

# Justice Matters

Fall 2014 Maryland Judiciary [www.mdcourts.gov](http://www.mdcourts.gov)

## Understanding your COURTS

**WELCOME** to the fall issue of *Justice Matters*. The focus of this edition is **Understanding Your Courts**. There are questions that people who work in the courts are asked all the time; ranging from how do the courts work to how do I pay a traffic ticket? In this issue of *Justice Matters*, we are going to answer some of those recurring questions.

We invite you to visit *Justice Matters Online* on the Judiciary’s website, [www.mdcourts.gov](http://www.mdcourts.gov). The online edition links the Web resources described in “Understanding Your Courts,” contains more articles, expanded versions of print edition articles, multimedia features, and other links. As always, we invite your feedback on how to make *Justice Matters* and *Justice Matters Online* more useful and user-friendly. Tell us what you think: Take a short survey about *Justice Matters*. See pages 25-26 for the printed survey or visit *Justice Matters Online* for a link the online survey. Send your questions and comments to [justicematters@mdcourts.gov](mailto:justicematters@mdcourts.gov).

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### *Message from*

## **Pamela Harris, State Court Administrator**

As state court administrator, I have the distinct honor of serving with Maryland Court of Appeals Chief Judge Mary Ellen Barbera and helping her to achieve her vision for the Judiciary and the people we serve. This past year, the Chief Judge visited every court in the state and I had the opportunity to visit some of those courts with her to hear ideas from judges and staff about the future of Maryland’s judicial system. We have also worked with experts at the National Center for State Courts, and have learned much from the experiences of others, all with the aim of increasing operational efficiencies and improving access to fair, timely and equitable justice for all people in Maryland.

During this first year of Chief Judge Barbera’s tenure, one of the most significant administrative improvements is the development and implementation of a new management structure for the Administrative Office of the Courts (AOC), which provides ongoing assistance to courts and court-related services throughout the state. Departments with similar functions or closely aligned operational

roles are now grouped together to allow for greater collaboration and shared expertise. The new structure strengthens accountability and oversight and improves coordination of services to the entire Judiciary.



We will be sharing more information about the new AOC structure in future communications, as well as updating you about other efforts. There is more work to be done as we continue to implement national best practices, create new opportunities for employee involvement, take steps to improve customer service, and roll out the Maryland Electronic Courts (MDEC) system.

Meanwhile, we are also collaborating on a new strategic plan that will build on our current efforts and position us to address future challenges and opportunities more effectively.

Chief Judge Barbera and I are grateful for employees across the state who share the chief judge’s conviction and enthusiastic dedication to public service, emulating her unyielding commitment to improving the administration of justice and taking the Maryland Judiciary to the next level. Thank you for all you do.

## Where do I go to find answers and help?

The Maryland Judiciary offers many resources for answers and help, both online and in person. One of the best sources of information is our website, [www.mdcourts.gov](http://www.mdcourts.gov). The website is always open: 24 hours a day, seven days a week, every day of the year. Here, you can find answers to most of your questions.

The Judiciary's website has a whole section that has answers to your questions about legal matters and court processes. You can find information about case types and topics, including:

- **Types of court cases**
- **Which court handles different kinds of cases**
- **How to start or respond to a court case**
- **What happens at court**
- **What resources, court services, and forms are available**
- **How to request help if you have special needs, such as spoken language interpreter or an accommodation if you have a disability**
- **How to access or limit the public's access to court records**
- **How to find legal help**

You can search case records online on **Case Search**, which provides Internet access to information from Maryland case records. Case Search includes Maryland District Court traffic, criminal, and civil case records and Maryland Circuit Court criminal and civil case records. Landlord-tenant, marriage license records, and all case types protected by the Maryland Rules on Access to Court Records are not available.

Case Search is not the official case record, but only a brief summary of information in the case

record. For the official case record, you should visit the courthouse where the case was filed. Requests must be made in person or in writing. The clerk's office cannot accept telephone requests.

### Resources

Case Search website (direct link):  
[casesearch.courts.state.md.us/inquiry/inquiry-index.jsp](http://casesearch.courts.state.md.us/inquiry/inquiry-index.jsp)

Website for more information about Case Search:  
[www.mdcourts.gov/casesearch2/faq.html](http://www.mdcourts.gov/casesearch2/faq.html)

The Judiciary website's **Finding Legal Help** section can help you find a private lawyer, or to find free or low-cost legal help from a Maryland legal services program. Most free or low-cost legal programs can help only if you qualify on the basis of your income. Contact individual programs to see if you qualify for help.

