

Justice Matters

A publication from the Maryland Judiciary

Vol. 7, Issue 3 November 2003

Legislators Ride-Along with Judiciary

Local government officials, business leaders, media also participate



L-R: Baltimore Councilman Melvin Stukes, Baltimore City Circuit Court Judge Ellen M. Heller, Councilman Nicholas D'Adamo, Jr.

Normally, courthouses around the state are inhabited by citizens and professionals who are conducting business with the courts. Upon occasion, a school, community group or organization will visit a courthouse, observe cases, and learn about the court system. On October 23, members of the General Assembly, state and local public officials, business leaders and the media attended a special statewide event to gain an inside look at the court system.

"I think it's very helpful to give people in elective office an opportunity to have exposure to the court system," said Delegate Ann Marie Doory (D.-43). "To see some of the day-to-day difficulties that they face. Not just legal issues and court dockets, but the problems that litigants have when they come to court."

The 2003 Judicial Ride-Along Program was a tremendous success. The record number of participants (around 80) spent the day in more than 20 courthouses conversing with judges, lawyers and court officials, observing a variety of court cases, asking meaningful questions and expressing real and timely concerns.

It was an "excellent opportunity to [learn] all the benefits to the community that the courthouse has," said Harry Shasho, President

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Task Force to Examine Monitoring Bail Bond System

A Judiciary task force has been created to review the laws, practices and procedures governing bondsmen and bail bonds, and to make recommendations for improvement. The decision to form a task force stems from a report of the internal auditors, which indicates weaknesses in several areas. One of the anticipated changes is the automatic referral of information on suspected abuse or violation of the rules to the appropriate administrative agency or prosecutor for enforcement action.

"The Judiciary's audit staff alerted me to potential deficiencies in the current system," said Court of Appeals Chief Judge Robert M. Bell. "These deficiencies have hampered our ability to monitor bail bonds effectively and to ensure compliance with

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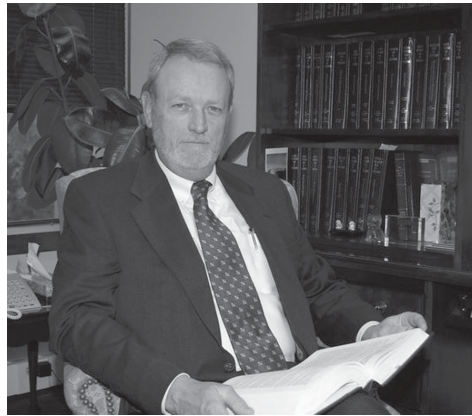
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Rosenthal Appointed as New Chief Clerk of District Court

Joseph Rosenthal, Administrative Clerk for Harford County, has been named by Chief Judge James N. Vaughan as the new Chief Clerk of the District Court. Rosenthal will assume the position of Chief Clerk upon the retirement of Patti Platt in January 2004.

"I have every confidence that Joe will continue the District Court's tradition of innovation and dedication to providing the highest quality of service," said Chief Judge Vaughan.

Rosenthal began his service with the Maryland Judiciary as a fiscal administrator in 1990. In 1995, he moved from the circuit court's auditing team to become the chief internal auditor of the District Court, a position on the Chief Judge's executive staff. As chief auditor, he was responsible for the auditing of the court's more than 40 locations throughout the state and was involved in many of the decisions in the operations of the court.



In December 2001, Rosenthal assumed the responsibility of Administrative Clerk for Harford County, where he placed considerable effort in improving the efficiency and effectiveness of the office through enhancing communication and training. Rosenthal, who earned his Bachelor of Science degree from the University of Baltimore and was honorably discharged from the United States Marine Corps after three years of service, will officially assume the

role of Chief Clerk of the District Court on January 24, 2004—the same day his predecessor, Patti Platt, started with the courts 32 years ago.

"I have the highest respect for Patti; for all her accomplishments and the advancements that she has made for the District Court," said Rosenthal. "I'd like to continue the high standard that's been established, especially the quality of service provided by the hard working employees who ensure that everyone gets a fair shake in the courts."

"I have every confidence that Joe will continue the District Court's tradition of innovation and dedication to providing the highest quality of service."

-Chief Judge Vaughan

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Judge Holland Presides over Baltimore City Circuit Court



Hon. Marcella Holland

On November 8, Judge Marcella A. Holland became the new administrative judge for Baltimore City Circuit Court. Judge Holland was appointed to the position by Chief Judge Bell after Judge Ellen M. Heller announced that she would not seek re-appointment when her term ended on November 7th.

“I am absolutely delighted that Judge Holland has agreed to undertake the additional responsibilities in a leadership role that is vital to the court’s operation,” said Chief Judge Bell. “She has discharged her responsibility as the judge in charge of the family division most capably, and I am fully confident that she will bring the same leadership and organization to her role as administrative judge.”

