16-205, proposed conforming amendments to Rules 16-202 and 5-408, and a proposed Appendix of Model Standards of Conduct for Mediators set out standards and procedures applicable to circuit court referrals to alternative dispute resolution proceedings.

(2) The deletion of current Rule 16-108 and the addition of a new Rule 16-108 make extensive revisions to the Rule pertaining to the Conference of Circuit Judges, as requested by the Conference.

(3) New Rule 1-361 sets out procedures for processing an individual who is arrested on a warrant or taken into custody on a body attachment when the warrant or body attachment does not contain specific instructions for processing the individual.

(4) Amendments to the rules and forms pertaining to expungements include amendments that conform the rules and forms to statutory changes and update the methods of storage and destruction of records. Forms 4-504.1, 4-504.2, and 4-504.3 are consolidated into a single form, as are Forms 4-508.1 and 4-508.2. New Rule 11-601 fills a procedural gap that exists when expungement of criminal charges transferred to the juvenile court is sought.

(5) New Rule 4-632 requires the clerk to maintain a record of each occasion on which an alleged victim of assault asserts the testimonial privilege permitted by Code, Courts Article, §9-106.

(6) An amendment to Rule 4-252 allows a court to reconsider the grant of a motion to suppress evidence under certain circumstances.

(7) Amendments to Rules 4-342 and 11-118 conform the rules to statutory changes pertaining to restitution from a parent of the defendant or respondent.

(8) An amendment to Rule 4-343 requires the completion of one Findings and Sentencing Determination form with respect to each death for which the defendant is subject to a sentence of death.

(9) Amendments to Rules 11-104, 11-110, and 11-121 are made in light of legislation requiring open hearings in certain proceedings in the juvenile court.

At open meetings on May 12, 1998 and June 8, 1998, the Court of Appeals made modifications to certain of the proposed rules changes. By Order dated June 8, 1998, effective October 1, 1998, the Court rescinded Rule 16-108 and Forms 4-504.1, 4-504.2, 4-504.3, 4-508.1, and 4-508.2; adopted new Rules 16-108, 1-361, 11-601, and 4-632 and new Forms 4-504.1 and 4-508.1; adopted amendments to Rules 4-502, 4-504, 4-505, 4-507, 4-508, 4-509, 4-512, 4-212, 4-216, 4-252, 4-341, 4-342, 4-343, 11-104, 11-110, 11-121, 11-118, and 5-412 and to Forms 4-503.2 and 4-508.3; and deferred consideration of proposed new Rule 16-205, proposed new Appendix: Model Standards of Conduct for Mediators, and the proposed amendments to Rule 16-202 and 5-408, pending further study by the Court and the Rules Committee. That Order was published in the *Maryland Register*, Vol. 25, Issue 14 (July 2, 1998).

The One Hundred Fortieth Report, published in the *Maryland Register*, Vol. 25, Issue 4 (February 13, 1998), contained proposed amendments to Rules 4-212 and 4-201, recommended for adoption on an emergency basis. In response to public safety concerns raised by law enforcement officials, the proposed rules changes close to public inspection certain files and records of the court pertaining to unserved arrest warrants and charging documents.

At open meetings on May 12, 1998 and June 8, 1998, the Court of Appeals considered the proposed rules changes contained in the One Hundred Fortieth Report. By Order dated June 8, 1998, effective that date, the Court adopted the amendments to Rules 4-212 and 4-201 on an emergency basis.

In addition to developing proposed new rules and amendments to existing rules, the Rules Committee and its staff maintain rules history archives; provide research assistance to judges, lawyers, and other who have rules history questions; and participate in educational programs involving the Maryland Rules of Practice and Procedure.

Maryland State Law Library

Access to justice is the fundamental right of every citizen in Maryland. It has been said that law libraries have a distinct role in sharing with judges, court administrators and the legal profession, a commitment to make legal information the common currency of a fair and effective justice system. Our state's highest court bears a public trust to ensure that legal information is placed at the disposal of all members of the public. In our complex society, and in the midst of this electronic information age, access to justice cannot be separated from access to legal information.

The State Law Library's mission statement acts as our guide and helps us stay focused on what we should be doing and where we should be going.

The mission of the Maryland State Law Library, as a support unit of the state court system, is to provide access for the law related information needs of the judiciary as well as the legal community, government agencies and the public. The library pursues a full range of traditional and technologically enhanced service strategies that provide timely, accurate and efficient access to the sources of law, including federal, state and local government resources.

Originally established by the Legislature in 1827, the library is currently staffed by ten full time equivalents, two part time librarians and is governed by a Committee whose powers include appointment of the library director, as well as general rule-making authority.

With a collection in a myriad of formats encompassing 350,000 volumes and unfettered access to many commercial legal databases, as well as millions of websites on the Internet, this library provides information seekers the option to harvest three distinct and comprehensive libraries. Law, interdisciplinary reference / government information, and Maryland history/genealogy make up the backbone of the library's resources.

The State Law Library Committee was chaired by the Hon. Robert M. Bell with associate members the Hon. John C. Eldridge, Hon. Joseph F. Murphy, Jr., Hon. Raymond G. Thieme, Jr., appointed June 22, 1998, to fill the term of the Hon. Robert L. Karwacki (retired), George B. Riggin, Jr., Esq., Alexander L. Cummings, Esq. and Patricia A. Logan, Esq. During this past fiscal year, the Committee approved the extension of library hours, which now opens at 8:00 a.m. Monday through Friday instead of 8:30 a.m. The library's preservation filming efforts were increased to include filming of the *Minutes of Standing Committee on Rules of Practice and Procedure (1945-date)* and the continuation of filming unreported opinions from the Court of Special Appeals, *Maryland Judicial Conference Proceedings and Maryland State Bar Association Ethics Opinions*. The library participated in a significant state statutory reprint effort coordinated by the Georgetown University Law School Library. A number of early reprint editions of various Maryland statutory compilations were acquired through this preservation effort. The Committee also approved the restoration and repair of a large framed Legislative Resolution presented to the library in 1876 commemorating the death of Reverdy Johnson, one of Maryland's most famous lawyers.

Fiscal Year 1998 collection enhancement efforts were given direction with the Committee's endorsement of the drafting of a collection development policy by the library director. This draft will be considered by the governing board in the Summer, 1998. New resources added to the collection included CD ROMS covering fourth circuit federal cases and the Bureau of National Affairs, *Labor Relations Reporter*. Major print treatises on prison law, insurance policy forms, and early English legal translations also were acquired. The library continues to build upon its comprehensive court management holdings by participating as a depository for all grant products of the State Justice Institute. Though not formally thought of as part of the "collection", library reference staff and public users now have access to the Internet and thousands of legal websites via staff PCs and three public access PC workstations.

As part of a major automation effort, the library's catalog of holdings called *"Mollie"*, is now searchable as a web-based resource on the library's recently inaugurated (May, 1998) website at www.lawlib.state.md.us. This website was designed and implemented by a former graduate student at the College of Library and Information Sciences at the University of Maryland, and is now maintained by two library employees. There is strong commitment to updating and expanding this website on a regular basis.

In addition to "real time" cataloging of new publications received at the library and expansion of the OPAC (Online Public Access Catalog) to include in-house indexed journal and newspaper articles on Maryland legal topics, the automation vendor, Innovative Interfaces, Inc., has provided in depth training for staff to initiate the automation of library serials processing, acquisitions and ordering functions.

New library information services instituted during Fiscal Year 1998 included the issuance of a monthly current awareness newsletter for appellate court judges entitled, *What's in the Reviews*, and the library continued wide circulation of a quarterly list of all new State Justice Institute grant products added to the collection. For the first time, reference/research staff began responding to email inquiries received from citizens Statewide. Staff has worked closely with the newly established Court Information Office in answering the public's court-related information requests. LASI

Summary of Library Use Fiscal Year 1998	
Reference Inquiries	26,974
Volumes circulated to patrons: Direct and Inter-library loans	3,733

(Library Assistance to State Institutions) photocopy service continued with over 5,000 pages processed throughout the year.

Library staff continued to provide both formal and informal orientations and training programs for various audiences, including library reference staff at the Anne Arundel Community College, Anne Arundel and Montgomery County public libraries, the Key School, Annapolis Senior High School and the Law Library Association of Maryland. The library also coordinated and programmed the first joint meeting of Maryland Circuit Court libraries held at the Baltimore County Circuit Court library in May.

Located on the first floor of the Robert C. Murphy Courts of Appeal Building, the Library is open to the public Monday, Wednesday, Friday, 8:00 a.m. - 4:30 p.m.; Tuesday and Thursday, 8:00 a.m. - 9:00 p.m. and Saturday, 9:00 a.m. - 4:00 p.m.

Attorney Grievance Commission

The Attorney Grievance Commission was created July 1, 1975, by rule of the Court of Appeals of Maryland. Its mission is set forth in Maryland Rule 16-702a: "The Commission shall supervise and administer the discipline and inactive status of attorneys in accordance with this Chapter."

The Commission is comprised of eight attorneys and two public members. The Commissioners are appointed by the Court of Appeals to a term of four years, and no member is eligible for reappointment following the completion of a full four-year term. A Commissioner appointed to serve an unexpired term is eligible for reappointment to a full four-year term upon serving a partial term due to a vacancy on the Commission. Commissioners reside in different geographic areas of the State and the attorneys practice in various counties. The Court of Appeals designates a Commissioner as Chairperson. Currently, David D. Downes, Esq., of Baltimore County is Chair. Commissioners serve without compensation.

The Commission, through its staff, investigates possible misconduct or incompetence of Maryland attorneys called to its attention by complaint or through other sources. The Commission additionally investigates complaints against lawyers, not admitted in Maryland, who engage in alleged misconduct, as well as complaints which involve individuals or groups who may be engaged in the unauthorized practice of law in Maryland.

The Commission, subject to approval by the Court of Appeals, appoints an attorney to serve as Bar Counsel. Bar Counsel's powers and duties are set forth in Maryland Rule 16-704b. Bar Counsel serves at the pleasure of the Commission and is responsible for the employment of the office staff. The Commission meets each month to review the activities of Bar Counsel, staff attorneys and investigators. It also reviews the progress of complaints at each stage through which a complaint may pass; i.e. inquiry panels, Review Board, circuit court, and finally the Court of Appeals. The Commission also reviews the budget and monthly statistics to determine if there is adequate staff to process grievances. The Commission may recommend necessary rule changes which affect the disciplinary system.

Rule 16-702d provides for a disciplinary fund for the Commission to perform its function. Payment of an annual assessment set by order of the Court of Appeals is a condition precedent to practice law in Maryland. The assessment is billed at the same time as the assessment for the Clients' Security Trust Fund (CSTF). The assessment for the disciplinary fund is currently $65.00 a year and is transferred to the Commission by the CSTF. Late fees are assessed for attorneys who fail to pay the assessment timely. Those who fail to pay after a period set forth in the bill are decertified by the Court of Appeals and cannot practice until the assessment and all late fees are paid. Late fees collected are held by CSTF.

The budget for the Commission is approved by the Court of Appeals prior to the beginning of each fiscal year. The budget is public, published as part of the Commission's annual report.

The Commission's annual report is distributed to each volunteer in the disciplinary system and to courts, libraries, news media, and other disciplinary agencies. That report, in addition to this short report, expands on the activities of Bar Counsel and staff and includes additional statistical information.

