

Justice Matters

Vol. 4, Issue 2 Winter 2000



courtesy of the Maryland Archives

CHIEF JUDGE
ROBERT C. MURPHY
1926-2000

In Memoriam

Robert C. Murphy, the former Chief Judge of the Maryland Court of Appeals, died on November 1, 2000, after one of the most distinguished judicial careers in Maryland history. Before retiring in 1996, Chief Judge Murphy led Maryland's highest court for 24 years, earning a reputation as a consensus-builder and as a practical judge who wrote and spoke plainly and to the point in his opinions and in his leadership of Maryland's judiciary.

Since being appointed to the Court of Appeals in 1972 at age 45, after serving as the first Chief Judge of the Court of Special Appeals from 1967, Chief Judge Murphy worked continuously to assist all judges in Maryland by introducing modern court administration methods to their work.

"He was not only a great judge, but a great administrator. He successfully brought our judiciary from the dark ages into the modern era. He built a most credible and respected judiciary," said Court of Appeals Chief Judge Robert M. Bell, who succeeded Chief Judge Murphy in 1996.

Among the efforts spearheaded by Chief Judge Murphy were the introduction of computer technology to the court system and the creation of the Judicial Institute to train judges, as well as the implementation of the statewide District Court system with his longtime colleague, the late Chief Judge Robert F. Sweeney. He also began the tradition of the annual "State of the Judiciary" message to the General Assembly, explaining to the public the judiciary's accomplishments and needs for the future. He was an unwavering advocate for the judiciary's budget, but also fought hard for increased funding for the Office of the Public Defender and civil legal aid programs, recognizing that to accomplish justice, all people needed an effective voice.

"Although he occupied a position of great power and prestige, there was not a hint of pretense or vanity in Bob Murphy. And his Irish heritage, of which he was very proud, may have accounted for his not letting the absolute truth stand in the way of a good story.

We in Maryland have been more than pleased, indeed, we have been privileged, to have had Bob Murphy lead our judiciary. He was not only respected and admired, he was beloved."

Court of Appeals Judge Lawrence Rodowsky
from Eulogy

Inside

Baltimore City Grants	2
Judicial Retirements	3
Taiwan High Court	3
Mitchell Courthouse Gala	4
Judge Moylan	5
Public Access to Records	6
District Conference	7
Republic of Georgia	8
Amnesty for Child Support	9
Juvenile Justice Contest	10
Attorney Grievance	11
Drug Court	11

(Continued on p. 9)

Good News from Baltimore City Circuit Court

Editorial Board

Judge Dennis M. Sweeney
Chairman, Howard County
Circuit Court

Judge William H. Adkins, III
Talbot County District Court

Judge Ralph M. Burnett
Garrett County District Court

Judge Alice P. Clark
Howard County District Court

Sandra Dalton, Clerk
Frederick County Circuit Court

Judge Glenn T. Harrell
Montgomery County Circuit Court

Judge Marcella A. Holland
Baltimore City Circuit Court

Michael Miller, Director
Maryland State Law Library

Edward Mintzer
Maryland Court Reporters Assoc.

Charles Moulden, Asst. Chief Clerk,
District Court

Judge Albert W. Northrop
Prince George's County
Orphans' Court

Judge Emory A. Plitt
Harford County Circuit Court

Sally W. Rankin
Court Information Officer

Judge Russell Sadler, Howard County
District Court, Retired

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Justice Matters is published quarterly.
We welcome your comments or ideas.

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Juvenile Court Receives Funding

Thanks to newly-awarded grants from the Department of Health and Human Services and the Governor's Office of Crime Control and Prevention, as well as a successful, ongoing partnership with the University of Maryland's School of Social Work, Baltimore City Circuit Court has been able to implement and enhance programs and services offered for juveniles, including a ground-breaking program to assist foster children.

According to Judge Martin P. Welch, Judge-in-Charge of the Juvenile Court, "These much-needed grants, along with our partnership with the University of Maryland, will help to provide a new level of assistance and services to children and their families."