Judge Holland, who graduated from the University of Maryland School of Law in 1983 and then became an assistant state’s attorney in Baltimore, was named to the circuit bench in 1997. She has been in charge of the family division since 2001, a post now occupied by Judge Audrey J.S. Carrion. Judge Holland praised Judge Heller for the positives strides that she made while serving as administrative judge for Baltimore City. Judge Holland’s overall goal will be to continue the tradition of delivering fair and efficient judicial services to the public in a fiscally challenged period.

“Many of the challenges have not changed since Judge Heller took over,” she said. “One of the major challenges is dealing with extremely heavy filing dockets in all our divisions, but especially in the criminal docket, which increases monthly, without any new judgeships or additional resources. It will be my task, in addition to all the other tasks, to keep all our hard-working active and retired judges’ morale high during a very difficult workload period for this Court.”

Judge Holland has been a big proponent of alternative dispute resolution, noting that cases that are resolved through mediation are



Hon. Ellen M. Heller

often taken out of the courts—thus easing the civil docket. She plans on emphasizing the increased use of mediation in the civil and family docket, including plans to introduce mediation in child support cases. “We are looking always for more appropriate areas for mediation,” she said. Judge Holland said she will continue Judge Heller’s crusade to replace or renovate the City’s two circuit courthouses—one over 100 and the other around 70 years old—which are both deteriorating rapidly.

“There is a real concern for the safety and health of employees and the public who come into these buildings,” she said. “Judge Heller started the dialogue and plans for renovating and replacing the buildings, and my challenge is to bring this and other issues to some reasonable finality.”

“One of the major challenges is dealing with an extremely heavy criminal filing docket, which increases monthly, without any new judgeships or additional resources.”

-Judge Holland

Judge Heller Served with Excellence

Chief Judge Bell said that Judge Holland is taking over a circuit court that has seen numerous improvements in recent years.

“The Baltimore City Circuit Court and, indeed, the Maryland Judiciary have been excellently served during Judge Heller’s tenure,” said Chief Judge Bell. “Her dedication has been an inspiration, her expertise most evident, and her effectiveness well-proven time and time again. Despite the drawbacks, she took on this job and discharged its responsibilities superbly. Judge Heller’s new court management initiatives resulted in remarkable progress over the past four years, and no one could have asked for more.”

Among Judge Heller’s accomplishments:

- Creating an annual report to inform the public, legislators and judges about the status of all dockets.
- Court-ordered mediation in certain civil cases, which a year-long study showed has resulted in cases moving through the system more quickly and economically.

cont. on p. 11

Improving Courthouses

The 110-year-old Allegany County Courthouse is undergoing renovations to alleviate the cramped conditions. The \$1.3 million project will create additional space for the offices of the Register of Wills, family master, child support master and State's Attorney.

The Clerk's office will move into the vacated space, enabling it to offer 10 ELROI workstations, and provide work space that is more clearly defined and designated—making it easier for Allegany County residents to access services. The newly renovated courthouse annex is named in honor of Judge James G. Getty for his 38 years of judicial service.

The new Princess Anne District Court building in Somerset County was completed in June. The 10,800 square-foot facility has one state-of-the-art courtroom and houses judges' chambers, clerks' offices and District Court commissioners' offices, along with court-related agencies.

Maryland Legal Services Receives Funds



Over \$425,000 in undistributed funds from a major class action settlement was presented to the Maryland Legal Services Corporation (MLSC) in September. The large check was the result of residual funds from a class action suit recently settled in three Maryland counties against three cable TV companies. After the process to notify claimants of the opportunity to be reimbursed was completed, a large sum of the settlement was leftover. At the agreement of the courts and attorneys for both the plaintiffs and defendants, these funds were distributed to a number of charities and organizations that provide assistance to low-income families. MLSC was established by the Maryland General Assembly in 1982 to raise funds and make grants to nonprofit organizations for the provision of civil legal assistance to low-income persons in Maryland.

The check was presented by Washington attorneys John J. Beins, Seth D. Goldberg and Paul D. Gleiberman and Centreville attorney Connie Kratovil Lavelle. From left to right: Beins, Goldberg, Gleiberman, Kratovil, Chief Judge Bell, Reginald L. Jenkins, F. Vernon Boozer, and Robert Rhudy, MLSC executive director.

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News from the Bench

The following judges have recently retired from the bench. No new appointments have been made as of press time.

- Hon. A. Gordon Boone, Jr., District Court for Baltimore County
- Hon. John F. Fader, II, Baltimore County Circuit Court
- Hon. Ellen M. Heller, Baltimore City Circuit Court
- Hon. John W. Sause, Jr., Queen Anne's County Circuit Court
- Hon. Williams D. Simpson, Wicomico County Circuit Court
- Hon. R. Noel Spence, District Court for Washington County
- Hon. Mary A. Stepler, Frederick County Circuit Court
- Hon. Paul H. Weinstein, Montgomery County Circuit Court

NAWJ Holds Annual Meeting in D.C.