The Commission's financial records, in addition to the monthly review by the Commission, are audited and the results included in monthly and annual reports filed with the Court of Appeals. A surety bond is maintained for Bar Counsel, the office manager and a Commissioner designated as Treasurer. Two signatures are required for each Commission check.

The Rules Committee, described earlier, is considering a new set of rules for processing disciplinary complaints. A proposal should be submitted to the Court of Appeals for consideration later this year.

An additional function of the Commission is to receive notice of any overdraft in an attorney's trust account. An attorney must maintain a trust account in a Commission approved financial institution which will provide overdraft notice should one occur. One hundred and nine (109)

notifications were received in Fiscal Year 1998 (July 1, 1997-June 30, 1998), an increase of nine from the previous fiscal year. Seventeen overdraft notifications were referred for further investigation based on the response from the attorney or his/her failure to respond; eighty-nine provided satisfactory explanation (fifty-nine of this number were due to an error by the bank); and three were pending a response from the attorney at the end of the fiscal year.

Commission staff is called upon to become conservator of the files of an attorney who is disbarred, suspended, disappears or dies if no other responsible person is available to act in preserving client files. Several conservatorships are still in the process of completion from last fiscal year. No new conservatorships were required this fiscal year. Several senior attorneys have volunteered to aid Commission staff when a future need for a conservatorship occurs.

Bar Counsel is empowered to issue subpoenas pursuant to Maryland Rule 16-704c, upon prior written approval of the Chair (or acting Chair) of the Commission. These subpoenas are necessary to obtain files or bank records of attorneys who refuse to cooperate in Commission investigations. The Court of Appeals issued an important ruling this fiscal year concerning the subpoena power of Bar Counsel. In Unnamed Attorney v. Attorney Grievance Commission of Maryland, 349 Md. 391, 708 A.2d 667 (1998), the Court held that records which an attorney is required to keep must be turned over despite an attorney's claim of the privilege against self-incrimination.

The Commission staff, in addition to Bar Counsel, is comprised of a Deputy Bar Counsel, seven Assistant Bar Counsel, seven investigators, an office manager, two paralegals, nine secretaries and a receptionist.

A grievance (complaint) which is not dismissed is referred to an Inquiry Panel for a hearing. A panel consists of attorneys and public members selected from a list of volunteers in each county and Baltimore City. The entire group of volunteers is known as the Inquiry Committee. Attorney members are selected by local bar associations; public members by the Commission. Rule 16-705c authorizes the Commission to determine the number of citizens in the State necessary to conduct disciplinary hearings based on the volume of complaints. Members of the Inquiry Committee are appointed for terms up to three

5 Year Summary of Disciplinary Action

	FY 94	FY 95	FY 96	FY 97	FY 98
Inquiries Received (No Misconduct)	1,475	1,594	1,532	1,523	1,402
Complaints Received (Prima Facie Misconduct Indicated)	736	630	579	612	527
Totals	**2,211**	**2,224**	**2,111**	**2,135**	**1,929**
Complaints Concluded	569	607	580	664	551
Disciplinary Action by No. of Attorneys:					
Disbarred	4	5	4	3	6
Disbarred by Consent	12	10	8	21	13
Suspension (and BV 16 Suspensions)	19	18	24	37	33
Public Reprimand	3	0	2	6	10
Private Reprimands (by Review Board and Bar Counsel)	13	17	25	35	31
Dismissed by Court	2	3	2	0	5
Inactive Status (includes Inactive by Consent)	6	2	3	9	4
Petitions for Reinstatement (Granted)	2	6	4	3	0
Petitions for Reinstatement (Denied)	0	1	2	2	9
Resignations	1	0	0	0	0
Monitoring	0	0	0	1	0
Total No. of Attorneys Disciplined	**62**	**62**	**74**	**117**	**111**

years and are eligible for reappointment. These volunteers serve without compensation. They are entitled to reimbursement for mileage, parking, and any necessary meals.

A Review Board, consisting of fifteen attorneys and three public members, is provided for by Maryland Rule 16-705d. he number of attorney members eligible to serve from each appellate circuit is set forth in that rule. The attorneys are selected by the Board of Governors of the Maryland State Bar Association, Inc. The public members are selected by the Commission. These volunteers also serve without compensation. They are entitled to reimbursement for mileage, parking and any necessary meals. An appointment to the Board is for a term of three years. No member is eligible for reappointment for a term immediately following the expiration of a member's service for a full term of three years. A member filling an unexpired term on the Board is eligible for reappointment to a full three-year term. The Board reviews matters referred to it by an inquiry panel or, if the inquiry panel is waived, by Bar Counsel. It is the Board (excepting certain criminal convictions) which directs Bar Counsel to file public charges against an attorney in the Court of Appeals. Judges are not permitted to serve on the Board or the Inquiry Committee.

The Commission received a total of 1,929 grievances in Fiscal Year 1998. This represented a decrease from Fiscal Year 1997. From the total grievances, 1,402 were determined not to warrant further investigation, either due to lack of evidence of a violation of the Maryland Rules of Professional Conduct; inability to prove a violation by the required standard of proof; or experience with similar complaints in the past which have been dismissed either at the inquiry panel stage or later in the disciplinary system. Five hundred twenty-seven (527) were "docketed" for further investigation. This represented a decrease from last fiscal year when 612 grievances were "docketed." Pending grievances, representing docketed matters which had not been resolved at the close of the fiscal year, totaled 653, a decrease from the total pending complaints (678) at the close of last fiscal year.

Nineteen (19) lawyers were disbarred in Fiscal Year 1998, compared to twenty-four (24) last fiscal year. Thirty-one (31) lawyers were suspended compared to thirty-four (34) last fiscal year. Two lawyers were suspended under Rule 16-716 compared to three last year. Private reprimands decreased to thirty-one (31). There were thirty-five (35) last fiscal year. Four attorneys were placed on inactive status compared with nine during the previous fiscal year. No attorney was reinstated. Petitions for reinstatement filed by three attorneys were denied by an order of the Court of Appeals after investigation. Six attorneys who filed petitions for reinstatement had those petitions denied by the Court of Appeals without referral of the petitions to the Commission for investigation.

The Commission provides financial support to the Lawyer Counseling program of the Maryland State Bar Association, Inc. That program provides assistance to attorneys who suffer from substance abuse or other problems affecting an attorney's ability to render competent legal services. Many attorneys with these problems have disciplinary complaints filed against them with the Commission.

The Commission maintains a toll-free intrastate number (1-800-492-1660) as a convenience to complainants and volunteers. The Commission also may be reached at its e-mail address at: agcm@erols.com. The Commission is listed on various web pages which refer to state disciplinary agencies, and it is listed on the web page dealing with the Maryland Judiciary.

Clients' Security Trust Fund

The Clients' Security Trust Fund was established by an act of the Maryland Legislature in 1965. The statute, now Business Occupations and Professions Article §§ 10-310 through 10-313, empowers the Court of Appeals to provide by rule for the operation of the Fund and to require from each lawyer an annual assessment as a condition precedent to the practice of law in Maryland. The Court of Appeals adopted Maryland Rule 16-811.

The purpose of the Clients' Security Trust Fund is to maintain the integrity and protect the good name of the legal profession. It reimburses clients for losses to the extent authorized by rule and deemed proper and reasonable by the trustees. This includes losses caused by misappropriation of funds by members of the Maryland Bar acting either as attorneys or as fiduciaries (except to the extent to which they are bonded).

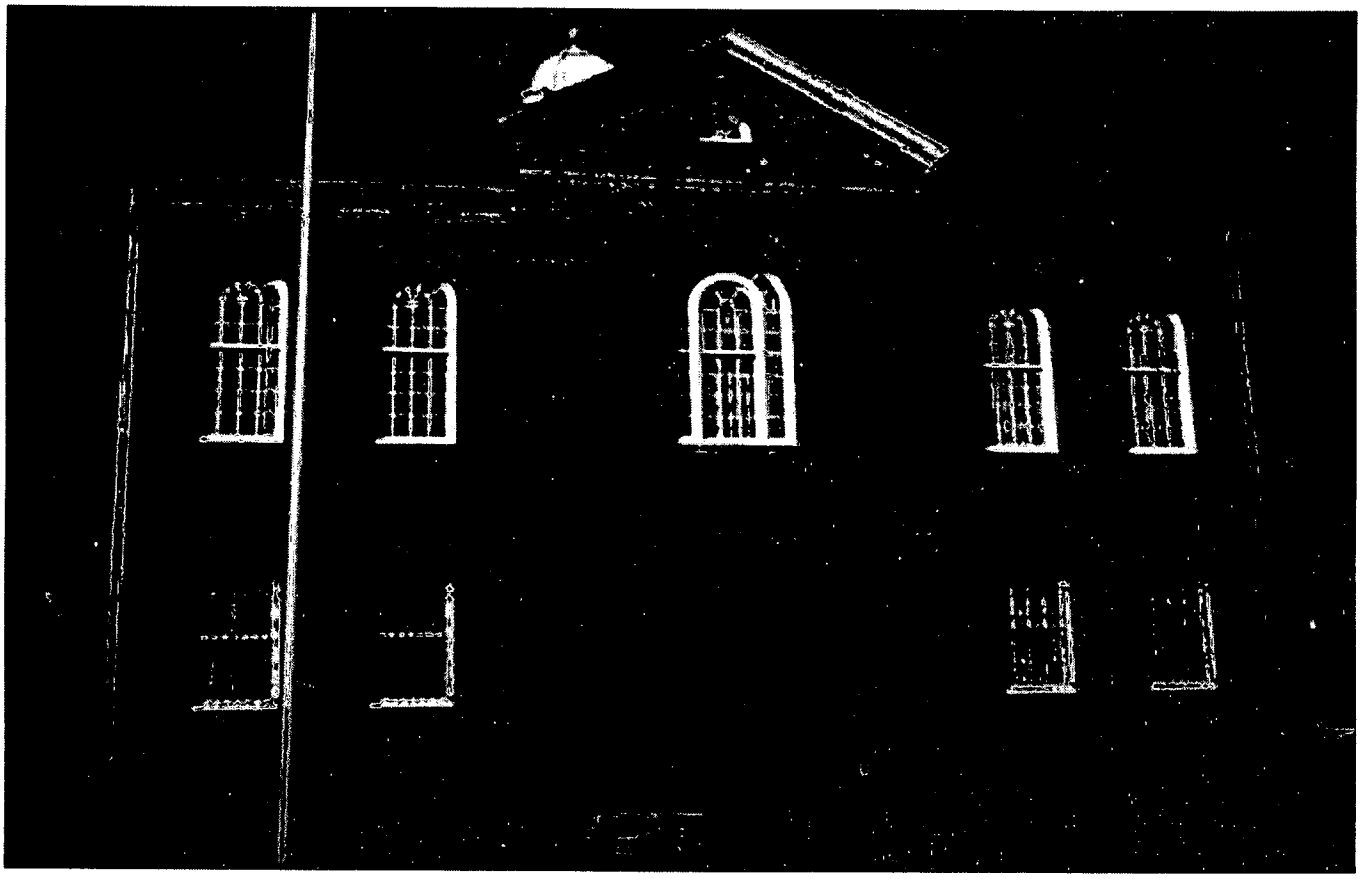
Nine trustees are appointed by the Court of Appeals, eight from the Maryland Bar and one from the general public. One trustee is appointed from each of the Appellate Judicial Circuits with the lay trustee and one lawyer member appointed from the State at large. Trustees serve on a staggered seven-year basis.