Mediation Program for Foster Children

In October, Baltimore City Circuit Court established a federally-funded mediation program for termination of parental rights (TPR) cases involving foster children, to expedite adoption and ensure protection of the child's best interests. The Court will receive \$200,000 annually for three years from the Department of Health and Human Services for this program, a collaborative effort among the Court, the Baltimore City Department of Social Services, the Department of Human Resources, and Adoptions Together, Inc. (The Office of Attorney General Curran also assisted substantially in obtaining this grant.)

The goals of the program are to reduce the time until adoption for children in custody of the City's Department of Social Services, and to ease court dockets (Baltimore City handles, by far, the most TPR filings in the state.) A 1997 change in federal law which emphasized a child's need for permanency has caused a dramatic increase in TPR filings. In 1999, the City's Department of Social Services filed 645 such petitions, and although the Baltimore City Juvenile Court disposed of nearly 600 cases that year, many still await resolution.

Judge Martin P. Welch, who hears most of the City's TPR cases, believes this program permits the court to best address the needs of the child. "This project identifies appropriate cases where objecting parents are first educated on issues of child development and permanence, so that an earlier decision can be made to remove an objection, resulting in more children being adopted, and easing court dockets."

Juvenile Services Coordinator Hired

A \$75,000 grant from the Governor's Office of Crime Control and Prevention provided the necessary funding to hire a services coordinator for the City's juvenile court system. At press time, Judge Welch stated that interviews were being conducted to fill the position, and that he planned to finalize hiring before the year's end.

U of M School of Social Work Continues Partnership

The University of Maryland's School of Social Work has continued its successful, on-going relationship with the Baltimore City Circuit Court by providing the services of two graduate students, beginning last October. According to Judge Welch, these students are offering assistance to the parents of first-time delinquents.

Congratulations to:



Judicial Retirements

Judge Vincent E. Ferretti, Jr.
Montgomery Circuit

Judge Charles E. Foos, III
Baltimore County District

Judge Barbara Kerr Howe
Baltimore County Circuit

Judge Hovey Johnson
Prince George's Circuit

Judge Robert H. Mason
Prince George's Circuit Court

Judge Charles E. Moylan
Court of Special Appeals

Judge Theresa Nolan
Prince George's Circuit Court

Lawrence F. Rodowsky
Court of Appeals

Judge Raymond G. Theime, Jr.
Court of Special Appeals

Judge William W. Wenner
Court of Special Appeals

Judge Joanne T. Willis
Montgomery District

Judge Alexander Wright, Jr.
Baltimore County Circuit

Court of Special Appeals Judge Deborah S. Byrnes, who received a 2000 Maryland Pro Bono Service Award. Judge Byrne's efforts to improve the availability of pro bono services were also honored by the Maryland Legal Services Corporation (MLSC). She received the organization's Award of Special Recognition. **ADR Committee Executive Director Rachel A. Wohl**, took home its Arthur W. Machen, Jr. Award. The MLSC's Annual Awards Reception recognizes individuals for leadership in the provision of civil legal services and outstanding advocacy on behalf of Maryland's poor.

Baltimore City Circuit Judge Albert J. Matricciani, Jr. who received the Rosalyn B. Bell Award from the Women's Law Center of Maryland, for outstanding achievement in family law. The Center's Dorothy Beatty Memorial Award, for significant contributions to the advancement of women's rights, went to **Court of Special Appeals Judge Sally Denison Adkins**.

Prince George's County Orphans Judge Albert Northrop, who replaces Judge Lucy B. Warr as Chief Judge of the Orphans Court. Judge Warr, who retired in August, was the first female African-American judge in Maryland.

The new **Register of Wills for Prince George's County, Lynn Loughlin Skerpon**, who replaces the retiring Joanne O'Brien.

Court Information Officer Sally W. Rankin who was elected President-Elect of the newly formed National Conference of Court Public Information Officers at the annual conference held in Orlando.

High Court of Taiwan Visits Courts of Appeal

Chief Judge Bell
with Taiwanese
Grand Justices
Geng Wu and
Tieh-cheng Liu.



Maria Smiroldo

On October 4, Chief Judge Robert M. Bell hosted a fascinating visit from the high court of Taiwan, who came to Maryland as part of an American tour to learn more about our justice system. The judges enjoyed a lively exchange of ideas and special gifts, culminating in a dinner given by the Taiwanese at the Annapolis Loews Hotel. The Judiciary hosted a lunch, and a tour of Annapolis, for the delegation.