Website address: [www.mdcourts.gov/legalhelp/findinglegalhelp.html](http://www.mdcourts.gov/legalhelp/findinglegalhelp.html)



## Finding legal help

# Maryland People's Law Library (PLL)

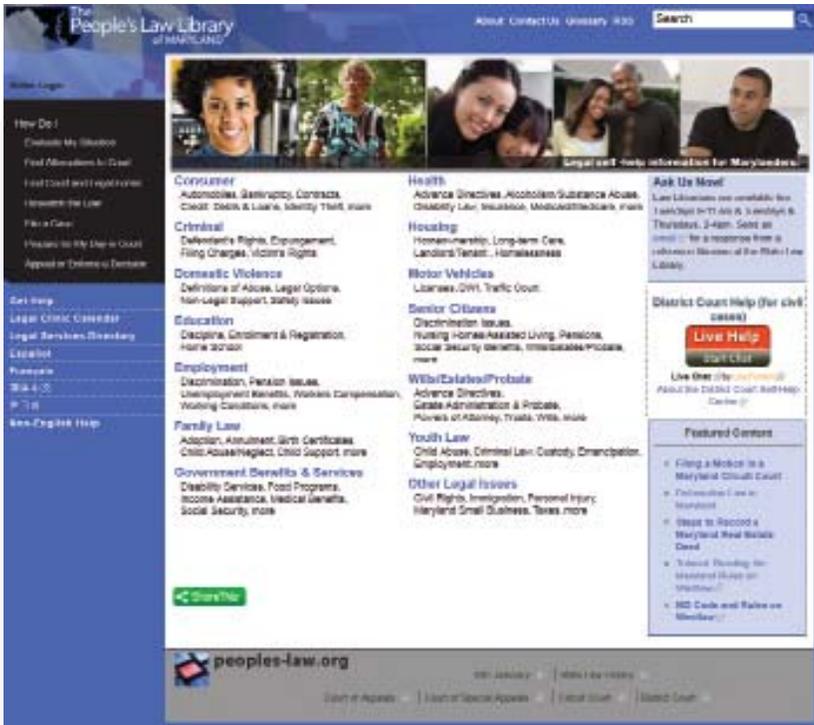
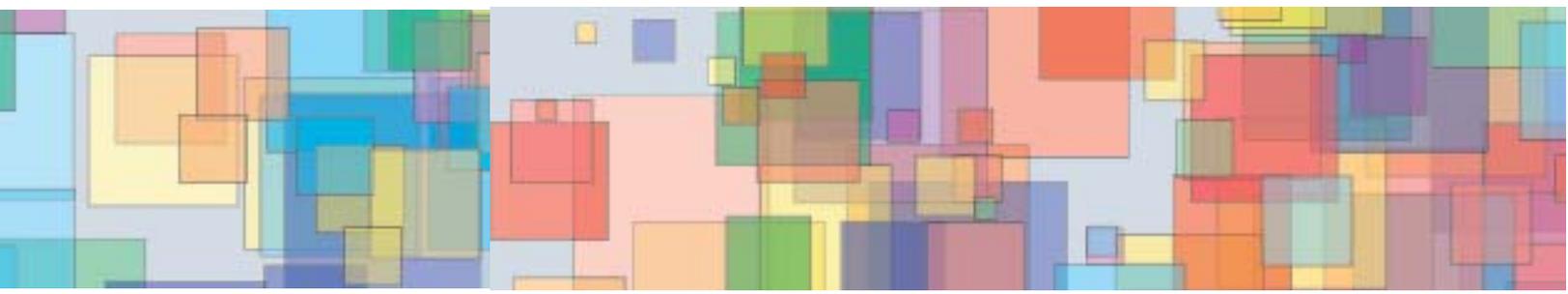
The Maryland People's Law Library is an important website about Maryland law and legal matters. The legal information and self-help website is maintained by the Maryland State Law Library, an agency of the Maryland Judiciary, and supported by non-profit legal service providers throughout the state.