The Fund began its thirty-second year on July 1, 1997, with a balance of $2,851,894. That figure compares with a Fund balance of $2,552,198 on July 1, 1996. The Fund ended its thirty-second year on June 30, 1998, with a balance of $2,752,986.

The Trustees met on four occasions during Fiscal Year 1998. At their September 10, 1997, meeting, the following members were elected to serve as officers through the fiscal year ending June 30, 1998: Victor H. Laws, Esq., Chairman; Barbara Ann Spicer, Esq., Vice Chair; Vincent L. Gingerich, Esq., Secretary; and Isaac Hecht, Esq., Treasurer.

During Fiscal Year 1998, the Trustees decided 114 claims and paid sixty-eight (68) claims totaling $731,339. Thirty-three (33) Maryland lawyers were responsible for the approved claims. The total claims payments set a new Fund record for a single fiscal year and caused the Fund's reserve to decrease approximately $100,000. At the close of the fiscal year, there were seventy-nine (79) pending claims with a possible liability in excess of $3,335,049. Included in the claims were seven (7) for which an amount was not stated. These claims are in the process of investigation.

The Fund derived the sum of $562,487 from assessments and had interest income of $178,467 during Fiscal Year 1998. On June 30, 1998, there were 27,234 lawyers subject to annual assessments.



The Circuit Court for Somerset County
Princess Anne, Maryland

Judicial Conferences

The Judicial Conferences

The Maryland Judicial Conference

The Maryland Judicial Conference was organized in 1945 by the Honorable Ogle Marbury, then Chief Judge of the Court of Appeals. It currently exists under provisions of Maryland Rule 16-802, which directs it "to consider the status of judicial business in the various courts, to devise means for relieving congestion of dockets where it may be necessary, to consider improvements of practice and procedure in the courts, to consider and recommend legislation, and to exchange ideas with respect to the improvement of the administration of justice in Maryland and the judicial system in Maryland."

The Conference consists of all Maryland judges from the Court of Appeals, the Court of Special Appeals, the circuit courts for the counties and Baltimore City, and the District Court of Maryland. The Conference meets annually in plenary session with the Chief Judge of the Court of Appeals as Chair. The State Court Administrator serves as Executive Secretary.

Between annual sessions, Conference work is conducted by an Executive Committee and by a number of standing committees covering various subjects relevant to overall Judiciary operations. At present, the standing committees consist of the Civil Law and Procedure Committee, the Criminal Law and Procedure Committee, the Juvenile Law Committee, the Family and Domestic Relations Law Committee, the Child Support Enforcement Committee, the Mental Health, Alcoholism, and Addiction Committee, and the Public Awareness Committee. These committees are established by the Executive Committee in consultation with the Chief Judge. The Administrative Office of the Courts provides staff support to each Conference committee. In addition to the standing committees, the Executive Committee may appoint selected ad hoc committees as needed to address individual issues.

The Executive Committee

The Executive Committee consists of 17 judges elected by their peers from all court levels in the State. The Chief Judge of the Court of Appeals, the Chair of the Conference of Circuit Judges, and the Chief Judge of the District Court serve as ex-officio nonvoting members. The Committee elects its own chair and vice-chair. Its major duties are to perform the functions of the Conference between plenary sessions and to submit recommendations for improving the administration of justice in Maryland to the Chief Judge of the Court of Appeals, the Court of Appeals, and to the full Conference as appropriate. The Executive Committee also may submit recommendations to the Governor, to the General Assembly, or to both. These recommendations are transmitted through the Chief Judge and the Court of Appeals and are forwarded to the Governor or General Assembly, or both, with any comments or additional recommendations deemed appropriate by the Chief Judge or Court. During each annual legislative session, the Executive Committee appoints a Legislative Subcommittee to review relevant legislation. This Subcommittee coordinates with each Conference standing committee and helps the Executive Committee formulate a Judiciary position on important legislative matters.

The Executive Committee elected the Honorable Richard T. Rombro, Associate Judge of the Circuit Court for Baltimore City, as its chair, and the Honorable John M. Glynn, Associate Judge of the District Court for Baltimore City, as its vice-chair. The chair and vice-chair hold their offices for a one-year term.

During each year, the Executive Committee generally meets monthly except during the summer. Over the course of the past year, the Committee reviewed the work of the various committees and also considered certain issues on its own volition. Selected matters were subsequently referred to the General Assembly for action.

1998 Meeting of the Maryland Judicial Conference

The annual meeting of the Maryland Judicial Conference will be held in the fall of 1998; therefore, there is no business to relate in this report. The judges of the circuit court and District Court were able to conduct their meetings to discuss judicial business relating to their individual courts.

Conference of Circuit Judges

Pursuant to Maryland Rule 16-108, the Conference of Circuit Judges considers matters relating to the circuit courts. It is composed of sixteen members, including the eight Circuit Administrative Judges with one judge elected from each of the eight circuits for a two-year term. The Chairperson of the Conference is elected by the membership and serves a two-year term. The following represents some of the significant matters considered by the Conference at its meetings conducted during Fiscal Year 1998.

Role of the Conference

The Court of Appeals adopted, on June 8, 1998, amendments to Maryland Rule 16-108 affecting the role and governance of the Conference, to be effective October 1, 1998.

The Conference will work with the Chief Judge of the Court of Appeals, the Court of Appeals, and other judicial branch agencies in all circuit court matters, including but not limited to: programs and practices that will enhance the administration of justice; the level of operational and judicial resources to be included in the Judiciary Budget; legislation that may affect the circuit courts; and the compensation and benefits of circuit court judges. The Conference also will elect a Chair and a Vice-Chair and appoint an Executive Committee.

Judicial Education

The Fifth Annual Circuit Judges' Conference was held on March 20 and 21, 1998, in Columbia. The educational portion of the Conference included the following workshops: Appellate Decisions, Planning Your Retirement, Judicial Response to Attorney Misconduct, and a Post Conviction Debate.

Grand Jury Orientation Video

After the Conference viewed Baltimore County's Grand Jury Orientation Video, discussion arose concerning the development of a generic video to be used statewide. The Conference agreed to provide assistance to the Administrative Office of the Courts in developing a generic script for the production of these videos.

Subpoena for Medical Records - Certification

An issue was raised by the Conference concerning subpoenas for medical records not containing a certification that the patient has been notified or notice has been waived as required under Health-General Article § 4-306. It was noted that lack of such a certification has resulted in hospitals refusing to provide these records, precipitating postponement of cases. It also was noted that exemptions exist in the law and not every subpoena for medical records requires certification. At the direction of the Conference, the Administrative Office of the Courts devised certification language covering not just medical records but also financial records. The new form was unanimously approved by the Conference and distributed to the courts.

Court Reporter Transcript Fees

A Conference committee was appointed to consider an increase in transcript fees. The committee was chaired by a Conference member and included representatives from a State's Attorney's Office, the Office of the Public Defender, the private bar and the Maryland Court Reporters Association. The committee proposed to set fees at $3.00 per page for an original, $.50 per page for a second copy, and $.25 per page for a third copy effective July 1, 1999. Disk copies will cost $3.75. The recommendation was adopted by the Conference and transmitted to the Chief Judge of the Court of Appeals, who issued an administrative order.

Treatment Facilities

It was brought to the attention of the Conference that the Department of Health and Mental Hygiene does not have facilities that provide treatment to individuals diagnosed with both a mental impairment and a substance abuse problem. A Conference member will meet with the Secretary of the Department of Health and Mental Hygiene to explore this situation and report back to the full Conference.

Electronic Home Monitoring

The Conference played a key role in the development and passage of legislation establishing a certification process for companies providing home monitoring services.

Law Clerk Orientation

The Conference presented a one-day orientation program for all law clerks which included presentations on ethical and practical considerations, post-conviction, appellate issues, and search and seizure.

C.I.N.A. Contracts

The Secretary of Human Resources appeared before the Conference to address problems associated with the contract renewal relating to legal services in C.I.N.A. cases. The Secretary agreed to consult with the Conference prior to the publication of the next request for proposal.

Administrative Judges Committee Of The District Court

The Administrative Judges Committee of the District Court, unlike its counterpart, the Conference of Circuit Judges, was not established by rule of the Court of Appeals, but arose almost inherently from the constitutional and statutory provisions which created the District Court in 1971. Under Article IV of the Maryland Constitution and the implementing legislation in the Courts and Judicial Proceedings Article, the District Court is a single, Statewide entity. The Chief Judge is responsible for the maintenance, administration, and operation of the District Court at all of its locations throughout the State, with constitutional accountability to the Chief Judge of the Court of Appeals. The administrative judges in each of the District Court's twelve districts are in turn responsible to the Court's Chief Judge for the administration, operation, and maintenance of the District Court in their respective districts.

To enable these thirteen constitutional administrators to speak with one voice, the Chief Judge formed the Administrative Judges Committee when the Court began in 1971. In 1978, when former Maryland Rule 1207 (currently Maryland Rule 16-108) was amended to provide for election of some of the members of the Conference of Circuit Judges, the Chief Judge provided for the bienniel election of five trial judges of the District Court to serve on the Committee with the District Court's twelve administrative judges. In 1998, the Chief Judge expanded the membership of the committee to include the Chair of the District Court Civil Committee and the Chair of the District Court Committee on Criminal and Motor Vehicle Matters. The Chief Judge, *ex*

officio, serves as Chairman of this Committee.