Baltimore Gala !



The biggest birthday party for any building Baltimore has ever seen took place Saturday night, October 7, 2000, to commemorate the 100th Anniversary of the Clarence Mitchell, Jr. Courthouse. The courthouse was polished and decorated in the state and city colors of black and gold, with a red carpet rolled out to greet visitors. The building glowed that evening, not only with the warmth of the structure itself, but the warmth of about 900 well-wishers.

According to Gala Chairperson Judge Marcella A. Holland, the celebration “was not merely about a building, but about a century of service, of helping people resolve issues in a fair and timely manner.”

The sponsors, the Courthouse and Law Museum Foundation, the Bar Association of Baltimore City, and the Monumental City Bar Association, used the hard work and financial support of those who could afford it to make the Baltimore City Circuit Court buildings a safer, healthier and cleaner place for citizens to come to resolve personal, family, and business issues.

Judge Marcella A. Holland and
Judge M. Brooke Murdock

THE COURT INFORMATION OFFICE IS GROWING!

We are pleased to welcome two new talents to our already amazing (if we say so ourselves!) CIO staff. In October, F Todd Silver came on board as a Writer-Editor. He has already made a great impression on many of you by designing the latest crop of courthouse brochures. He is currently editing the Employee Extra, assisting with Justice Matters, and revitalizing the Speakers Bureau with some cutting-edge new topics, including a speech on Judicial Independence.

Theresa Thomas, who has long served as the behind-the-scenes Webmaster for the Judiciary, officially assumed that title on December 8. Over the next several months, she will be completely revamping the existing Judiciary website, and producing web pages for each circuit court clerk.

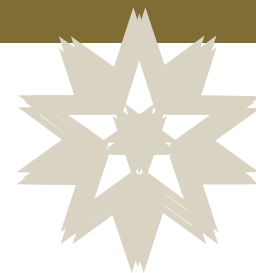
We welcome them both!

“Our legacy to the committee that will someday plan the Mitchell Courthouse’s Bicentennial celebration is to restore both courthouses to their rightful place as the jewels of downtown; and to effectuate the highest level of service to the community it can render—equal access to efficient and fair justice for all.”

Judge Marcella Holland

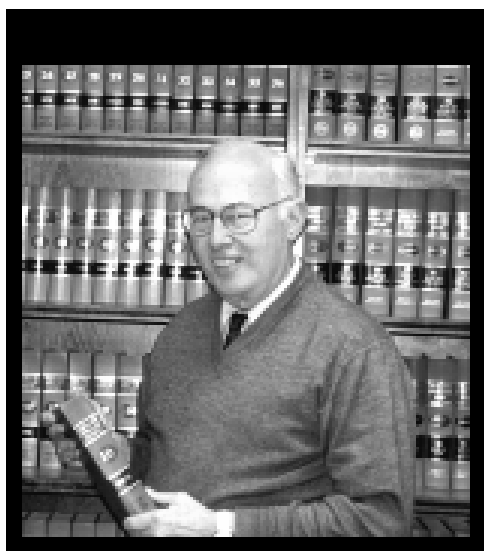
Retired Judge Reports from the Field

Judge Charles Moylan



When you mention the name “Judge Charles Moylan, Jr.” to any lawyer or judge, they will instantly recognize one of the luminaries of 20th century Maryland jurisprudence. They will also remember fondly his wonderful stories and charming disposition.

And many have been thinking kind thoughts about Judge Moylan recently, after his December 13 retirement from the



Maria Smiroldo

Court of Special Appeals, there have been 47 judges. I either AM, or HAVE SERVED WITH, every one of them! When thinking of the court of the 70’s, you find yourself talking to ghosts.”

Becoming a judge may have been destiny for Judge Moylan, who said that “law and judges run in my family—my father was a judge before me, on what was the Circuit Court for Baltimore City, from 1942 to 1967.” His brother, Judge Daniel Moylan, is a circuit judge in Hagerstown. His son, Danny, is a fifth-year associate with Venable, Baetjer and Howard. “I can’t get away from it!” he laughed. He also fondly recalls visiting his father at the Clarence Mitchell Building as a child. “Between the two courthouses, I feel like I’ve spent my life here!”

