FIRST JUDICIAL CIRCUIT
CIRCUIT COURTS FOR DORCHESTER, SOMERSET, WICOMICO AND WORCESTER COUNTIES, MARYLAND

ADMINISTRATIVE ORDER

Re: REGIONAL TRUANCY REDUCTION PILOT PROGRAM COORDINATOR

To more properly define the duties and responsibilities of the Truancy Reduction Pilot Program coordinator, it is therefore this 11th day of October, 2011, **ORDERED** as follows:

I. General

1. The Truancy Reduction Pilot Program (TRPP) is created and governed by Courts and Judicial Proceedings Article, Section 3-8C-01, et. sec. In addition the TRPP shall be governed by the Maryland Rules of Procedure, as applicable. This Administrative Order serves to fill whatever gaps remain where either the statutes or the rules do not apply. The court affirmatively finds that the TRPP is not a "Problem-solving court" as defined by Rule 16-206 and such rule does not apply to the TRPP.

2. There shall be established the office of the Truancy Reduction Pilot Program (TRPP) Coordinator (coordinator). The coordinator shall have a part-time administrative assistant based on availability of funding. There shall also be a case manager assigned to the TRPP. The coordinator shall administer the TRPP throughout the First Judicial Circuit, under the supervision of the administrative judge of the First Judicial Circuit (circuit administrative judge).

3. Duties for the coordinator, the case manager, and the coordinator's administrative assistant shall be assigned by the circuit administrative judge. The coordinator shall exercise day to day supervision of

the case manager and the truancy duties of the part-time administrative assistant.

4. No individual county may add to or alter this order unless such change is approved by the circuit administrative judge. Any deviation from the attached order is to be noted in writing, with a copy to the coordinator and to the circuit administrative judge.

5. When carrying out his or her duties, the coordinator will utilize whatever local support is available. If, however, sufficient local support is not available in each county, the coordinator may utilize the case manager, and/or the administrative assistant assigned part time to the TRPP, in other jurisdictions besides Somerset, with the permission of the circuit administrative judge.

6. The First Circuit Administrator (administrator) is designated as the administrative judge's representative in matters dealing with the coordinator. Any problems that cannot be resolved by the administrator shall be referred to the circuit administrative judge.

7. The administrative judge of each county may designate a judge or master to act as his or her representative in matters dealing with truancy.

8. Any substantive meetings between the coordinator and officials from the individual counties are considered First Judicial Circuit meetings and are to be scheduled by the coordinator or the administrator.

9. Any conflicts involving which duties contained in this order will be given priority will be resolved between the circuit administrative judge and the administrative judge of each county or his or her designee.

10. The duties described herein will be further clarified by the coordinator in conversations with the county administrative judge or the judge's designee.

11. In case of dispute as to priority of duty, or exactly how assigned duties are to be carried out, the circuit administrative judge has the sole authority to resolve any disputes between the coordinator and the local circuit court.

12. The circuit administrative judge, after consultation with county administrative judges or designees, shall adopt orders and forms to be used in the First Circuit. Any change in an order or form must be forwarded to all other counties in the circuit for review and discussion, and approved by the circuit administrative judge.

13. The court is sensitive that many provisions of this order require the coordinator to engage in what some would see as inappropriate ex-parte communications with the parties. The court, however, also realizes that such communications are an integral part of the program. Due to this tension between the legal requirements of the Rules of Judicial Conduct and the special nature of the program, all judges or masters conducting adjudication/disposition hearings for the TRPP will fully inform all parties that ex-parte communications between the coordinator, local boards of education, service providers, and the child are a normal part of the program, but no party is required to participate in this part of the program if they do not wish to do so. Even if consent is granted, all judges and masters should be sensitive to the dangers of ex-parte communication, and should never make a decision regarding a case on any information except that provided on the record in the courtroom, or by appropriate written documents with copies shared among the parties. Should any party fail to consent, any provision of this order requiring ex-parte contact with a party is not binding on the coordinator.

II. Court

The coordinator's primary duty is to facilitate the proper operation of the program in court. In order to do so, the coordinator shall attend to the following duties:

1. Attend all sessions of circuit court when truancy matters are on the docket. This will include all adjudications, review hearings, adult failure to send child to school cases when these cases are scheduled with the TRPP docket, and any other related hearings scheduled before the court. The individual courts are responsible for determining whether the coordinator shall attend hearings conducted outside the normal circuit court truancy hearings, such as District Court adult failure to send

hearings. If required to attend the hearings the coordinator will confer with the local board to gain notice of the dates of such hearings. Preparing for and attending circuit court truancy hearings is the primary function of the coordinator and attendance is mandatory unless the coordinator is excused by the circuit administrative judge, with due notice to the county administrative judge or his or her designee. The coordinator will arrange for a substitute, if available. Any hearings scheduled by the court take precedence over any other business, including meetings scheduled in another county. Should there be a conflict between counties as to where the coordinator should be, and such conflict cannot be resolved by the coordinator, in consultation with the counties in question, the matter shall be referred to the circuit administrative judge.

2. Immediately prior to the beginning of a session of court, the coordinator shall meet with the judge or master and brief the judge or master on any issues with cases scheduled for that date.

3. The coordinator shall have gift cards available and distribute them in the manner ordered by the court. The coordinator shall make sure all gift cards distributed in court are noted on the order for the child provided the incentive. Gift cards shall be handled in a manner consistent with the already existing First Circuit Administrative Policy on incentives (see attached). All other incentives, including school supplies, will be distributed in accordance with paragraph 7 of Section III below.

4. At the end of a hearing, the coordinator shall provide the respondents with copies of the order completed by the judge or master, and an order to appear for the respondent's next court session. The order to appear may be part of the hearing order.