The website provides clear, reliable summaries of Maryland law, links to legal sources, and referrals for legal services. There are hundreds of articles on areas of law most frequently addressed in state courts by self-represented litigants, as well as extensive primers on court procedure, legal research, mediation, and links to other informative sites. The site also includes a searchable directory of hundreds of organizations and offices across Maryland to help connect people with lawyers, and a statewide calendar of legal clinics.



**PLL gets thousands of page views each day.**

[www.peoples-law.org](http://www.peoples-law.org)



Here are some of the most popular topics on the Maryland People's Law Library:

- Consumer (automobiles, bankruptcy, contracts, credit, debts and loans, identity theft)
- Criminal (defendant's rights, expungement, filing charges, victim's rights)
- Domestic violence (definitions of abuse, legal options, non-legal support, safety issues)
- Education (discipline, enrollment and registration, home school)
- Employment (discrimination, pension issues, unemployment benefits, workers' compensation, working conditions)
- Family law (adoption, annulment, birth certificates, child abuse/neglect, child support)
- Government benefits and services (disability services, food programs, income assistance, medical benefits, Social Security)
- Health (advance directives, alcoholism/substance abuse, disability law, insurance, Medicaid/Medicare)
- Housing (homeownership, long-term care, landlord/tenant, homelessness)
- Motor vehicles (licenses, DWI, traffic court)
- Senior citizens (discrimination issues, nursing homes/assisted living, pensions, Social Security benefits)
- Wills, estates, and probate (advance directives, estate administration and probate, powers of attorney, trusts, wills)

## Which court does what?

The Maryland court system has four levels: two trial courts and two appellate courts. The trial courts consider evidence presented in a case and make judgments based on the facts, the law and legal precedent (prior legal decisions from a higher court). Appellate courts review a trial court's actions and decisions and decide whether the trial judge properly followed the law and legal precedent.

Here's an overview of what each court does.

### Trial courts

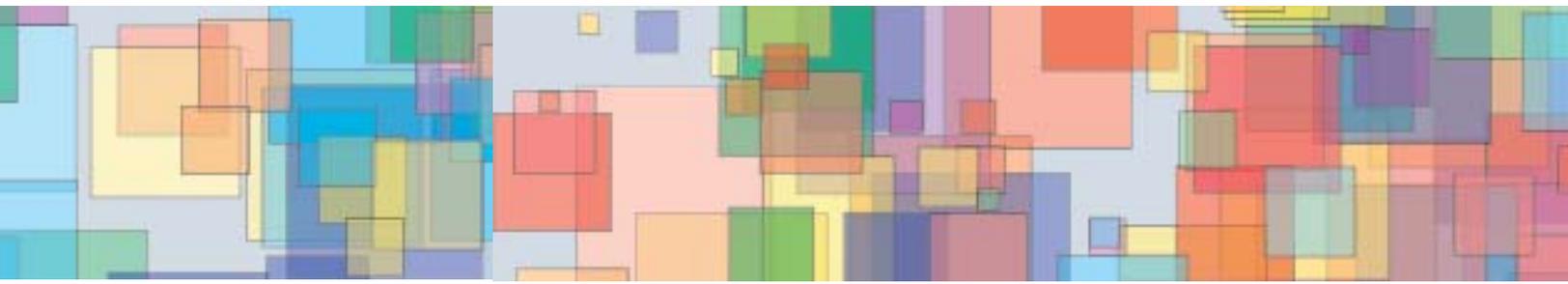
- District Court

Most people experience the court system through the District Court, which has 34 locations in 12 districts statewide. Each case is heard and decided by a judge, not a jury. Types of cases include traffic and boating violations, domestic violence and peace order petitions, landlord-tenant disputes, small claims and other civil cases involving limited dollar amounts.

- Circuit Court

The Circuit Courts of Maryland generally handle more serious criminal cases and major civil cases. The types of civil cases include juvenile and other family law cases such as divorce, custody and child support, and most cases appealed from the District Court. Circuit Courts also hear domestic violence cases. There is one Circuit Court in each of the 23 counties and Baltimore City. Unlike District Court, Circuit Court cases may involve a trial by jury, as well as cases heard and decided by a judge.





## Appellate courts

- Court of Special Appeals

The Court of Special Appeals is Maryland’s second highest court, the intermediate appellate court. The Court of Special Appeals considers any prior reviewable judgment, decree, order or other action. In other words, if a party is unhappy with a Circuit Court decision, they have the option to appeal their case for review by the Court of Special Appeals. Judges sitting on the Court of Special Appeals generally hear and decide cases in panels of three, but in some instances, all 15 judges can sit to hear the case.