When asked what was the most noteworthy achievement in his stellar career, Judge Moylan instantly cited his Court of Special Appeals case, *Evans v. State*, 28 Md. App. 640(1975), which “caused us to rethink the Maryland law of homicide. That case launched us into a two-to-three-year effort and a totality of 20 to 25 cases that collectively revolu-

tionized the understanding of how we handle homicide cases in Maryland.”

Retirement will not mean a life of leisure for Judge Moylan. Instead, as he said, “I will absolutely continue to sit [on the Court of Special Appeals] —I don’t know what I’d do without writing opinions.” He will be sharing chambers in the Clarence Mitchell Courthouse with newly-retired Court of Appeals Judge Lawrence Rodowsky.

Judge Moylan also has harbored “a wonderful resolution to write a book on criminal law in Maryland,” which he has worked on “over a crazy number of years, by fits and starts.” Finally, in the next year or so, he hopes to see this to completion. “After that, I can just decide what games to play.”

He is planning to further indulge his other life interests—travel and history. He recently returned from 2 ½ week gastronomic tour of northern Italy, and plans to take his wife (an antiques exhibitor), his daughter, two sons and daughter-in-law, on a trip through Eastern Europe, to include a ride on the Danube between Vienna and Budapest by steamer. This history buff (who still toys with the idea of returning to Johns Hopkins for an advanced degree in history), feels that, “it will be wonderful to have the free time to read for pleasure—history and things other than law.”

“One of the real vanities of being an appellate judge is that you suddenly realize, it’s going into those books over there,” Judge Moylan said, indicating the green *Maryland Appellate Reporters*. “And your opinions will be read not only by your contemporaries, but if the right case came along, for the next 100 years.”

Introducing . . .

Welcome to Linda Love McCormick, the Maryland Judiciary’s new Director of Human Resources.

McCormick has more than 20 years experience in Human Resources, spending the past four years as the Maryland Department of Transportation’s (DOT) Director of Human Resources. During her tenure at the DOT, McCormick was responsible for a complex, independent human resources program that covered 10,000 State employees. In addition to serving seven years total at the DOT, McCormick worked at the Maryland Department of Personnel for 13 years as a supervising classification analyst.



Washington County District Court Gets New Digs

This court moved to its new location on November 3rd. You can now reach them at:

District Court of Maryland
36 W. Antietam Street
Hagerstown, MD 21740

New Phone Number:
(240) 420-4600



Judiciary Issues Draft Policy on Public Access to Records

The advent of electronic court data has raised difficult issues involving public access rights. Since electronic court data can be accessed and manipulated far more easily than information stored on paper, questions arise as to whether traditional rules and practices, originally designed to provide public access to paper records, should also apply to electronic court information. Historically, courts have opened their paper records for public inspection, and the public expects access to those records—often as a matter of right. Now, when the public demands similar, complete access to electronic court information, courts must determine whether, and to what extent, they should provide such access.

The public is finding innovative—often commercial—uses for electronic court data. Investigators review litigant data for background checks; credit companies search for outstanding judgements and other financial information; lawyers compile trend data on judges and jurors; and private companies produce customized mailing lists for marketing. Requesters often ask for magnetic tapes of “raw” data which they can sort and compile themselves, or custom-printed reports on a regular basis. Increasingly, both individuals and firms desire dial-in access to court systems to peruse on-line data remotely.

In Maryland, these concerns have led to the formation of an Ad Hoc Committee on Court Records, which has drafted a judiciary policy on public access to records. The policy was circulated for public comment, and a formal hearing was held on December 13. The draft has generated significant criticism from various affected industries, including investigative agencies, law firms, and the media.

Once the Ad Hoc Committee has finished its review of comments and testimony, and has completed its work, including possible revisions, the draft will be forwarded to the Court of Appeals for consideration. You can view the draft at the judiciary website: www.courts.state.md.us, click on the yellow “Public Hearing” button.