Hon. Jean Baron and Hon. M. Brooke Murdock

The National Association of Women Judges, led by the Maryland Chapter, paraded to Washington, D.C. this month for its annual meeting. It was a spectacular meeting, with visits from the First Lady Laura Bush, the leadership of the Democratic party and two Supreme Court justices. The festivities, which convened at the Mayflower Hotel from October 8 to October 12, attracted over 400 judges from around the country and around the world.

Some of the Maryland Chapter members worked tirelessly to assure a successful conference. Judge Kathleen O'Ferrall Friedman (Ret. Baltimore City Circuit Court) headed the educational committee, which organized presentations on a wide variety of pertinent topics, including the Patriot Act and international child abduction. Maryland judges Lynne Battaglia (Court of Appeals), Irma Raker (Court of Appeals), Sally Adkins (Court of Special Appeals), Audrey Carrion (Circuit Court for Baltimore City), Mary Beth McCormick (District Court for Montgomery County) and Alice "Gail" Clark (District Court for Howard County) made one of the presentations to a full house entitled, "Monitoring Your Own Bias In the Courtroom".

Judge Theresa Nolan (Ret., Circuit Court for Prince George's County) co-chaired the Social Committee; Judge Sherrie Krauser (Circuit Court for Prince George's County) headed up the Food Committee; and Judge Julia Weatherly (Circuit Court for Prince George's County) hosted the Hospitality Suite. Judge Patrice Lewis (District Court for Prince George's County), the President of District 4 (Maryland, Virginia and D.C.), served with judges Friedman and Nolan on the Planning Committee.

Another memorable highlight was the reception held at the Supreme Court Building, organized by judges Diana Motz (U.S. Court of Appeals for the Fourth Circuit), Ellen Hollander (Court of Special Appeals), Susan Gauvey (U.S. District Court for the District of Maryland), Marcella Holland (Circuit Court for Baltimore City) and M. Brooke Murdock (Circuit Court for Baltimore City). Justice Sandra Day O'Connor and Justice Ruth

Bader Ginsberg joined the gathering and made short presentations.

The conference was frequented by many of the most powerful women in Washington, D.C. On the second day of the conference the First Lady addressed the conferees about the state of women and children around the world including educational opportunities, particularly in Iraq and Afghanistan. Interestingly, one of the attendees was a judge from Iraq who had served in that capacity for 24 years.

The opening address, through the efforts of Congressman Steny Hoyer and Judge Nolan, was given by Congresswoman Nancy Pelosi, the Democratic leader of the House of Representatives, who spoke to the judges about the challenges facing the Congress. The 25th Anniversary Gala was attended by over 1,000 judges and lawyers when the NAWJ honored Justice Ginsburg as its "Honoree of the Year." The Saturday night Awards Banquet was preceded by a silent auction chaired by Judge Brenda Murray and assisted by Judge Jean Baron (District Court for Prince George's County), which raised \$30,000 to assist judicial program development. Next year's conference is planned for Indianapolis.



Some of the Maryland judges attending the conference.

Making of the Record in Maryland Courts

Valerie Dawson

Back in early 2000, Chief Judge Bell met with officers of the Maryland Court Reporters Association (MCRA) to address concerns over making and preserving the record in Maryland courts. The record of proceedings in Maryland courts is captured in different ways. The District Court of Maryland uses a form of recording, which, if needed, can be transcribed by a transcriber. Circuit courts depend predominantly on stenotype reporters, although some jurisdictions use electrical or video recording equipment or a combination of reporting techniques.

During the meeting, MCRA shared several concerns with Chief Judge Robert M. Bell including the quality of transcripts, who is certifying the transcript of the proceedings, reliability of equipment, etc. What followed was the formation of the Court Reporters Committee (see below). Subcommittees addressed the means by which to maintain a high level of professionalism amongst those whose job it is to make the official verbatim record of proceedings in court, regardless of methodology, as well as the individuals who transcribe the record of the proceedings. The committee initiated the process by surveying judges, lawyers and court reporters, and asking for their observations. A final report was submitted to Chief Judge Bell in September.

Court Reporters Committee

Chair:

Hon. Maurice W. Baldwin, Jr.

Hon. Patricia L. Mitchell

Nancy F. Banister

Anne Norman Bosse, Esq.

Hon. Joseph I. Cassilly

Patricia Cirasole, RPR

Hon. Sandra K. Dalton

David R. Dawson, RPR

Valerie M. Dawson, RPR, RMR

Arthur A. Delano, Jr., Esq.

Nancy S. Forster, Esq.

Joseph A. Grabowski, RMR

Leslie D. Gradet, Esq.

Diana Kukk, RPR

Sherry L. Meredith, RPR, RMR

Shirley Powell, RPR

Jeffrey L. Ward, Esq.