At its quarterly meetings during Fiscal Year 1998, the Committee addressed numerous items, including:

-District Court judicial leave policy;

-numerous forms affecting the operation of the Court;

-preliminary inquiry procedure;

-issues involving the Drinking Driver Monitor Program;

-domestic violence;

-pretrial rights;

-"Pass for Settlement" procedures;

-Community Court;

-concerns relating to Public Awareness;

-landlord/tenant matters;

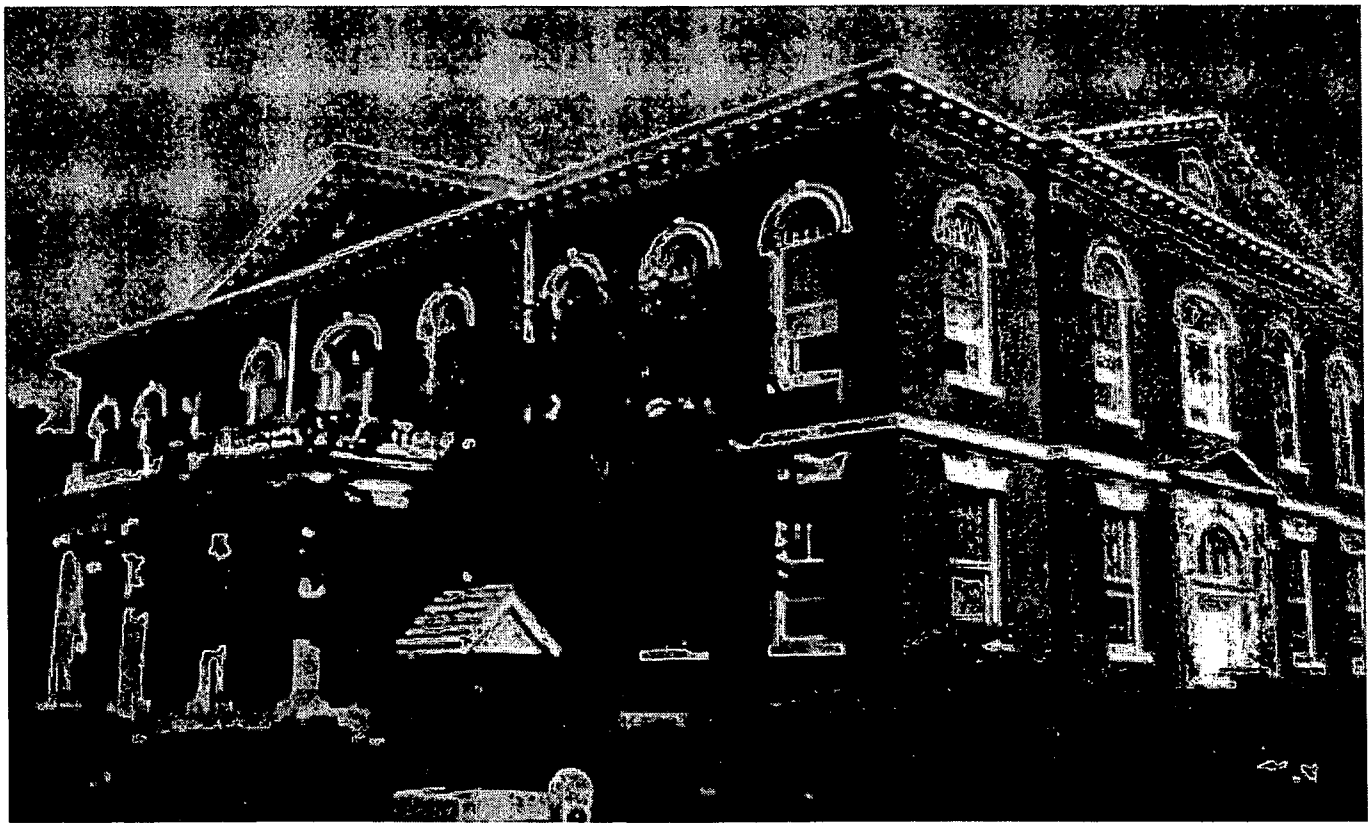
-Civil Protection Orders;

-mediation;

-Automated red light violations; and

-District Court facilities.

The Committee also reviewed and made recommendations to the Executive Committee of the Maryland Judicial Conference and the General Assembly concerning various bills affecting the operation and administration of the District Court.



The Circuit Court for Harford County
Bel Air, Maryland

Appointment, Discipline, And Removal Of Judges

Appointment, Discipline, and Removal of Judges

Under the Maryland Constitution, when a vacancy in a judicial office occurs, or when a new judgeship is created, the Governor is entitled to appoint an individual to fill the office.

The Constitution also provides certain basic qualifications for judicial office. These include: Maryland citizenship; residency in Maryland for at least five years and in the appropriate circuit, district or county, for at least six months; registration as a qualified voter; admission to practice law in Maryland; and the minimum age of thirty. In addition, a judicial appointee must be selected from those lawyers "who are most distinguished for integrity, wisdom, and sound legal knowledge."

Although the Constitution sets forth these basic qualifications, it provides the Governor with assistance in the exercise of this discretion in making judicial appointments. Maryland governors have themselves filled that gap, however, by establishing Judicial Nominating Commissions.

Judicial Nominating Commissions

Before 1971, Maryland governors exercised their powers to appoint judges subject only to such advice as a particular governor might wish to obtain from bar associations, legislators, lawyers, influential politicians, or others. Due to dissatisfaction with this process, and concern with other aspects of judicial selection and retention procedures in Maryland, the Maryland State Bar Association, Inc. for many years pressed for the adoption of some form of what is generally known as "merit selection" procedures.

In 1970, these efforts bore fruit when then Governor Marvin Mandel, by Executive Order, established a statewide Judicial Nominating Commission to propose nominees for appointment to the appellate courts, and eight regional Trial Courts Nominating Commissions to perform the same function with respect to trial court vacancies. These nine commissions began operations in 1971. However, in 1988, the Judicial Nominating Commissions were restructured to allow each county with a population of 100,000 or more to have its own Trial Courts Nominating Commission. That restructuring resulted in fourteen trial court commissions, known as Commission Districts, as well as an Appellate Judicial Nominating Commission. Since then, a fifteenth Commission District was added in Charles County because of increased population in that jurisdiction. In addition, under an Executive Order issued by Governor Parris N. Glendening, effective May 16, 1995, a sixteenth Trial Courts Nominating Commission was added. That Commission District comprises Caroline, Dorchester and Talbot Counties. Each judicial vacancy filled pursuant to the Governor's appointing power is filled from a list of nominees submitted by a Nominating Commission.

The sixteen trial courts commissions consists of six lawyer members, including four elected by other lawyers within designated geographical areas and two appointed by the Governor; six lay members appointed by the Governor; and a chairperson, who may be either a lawyer or a lay person, appointed by the Governor. As a result of the Governor's Executive Order and the restructuring of the appellate circuits, the Appellate Judicial Nominating Commission now is comprised of eight lawyer members and eight lay members, representing the seven appellate circuits and two at-large positions, and a chairperson. Seven of the lawyer members of the appellate commission are elected, while the Governor appoints the lay members, one at-large lawyer member, and the chairperson. Their terms are conterminous with that of the Governor. The Administrative Office of the Courts acts as a secretariat to all commissions and provides staff and logistical support.

When a judicial vacancy occurs or is about to occur, the Administrative Office of the Courts notifies the appropriate commission and places an announcement in *The Daily Record*. Notice of the vacancy is also sent to the Maryland State Bar Association, Inc. and the local bar association. After the filing deadline, the names of the applicants are published in a local newspaper seeking comments from the public prior to the commission meeting.

The Commission then meets and considers the applications and other relevant information, such as recommendations from bar associations or individual citizens. Either the full Commission or the Commission panel interviews each candidate. After discussion of the candidates, the Commission prepares a list of those it deems to be "legally and professionally most fully qualified" for judicial office. This list, which is forwarded to the Governor, is prepared by secret written ballot. No Trial Courts Commission may vote unless at least 10 of its 13 members are present . Eleven members of the Appellate Commission must be present. An applicant may be included on the list if he or she obtains a majority of votes of the Commission members present at a voting session. Under the Executive Order, a pooling system is used. Under this system, persons nominated for appointment to a particular court level are automatically nominated again, along with any additional nominees, for new vacancies on that particular court that occur within 12 months of the date of initial nomination. The Executive Order binds the Governor to make an appointment from either the Commission list or the list of nominees that are in the pool.

Judicial Nominating Commission Statistics
Judicial Vacancies and Nominees
Fiscal Year 1990–Fiscal Year 1998

		Court of Appeals	Court of Special Appeals	Circuit Courts	District Court	TOTAL
FY 1990	Vacancies	1	1	12	9	23[a]
	Applicants	6	16	83	99	204
	Nominees	0	5	43	28	76
FY 1991	Vacancies	2	3	10	16	31[b]
	Applicants	18	33	53	197	301
	Nominees	7	12	21	59	99
FY 1992	Vacancies	0	0	10	5	15[c]
	Applicants	0	0	48	49	97
	Nominees	0	0	27	15	42
FY 1993	Vacancies	0	1	5	5	11[d]
	Applicants	0	19	48	77	144
	Nominees	0	6	9	23	38
FY 1994	Vacancies	1	1	15	9	26[e]
	Applicants	6	10	53	164	333
	Nominees	3	4	33	44	84
FY 1995	Vacancies	0	1	12	9	22[f]
	Applicants	0	6	107	125	238
	Nominees	0	5	35	36	76
FY 1996	Vacancies	0	1	19	7	27[g]
	Applicants	0	12	95	70	177
	Nominees	0	4	34	24	62
FY 1997	Vacancies	1	4	10	11	26[h]
	Applicants	6	38	49	111	204
	Nominees	5	20	22	38	85
FY 1998	Vacancies	1	1	14	8	24[i]
	Applicants	5	10	51	109	175
	Nominees	3	2	30	31	66

NOTE: Due to the pooling system established under the Executive Order since Fiscal Year 1981, the number of applicants and nominees may be somewhat understated. The numbers given in the chart do not include individuals whose names were available for consideration by the Governor pursuant to the pooling arrangement.

a Four vacancies that occurred in FY 90 were not filled until FY 91. A meeting for one District Court vacancy was not held until FY 91.

b Four vacancies that occurred in FY 91 were not filled until FY 92. Meetings for three vacancies that occurred in FY 91 were held in FY 92.

c At the close of FY 92, a meeting had not been held for one District Court and four circuit court vacancies. Several vacancies were still awaiting appointments.

d At the close of the fiscal year, a meeting had not been held for one circuit court and one District Court vacancy. Several vacancies were still awaiting appointments.

eThere were two vacancies still awaiting appointments at the close of FY 94. Additionally, the meeting for one FY 94 vacancy was held at the beginning of FY 95.

f At the close of the fiscal year, meetings had not been held for eleven vacancies. Additionally, two vacancies were readvertised with meetings scheduled to be held during FY 96. Two vacancies for which meetings were held during the fiscal year were awaiting appointments.

g There was one vacancy still awaiting an appointment at the close of the year.

h There were two vacancies from the circuit court and three from the District Court for which appointments had not been made at the close of the fiscal year.

i There was one circuit court vacancy and three District Court vacancies still awaiting appointments at the close of the fiscal year.

Judicial Nominating Commissions as of June 30, 1998

APPELLATE

Albert D. Brault, Esq., Chair

Augustus F. Brown, Esq.
Elliott Burch, Jr.
James R. DeJuliis
Susan R. Gelman
Jane B. Lowe
Midgett S. Parker, Esq.
Roger A. Perkins, Esq.
Charles W. Pinkney
Benjamin Rosenberg, Esq.
Pamela B. Sorota, Esq.
Rosetta M. Stith, Ph.D.
Kenneth R. Taylor, Jr.
Roger W. Titus, Esq.
Lynn F. Weinberg, Esq.
Peter Ayers Wimbrow, III, Esq.
Vacancy

TRIAL COURTS

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Harland I. Cottman
Julia E. Foxwell
David C. Gaskill, Esq.
Jean S. Laws, Esq.
James F. Morris
John D. Smack
Kathleen E. Smith, Esq.
Henry L. Vinyard, Esq.
Warren Garrison White
William L. Wilkinson

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(Cecil, Kent & Queen Anne's Counties)
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William D. Fossett
Thomas M. Groce, Jr.
Jennifer Lynn Hammond, Esq.
Cristina H. Landskroener, Esq.
Marguerite W. Mankin
James O. Pippin, Jr.
Gene A. Price
Jeffrey E. Thompson, Esq.
Patrick E. Thompson, Esq.
Sharon C. Walla, Esq.
David C. Wright, Esq.