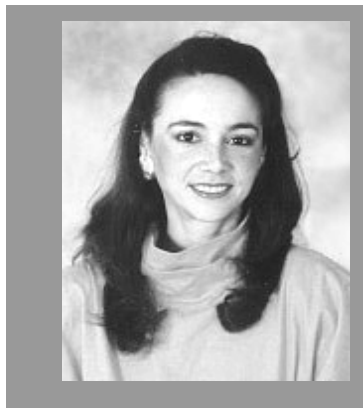
NEWS FROM THE BENCH



Anne Arundel District Court welcomes Judge J. Michael Wachs, who fills the vacancy created by the elevation of Judge Nancy Davis-Loomis to the Circuit Court for Anne Arundel County. Judge Wachs has handled family law matters as a Master in Chancery for Anne Arundel County Circuit Court since his appointment in 1998.

A prior assistant public defender, he is actively involved in several legal organizations, is president-elect of the Anne Arundel County Bar Association, and a former member of the Attorney Grievance Commission Inquiry Panel. Judge Wachs graduated from the University of Maryland School of Law in 1987, and earned a bachelor’s degree from Rutgers College in New Brunswick, N.J., in 1984.

District Court Judicial Conference features former Colombian Judge



Professor Luz Estella Ortiz Nagle of Stetson University School of Law presented a dramatically different—and compelling—perspective on the role of a judge in a speech before the District Court’s Judicial Education Conference, held November 3-4.

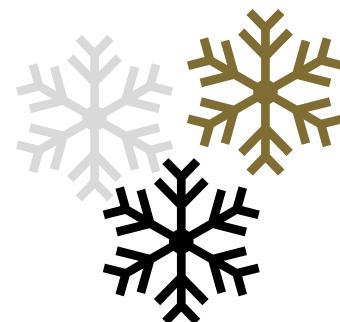
Professor Nagle, formerly a judge in Colombia, fled her native South America to build a new life in the United States in 1986. Her experiences with

the Colombian judiciary, which include thwarting assassination attempts and personally leading raids on drug labs, are a far cry from the traditional day-to-day life of a judge.

In selecting a conference speaker, District Court Chief Judge Martha Rasin sought someone who could provide some new insights into the importance and value of a judge, and the integrity of the judge’s role in society. According to Judge Rasin, “During recent years, there have been a number of initiatives and issues which make me concerned that we may be encouraging our judges to become ‘widget makers’ instead of justice dispensers. In an environment of tremendous social, economic and political pressures, we do not want to lose sight of the real role and value of a judge.”

Judge Rasin, along with everyone who heard Nagle speak at the Conference, was inspired by her story—that

of a determined young judge who maintained her integrity in the face of rampant corruption. When Nagle arrived in America 14 years ago, she spoke little English, and knew nothing of the American legal system. Since then, she has not only mastered the language, but also earned a J.D. and LL.M. from the College of William and Mary. Prior to becoming a professor of comparative and international law, she clerked for the Virginia Supreme Court.



New Trial Judge Orientation



On September 10-15, the Judicial Institute hosted the newest crop of trial judges (pictured) at its annual orientation, held this year for the first time at the Mt. Washington Conference Center.

Ron White

The District Court Reaches out to Assist the Republic of Georgia

A Winning Partnership

Imagine if our court judgments were written on the back of old forms that predated our District Court system. Think of our courtrooms trying to operate without electricity in winter. That's the situation in the Republic of Georgia, as it tries to replace the judicial system it discarded when it left the former Soviet Union almost ten years ago. Georgia is working to create a legal system based on the rule of law, while struggling to build a modern economic system from the ruins of communism.

One of Georgia's greatest difficulties has been its lack of practical experience in solving problems U.S. courts no longer even think about — like how to create a uniform system of court judgments, what is the process for enforcing those judgements, and how to inform citizens about their legal rights.

District Court Chief Judge Martha Rasin and Court Operations Manager Joan Baer came to the rescue of the ABA's Rule of Law Liaison in Tbilisi, Georgia when its Ministry of Justice asked for help in improving its methods of recording and executing judgments in civil cases. The Ministry asked Alan Friedman, on a one-year leave of absence from his job as Anne Arundel County's District Public Defender, to assist its Department of Execution of Judgments in developing practical approaches to its duties.