Staff:

Elizabeth Buckler Veronis, Esq.

Uniformity, Certification

Among the committee's conclusions was a need for uniformity of transcripts prepared of court proceedings and a need for certification of transcripts by professionals who meet certain criteria. To this end, the committee report included a draft administrative order setting minimum requirements for court reporting and transcription in Maryland courts. The purpose was to ensure that all transcripts of court proceedings could be deemed by all reading them to be true and accurate—whether judges, attorneys or parties in a case. Advising that more and more states have opted for licensing or certification, the committee recommended certification by the Administrative Office of the Courts (AOC), along with an orientation program. The committee envisioned the AOC relying on the credentialing of various associations such as the National Court Reporters Association or the American Association of Electronic Reporters and Transcribers. The administrative order would not preclude a court from using an individual without such credentials but would require the court to establish that the individual is qualified to provide court reporting services.

Updated Manual

Also addressed by the committee was updating a manual published and distributed by the AOC and MCRA in 1982. The goal is to make the manual usable for orientation of new reporters and individuals involved in the transcript process while providing a reference resource for experienced court reporters. The draft manual addresses a host of issues relating to court reporters and the transcription process, including laws relating to court reporting and transcription, preservation of notes, numbering of pages and volumes, and ethical conduct. The committee recognized the need for discussion and comment on some of the protocols set forth in the manual, particularly with respect to audio and video recording because of the technological changes. To facilitate comment, the final report, including the manual, is available on the Judiciary's website, www.courts.state.md.us. Finally, the committee recommended establishing a standing committee to afford the AOC with ongoing advice on court reporting.

MACRO is the Focus at Scottish Mediation Conference



photo courtesy of MACRO

L-R: Rachel Wohl, MACRO Executive Director; Lou Gieszl, MACRO Deputy Executive Director; Hugh Henry, Member of Scottish Parliament (MSP); Ewan Malcolm, Scottish Mediation Network's Mediation Development Officer; Chief Judge Bell.

As keynote speaker at the first-ever Scottish mediation conference, Chief Judge Robert M. Bell discussed Maryland's expanding use of mediation and MACRO (Maryland Mediation and Conflict Resolution Office). Organized by the Scottish Mediation Network and sponsored by the Royal Bank of Scotland, the conference offered day-long conversations about using mediation in commercial, community, court, education, environment, family and government settings. Watch for the upcoming issue of MACROSCOPE for more details:

www.courts.state.md.us/macro/index.html

Chief Clerk of District Court, cont. from p. 2

Platt, the fourth Chief Clerk of the District Court, has witnessed, and is in many ways responsible for, the transformation of the court from the early days of manual typewriters and stenograph machines to digital recordings, computerized systems and electronic data files. In her seven years as Chief Clerk and 12 years as administrative clerk for Prince George's County, she earned a reputation as a goal setter and as a "plan-for-tomorrow administrator."

"There seems to be universal agreement concerning Patti's most cherished contribution to the District Court," said Chief Judge Vaughan. "Patti never settled for "what is," she pursued "what could be."

One of Platt's many significant accomplishments as Chief Clerk was to assist then Chief Judge Martha Rasin in submitting legislation in early 1998 that moved District Court employees from the State Personnel System to the Judiciary Personnel System. This change allowed her to promote an "equal pay for equal work" concept for all judiciary employees. Platt instituted many of the computerized changes in courtroom operations and in the way that information is processed from the first filing with a clerk to the final disposition in the system. Projects, such as electronic filing of complaints and electronic payment of fines, continue to influence how the court conducts its business long into the future. "Patti's can-do attitude will remain part of the District Court's culture," said Chief Judge Vaughan. "She knew how to push the organization forward, and how to encourage people to believe not only in the future of the organization, but in themselves."



Patti Platt



L-R sitting: Mr. Isaac Marks, Prince George's County Circuit Court Judge Sheila Tillerson Adams. Standing: Clerk Wanessa Bell, Clerk Darlene Holland, Baliff John Batchlor, Sheriff Mark Roccapriore



L-R: Senator Joan Carter Conaway, Baltimore City Circuit Court Judge Marcella A. Holland

Legislators Ride-Along, cont. from p. 1

of the Charles County Chamber of Commerce. It was valuable “to hear judges’ perspectives, why they sentence the way they do, [and] to see how legislation affects the court system,” said Delegate Nancy R. Stocksdale (R.-5).

Whereas, the program gave participants the opportunity to gain firsthand experience with their local trial courts, judges and court administrators benefited from the insight and perceptions they received from attendees.

“We are all feeling very good about what was accomplished on that day—letting legislators, local government and community leaders become aware of what goes on in their courthouse and the benefits that are provided,” said Judge Steven G. Chappelle, Charles County Circuit Court. “It helps further the spirit of cooperation.”