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Willie M. Benson
Alfred L. Brennan, Jr., Esq.
Wayne R. Gioioso, Sr.
William L. Jews
Mary G. Loker
Gloria K. McJilton
Lisa Lynn Mervis, Esq.
Thomas Minkin, Esq.
G. Warren Mix, Esq.
John J. Nagle, Esq.
Beverly Penn

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(Harford County)
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Maria K. Caruso, Esq.
Rev. C. Anthony Hunt
John Bruce Kane, Esq.
Michael Emmett Leaf, Esq.
Rhonda B. Lipkin, Esq.
Diane L. Sengstacke, Esq.
Mary Bernadette Sullivan
David D. R. Thomey
Christine E. Tolbert
Albert J. A. Young, Esq.
Vacancy
Vacancy

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(Allegany and Garrett Counties)
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Lee A. Caplan, Esq.
Anne L. Gormer
Stephen J. Herman
William Stevens Hidey, Esq.
Craig M. Ingram, Esq.
Thomas R. Janes, Esq.
Dorothy Robins Leuba
Phyllis R. MacVeigh
Constance E. Margison
Linda M. Thomas, Esq.
Stephen C. Wilkinson, Esq.

Commission District 6
(Washington County)
Paul C. Mellott, Jr., Chair

Jeanne A. Davis
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The Judicial Nominating Commissions had before them for consideration during Fiscal Year 1998 twenty-four vacancies. That figure was consistent with the previous year's total of twenty-six judicial vacancies. During Fiscal Year 1998, there was one vacancy on each of the appellate courts, as well as fourteen on the various circuit courts and eight District Court vacancies. A judicial retirement created the vacancy on the Court of Appeals, while the Court of Special Appeals' vacancy was the result of the sitting judge being elevated to the higher court. There were six newly created judgeships on the circuit courts and two on the District Court. In addition, six circuit court vacancies resulted from the expiration of the term of the sitting judges, while the remaining two vacancies were the result of retirements. Reasons for the remaining vacancies on the District Court included the election of one judge to the circuit court, the resignation of one judge, the retirement of two judges and the elevation of two judges to the circuit court level. Comparative statistics with respect to vacancies, including the number of applicants and nominees, are reflected on the accompanying table. It should be noted that the table does not reflect the pooling arrangements outlined above. The table provides statistics only for new applicants and nominees.

At the close of the fiscal year, appointments had been made to twenty of the twenty-four vacancies. Prior to the end of Fiscal Year 1998, the Commission members met and submitted a list of names to the Governor for consideration for appointment to the remaining four vacancies. A judge from the Court of Special Appeals was chosen to fill the vacancy on the Court of Appeals, while a circuit court judge was appointed to fill the vacancy on the Court of Special Appeals. The thirteen appointments made to the circuit courts included three judges elevated from the District Court, two private attorneys, two attorneys from the public sector and six sitting judges who were reappointed following the expiration of their terms. Of the five judges appointed to the District Court, three were from the public sector, while two were private attorneys.

Removal and Discipline of Judges

Judges of the appellate courts run periodically in noncompetitive elections. This process is often referred to as "running on their record." A judge who does not receive a majority of the votes cast in such an election is removed from office. Judges from the circuit courts of the counties and Baltimore City must run periodically in regular contested elections. If a judge is challenged in such an election and the challenger wins, the judge is removed from office. District Court judges do not participate in elections but face Senate reconfirmation every ten years. A District Court judge who is not reconfirmed by the Senate is removed from office. In addition, there are at least six other methods that may be employed to remove a judge from office:

1. The Governor may remove a judge "on conviction in a Court of Law, of incompetency, of wilful neglect of duty, misbehavior in office, or any other crime".

2. The Governor may remove a judge on the "address of the General Assembly" if two-thirds of each House concurs in the address, and if the accused has been notified of the charges and has had an opportunity to make a defense.

3. The General Assembly may remove a judge by two-thirds vote of each House, and with the Governor's concurrence, by reason of "physical or mental infirmity".

4. The General Assembly may remove a judge through the process of impeachment.

5. The Court of Appeals may remove or retire a judge upon recommendation of the Commission on Judicial Disabilities.

6. Upon conviction of receiving a bribe in order to influence a judge in the performance of official duties, the judge is "forever ... disqualified for holding any office of trust, or profit, in this State" and thus presumably removed from office.

Article XV, § 2 of the Constitution, adopted in 1974, may provide another method to remove elected judges. It provides for automatic suspension of an "elected official of the State" who is convicted or enters a nolo plea for a crime which is a felony or which is a misdemeanor related to the public duties and involves moral turpitude. If the conviction becomes final, the officer is automatically removed from office.

Despite the availability of other methods, only the fifth procedure has actually been used within recent memory. The use of this method involves an analysis and recommendation by the Commission on Judicial Disabilities. Since this Commission also has the power to recommend discipline less severe than removal, it is useful to examine that body.

The Commission On Judicial Disabilities

The Maryland Commission on Judicial Disabilities was established by Constitutional Amendment in 1966 in response to a growing need for an independent body which would assist in superintending the conduct of judges. A 1970 Constitutional Amendment strengthened the Commission. Its powers were further clarified in a 1974 Constitutional Amendment. The constitutional provisions were implemented by former Maryland Rule 1227, which the Court of Appeals amended heavily in 1995. Then a Constitutional Amendment that, among other things, added four additional lay members to the Commission, was approved by Maryland voters in November, 1996. By an Order dated June 5, 1996, effective January 1, 1997, the Court of Appeals renumbered the rules applicable to the Commission as Maryland Rules 16-803 through 16-810.

Although the 1996 Constitutional Amendment raised Commission membership from seven to

eleven, the Commission temporarily will consist of twelve members including four judges, one from the Court of Special Appeals of Maryland, two from the circuit courts, and one from the District Court; three members of the bar with seven years experience; and five lay persons all of whom are appointed by the Governor and hail from different areas of Maryland. Until January 1, 1999, the Commission will have an additional circuit court judge member, which Chapter 113, Laws of 1995 apparently contemplated by specifying that as part of the transition from 7 to 11 members, the incumbent judicial members could complete their terms unless their terms expire sooner or they resign.

The Commission on Judicial Disabilities serves the public and the judiciary in a variety of ways. Its primary function is to receive, investigate, and act on complaints against members of Maryland's Judiciary. The Commission's jurisdiction extends to all judges of the Maryland Court of Appeals, Court of Special Appeals, circuit courts, District Courts, and Orphans' Courts. Pursuant to Maryland Rule 16-810, the Commission also supplies judicial nominating commissions confidential information concerning actions taken other than dismissals or pending charges against those judges seeking nomination or appointment to other offices.

The Commission members and staff continue to participate in judicial training and informational programs for judges, lawyers, and the public.

Numerous individuals write or call the Commission expressing dissatisfaction with a judge or with the outcome of a case or some judicial ruling. While some of these complaints may not come technically within the Commission's jurisdiction, the complainants are afforded an opportunity to express their feelings and frequently are informed, for the first time, of their right to appeal. Thus, the Commission, in an informal fashion offers an ancillary, though vital, service to members of the public. Callers are also informed of the prerequisite for filing a formal complaint.

Procedure for acting on complaints

Complaints filed with the Commission must be in writing and under affidavit, but no particular form is required. Complaints are docketed as either formal or miscellaneous. Formal complaints are those that meet the requirements of Maryland Rule 16-803(d). Each formal complaint receives a consecutive docket number for the calendar year in which it is received and is investigated by the Commission's Investigative Counsel in accordance with Maryland Rule 16-805(b). Miscellaneous complaints received by the Commission are docketed similarly with an additional suffix to indicate that either the complaint is lacking an affidavit and/or some other requirement of the rules has not been met. Persons who file complaints which are designated miscellaneous complaints are informed of the requirements and procedures necessary for their complaint to be handled as a formal complaint under Maryland Rule 16-803(d). In addition, they are provided with the required language to be used in an affidavit. If an individual initially files a miscellaneous complaint but later corrects the deficiency, the complaint is converted to a formal complaint and retains the original docket number without the special suffix.

Having received a formal complaint against a member of the judiciary, the Commission's Investigative Counsel must determine whether the complaint is "frivolous on its face" or whether the complaint has facial merit to warrant investigation. If the Investigative Counsel concludes that a complaint is frivolous, the Counsel has the authority to dismiss the complaint and notify the complainant, the Commission, and, upon request, the judge of such a dismissal. If the complaint has facial merit, the Investigative Counsel conducts a preliminary investigation to determine whether reasonable grounds exist to believe the allegations of the complaint state probable cause to believe that sanctionable conduct, as defined by law, may have occurred or a disability exists. Investigative Counsel has 60 days from receipt of the complaint in which to complete the preliminary investigation. This time period may be extended by the Commission for good cause.

Upon completion of the preliminary investigation, the Investigative Counsel must determine whether to recommend to the Commission that formal proceedings be initiated, after which a hearing usually must be held regarding the judge's alleged misconduct or disability. As a result of the hearing, the Commission may, by a majority vote of the full Commission, dismiss the complaint on clear and convincing evidence, issue a public reprimand or recommend that a judge should be suspended, retired, removed, or censured. In the latter instances, it recommends that course of action to the Court of Appeals of Maryland. The Court of Appeals may adopt the Commission's recommendation, dismiss the case or order a different (either more or less severe) discipline of the judge than the Commission recommended.

The Commission also has several available disciplinary options that do not require a public hearing before imposition. Pursuant to Maryland Rule 16-807, the Commission may issue a private reprimand to a judge or enter into a deferred discipline agreement with the judge. In both cases, the complainant is notified of that disposition, but not of the details of the discipline imposed. Additionally, that Commission can dismiss a complaint, but accompany the dismissal with a warning against future sanctionable conduct. A dismissal with a warning, however, is not considered under the Rules to be a reprimand, nor does it constitute discipline.

Matters pending at the end of Fiscal Year 1998

Before complaints are formally initiated or where press coverage of some judicial actions prompt, many individuals telephone the Commis-

sion to register complaints. In Fiscal Year 1998, the commission received hundreds of such telephone calls. Callers are offered an opportunity to explain their grievances and are also informed about how to file a formal complaint. Callers are routinely sent a follow up letter detailing the language and procedures necessary to file a formal complaint along with an explanation of the applicable confidentiality provisions of Maryland Rule 16-810.

During Fiscal Year 1998, the Commission considered 145 written complaints (115 formal and 30 miscellaneous complaints), representing an increase over the prior fiscal year. Of the 145 complaints, 7 were initiated by practicing attorneys, 35 by inmates, 4 on the initiative of the Investigative Counsel, 2 by members of the Maryland Judiciary, and the remaining 97 by members of the general public. Some complaints were directed simultaneously against more than one judge and sometimes a single jurist was the subject of multiple complaints.

Complaints against circuit court judges totaled 112; 16 complaints were made against District Court judges, five complaints were filed against Court of Special Appeals judges, two complaints were made about Court of Appeals judges, and 10 complaints were received against Orphans' Court judges.

Between 1996 and 1998, the Commission has experienced a shift in the types of cases from which complaints arose. The number of complaints arising out of criminal cases has decreased, while the number of complaints resulting from civil cases has increased. Litigation over family law matters (divorce, alimony, custody, visitation) prompted 38 complaints, criminal cases (including traffic violations) prompted 42 complaints, and the remainder resulted from other civil litigation.