Friedman quickly asked the District Court for its comprehensive collection of forms. A "care package" of the forms, a clerk's manual, and the Maryland Rules were shipped to Tbilisi. When they arrived, Alan and the Georgians reviewed the District Court's "user-friendly" system, deciding to translate several of the forms into their own language, while using others as guides to create their own court documents.

Our Court's step-by-step system of forms was extremely helpful to the Georgians, providing them with a real guide to the process. They saw the inclusion of instructions and excerpts from our *Annotated Code* directly on the forms as a perfect way of insuring that court personnel as well as court users were aware of the law, while promoting "transparency" in executing the law and court judgments.

The ABA will help the Department standardize the new forms, and train personnel and judges in using them. With limited financial resources, and other parts of the new judicial system clamoring for attention, this effort is just beginning. The Georgians know the road to a strong judiciary is a long one. But they have a new partner—the District Court of Maryland.

Alan Friedman, Esq., Anne Arundel County Public Defender



courtesy of Joan Baer



Judge Martin Brings Teen Court Abroad

On October 20, Prince George's County Circuit Judge Larnzell Martin, Jr. spoke on an issue that is near and dear to his heart—Teen Court—at a Conference on Conflict Resolution by and for Children and Young People. What made his presentation unique was the location—Leiden University in the Netherlands.



Statewide Amnesty for Delinquent Parents

Maryland courthouses recently hosted the state's first amnesty for parents facing bench warrants for child support nonpayment. The week-long event, held in September, drew close to 5,000 moms and dads who have fallen behind on child support payments, which resulted in \$700,000 collected, 536 bench warrants quashed, 1,450 new wage liens sent, 145 cases closed, and 807 pay agreements made.

"The big part for our court was to quash the warrants that were central to amnesty, and to hear the cases for people who needed to come to court," relates Baltimore City circuit court Judge Bonita J. Dancy, who acted as bench liaison to the city's child support system. "Our sheriff's office—here in the courthouse—was available to check for warrants and to take them out of the system immediately."

Baltimore City was one of the first jurisdictions to implement an amnesty week for delinquent parents. However, the highly-publicized statewide effort enabled the courts here to attract a larger audience compared to the 1996 effort. Nearly 3,000 people participated in the Baltimore City circuit court program, resulting in around \$80,000 collected, 755 earnings and holdings issued—with the potential to collect \$1.9 million more per year—and 300 referrals for job placement.

The Frederick County courthouse had similar success, attracting 90 absent parents, collecting \$8,600, countermanding six body attachments, and receiving calls from well over 100 absent parents. In addition, 21 people were referred to employment services and 14 obtained free legal assistance. The program also caught the attention of delinquent parents living outside the state, many who have since mailed in all or partial outstanding debts.

Robin Markush, chief of the child support division at the Frederick County State's Attorney's office, relates that the event showcased excellent collaboration within the justice system. In that jurisdiction, officials from unemployment services provided job assistance, attorneys offered free legal advice for child support and custody issues, and the clerk's office waived its \$25 filing fee for anyone wanting to file a modification request to reduce their child support amount.

In Memoriam

(cont'd. from p. 1)

ways approachable and known for personally returning all phone calls, even from disgruntled *pro se* litigants who felt that no one else would listen to them.

"Bob Murphy was a highly literate man, a gifted writer, and a wonderful speaker," said Timothy F. Maloney, an attorney and longtime friend of Chief Judge Murphy. "But, characteristically, he wore these attributes lightly. His humility was genuine."

Chief Judge Murphy is survived by his wife of 46 years, Helen, and their three children and six grandchildren. A special legacy left to the Maryland judiciary is Chief Judge Murphy's daughter, Judge Karen Murphy-Jensen, who serves with great distinction on the Circuit Court for Caroline County.

Submitted by Judge Dennis M. Sweeney

"Underlying it all, Bob Murphy was a very special person. He was a humble soul with keen insights into human nature and the ways of the world, who had a marvelous sense of both humor and history, who was as conversant with the works of Willa Cather and John Steinbeck as with the opinions of the Supreme Court, and most important, who embodied everything—everything—subsumed in the notions of decency and integrity."

Court of Appeals Judge Alan Wilner
from Eulogy

Catch this Exhibit

The Maryland State Law Library is hosting another interesting exhibit.