The Ride-Along Program was created in 1996 to strengthen the understanding of issues facing the court system and to provide participants with the opportunity to ask questions and share their concerns about the court process. Circuit and District administrative judges worked together to create a daylong agenda that included meeting with one or more judges and other justice system personnel, observing a variety of court cases and court operations, and discussing the court process and court-related issues in an informal setting.



Delegate Sally Jameson, Asst. State's Attorney Hammad Matin, Charles County Chamber of Commerce President Harry Shasho



Delegate Anne R. Kaiser, Delegate Nancy J. King, Montgomery County District Court Judge Brian G. Kim, Montgomery County Circuit Court Judge John W. Debelius, III



L-R: Councilman David Rakes, Tiffany Taliaferro (Special Asst to Rakes), Rose Laverghetta (Legislative Aide to Del. Miller), Delegate Warren Miller, Howard County District Court Judge Neil Axel



L-R: Prince George's County Councilman David Harrington, Prince George's County Circuit Court Judge Herman Dawson

"It's a very valuable program, especially with more and more members of the legislature being non-lawyers who may not have much exposure with the courts."

Judge Raymond E. Beck, Sr., Carroll County Circuit Court and Chair of the Judicial Ride Along Committee

"I found interaction with the members of the bench most valuable."

Delegate Kathleen M. Dumais (D-15)

"This is a good opportunity to hear the concerns that the judges have, and have them indicate to us ways that we can help them; how we can make more intelligent decisions in the legislature about the needs of the judiciary."

Senator Nathaniel J. McFadden (D-45)

"It was especially valuable to those legislators who were not experienced in the court setting. They were amazed at the workload and efficiency that our courts' handle."

Judge Frederick C. Wright, III, Circuit Court for Washington County

"You get to see the distinction between courts."

Delegate Warren E. Miller (R-9)

"It's very informative and interesting, and it's a way to get to know the specifics of the role the judges play, and what they actually do."

Senator Joan Carter Conway (D-43)

"You see the intricacies of the machinery of the judiciary in motion."

Westminster Mayor Kevin Dayhoff



L-R: Baltimore Councilman Nicholas D'Adamo, Chief Judge Bell, Baltimore City Circuit Court Judge (Ret.) Richard Rombro, Delegate Ann Marie Doory



L-R: Jim Lee, Editor, Carroll County Times; Kevin Dayhoff, Mayor of Westminster

Frederick Judges Defy King

November 23 Repudiation Day

Occasionally in Maryland counties, judges and the Clerk of Court can have differences over how legal matters are handled in a county, but rarely do they become so heated that a Clerk ends up in jail. Back in 1765, however, a dispute in Frederick County with national ramifications led the judges of that court to jail their Clerk, John Darnell, for contempt.

Darnell's jailing had its origins in the enactment of the infamous Stamp Act by the British parliament. The Act targeted legal transactions in the Colonies such as deeds, mortgages, liquor licenses and other routine legal documents, and required a tax to be paid on each such transaction. The funds raised were to pay for the support of British troops in America.

The Act was instantly unpopular in the Colonies as another example of oppressive taxation without representation. In September 1765, when the Crown designated an Annapolis merchant, Zachariah Hood, to distribute the stamps in Maryland and collect the tax, his house was besieged by a mob and destroyed, and he was hung in effigy. Hood was barely able to escape by boat to New York.

Civil Disobedience

The mob action, having prevented the tax stamps from being distributed, drew questions about whether legal transactions could proceed in the Maryland counties without the required stamps. When the Frederick County Court convened that November, Darnell, being aware of the requirements of the Stamp Act, refused to issue any process or perform any official act which required the stamps. The 12 judges of the Frederick County Court ordered Darnell to proceed to conduct legal business without the stamps. When he refused, he was found in contempt and jailed on November 18, 1765. Apparently, a single night in jail had the desired coercive effect and Darnell was released the following day.

Shortly thereafter, on November 23, 1765, the 12 judges issued a "unanimous Resolution and Opinion" enjoining and ordering "all Sheriffs, Clerks, Counsellors, Attorneys and all officers of the Court" to transact business without the stamps. The judges relied on both a technical argument—namely, that in their view, there had not been an appropriate "legal publication" made of the Stamp Act—as well as the practical argument that the stamps had not in fact arrived in Frederick County, and they concluded that it would be an act of "the most wanton Oppression to Deprive any person of a Legal Remedy" for failure to have a stamp upon the document of the transaction.

The judges' declaration, viewed as the first act in the colonies of the judiciary openly defying the Crown and asserting judicial independence, was widely published and became a celebrated event. The date of its issuance, November 23, 1765, became known as Repudiation Day, and is still celebrated in Frederick County. A plaque at the entrance of the Frederick County Courthouse building commemorates "the twelve immortal justices" of the Frederick County Court for their patriotic act of defiance.

No mention is made of Darnell.