5. After each adjudication, the coordinator shall meet briefly with the respondent and his or her family to obtain information, sign documents, and answer any questions from the hearing. The coordinator is responsible for having any and all consent forms, including but not limited to interagency consent forms and consent forms for ex-parte communications prepared for each case before the adjudicatory hearing and waivers of confidentiality for approved visitors.

III. Administrative Duties

The coordinator is responsible for the following administrative duties:

1. The coordinator shall meet with each county board of education whenever requested to ensure the free flow of information between the court and the Board.

2. The coordinator shall schedule an annual meeting at some point during the summer break in each county – and more frequently upon request – between the court and all stakeholders to discuss problems and new concepts for the program. The discussion should include, but not be limited to, the effectiveness of communications between the board and the court, the effectiveness of incentives and any new possible incentives, and any information available on the various studies of truancy being undertaken with the approval of the Administrative Office of the Courts. The coordinator is responsible for notifying all stakeholders at least a month prior to the scheduled meeting. Any stakeholder who wishes to discuss a particular topic should notify the coordinator in sufficient time to add the stakeholder's topic of discussion to the agenda. The coordinator shall forward a proposed agenda to all stakeholders a week in advance of the meeting.

3. The coordinator shall act as the clearing house for information intended to go to the judge or master hearing cases. The coordinator is to receive information from each of the service providers, including but not limited to, the county boards of education, mental health providers, substance abuse providers, local department of social services, local department of juvenile services, etc., prior to court. Court summaries are to be in a form approved by the circuit administrative judge, after consultation with the county administrative judge or designee, and provided to the master upon request . If information has not been provided in a timely fashion by a service provider, the coordinator is responsible to get the information to the court prior to the hearing.

4. The coordinator shall prepare proposed orders for routine hearings. This preparation includes entering the name of the respondent, the names of any service providers, the parent's names, or any

other information requested by the judge or master in the appropriate blanks prior to the hearing.

5. Following the conclusion of a hearing, the coordinator shall promptly ensure entry of the data from each hearing into the computer database.

6. The coordinator shall coordinate assessments, and ensure they are completed and forwarded to the court in a timely manner.

7. The coordinator shall obtain and store incentives in accordance with the prior approved First Circuit policy on incentives (see attached). The coordinator shall order any alarm clocks, backpacks, pens, ink, paper, and / or books deemed appropriate by the circuit administrative judge, and shall have those items available whenever court is in session – if convenient on-site storage is provided. Should appropriate on-site storage not be available, gift cards will be provided. Other items ordered by the court will be delivered as soon as possible. As a part of the annual meeting, the coordinator shall discuss the incentive inventory and shall discuss any new ideas for incentives provided by the judges, masters, or service providers.

8. The coordinator shall make referrals to service providers as ordered by the court. If the service provider is regularly used by the court, the coordinator shall contact the service provider before regularly scheduled hearings and get dates when the respondents and their parents can schedule evaluations, or other services unless the provider regularly attends court and brings their own dates with them.

9. The coordinator shall monitor services to respondents between court sessions. This does not require the coordinator to monitor each child each day, but to be responsible for receiving information from service providers if a child has failed to appear for a session or other problems, and promptly communicating that information to the court.

10. The coordinator shall assist with any evaluations or studies approved by the Administrative Office of the Courts and /or the circuit administrative judge. The coordinator shall assist evaluators in

obtaining necessary information in preparing the evaluations or studies, including coordinating the data gathering process with each local board.

11. The coordinator shall communicate with local boards of education and service providers as necessary between court appearances to resolve any truancy issues not requiring court attention. This includes any difficulties arising from time to time between a board and any party doing an evaluation or study sponsored by the Administrative Office of the Courts. If any issues cannot be resolved by the coordinator, they are to be immediately communicated to the administrator.

12. The coordinator may attend the Multi-Disciplinary Committee, or other committee meetings as determined necessary in each county, and approved by the circuit administrative judge. The coordinator shall attend the quarterly Juvenile Coordinating Councils in each county. The coordinator shall attend any non-specific meetings in the community, as deemed necessary by the circuit administrative judge, including those involving the board of education, or other community forums to publicize and provide information about the program. Nothing in this Order should be construed to require the coordinator to attend any non-court based committee meetings, including the Multi-Disciplinary Committee, in any county contrary to the wishes of the county administrative judge.

13. The coordinator shall be available for questions, concerns or problems raised by respondents or their family.

14. If the judges or masters are requested to present on behalf of the TRPP by the circuit administrative judge, the coordinator shall coordinate the presentation at least two weeks in advance (unless less notice is received) with the master or judge assigned to give the presentation. The coordinator shall keep a uniform Power Point presentation in storage. Any changes to that presentation will be provided to the coordinator at least a week in advance (unless less notice is received) as well as any other documentary or other supporting documents deemed necessary by the master making the presentation.

15. The coordinator shall prepare any presentations or reports necessary for the legislature or the

Administrative Office of the Courts, if requested by the administrative judge. The masters of each county will assist in the preparation of any such official reports. The coordinator shall coordinate with the master at least a week prior to any report being due, to allow the master an opportunity to review the report and make any necessary changes.

16. The coordinator shall receive, review and forward for payment all invoices from service providers.

17. The coordinator shall assist the Family Services Coordinator for Somerset County in preparation of Administrative Office of the Courts quarterly reports and the budget for each year.

18. If deemed appropriate by the circuit administrative judge, the coordinator shall coordinate with any county preparing new pilot projects upon request for assistance.

So ordered,

Daniel M. Long, Administrative Judge
First Judicial Circuit.