Images of all of Maryland's chief judges [dating from 1776] are displayed in the lobby of the Robert C. Murphy Courts of Appeal Building at 361 Rowe Blvd., Annapolis.

The exhibit will run through March.

Court of Appeals Opens Doors for a Different Kind of Child

Groups of schoolchildren are a common sight in the Court of Appeals Building—they often visit to hear oral arguments and for courthouse tours. On November 17, however, the court threw open its doors for another kind of child, when it hosted the Department of Juvenile Justice (DJJ) Oratorical Contest for the second year. This year's theme was "I Have To Get Through, To Get To..."



Maria Smioldo

The decision to host this annual contest in the hallowed halls of the state's highest court was made by Court of Appeals Chief Judge Robert M. Bell. "Two years ago, I was invited to participate in this program, and was so impressed that last year I decided to hold it at the Court of Appeals," he said. "This is an extremely worthwhile event, which is critical to the shaping of young lives."

The youth represented a different face than one would expect of a "juvenile delinquent." All seven contestants spoke eloquently, with regret of mistakes made, or with sadness about the harsh realities of their lives. Especially moving was the "Silent Choir" of the Thomas O'Farrell Youth Center, which performs utilizing sign language and music.

And this program does have an impact. Last year's first-place winner is now out of the juvenile justice system, and attends college in Hagerstown.

Pictured with Chief Judge Bell are the contest's first-place winner, Phyllis Delgado of the Waxter Children's Center and third-place winner Stephen Land of the Meadow Mountain Youth Center. Princeton Lue of the Thomas O'Farrell Youth Center won second place.

Have
Invitations,
Will
Travel

On June 2nd, the Fifth Circuit "shook up" its usual yearly judicial meeting with a new and different format. Masterminded by Howard County Circuit Judge Diane O. Leasure, a member of the Bench-Bar-Media Advisory Group, the meeting became an opportunity for these judges and members of the local media to meet and share ideas.

The half-day program generated lively—even heated—discussions, and provided an excellent forum for the two groups to air grievances and to build relationships to ensure better cooperation in the future. The interactive program began with a panel discussion on the public's right to know versus a defendant's right to a fair trial. Such topics as pretrial publicity, closed court proceedings, and access to court files were presented by Howard County Circuit Judge Dennis M. Sweeney, who moderated the proceedings. The group also tackled a complex hypothetical based upon a recent high-profile trial.

The Court Information Office and Bench-Bar-Media Advisory Group now want to bring this highly-successful presentation to courts around the state. The CIO will put together the program and handouts, arrange moderators and speakers, invite the local media, and work with any interested jurisdictions to tailor this meeting format to meet specific needs. Interested judges may contact Maria Smioldo at (410) 260-1486.

Juvenile Drug Court

Just as drug courts serve adults in both Circuit and District Courts, juvenile court programs in Baltimore City, Wicomico and Talbot Counties also include drug court components. Like their adult counterparts, these courts address both addiction and behavior problems.

Adult and juvenile drug courts differ significantly in who gets referred to the program, and the referral process.

The referral process begins when a juvenile is arrested by law enforcement for a CDS-related offense not involving distribution. He/she is referred to DJJ for intake, where DJJ reviews the charges with the juvenile and his/her parents or guardians. Every case referred to DJJ for CDS-related offenses is forwarded to Juvenile Court for trial.

During intake, the States' Attorneys' Office is consulted, and the local health department completes an addiction assessment. If the juvenile is deemed a candidate for Drug Court, a recommendation for referral is made at the adjudication hearing where the juvenile is expected to acknowledge involvement in the offense alleged, and to agree to enter the Drug Court program. If the judge is satisfied, a finding of "involved" is made. The juvenile is referred to Drug Court and "disposi-

tion" is postponed until completion of the program. The treatment component of Juvenile Drug Court is individualized, and includes both individual and group counseling sessions; weekly, random urinalysis; and perhaps, participation in AA/NA or completion of the "Reality Program."

If the juvenile breaks the rules of probation or Drug Court, or commits another offense, a graduated series of sentencing may be imposed, which include more intensive treatment, home detention, juvenile detention or shelter care, or ultimately, removal from the program. An individual removed from Drug Court is brought back to Juvenile Court for a formal disposition, where the judge can order placement in an outpatient treatment facility, a youth center, or The Charles H. Hickey School.