Clerk Sandy Dalton, here in front of the plaque, holding the original Book of Court minutes from 1765

Photo by Lynda Byrd

Awards and Recognitions

Congratulations to:

- Administrative Judge for Baltimore City Circuit Court **Marcella A. Holland**, who received the 11th annual Rosalyn B. Bell Award from the Women's Law Center of Maryland, Inc. The award recognizes outstanding contributions to the field of family law.
- **Judge Donald C. Davis**, for his appointment as County Administrative Judge for the Circuit Court for Wicomico County.
- Montgomery County Administrative **Judge Ann M. Harrington**, who was honored for her achievements by the Montgomery Women's Bar Foundation. The foundation, an adjunct of the county's chapter of the Women's Bar Association of Maryland, focuses exclusively on education, charitable and community projects.
- Prince George's County Circuit Court **Judge Steven L. Platt**, who received an 'Innovator of the Year' award for 2003 from *The Daily Record*.
- Court of Special Appeals **Judge Joseph F. Murphy, Jr.** for receiving the top *Daily Record's* 2003 Leadership in Law Award. Other judges honored for being successful in improving the legal profession, committed to the communities where they live and work, and acting as mentors: **Karen H. Abrams** (St. Mary's County Circuit Court); **Lynne A. Battaglia** (Court of Appeals); **Marielsa A. Bernard** (Montgomery County Circuit Court); **James A. Kenney III** (Court of Special Appeals); **C. Philip Nichols Jr.** (Prince George's County Circuit Court); **Richard H. Sothoron Jr.** (Prince George's County Circuit Court).
- **Pamela Q. Harris**, Court Administrator for Montgomery County Circuit Court, who was appointed president-elect for the Mid-Atlantic Association for Court Management (MAACM).
- **The District Court.** MAACM presented the John Neufeld Court Achievement Award to the District Court in recognition of its "Excellence in Public Service Initiative," a state-wide program designed to improve citizens' access to and understanding about the District Court through public information materials and enhanced employee service skills.

Baltimore City Circuit Court, cont. from p. 3

- Strictly enforcing judiciary rules that require cases to move forward on a timely basis or risk dismissal: 95 percent of civil cases are now resolved within the case time standards.
- Improving management of asbestos cases with a pilot e-filing program to reduce the backlog of cases.
- Implementing the state's first business and technology program.
- Creating a differentiated case management system—cases are assigned to different tracks based on the seriousness of the charges and complexity of the case.
- Greater efficiency in handling the criminal docket.
- Modernizing the jury process and improving juror facilities. Creating an informative web page that includes emergency notices and juror news.

Business/Technology Program, Drug Court Commission Go Online

Maryland Business and Technology Case Management Program

About the Program
During the 2000 legislative session, the General Assembly of Maryland created a Maryland Business and Technology Court Task Force to consider the feasibility of establishing a specialized court function within Maryland's Circuit Courts to adjudicate business and technology disputes.

Rules (MD Rule 16-205)
A Task Force Report was subsequently submitted to Maryland's Chief Judge who then assigned responsibility for implementing the Report's recommendations to the Conference of Circuit Judges. The Conference formed an Implementation Committee comprised of one judge from each judicial circuit. Over 150 volunteers from the legal community assisted the Committee and participated in working groups in the areas of Judicial Education; ADR Standards, Education, Training and Compensation; the Use of Technology in the Program; Uniform Statistical Data and Performance Standards, and Training for Clerks and Administrators.

Published Opinions
The Committee made detailed and comprehensive recommendations in its Final Report and proposed New Rule 16-205 to establish a business and technology case management program to enable each circuit court to handle business and technology matters in a coordinated, efficient, and responsive manner and to afford convenient access to lawyers and litigants in business and technology matters.

Links
Maryland's Business and Technology Case Management Program, the First in the Nation, is now operational.

DRUG TREATMENT COURT COMMISSION OF MARYLAND

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Commission Members
Maryland Drug Courts
10 Key Components
Planning and Operating
Training
Announcements
Goals
Resources
Employment
Funding

Judicial Training Center
2009D Commerce Park Drive
Annapolis, Maryland 21401

Drug Treatment Court Commission Of Maryland
Established October 23, 2001

Honorable James H. Weltzman, Chair
Honorable Thomas E. Noel, Vice Chair
Gray Barton, Executive Director 410-946-4988
Jennifer Moore, Deputy Director 410-946-4915

“Posting opinions allows judges and lawyers to look at, review and discuss these complex cases in an effort to make them more predictable. The more predictable a case is, the more likely it will get settled quickly.”

-Judge Steven L. Platt

Two new websites from the Maryland Judiciary are now up and running. This fall, Maryland became the first state to implement its Business and Technology Case Management Program (BTCMP). The BTCMP website <http://www.courts.state.md.us/businesstech/index.html> is also operational, and includes a number of useful tools for judges, lawyers and litigants. One landmark feature is the posting of opinions by designated judges. According to Steven L. Platt, Circuit Court Judge for Prince George's County and Chair of the Business and Technology Case Management Program and Implementation Committee, posting opinions serves as a valuable tool for judges, lawyers and business leaders—who are all looking for predictability in business/technology cases.