- Court of Appeals

The Court of Appeals is the highest court in Maryland. It is commonly called the Supreme Court in other states and at the federal level. Unlike the Court of Special Appeals, this court does not automatically hear every reviewable case. Judges who sit on the Court of Appeals review and select cases they choose to hear — usually cases they feel will have legal significance for the state.

However, the Court of Appeals is mandated by law to hear cases involving the death penalty, legislative redistricting, removal of certain officers, and certifications of questions of law.

Chief Judge Mary Ellen Barbera sits on the court along with six other judges. All seven judges hear oral arguments on each case.

This and more information is on the Maryland Judiciary website: [www.mdcourts.gov/courts/about.html](http://www.mdcourts.gov/courts/about.html).

You can also watch a 10-minute video for an overview of Maryland courts: [www.mdcourts.gov/reference/videolibrary.html](http://www.mdcourts.gov/reference/videolibrary.html).



## What about the Orphans’ Court?

There is a court in Maryland called the Orphans’ Court. This specialized court is the state’s probate court, which means it handles wills, estates, and other matters that involve the property of the newly deceased. The Orphans’ Court also has jurisdiction over guardianships of minors. The term “Orphans’ Court” is simply the historical name for a court that handles wills and estates.

Three Orphans’ Court judges sit in the City of Baltimore and each of Maryland’s counties, except Harford and Montgomery counties. In those two counties, Circuit Court judges sit as Orphans’ Court judges.

## What do I do if I get a traffic ticket?



There are three actions you can take within 30 days of receiving a traffic ticket. Follow these guidelines to ensure a timely payment of your ticket, or to request a trial:

### 1. Pay the full fine

- Pay online
- Pay by telephone: 800-492-2656
- Pay by mail - send to:  
District Court Traffic Processing Center  
P.O. Box 6676  
Annapolis, MD 21401
- Pay in person at your local District Court

### 2. Request a waiver hearing to plead “guilty with an explanation”

- a. Check the “Request a Waiver Hearing” box on the ticket
- b. Sign and date the ticket
- c. Mail the ticket to:  
District Court Traffic Processing Center  
P.O. Box 6676  
Annapolis, MD 21401

You will be mailed a date to appear in court, where you can then ask the judge to reduce or waive your fine on the day of the trial.

### 3. Ask for a trial to plead “not guilty”

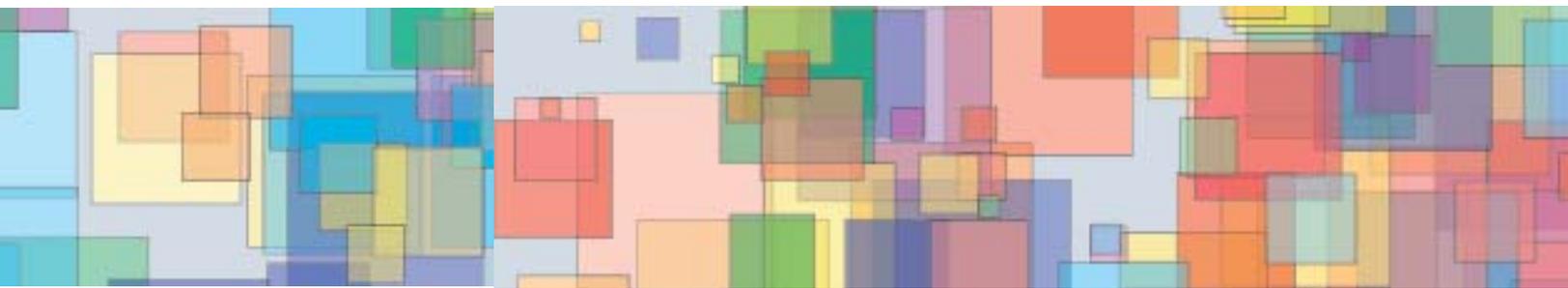
- a. Check the “Request a Trial” box on the ticket
- b. Sign and date the ticket
- c. Mail the ticket to:  
District Court Traffic Processing Center  
P.O. Box 6676  
Annapolis, MD 21401

You will be mailed a date to appear in court before a judge, where you then will present your side of the case after the issuing police officer testifies.