Upon successfully completing the Drug Court program, the juvenile offender returns to Juvenile Court for a review hearing. If the judge determines that he/she does not need guidance, assistance or supervision, the case gets dismissed.

Juvenile Drug Court began as part of the Circuit Court for Talbot County, sitting as Juvenile Court, in Spring 1998. Since its inception, 43 individu-

als have been accepted in Talbot County's program. Of these, 15 completed it successfully; 8 were removed, and 11 are still completing Drug Court. Overall, Talbot County's Juvenile Drug Court has achieved great success in treating youthful offenders with both addiction and behavioral programs.

— Judge William H. Adkins, III

New Attorney Grievance Rules

Listen up, disgruntled litigants—the process of attorney disciplinary review will be completely revamped under the new attorney grievance rules, which were implemented by the Court of Appeals on November 30, 2000.

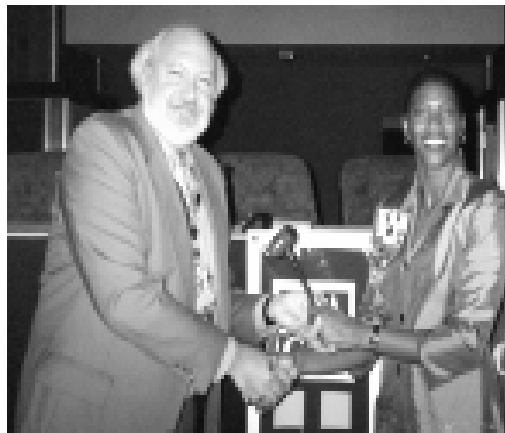
The new procedures will go into effect July 1, 2001. However, any attorney grievance matter that is currently pending before the advisory panel as of June 30, 2001 will continue under the old system. By January 1, 2002, the Court expects all matters to be handled utilizing the new procedures.

The new rules will streamline the process to expedite attorney disciplinary procedures. They will implement the innovative use of peer review panels as part of the process. Under the new rules, the Attorney Grievance Committee will also add two additional members—one lay person and one lawyer.

These rules will be published in the *Maryland Register* on Friday, December 15, 2000. They can also be viewed on the Judiciary's web page, at www.courts.state.md.us.

State Court Administrator Sworn in as President of NACM

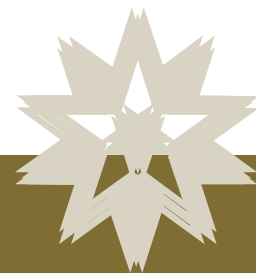
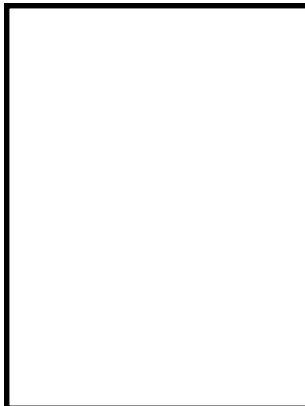
Our own Frank Broccolina became president of the National Association of Court Managers at their 2000 annual conference, held in August in Atlanta.



Court Information Office

361 Rowe Blvd.

Annapolis, MD 21401



Calendar of Events

January

- 22 Conference of Circuit Court Clerks
- 23 Conference of Circuit Judges

March

- 14 Computers 102*
Enforcing General Equity Orders*
Racial, Gender, and Cultural Sensitivity *
- 15 Sentencing*
Malpractice*
- 16 Judicial Writing*
Significant Recent Appellate Decisions*
Marital Property*
- 19 Conference of Circuit Court Clerks
- 20 Conference of Circuit Judges

April

- 19 Judicial Ethics*
Legal History*
Dealing with Discovery Disputes*
- 20 Computers 102*
Managing the Courtroom*
Business Law Refresher*
- 21 Science in the Courtroom*
- 26-27 Maryland Judicial Conference, Rockville

* Judicial Institute of Maryland programs.

(Please note that these courses are only open to judges and masters. Masters are permitted to register for courses pertaining to the types of cases they hear.)