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Conference of Circuit Court Clerks

Maryland Judicial Center 580 Taylor Ave.
Annapolis, Maryland 21401

Susan Braniecki, Clerk
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MINUTES

A meeting of the Conference of Circuit Court Clerks was held September 20, 2016, at the Judicial College Education and Conference Center in Annapolis, Maryland beginning 12:14 pm. The following individuals were in attendance:

Members Present

Hon. Susan Braniecki, Vice-Chair
Circuit Court for Worcester County

Hon. Mark Bowen, Clerk of Court, Circuit Court for Wicomico County
Hon. Robert Duckworth, Clerk of Court, Circuit Court for Anne Arundel County
Hon. Sharon Hancock, Clerk of Court, Circuit Court for Charles County
Hon. Scott MacGlashan, Clerk of Court, Circuit Court for Queen Anne's County
Hon. Timothy Miller, Clerk of Court, Circuit Court for Garrett County
Hon. Mark Mumford, Clerk of Court, Circuit Court for Kent County
Hon. Charlene Notarcola, Clerk of Court, Circuit Court for Cecil County
Hon. Donald Sealing, Clerk of Court, Circuit Court for Carroll County
Timothy Sheridan, Court Administrator, Circuit Court for Baltimore County
Hon. Mary Ann Shortall, Clerk of Court, Circuit Court for Talbot County
Hon. Kathy Smith, Clerk of Court, Circuit Court for Calvert County
Hon. Dennis J. Weaver, Clerk of Court, Circuit Court for Washington County

Also Present:

Karen Bushell
Diana Liebno
Theresa Mozzano
Lonnie Summers
Eliana Pangelinan, Staff

Pete Fenton
Carol Miller
Stacey Saunders
Joyce Tippett
Susanne Wells

Susan Braniecki, Vice-Chair, made a motion for approval of the minutes from the March 15, 2016 meeting. The motion was seconded by Dennis Weaver and unanimously approved.

1. Referral Pads

Lonni Summers greeted the Conference and introduced the *referral pads* that were adopted by the Judicial Council's Court Access and Community Relations Committee. Relating the referral pads to those used by doctor's offices, Ms. Summers stated that they provide guidance to litigants as to what they need to do once they leave the courtroom or court location, such as programs available at court locations, or where they can seek help in areas such as filing

documents, finding an attorney, or serving a party. The reverse side of the pad contains generic resources – Maryland Courts Self-Help Centers and the Law Library. In addition, a template will be posted on CourtNet so each court location can tailor the pad to meet its needs. The Conference was asked to encourage judges to use the pads, and to keep them on the bench and in clerks' offices. Lonni Summers should be contacted to order additional pads.

2. Proficiency Based Education

Stacey Saunders opened the discussion noting that Maryland has a strong foundation in providing educational opportunities. Locally, the Judicial College of Maryland, formerly known as the Education Division, started the Proficiency Based Education (PBE) initiative in 2016, which involves customized courses for specific jobs. The development of best practice standards is critical in ensuring that staff know how to perform their jobs by closing skill-gaps in training. The traditional generic training is not focused on skill development, so there is no way to track skill development retention. The proficiencies provide the awareness, knowledge, and skills necessary for effective job performance. The basic rules, or CORE, are what a person needs to execute his/her job responsibilities for the first 12 months of service. In addition to CORE, PBE includes specialized training, which are proficiencies specific to a job function and related training which is advanced-level knowledge, skills and technologies not only for the immediate discipline, but also from other disciplines.

In order to execute PBE, job descriptions are needed. The CORE curricula development will include a separate curricula for specialized and related training for target jobs, as well as an Individual Education Training Needs Assessment. So far this year, the Judicial College has created and worked with separate workgroups made up of supervisor and managers, commissioners, and judicial assistants. Later this year, the PBE workgroups for administrative judges, judiciary clerks and courtroom clerks will be formed.

Another area of focus for the Judicial College has been reviewing and evaluating the certificate program. There will be four levels of evaluations to help learning professionals know if there is an impact on what is being taught.

1. Level One will focus on reaction and will inquire if the student liked the program.
2. Level Two will focus on learning and will inquire whether or not the course had an impact on the student. Specifically, it will inquire about what the student knew coming in, and what was learned upon course completion. This level is being piloted.
3. Level Three will focus on behavior and will look at how the student has been applying the course content. This level is still in development.
4. Level Four will focus on results and analyze the outcomes the organization has determined to be beneficial for all involved. This level will be metric driven.

Desk aids are in the process of being created and Transfer of Learning postcards are being integrated into the programs. The postcard requires the students mailing address and asks three questions: (1) What was most important to me was..., (2) What I will remember is..., and (3) What I am going to do as a result of this course is...

3. SME Volunteers

The Judicial College is developing a workgroup to commence in January 2017 for PBE's for Clerks. Ms. Saunders is requesting subject matter experts (SME) to comprise the workgroup, such as senior clerks, to meet for one month for site meetings and conference calls. It is understood that with the implementation of MDEC in certain counties, it may be difficult to have participants since staff will be immersed in MDEC implementation efforts. She went on to thank Kathy Smith and Dawne Lindsey for their commitment to this venture.