Red light, speed monitoring, school bus monitoring, and toll violations are not handled by Maryland courts unless you request a trial date. Contact your local municipal government office for payment related questions.

For more information, visit [www.mdcourts.gov](http://www.mdcourts.gov).





Should you represent yourself in a court case or do you need a lawyer? How do you find and work with a lawyer? Two videos on the Maryland Judiciary’s website help answer these questions.

“Should I Represent Myself?” looks at whether or not to handle your own legal issues, and outlines several considerations including whether it is a civil or criminal case, how complex the issue is that needs to be resolved, and how serious the consequences are. “Hiring and Working with Your Lawyer” focuses on finding and paying for a lawyer, what to do if you cannot afford a lawyer, and how to work with a lawyer to get the best representation.

The videos are part of the Maryland Judiciary’s growing library of self-help videos. They were developed by the Maryland Access to Justice Commission, which works to improve and expand all people’s access to the state’s civil justice system.

The following self-help videos are on the Judiciary’s website:

- **Should I Represent Myself?**  
How to decide if you should handle a legal problem on your own.
- **Finding Legal Help**  
How to get legal help with a civil case.
- **Hiring and Working with Your Lawyer**  
How to hire and work with a lawyer.
- **Mediation in the District Court of Maryland**  
An overview of the mediation process in the District Court.
- **Service of Process**  
An overview of the steps involved in serving a defendant with court papers.
- **Defending a Small Claim**  
An overview of how you may respond if you are sued in small claims court.
- **Tips for Your Day in Court**  
Things to think about as you get ready for your day in court.
- **The Maryland Court System**  
An overview of the Maryland Court System.

The website address for the Judiciary’s video library:  
[www.mdcourts.gov/  
reference/videolibrary.html](http://www.mdcourts.gov/reference/videolibrary.html).

# What do I need to know about jury service?

Trial by jury is a right guaranteed by the United States Constitution and the Maryland Declaration of Rights. Serving on a jury is both a responsibility of being a citizen and an opportunity to serve the community. It does not take any special training, skills, or legal knowledge to be a juror, just the requirement that you keep an open mind, pay attention, and make a decision based on the law and evidence that is presented.

You cannot volunteer for jury service. So, how do Maryland courts find jurors? Juror names are randomly selected from one of the lists that each county and Baltimore City use to identify prospective jurors. Prospective jurors get a summons in the mail to report for jury service at a specific date and time. If you do not appear for jury service at the date and time directed by the summons, or if you do not complete jury service, you can be fined and/or put in jail.



**A short video on the Judiciary's website gives an overview of jury service in Maryland and what to expect if you are called for jury service:**  
[www.mdcourts.gov/juryservice](http://www.mdcourts.gov/juryservice)

You are qualified to be a juror if you:

- Are at least 18 years of age – and there is no “upper age limit,”
- Are a U.S. citizen, and
- Reside in the county/Baltimore City in which you would serve as a juror.

You cannot serve on a jury if you:

- Cannot read, write, speak, or understand the English language,
- Have a disability that prevents you from providing satisfactory jury service (this must be documented by a health care provider),
- Have been convicted of a crime punishable by more than 6 months in prison, were sentenced to more than 6 months in prison and have not been pardoned, or
- Have criminal charges pending for a crime that is punishable by more than 6 months in prison.

Also, a trial judge may disqualify you if you are a party in a civil case in the county/Baltimore City in which you would serve.

Even if you are qualified to be on a jury, you might be exempt from jury service if you are:

- At least 70 years old and make a written request to your local Jury Office to be exempted,
- A member of the U.S. House of Representatives or Senate, or
- An active duty member of the armed forces or the state militia.

Your date of jury service sometimes can be changed if there is a pressing reason, for example, a previously scheduled medical procedure or travel plans. In some circumstances, you can make this change online.

Jurors receive a reimbursement for each day of jury service, which ranges from \$15 to \$30 per day, depending on the jurisdiction. The length of your jury service is established by each Circuit Court. Your local jury office can tell you how long you will have to serve.

Why are more people called for jury service than are selected to sit on a jury? One reason: there have to be enough jurors to hear each case and allow for challenges. Also, some cases that are scheduled for jury trials end up not needing any jury at all. Cases often settle at the last minute, sometimes even after a jury is selected. Your presence as a prospective juror may have been what was needed to encourage the parties to come to a resolution themselves.