“Posting opinions allows judges and lawyers to look at, review and discuss these complex cases in an effort to make them more predictable,” said Judge Platt. “The more predictable a case is, the more likely it will get settled quickly.”

A description of the program, along with final reports from the Maryland Business and Technology Task Force and subsequent Implementation Committee, is also available on the website. In addition, web users can find links to MD Rule 16-205, which created the program, and to business/technology programs being implemented in other states.

The Drug Treatment Court Commission of Maryland (DTCCM) recently unveiled its website, at <http://www.courts.state.md.us/dtcc/index.html>. The DTCCM website provides information on the Commission, including member list, vision and goals; a map of Maryland adult and juvenile drug courts either operational or in planning; educational assistance for planning, training and operating a drug court; training opportunities; and internet resource links.

“This will be a one-stop shop for information on Maryland's drug courts,” said Gray Barton, DTCCM executive director. “Drug court activity in Maryland is on the rise, and with 14 programs currently in the planning stages, the website will act as a great resource.”

Q&A with Judge Marielsa Bernard

Orchestrating a Successful Public Forum

Circuit Court Judge Marielsa Bernard has held two very successful public forums in Montgomery County. Focused on issues related to domestic violence, the forums also gave the more than 500 attendees the opportunity to meet judges and ask questions about the court system.

Judge Bernard, who is planning on holding a third public forum in the near future, has been asked to create a general guideline for setting up similar public forums in other counties. Below is the second installment of her interview.

JM: What did you do differently for the second public forum, held at Gaithersburg H.S.?

MB: At the end of the first forum, we asked participants for suggestions for a future forum. Many attendees wanted more information about immigration issues, so for the second forum we increased the presence of immigration providers and literature. I also got the county schools superintendent to sign off on giving students community service credit hours if they attended, then did the same for the Department of Juvenile Services and Parole and Probation. Also, at the first forum, we asked attendees to write down questions for the judges, which was time consuming. For the second forum, we wrote down some popular questions ahead of time, so the judges could start answering them while the audience was writing down new questions.



Judge Bernard

JM: To what do you attribute the large turnouts?

MB: A lot of hard work and dedication from a lot of people. We started planning about three months in advance, sending out 'Save the Date' emails and putting up notices in grocery stores, libraries, churches, etc. On the weekends I even went to restaurants and left flyers. I also had a lot of help getting the Asian, Muslim and other communities involved. It's important to utilize the media. The power of radio is very important, especially with immigrant communities. It's also important to promote the event in the respective community newspapers, and newspapers of different languages. But most important I think was the personal contact right down to the end. The night before the forum I was calling my contacts making sure that they were bringing people and publicizing the event.

JM: Can other jurisdictions have equal success?

MB: Yes, but you have to invest a lot of time and effort. I think the publicity is important, but not as important as the community contacts. A forum is not going to be successful unless you develop linkages within the community. For example, I didn't have many contacts for the second forum to handle immigration issues. I asked around, and one woman who was at the first forum knew someone at the Johns Hopkins Immigrant Protection Project. Linkages. We have valuable resources in our county and around the state that we might not know even exist.

I think the event itself works well, with the introduction, skit, and question and answer period. The skit keeps their interest and gets them more involved than just sitting and listening to people talk on and on. I should also point out that these forums are done on a shoestring. Really, the only money spent was on printing the flyers and programs, which was done in-house. The Court Information Office provided a lot of court-related materials, and all the groups, interpreters and organizations were volunteers.

JM: Why are these public forums important?

MB: I truly believe that there is a strong desire to know more about what's going on in the courts, and how to utilize the legal system. I think many people are intimidated about the court system. The public forums put a face on the courts, which hopefully makes residents feel more comfortable with our judicial system.

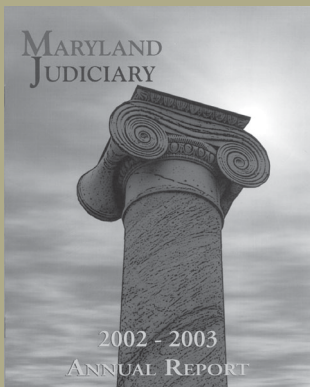


Forum participants Officer Luis Hurtado, Rebecca Nitkin, Esq., Alexandra Douglas portray a domestic violence situation.

2002-2003 Annual Report Hot off the Presses

The Maryland Judiciary recently released its 2002-2003 Annual Report, which highlights positive accomplishments, initiatives and activities that were undertaken the past fiscal year. The report reflects on efforts made the past year by the Judicial Council and Judicial Cabinet, specifically towards case/time standards and meeting the state's new fiscal demands.