4. New Chair Non-Court Records Technology Sub-Committee

Ms. Braniecki informed the Conference that Donald Sealing is the new chair of the Non-Courts Technology Subcommittee. Chief Judge Barbera circulated a subcommittee interest form in which very little response was received. Because of this, the form will be resent. Ms. Braniecki described the duties of the chair as being in attendance at the Technology Committee meetings that occur evenings once a month. She also stated that independent meetings should be held to ensure that legislation is being implemented and is moving along. If anyone is interested in being a part of this subcommittee, Ms. Braniecki asks that Wayne Robey, Chair, is informed. If no one is interested, Mr. Robey or Ms. Braniecki may be asked to make a recommendation.

5. Social Media Policy

Ms. Braniecki led the discussion on the Social Media Policy that was introduced at the July 20, 2016, meeting of the Judicial Council in which Chief Judge Barbera requested feedback from the Conference of Circuit Court Clerks. The Judicial Council meeting raised the issue that the policy does not to apply to judges because of other ethical standards to which they must adhere. An issue was raised that Clerks of Court are elected officials and as such, the policy should not apply to them. Mark Mumford commented that he uses social media during election season and then he deletes all information once the elections have taken place. Due to his experience on the Ethics Committee, he advised the Conference to stay off of social media.

Scott MacGlashan stated that this issue was raised a few years ago in the drafting of the Security Policy and Standards approved February 2005 and revised January 25, 2010. Under section 1.1 Definitions, page 4, an employee is defined as "Any person employed by the Judiciary (whether regular, contractual, temporary or a volunteer), except a judge and Clerk of Court." Ms. Braniecki moved that the Conference adopt the use of the definition of employee language "except a judge and Clerk of Court." The motion was seconded and unanimously approved. This will be conveyed to the Judicial Council at the next meeting on September 21, 2016.

6. Protocol for Maryland Court Committees

Ms. Braniecki discussed the Protocol for Maryland Court Committees which states that “Each conference should establish operational guidelines, meeting schedule, goals and objectives.” A set of purposes and goals was drafted with input from the Conference, and Ms. Braniecki moved for adoption of said purposes and goals. Donald Sealing seconded the motion, which was unanimously approved.

7. For the Good of the Order

Mr. MacGlashan brought up the issue of the mandatory recording of subdivision plats. MD Code, Real Property, § 3-108, applies to everyone with the exception of Queen Anne’s County. Per the rule, subdivision plats must be printed on mylar or linen and three copies submitted to the Clerk for recording; one each for the court, Maryland State Archives, and State Department of Assessment and Taxation. It was mentioned that it might be a good time to review plat legislation in order to revise dated language. This should be reviewed and the proposed legislation presented to the Legislative Committee.

Committee Updates:

- ❖ Judicial Council
 - A Social Media Policy was introduced to the Judicial Council and feedback from the Conference of Circuit Court Clerks has been requested to be presented at the Council’s next meeting on September 21, 2016.
 - The State of the Courts Reports Workgroup presented its final report wherein it was proposed to transition certain jobs to State PINs. The report is under advisement.
- ❖ Court Access and Community Relations Committee
 - An email was distributed regarding the Self-Help Center.
- ❖ Court Operations Committee
 - The Jury Use and Management Subcommittee will be releasing a new handbook due to the newly implemented laws.
 - Bail – those individual who are unable to post bail should be subject to Pre-Trial services. Items to consider when setting bail are: if there is a threat, if jail time should be necessary, and if there is a possibility of ankle monitoring.
 - The Courthouse Equity Subcommittee plans to review and focus on priorities.
 - Record Retention Workgroup is still in the process of developing a policy for the appellate courts, District Court, circuit courts, and the Administrative Office of the Courts that deal with correspondence and how long to maintain certain records. One major recommended change will be in criminal cases that are sent to circuit courts from the District Court on jury trial demands and appeals. The amount of jail time a person receives will determine file retention. A small workgroup is working on a draft four-part schedule to be presented to the Record Retention Workgroup and then to the Judicial Council.
- ❖ Education Committee
 - Applications for the ICM program will open at the end of September and will be reviewed at the end of October.

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- Kathy Smith and Dawne Lindsey are working on the family law rules. Classes are scheduled for October 2, 2016 and November 2, 2016 and registration is open through CONNECT.
- ❖ Technology Committee:
 - JIS is reviewing new password reset options that will require changing every six months instead of 90 days.
 - The eWarrant process has proven to be a success for Baltimore County. A secured eWarrant is requested by an officer for a judge to issue electronically. Once issued, the Warrant, along with the other documents, should be printed and given to the clerk's office for filing.
- ❖ Specialty Courts and Dockets Committee:
 - No update
- ❖ Conference of Circuit Court Administrators
 - The next meeting is scheduled for September 27, 2016, at the Judicial College Education and Conference Center beginning at 10 am.
- ❖ Conference of Circuit Court Judges
 - The next meeting is scheduled for November 21, 2016, at the Judicial College Education and Conference Center beginning at 9:30 am.
- ❖ Land Record Oversight Committee
 - No update
- ❖ Rules Committee
 - A discussion was held regarding complaints to quiet title. A new bill comes into effect in October.

There being no further business before the Conference, Ms. Braniecki adjourned the meeting at 1:45 p.m. The next meeting will be held November 15, 2016.

Respectfully Submitted,

Eliana Pangelinan, Staff