During Fiscal Year 1998, several judges retired which resulted in the dismissal of complaints lodged against them. In addition, the Commission issued one private reprimand and entered into deferred discipline agreements with four judges. Several cases remained open at the end of the fiscal year, pending further investigation or receipt of additional information.

The vast majority of complaints in Fiscal Year 1998 were dismissed because the allegations set forth in the complaints were either found to be unsubstantiated, or the conduct complained about did not constitute sanctionable conduct as defined in Maryland Rule 16-803(g).

The diversity of Commission membership in terms of experience, county of residence, gender, race, and age has been a distinct benefit in analyzing and handling complaints in an evenhanded and thorough manner. Commission members attend regular monthly meetings and actively participate in deliberations regarding each complaint, bringing to the discussion a wide range of professional experience and common sense.

Staff

In Fiscal Year 1998, the Commission staff included a full-time Investigative Counsel, a part-time Assistant Investigative Counsel, a part-time Executive Secretary, a part-time Administrative Aide and a part-time Legal Assistant. All of the Commission's employees worked on a contractual basis. The Investigative Counsel, Assistant Investigative Counsel, and Executive Secretary are attorneys.

Commission Members

The Honorable Glenn T. Harrell, Jr., Chair
Associate Judge, Court of Special Appeals

The Honorable DeLawrence Beard
Chief Judge, Circuit Court for Montgomery County

The Honorable Marjorie L. Clagett
Associate Judge, Circuit Court for Calvert County

The Honorable Teaette S. Price
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Mr. Randolph G. Outen
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Ms. Constance R. Beims
Harford County

1998 Legislation Affecting The Courts

1998 Legislation Affecting the Courts

This summary outlines some of the legislation enacted during the 1998 Regular Session of the General Assembly. Unless noted, the effective date generally will be October 1, 1998.

Judges

New Judgeships

Seven new judgeships are authorized by Chapter 370 (SB 300), with two for the Circuit Court for Prince George's County, one for the Circuit Court for St. Mary's County, two for District 1 (Baltimore City), one for District 6 (Montgomery County) and one for District 10 (Howard County). The Judiciary's certification of need had reflected a need for all of these judgeships, but the Judiciary had asked only for one (SB 167/HB 259), for the community court project described below.

Recall

On proclamation if ratified, Chapter 323 (HB 229) will enable the Chief Judge of the Court of Appeals to assign recalled judges to an orphans' court in Harford or Montgomery County.

Study Commissions

Chapters 464/465 (HB 309/SB 68) will create a commission to study caseloads and other issues relating to juvenile court jurisdiction. The Chief Judge of the Court of Appeals is to appoint two members.

Chapter 778 (HB 149) creates a Task Force to Study Increasing Availability of Substance Abuse Programs. The General Assembly failed to add judge members requested by the Judiciary.

Court Personnel

At the request of the Judicial Conference, the General Assembly enacted Chapter 741 (HB 1265), which, on July 1, 1998, removed approximately 840 District Court employees from the State Personnel Management System so that all Judiciary employees will be governed to Judicial Branch policies.

Also on July 1, Chapter 512 (HB 781) abolished the office of the Director of Assignments in Prince George's County and enabled the County Administrative Judge to establish an office to schedule all proceedings before the circuit court and to employ and supervise staff.

Chapter 221 (HB 175) will increase the cap on salaries of Circuit Court Clerks to $75,000. A salary increase would be subject to action of the Board of Public Works and could not take effect until the next term of office.

Court Administration

Chapter 109 (SB 125) appropriates money for a community court in downtown Baltimore, to be housed in a building transferred by the Greater Baltimore Committee to the Maryland Economic Development Corporation, subject to documentation of private sector funding for building acquisition and renovation and of development and operation of information systems and preparation of a comprehensive plan detailing such matters as the nuisance crimes to be processed, community services to be performed by offenders, service levels and providers, costs for drug treatment programs for offenders, and the expected roles of and coordination among the District Court, the Department of Public Safety and Correctional Services, the Public Defender, the State's Attorney, the University System of Maryland at Baltimore City, and the Greater Baltimore Committee. In consultation with the Judiciary, the Department of Budget and Management must submit to the budget committees by December 1, 1998, a feasibility study on community courts in west Baltimore City and Silver Spring by Fiscal Year 2000.

Chapter 352 (SB 198) requires, as of July 1, 1998, that judges of the Circuit Court for Cecil County consult with the Cecil County Bar and Library Association, Inc. on expenditures of the library fund and allows the Association to transfer excess money in the library fund to the Bar Foundation for charitable and educational purposes.

Chapter 765 (SB 332) creates, in the AOC, a special fund for the Maryland Legal Services Corporation, comprised partly of surcharges not exceeding $10 for civil cases in circuit courts and not exceeding $2 for civil cases in the District Court. Pursuant to this authorization, the State Court Administrator submitted to the Board of Public Works a revised fee schedule, proposing *inter alia* a $10 surcharge. The Board approved the schedule, to be effective July 1, 1998. The Chief Judge of the District Court similarly amended the civil fee schedule for that Court, including a surcharge in the amended fees.

With funding first to be included in the AOC budget proposed for Fiscal Year 2000, Chapter 771 (SB 592) will require State funding of interpreter services required by federal or State law in circuit court proceedings and a $5 State *per diem* for jurors. Counties must pay the balance of the *per diem* and expenses allowed currently, absent a modifying local ordinance. If the clerk establishes a one day/one trial system for the Circuit Court for Frederick County, jurors in that County will receive $10 per day with an additional $10 for service past 1 p.m., under Chapter 207 (SB 774).

Chapter 771 also requires the AOC, in consultation with the Mary-

land State Bar Association, Inc., and Judicial Conference, to report to the budget committees, on or before November 15, 1998, as to: 1) how to achieve greater uniformity among judicial masters as to compensation, qualifications, appointment and duties; 2) how to achieve greater uniformity and standard qualifications as to interpreters in the circuit courts and the District Court; and 3) the process of juror selection and assignment, including length of service.

On or before January 1, 1999, the Chief Judge of the Court of Appeals is to report to the budget committees on: (1) expansion of family divisions beyond Baltimore City and Anne Arundel, Baltimore, Montgomery, and Prince George's Counties; (2) establishment of performance and fiscal accountability; (3) increased uniformity as to processing of cases; (4) uniformity in types of services for litigants; (5) recoupment of service costs from litigants; (6) disparity in employee titles and salaries among family divisions; (7) formal performance evaluations of divisions; (8) supplanting of local funds; (9) ability to operate a division in the Circuit Court for Montgomery County with the juvenile court in the District Court; and (10) feasibility of placing the juvenile court in Montgomery County within the circuit court system.

Civil Law & Procedure

Jurisdiction/Jury Trials

Chapter 673 (HB 194) increases the jurisdictional limit of the District Court from $20,000 to $25,000 in contract, tort and attachment before judgment matters filed on or after October 1, 1998, but not in Division of Labor and Industry civil penalty cases.

On proclamation, if ratified, Chapter 322 (HB 192) will increase the jury trial amount in civil cases from $5,000 to $10,000.

Bad Checks

Retroactive to January 1, 1997, Chapter 682 (HB 298) reenacts the civil bad check provisions repealed by Chapter 91, Acts of 1996. The Attorney General had opined that the repeal was ineffective. *Op. Att'y Gen.* 97-011.

Immunity & Liability

Retroactive to cases filed on or after January 30, 1998, Chapter 397 (SB 468) defines interested/independent and disinterested corporate directorships under the federal Investment Company Act of 1940, in response to *Strougo v. Scudder, Stevens & Clark, Inc.*, 964 F. Supp. 806 (S.D.N.Y. 1997) (denying motion to dismiss shareholder suit). Chapter 397 also will require an entity to have the written consent of someone being designated as a resident agent on or after October 1, 1998.

As to cases pending or filed on or after July 1, 1998, and appeals not exhausted, Chapter 122 (SB 652) makes cases involving State claims on tobacco a non-exclusive remedy and allows statistical evidence, without proof as to individuals.

In causes of actions arising on or after October 1, 1998, Chapter 374 (SB 330) will grant immunity to architects for practice during declared emergencies, up to insurance limits, absent, *e.g.*, wanton conduct.

In an original, counter, cross, or third party claim against an architect, interior designer, landscape architect, professional engineer or land or property line surveyor originally filed in a circuit court on or after October 1, 1998, Chapter 452 (HB 188) will require a certificate of merit. Provisions for necessary discovery are included.

Judgments

Chapter 375 (SB 333) will disallow an exemption for contributions in excess of the maximum allowed under § 408A of the Internal Revenue Code.

Criminal Law & Procedure

Jurisdiction and/or Limitations

Chapters 464/465 (HB 309/SB 68) will divest a juvenile court of jurisdiction over a convicted felon who is alleged to have committed another act constituting a felony for an adult, subject to reverse waiver of some children.

The period of limitations will increase from one to three years as to computer offenses (Chapter 525 (HB 925)) and vehicle accidents resulting in injury or death (Chapter 781 (HB 659)).

Victims' Rights

Under Chapter 480 (HB 506), a prosecutor must notify a victim of a plea agreement before a court proceeding, if practicable. After a proceeding at which a victim is not present, a prosecutor must give notice of the judicial action as well.

Chapter 479 (HB 500) will make the presence of a victim or representative a right, rather than a presumptive right, absent findings on the record that the victim/ representative will be recalled/called and future testimony would be influenced in a manner materially affecting a defendant's right to a fair trial. Chapter 479 also will expand the victims, and representatives, to whom the right applies.

Chapter 367 (SB 280) will require a hearing before a sentence review panel orders a different sentence and will allow a victim to attend and address the panel. Currently, a hearing is required only before a panel increases a sentence or requires a suspended sentence to be served. Chapter 367 also specifies that, in any instance in which a sentence will be altered, the victim must be given prior notice.

Penalties

Chapter 382 (SB 389) continues the Commission on Criminal Sentencing Policy through July 1, 1999.

Among the many measures enacting new or altered offenses or affecting penalties, are: Chapter 538 (HB 1067), which makes death eligible principals in the second degree who wilfully, deliberately and with

premeditation intended the death, are major participants in and are present at murders of law enforcement officers committed on or after October 1, 1998; Chapter 380 (SB 368), which will authorize life without parole for sexual offenses against kidnapped children; Chapters 372/373 (SB 329/HB 1080), which will increase the period of imprisonment authorized for death of a child as a result of abuse; Chapter 649 (SB 738), which will increase penalties for fleeing or eluding the police by vehicle; and Chapter 781 (HB 659), which will alter penalties authorized for accidents resulting in injury or death.

Chapter 685 (HB 339) will increase the penalties authorized for certain violations of *ex parte* and protective orders. From the current 90 days and/or $500, the penalties authorized for a first offense will be 90 days and/or $1,000 and for a subsequent offense, 1 year and/or $2,500, thereby rising above the jury trial limit.

Chapter 460 (HB 265) will include Allegany and Garrett Counties among jurisdictions where probation before judgment may be conditioned on confinement.

Chapter 497 (HB 666) makes numerous changes in the laws governing forfeiture in connection with controlled dangerous substance of fenses.