The report also covers the growth in new technologies being utilized throughout the court system, and provides features on the new Business and Technology Case Management program, the expansion of drug courts, family programs and services, Early Resolution Court, outreach efforts and new District courthouses. The accompaniment to the Annual Report, the 2002-2003 Statistical Abstract, will be available early 2004.



Courts Log-on to E-filing Projects

Electronic or e-filing is a simple concept, with dramatic ramifications for the courts. E-filing uses the Internet as the vehicle to send court documents, pleadings, motions and other papers between an outside location and the court. The process eliminates paper filing of documents, reduces the storage space needed for documents and ultimately provides better and more timely access to court documents for everyone. With e-filing, litigants can file for an action from the convenience of their office or home.

In 2001, Baltimore City Circuit Court launched an e-filing project for processing asbestos litigation. During the two-year pilot, more than 80,000 documents were filed, resulting in 1.5 million documents served between the parties. Building upon this successful model, the District Court will begin implementing a pilot involving the filing of pleadings and papers in landlord/tenant cases in Prince George's County.

"In selecting the landlord/tenant pilot, we needed a process that was relatively simple and straightforward," said Patti Platt, Chief Clerk of the District Court. "Prince George's County provided a situation where we could compare in very concrete terms the benefits and challenges of converting a manual system to an electronic one."

The District Court expects to implement the pilot in Prince George's County in the summer of 2004.

Bail Bond System under Review, cont. from p. 1

statutes and court rules. Now that the audit is complete and the problems are identified, we are ready to take corrective action."

District Court Chief Judge James N. Vaughan and Conference of Circuit Judges Chair Daniel M. Long (Circuit Court for Somerset County) will serve as chair and vice chair for the task force. Membership will reflect the diverse parties involved in the bail system, including judges and clerks of both trial courts, District Court commissioners, and representatives of the Attorney General of Maryland, the Maryland Bar, the Maryland Association of Counties, the Maryland Bail Bond Association, the Maryland Insurance Administration, the Maryland Public Defender, and the Maryland State's Attorneys Association. An organizational meeting has been tentatively scheduled for December 17.

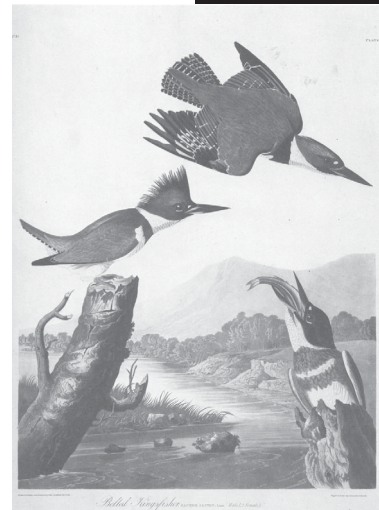
Courthouse Treasures

Justice Matters continues its series that explores county courthouses in search of lost, valuable or historic treasures. From a British cannon used during the War of 1812, to a set of bird prints worth millions of dollars, the *Justice Matters* exploration team digs deep to unearth a wealth of history in our residences of justice. If you think your courthouse has such a treasure, email the Court Information Office at cio@courts.state.md.us.

Maryland State Law Library (Courts of Appeal Building), Annapolis

The State Law Library has acquired a number of valuable treasures since it was established in 1827, from rare books dating back from the 16th century, to the state's official set of state bird plates completed in the late 1970s. Perhaps the greatest treasure, however, is the John James Audubon Birds of America prints.

This set of huge bird paintings, called 'elephant prints' due to their size, was purchased by the General Assembly in 1834 at the urging of the first state law librarian. The 435 prints of North American Birds, bound into four volumes, were created by the premiere naturalist Audubon and sold for a 'steep' \$2,000. Only 100 sets were made. Today, the Maryland State Law Library owns one of the few remaining sets, valued in the millions of dollars.



Washington County Courthouse, Hagerstown

For 100 years, a statue portraying the Maryland State Seal sat in an alcove as part of this enormous mid-Victorian courthouse. The origins of the statue—which depicts a ploughman and fisherman holding the Calvert shield, with a large eagle, wings spread, perched atop the shield—was unknown, as was the exact period that it was placed atop the courthouse.

Over the years the statue, widely speculated to have been donated when the courthouse was built between 1874 and 1878, was tarnished by harsh weather, pigeon dung and even bullet holes placed by a former sheriff's deputy who was responsible for ridding the statue of pigeons.

In the late 1970s, county commissioners sought to restore the statue. They hired an artist who took infrared photographs of the statue in an effort to locate a date. The artist found much more than a date; he discovered that underneath the many coats of paint was a rare zinc metal casting, not painted wood. The valuable treasure was quickly taken indoors and has since been placed in a special viewing case inside the courthouse.

"Statue to get indoor home" *The Baltimore Sun*, 11/15/78.



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upcoming

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