## What is the difference between a trial jury and a grand jury?

- Most people who have jury service are called to serve on a **trial jury** – traditionally called a “petit jury” – which listens to evidence in a courtroom, and decides the guilt or innocence of the defendant in a criminal case, and the liability and damages of the parties in a civil case.
- A **grand jury** decides whether there is probable cause to charge someone with a crime. A grand jury also can conduct investigations.
- You will not be asked to serve on more than one grand jury at the same time, or as both a grand juror and a trial juror.



## More resources

### Videos

You can view informational videos online anytime, thanks to the Judiciary's growing library of self-help videos.

- Should I Represent Myself?
- Finding Legal Help
- Hiring and Working with Your Lawyer
- Mediation in the District Court of Maryland
- Service of Process
- Defending a Small Claim
- Tips for Your Day in Court
- The Maryland Court System
- Maryland Jury Service

### Brochures

There are many brochures available online that can help you learn more, and that you can print out. They include:

- What can the public see about me in court records and on Maryland Case Search?
- Can I keep the public from seeing information about me in a court case?
- Can I keep the public from seeing information about me in a peace or protective order case?
- Expungement of Criminal Records
- District Court brochures on civil, criminal domestic violence, and landlord-tenant issues
- Court of Special Appeals Guide for Self-Representation to help people who file an appeal in this court
- Youth law (child abuse, criminal law, custody, emancipation, employment)

[www.courts.state.md.us/reference/videolibrary.html](http://www.courts.state.md.us/reference/videolibrary.html)

### Law libraries

The **Maryland State Law Library** and the many **Circuit Court law libraries** are places where you can get copies of laws, cases, court information, use computers and receive help from a court librarian. The Maryland State Law Library is available by phone, email, and in person.

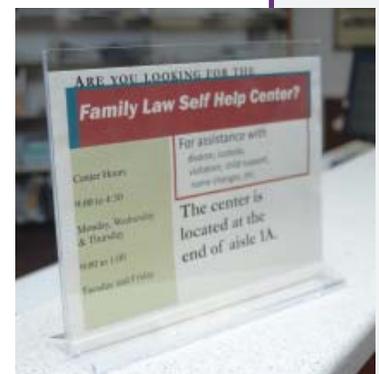
The Maryland State Law Library's website has a handy directory of Circuit Court Law Libraries and what services are available at each location.

### Self-help centers

You can visit one of the court **self-help centers**, where you can speak with a lawyer who can help you understand your options, get court forms, and help you represent yourself in court. These self-help centers include:

- District Court Self-Help Center in Glen Burnie (There are also online services available)
- Family Law Self-Help Centers in local Circuit Courts

Contact your local District Court or Circuit Court Clerk's offices for more information about other resources, including self-help programs and events.



# New program provides attorneys for indigent criminal defendants

A new Judiciary program, the first of its kind in the nation, is providing legal counsel to indigent criminal defendants during their initial appearances conducted by District Court commissioners. In order to staff that program, which began July 1, attorneys are being recruited by the District Court of Maryland.

The District Court of Maryland Appointed Attorneys Program provides compensation of \$50 an hour, plus mileage and tolls, to attorneys who contribute their legal expertise and time to assist low-income Marylanders. The statewide campaign was launched in May to comply with the *DeWolfe v. Richmond* opinion, issued by the Maryland Court of Appeals, which held that criminal defendants have a state constitutional right to legal representation when appearing in front of a commissioner.



There are more than 153,000 hearings across the state that will require attorney staffing. District Court commissioners operate 24 hours a days, 365 days a year, including holidays.

“This is a great opportunity for either a seasoned attorney who wants to work an occasional shift or a young attorney who would like to establish a criminal practice in a tough economic market,” said District Court of Maryland Chief Judge John P. Morrissey. “Our recruitment effort for attorneys is ongoing to ensure that the District Court has a sufficient number of attorneys present for all initial appearances.”

To be eligible for the program, an attorney must be licensed to practice in the state of Maryland, in good standing and not subject to any pending disciplinary proceedings. Attorneys must also comply with the program’s training requirements, certify that the rules on initial appearances have

been reviewed, and complete an application form and sworn statement.