Home Monitoring Services

Chapter 331 (SB 633) provides for the Department of Public Safety and Correctional Services to license agencies offering home monitoring services and to prescribe standards for their staff and equipment. Current providers registering on or before July 30, 1998, are exempted from licensing until June 30, 1999. The Department is to provide to County and District administrative judges and the AOC rosters of licensees and notice when an agency's license is suspended or revoked. Agencies will be required to give next-business-day notice to courts and the Division of Parole and Probation when a defendant is missing 24 hours and notice to courts as requested for other violations of pretrial release conditions.

Criminal Records

As of June 1, 1998, Chapter 332 (HB 270) made court records on charging documents and resulting warrants under Md. Rule 4-212(d)(1) or (2) confidential until return of service or 90 days after issuance of the warrant and, thereafter, if ordered sealed by a court. Chapter 332 expressly makes an indictment or conspiracy investigation and resulting warrant confidential until return of service on all co-conspirators.

Under Chapters 464/ 465 (HB 309/SB 68), a juvenile court must report writs of attachment to the Criminal Justice Information System (CJIS) for inclusion in State or local law enforcement computers.

Chapter 495 (HB 645) provides for expungement of police and court records on jailable vehicle offenses other than probation before judgment under TR § 21-902. Such expungement does not require MVA to expunge a driving record, and, under Chapter 505 (HB 731), MVA will be required to keep records for all jailable violations of the Transportation Article.

Chapter 473 (HB 398) provides for the CJIS Advisory Board to advise the Secretary of Public Safety and Correctional Services on implementing regulations as to registration for crimes against children, sexually violent offenses or other sexual offenses.

Family And Domestic Relations Law

Out-of-Home Placements & Adoption

As of July 1, 1998, Chapter 539 (HB 1093) alters Maryland statutes on termination of parental rights, to facilitate adoption of children without stable homes protective of their safety and health. Thus, a tpr petition must be filed after out-of-home placement for 15 of 22 months or on a court finding of abandonment or listed acts against a child, parent or co-resident, with a hearing on the reasonableness of reunifying the family. In other cases, permanency planning must be concurrent with reunification efforts. Changes are made in scheduling of hearings and considerations in determining whether to terminate parental rights. Chapter 539 was enacted to conform to the federal Adoption and Safe Families Act of 1997 (P.L. 105-89). Chapter 629 (SB 648) will make similar, though less extensive changes in non-consensual independent adoptions of a child, effective October 1, 1998.

Under Chapter 621 (SB 611), a juvenile court must consider a written report of a foster care review board.

Divorce

Chapters 349/350 (SB 194/HB 9) will add cruelty of treatment and excessively vicious conduct as grounds for an absolute divorce absent a reasonable expectation of reconciliation but only as to acts toward a complaining party. Those grounds, for purposes of a limited divorce, may be based on treatment or conduct toward a minor child of the complaining party as well.

Evidence

Chapters 335/336 (SB 29/HB 245) will make certain convictions entered on or after October 1, 1998, admissible to establish a killing conclusively as felonious and intentional, raising the bar of the slayer's rule, although, in the absence of a conviction, a court may find by a preponderance of evidence such a felonious and intentional killing.

Chapter 493 (HB 607) will make wiretapping lawful during an investigation of solicitation theft, while Chapter 524 (HB 914) will allow consensual or court-ordered interception for evidence of Art. 27 § 419A or 419B offenses.

Chapters 638/639 (SB 688/HB 590) will include nurses, principals, vice principals and school counselors among those able to testify as to hearsay evidence of child abuse. Additionally, such persons need only be acting "lawfully" in the course of their professions when a statement is made, rather than being licensed in Maryland.

Under Chapter 698 (HB 578), more types of records of more health care providers will be admissible without testimony in personal injury, PIP, motor vehicle medical payments and health insurance cases filed in the District Court on or after October 1, 1998, even if transferred to a circuit court.

Appeals

As of June 1, 1998, Chapter 499 (HB 687) allowed the Secretary of Labor, Licensing and Regulation to be a party to an appeal filed with the Board of Appeals or a circuit court and to appeal on behalf of the federal government in unemployment cases.

Chapter 27 (SB 370) will require an appeal to the circuit court for the county in which an individual-party resides, rather than Baltimore City, for insurance cases.

In workers' compensation cases, recovery for injuries caused primarily by alcohol or controlled dangerous substances will be barred under Chapters 64/108 (HB 372/SB 36), which also create a presumption as to primary cause. Chapter 690 (HB 431) will increase the total allowable death benefits for spouses and partly dependent individuals for deaths occurring on or after October 1, 1998.

The Circuit Court for Washington County
Hagerstown, Maryland

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The Listing of Tables

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Definitions

Adoption, Guardianship

This includes all adoptions and guardianships including regular adoptions, guardianship with right to consent to adoption, and guardianship with right to consent to long-term care short of adoption. Guardianship of incompetents are reported in "Other General".

Adult

A person who is 18 years old or older charged with an offense relating to juveniles to be heard in Juvenile Court. (See § 3-831 of Courts and Judicial Proceedings Article.)

Appeal

The resorting to a higher court to review, rehear, or retry a decision of a tribunal below. This includes appeals to the circuit court, the Court of Special Appeals, and the Court of Appeals.

Appeals to the circuit courts include:

1. Record—The judge's review of a written or electronic recording of the proceedings in the District Court.

2. De Novo—The retrial of an entire case initially tried in the District Court.

3. Administrative Agency—Appeals from decisions rendered by administrative agencies.

Application for Leave to Appeal

Procedural method by which a petitioner seeks leave of the Court of Special Appeals to grant an appeal. When it is granted, the matter addressed is transferred to the direct appeal docket of the Court for customary briefing and argument. Maryland statutes and Rules of Procedure permit applications in matters dealing with post conviction, inmate grievances, appeals from final judgment following guilty pleas, denial of or grant of excessive bail in habeas corpus proceedings, and denial of victim's rights.

Case

A matter having a unique docket number; includes original and reopened (post judgment) matters.

Caseload

The total number of cases filed or pending with a court during a specific period of time. Cases may include all categories of matters (law, equity, juvenile, and criminal). Note: After July 1, 1984, law and equity were merged into a new civil category.

C.I.N.A. (Child in Need of Assistance)

Refers to a child who needs the assistance of the court because:

1. The child is mentally handicapped or

2. Is not receiving ordinary and proper care and attention, and

3. The parents, guardian, or custodian are unable or unwilling to give proper care and attention.

C.I.N.S. (Child in Need of Supervision)

Refers to a child who requires guidance, treatment, or rehabilitation because of habitual truancy, ungovernableness, or behavior that would endanger himself or others. Also included in this category is the commission of an offense applicable only to children.

Condemnation

The process by which property of a private owner is taken for public use without the owner's consent but upon the award and payment of just compensation.

Confessed Judgment

The act of a debtor in permitting judgment to be entered by a creditor immediately upon filing of a written statement by the creditor to the court.

Contracts

A case involving a dispute over oral or written agreements between two or more parties.

Breaches of verbal or written contracts.

Landlord/tenant appeals from District Court.

Delinquency

Commission of an act by a juvenile which would be a crime if committed by an adult.

Disposition

Entry of final judgment in a case.

District Court—Contested

Only applies to civil, a case that has gone to trial and both parties (plaintiff and defendant) appear.

District Court Criminal Case

Single defendant charged per single incident. It may include multiple charges arising from the same incident.

District Court Filing

The initiation of an action or case in the District Court.

Divorce, Nullity

A proceeding to dissolve a marriage. Original filings under this category include limited and absolute divorces and annulments. A reopened case under this category includes

hearings held after final decree or other termination in the original case. A reopened case may involve review of matters other than the divorce itself as long as the original case was a divorce. (Examples of the latter may be a contempt proceeding for nonpayment of support, noncompliance with custody agreement, modification of support, custody, etc.)

Docket

Formal record of court proceedings.

Filing

Formal commencement of a judicial proceeding by submitting the necessary papers pertaining to it. Original filing under one docket number and subsequent reopenings under the same number are counted as separate filings.

Fiscal Year

The period of time from July 1 of one year through June 30 of the next. For example: July 1, 1997 to June 30, 1998.

Hearings

- Criminal—Any activity occurring in the courtroom, or in the judge's chambers on the record and/or in the presence of a clerk, is considered a hearing, except trials or any hearing that does not involve a defendant.

Examples of hearings in criminal cases include:

— Arraignment

— Discovery motion

— Guilty plea

— Motion to quash

— Motion to dismiss

— Motion for change of venue

— Motion to continue

— Motion to suppress

— Motion to sever

— Nolo contendere

— Not guilty with agreed statement of facts

— Sentence modifications

— Violation of probation

- Civil—A presentation either before a judge or before a master empowered to make recommendations, on the record or in the presence of a clerk or court reporter, for purposes other than final determination of the facts of the case. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of hearings in civil cases include hearings on:

— Motion to compel an answer to an interrogatory

— Motion ne recipiatur

— Motion for judgment by default

— Demurrer

— Motion for summary judgment

— Motion to vacate, open, or modify confession of judgment

— Preliminary motions presented in court, including motions for continuance

— Determination of alimony pendente lite, temporary custody, etc., in a divorce case

— Contempt or modification hearings

- Juvenile—A presentation before a judge, master, or examiner on the record or in in the presence of a clerk or court reporter. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of hearings in juvenile proceedings include:

— Preliminary motions presented in court

— Arraignment or preliminary inquiry

— Detention (if after filing of petition)

— Merits or adjudication

— Disposition

— Restitution

— Waiver

— Review

— Violation of probation

Indictment

The charging document issued by a grand jury against a person.

Information

Written accusation of a crime prepared by a State's Attorney.

Jury Trial Prayer-Motor Vehicle

A request for trial by jury in the circuit court for a traffic charge normally heard in the District Court. To pray a jury trial in a motor vehicle case, the authorized sentence must be for more than 90 days and/or $500.

Jury Trial Prayer-Other (Criminal)

A request for a trial by jury in the circuit court for charges normally heard in the District Court, except traffic charges or nonsupport.

Miscellaneous Docket

Established and maintained primarily as a method of recording and identifying those preliminary proceedings or collateral matters before the Court of Appeals other than direct appeals.

Motor Torts

Personal injury and property damage cases resulting from automobile accidents. (This does not include boats, lawn mowers, etc., nor does it include consent cases settled out of court.)

Motor Vehicle Appeals

An appeal of a District Court judgment in a traffic charge.

Nolle Prosequi

A formal entry upon the record by the plaintiff in a civil suit, or the State's Attorney in a criminal case, to no longer prosecute the case.

Nonsupport

A criminal case involving the charge of nonsupport.

Original Filing

See "Filing."

Other Appeals (Criminal)

An appeal of a District Court judgment except one arising from a traffic charge or nonsupport.

Other Domestic Relations

Matters related to the family other than divorce, guardianship, adoption, or paternity. Examples of this category include support, custody, and U.R.E.S.A. cases.

Other Civil/Other Equity

This category includes, among other things, injunctions, change of name, foreclosure, and guardianship of incompetent persons.

Other Law

This category includes, among other things, conversion, detinue, ejectment, issues from Orphans' Court, attachments on original process, and mandamus.

Other Torts

Personal injury and property damage cases resulting from:

- Assault and battery—an unlawful force to inflict bodily injury upon another.
- Certain attachments.
- Consent tort.
- False imprisonment—the plaintiff is confined within boundaries fixed by the defendant for some period of time.
- Libel and slander—a defamation of character.
- Malicious prosecution—without just cause an injury was done to somebody through the means of a legal court proceeding.
- Negligence—any conduct falling below the standards established by law for the protection of others from unreasonable risk of harm.

Paternity

A suit to determine fatherhood.

Pending Case

Case in which no final disposition has occurred.

Post Conviction

Proceeding, other than an appeal, instituted to set aside a conviction or to correct a sentence that was unlawfully imposed.

Reopened Filing

The first hearing held on a case after a final judgment on the original matters has been entered.

Stet

Proceedings are stayed; one of the ways a case may be terminated.

Termination

Same as "Disposition."

Trials

- Criminal

Court Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant where one or more witnesses has been sworn.

Jury Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant, where the jury has been sworn.

- Civil

Court Trial—A contested hearing on any one or all merits of the case, presided over by a judge, to decide in favor of either party where testimony is given by one or more persons. Note: "Merits" is defined as all pleadings prayed by the plaintiff in the original petition that created the case. Divorce, custody, child support, etc., are examples that might be considered merits in a civil case.

Jury Trial—A contested hearing on the facts of the case to decide in favor of either party where the jury has been sworn.

Unreported Category

A case that has been reported but not specifically identified as to case type by the reporting court.

Appendix A

ADA Coordinators

ADA Coordinators

The names addresses, and telephone numbers of the ADA Coordinators for the Maryland State Judiciary are as follows:

Court of Appeals
Alexander L. Cummings, Esq.
Clerk, Court of Appeals
Robert C. Murphy Courts of Appeal Building
361 Rowe Blvd.
Annapolis, MD 21401
(410) 260-1502
TTY: (410) 260-1554

Court of Special Appeals
Leslie D. Gradet, Esq.
Clerk, Court of Special Appeals
Robert C. Murphy Courts of Appeal Building
361 Rowe Blvd.
Annapolis, MD 21401
(800) 735-2258
(410) 260-1459
TTY: (410) 260-1553

Administrative Office of the Courts
Jeri Kavanaugh
Robert C. Murphy Courts of Appeal Building
361 Rowe Blvd.
Annapolis, MD 21401
(410) 260-1276*

District Court Commissioners
David W. Weissert
District Court Building
251 Rowe Blvd.
Annapolis, MD 21401
(410) 260-1232*

District Court Headquarters
Nancy E. Johnson
District Court Building A-2
580 Taylor Avenue
Annapolis, MD 21401-2395
(410) 260-1200*

Allegany County Circuit Court
W. Stephen Young, P.E., County Engineer
County Office Building
701 Kelly Road, Suite 242
Cumberland, MD 21502
(301) 777-5933
TTY: (301) 777-5825

Allegany County - District Court
Kathleen M. Stafford, Administrative Clerk
County Office Building
3 Pershing Street
Cumberland, MD 21502-3045
(301) 777-2105*

Anne Arundel County Circuit Court
Robert G. Wallace, Court Administrator
Courthouse
Church Circle, P.O. Box 2395
Annapolis, MD 21404
(410) 222-1404
TTY: (410) 222-1429

Anne Arundel County - District Court
Rebecca A. Hoppa, Administrative Clerk
251 Rowe Blvd.
Annapolis, MD 21401
(410) 260-1365
TTY: (410) 260-1344

Baltimore City Circuit Court
Mary B. Widomski
Room 200, Courthouse East
111 N. Calvert Street
Baltimore, MD 21202
(410) 396-5188
TTY: (410) 333-4389

Baltimore City - District Court
Lonnie P. Ferguson, Jr., Administrative Clerk
5800 Wabash Avenue
Baltimore, MD 21215-3330
(410) 764-8970
TTY: (410) 358-5360

Baltimore County Circuit Court
Peter J. Lally, Circuit Court Administrator
County Courts Building
401 Bosley Avenue
Towson, MD 21204
(410) 887-2687
TTY: (410) 887-3018

Baltimore County - District Court
Michael P. Vach, Administrative Clerk
120 E. Chesapeake Avenue
Towson, MD 21286-5307
(410) 321-3361
TTY: (410) 321-2002

Calvert County Circuit Court
Wanda L. Mudd
Circuit Court Chambers #2
175 Main Street
Prince Frederick, MD 20678
(410) 535-1600* Ext. 296 or
(301) 855-1243* Ext. 296

Calvert County - District Court
Richard A. Parker, Administrative Clerk
200 Duke Street
Prince Frederick, MD 20678-4136
(410) 535-8876*

Caroline County Circuit Court
Brian Ebling, Director
Emergency Management
P.O. Box 151
Denton, MD 21629
(410) 479-4200*

Caroline County - District Court
Grace D. Achuff, Administrative Clerk
170 E. Main Street
Elkton, MD 21921-5943
(410) 996-0720*

Carroll County Circuit Court
Bobbie L. Erb, Court Administrator
Historic Courthouse
Court Street
Westminster, MD 21157-5194
(410) 386-8118*

Carroll County - District Court
Nancy E. Mueller, Administrative Clerk
3451 Courthouse Drive
Ellicott City, MD 21043-4377
(410) 461-0217
TTY: (410) 461-0218

Cecil County Circuit Court
B. Elaine Mahan
Courthouse
129 E. Main Street
Elkton, MD 21921
(410) 996-5316*

Cecil County - District Court
Grace D. Achuff, Administrative Clerk
170 E. Main St.
Elkton, MD 21921-5943
(410) 996-0720*

Charles County Circuit Court
Michael T. Mudd
1001 Radio Station Road
LaPlata, MD 20646
(301) 932-3440*

Charles County - District Court
Richard A. Parker, Administrative Clerk
200 Duke Street
Prince Frederick, MD 20678-4136
(301) 535-8876*

Dorchester County Circuit Court
Patricia S. Tolley
P.O. Box 583
Cambridge, MD 21613
(410) 228-6300
TTY: (410) 228-3569

Dorchester County - District Court
Mary E. Kinnamon, Administrative Clerk
310 Gay Street
P.O. Box 547
Cambridge, MD 21613-1813
(410) 221-2585*

Frederick County Circuit Court
Janet D. Rippeon
100 W. Patrick Street
Frederick MD 21701
(301) 694-2563
TTY: (301) 698-0692

Frederick County - District Court
Dixie L. Scholtes, Administrative Clerk
100 W. Patrick Street
Frederick, MD 21701-5548
(301) 694-2006*

Garrett County Circuit Court
Thomas E. Doyle, Esq.
P.O. Box 289
Oakland, MD 21550
(301) 334-4808*

Garrett County - District Court
Kathleen M. Stafford, Administrative Clerk
3 Pershing Street
Cumberland, MD 21502-3045
(301) 777-2105*

Harford County Circuit Court
David W. Sewell, Chief of Facilities & Operations
29 W. Courtland Street
Bel Air, MD 21014
(410) 638-3212*
(410) 879-2000* Ext. 3212

Harford County - District Court
E. Carol Sweet, Administrative Clerk
2 S. Bond Street
Bel Air, MD 21014-3737
(410) 836-4525*

Howard County Circuit Court
John F. Shatto, Court Administrator
Courthouse
8360 Court Avenue
Ellicott City, MD 21043
(410) 313-4851*

Howard County - District Court
Nancy E. Mueller, Administrative Clerk
3451 Courthouse Drive
Ellicott City, MD 21043-4377
(410) 461-0217
TTY: (410) 461-0218

Kent County Circuit Court
Mark L. Mumford, Clerk
103 N. Cross Street
Chestertown, MD 21620-1511
(800) 989-2520
(410) 778-7414
TTY: (410) 778-0608

Kent County - District Court
Grace D. Achuff, Administrative Clerk
170 E. Main Street
Elkton, MD 21921-5943
(410) 996-0720*

Montgomery County Circuit Court
Pamela Quirk Harris, Court Administrator
Judicial Center
50 Maryland Avenue
Rockville, MD 20850
(301) 217-7223*

Montgomery County - District Court
Jeffrey L. Ward, Administrative Clerk
27 Courthouse Square
Rockville, MD 20850-2325
(301) 279-1520
TTY: (301) 279-1286

Prince George's County Circuit Court
Laura Lee
Circuit Court for Prince George's County
14735 Main Street
Upper Marlboro, MD 20772
(301) 952-3709*

Prince George's County - District Court
Violet O. Owens, Administrative Clerk
Courthouse, Bourne Wing, Room 345B
14735 Main Street
Upper Marlboro, MD 20772-3042
(301) 952-4240
TTY: (301) 952-3719

Queen Anne's County Circuit Court
D. Steven Walls
Director, Department of Public Works
P.O. Box 56
Centreville, MD 21617
(410) 758-0920*

Queen Anne's County - District Court
Grace D. Achuff, Administrative Clerk
170 E. Main Street
Elkton, MD 21921-5943
(410) 996-0720*

St. Mary's County Circuit Court
Cynthia A. Brown
Community Services
P.O. Box 653
Leonardtown, MD 20650
(301) 475-4631*

St. Mary's County - District Court
Richard A. Parker, Administrative Clerk
200 Duke Street
Prince Frederick, MD 20678-4136
(301) 535-8876*

Somerset County Circuit Court
Lynn F. Cain
P.O. Box 279
Princess Anne, MD 21853
(410) 651-1630*

Somerset County - District Court
Mary E. Kinnamon, Administrative Clerk
310 Gay Street
P.O. Box 547
Cambridge, MD 21613-1813
(410) 221-2585*

Talbot County Circuit Court
Mary Ann Shortall, Clerk
P.O. Box 723
Easton, MD 21601
(800) 339-3403
(410) 822-2611
TTY: (410) 819-0909

Talbot County - District Court
Grace D. Achuff, Administrative Clerk
170 E. Main Street
Elkton, MD 21921-5943
(410) 996-0720*

Washington County Circuit Court
Rick L. Hemphill, Administrative Officer
Clerk of Court's Office
Washington County Court House
95 W. Washington Street
Hagerstown, MD 21740
(301) 733-8660
TTY: (301) 791-2632

Washington County - District Court
Dixie L. Scholtes, Administrative Clerk
100 W. Patrick Street
Frederick, MD 21701-5548
(301) 694-2006*

Wicomico County Circuit Court
Wanda B. Rayne, Judicial Administrator
P.O. Box 806
Salisbury, MD 21803-0546
(410) 548-4822*

Wicomico County - District Court
Mary E. Kinnamon, Administrative Clerk
310 Gay Street
P.O. Box 547
Cambridge, MD 21613-1813
(410) 221-2585*

Worcester County Circuit Court
Merrill Lockfaw, Jr., Maintenance Supervisor
P.O. Box 257
Snow Hill, MD 21863
(410) 632-3766*

Worcester County - District Court
Mary E. Kinnamon, Administrative Clerk
310 Gay Street
P.O. Box 547
Cambridge, MD 21613-1813
(410) 221-2585*

* May be reached through Maryland Relay Service (TT/Voice) 800-735-2258.

Administrative Office of the Courts
Robert C. Murphy Courts of Appeal Building
361 Rowe Boulevard
Annapolis, Maryland 21401
(410) 260-1290
Maryland Relay Service (TT Voice)
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