Staffing needs may vary according to each jurisdiction. In larger jurisdictions, multiple attorneys will be needed during day, evening, and overnight shifts. In smaller districts, attorneys may simply need to be available several hours each day. Attorneys can serve in multiple jurisdictions. The appointment and scheduling of attorneys will be coordinated from District Court Headquarters in Annapolis.

In lieu of compensation, attorneys may choose to donate their hours and receive pro bono credit.

Interested attorneys may download an application at [www.mdcourts.gov/district/appointedattorneys/](http://www.mdcourts.gov/district/appointedattorneys/), email their contact information to [appointedattorneys@mdcourts.gov](mailto:appointedattorneys@mdcourts.gov), or call 410-260-1230.

This is a great opportunity for either a seasoned attorney who wants to work an occasional shift or a young attorney who would like to establish a criminal practice in a tough economic market . . .

John P. Morrissey,  
Chief Judge, District Court  
of Maryland

# Anne Arundel gets ready to roll out MDEC

Maryland Electronic Courts, MDEC, will launch first in Anne Arundel County. The MDEC project will create a single Judiciary-wide integrated case management system that will be used by all the courts in the state court system. The pilot in Anne Arundel County will be the first, crucial step in statewide implementation.

Two of the people who have been deeply involved in preparing for the launch in Anne Arundel County are Clerk of the Anne Arundel County Circuit Court Robert Duckworth and Assistant Chief Deputy Lisa Preston. They sat down recently to answer questions about MDEC and its launch in Anne Arundel County. (This is an excerpt. The full interview is available in *Justice Matters Online*.)

## How are you getting ready for the pilot? What's on your to-do list?

**BOB DUCKWORTH (BD):** Well, the question really is: How is our Clerk's Office getting ready for the rollout of MDEC? It's not really a pilot to be tested but the actual live MDEC system to be rolled out. We are the first jurisdiction to have MDEC roll out. As

such, the Anne Arundel County courthouse and, in particular, the Clerk's Office welcomes the challenge of an electronic court with its new business practices in managing the filing, docketing, scheduling, and disposition of our case workload.



**LISA PRESTON (LP):** Our circuit clerks have been active participants in configuring how the MDEC system will work in our Circuit Court. This has been a major help in orienting ourselves to an MDEC work world. It has been a team effort from the



bottom up as well as the top down in MDEC's design and build-out. To wit: many of our frontline clerks sit on work groups, committees and conference calls alongside our judges and court operations personnel, with the Maryland Judiciary staff and the MDEC project vendor, Tyler Technologies. This allows these clerks to help train the rest of the clerks, as well as orient our judges and other court personnel before we go live. This working knowledge of MDEC has allowed us to assess and identify the needed skill sets and functions of our clerks in an electronic court operation, another important item on our to-do list. And, we've been coordinating with our judicial partners. The collaborative nature of this project is really what will make this a success.

**BD:** Also, we've been working to upgrade courthouse infrastructure, such as upgrading computers, providing electronic scanning of paper files, transitioning to electronic courtrooms and providing public terminals required for an electronic court operation. In this effort, the Clerk's Office has been coordinating and working very closely with the Judicial Information Systems (JIS), our court operations team, and the county's Office of Information Technology staff to identify the required updates to assure our courthouse can handle this new electronic court system. We truly appreciate the level at which we have been able to contribute to this important project.

## There's a lot of work involved in launching the new case management system statewide. Why do you think MDEC is so important to Maryland and its citizens? Why is going electronic important?

**BD:** Generally, going electronic with MDEC is a critical step to updating the Maryland Judiciary with the rest of the world and other state court systems, along with federal courts. MDEC, generally, will deliver justice more effectively and equitably. Think of everything else we now do online, such as banking, shopping, or buying airline tickets.

Specifically, MDEC will enhance the process for the filing and service of cases since this will be accomplished electronically rather than by mail



or delivered at the courthouse counter. Also, it will provide greater convenience to the public and legal community with immediate access to court documents through an electronic portal rather than waiting at the clerk's counter for a court file.

**LP:** Sharing information electronically will reduce lags produced by waiting for documents to go back and forth through the mail, and we will not need to worry about court paper getting lost in the shuffle. Along the same lines, clerks will be able to spend more time doing valuable court-related work, as opposed to chasing down paper and files. In this system, many court offices will be able to work on one case file at the same time.

Additionally, we expect greater and more efficient coordination and interoperability between courts and court agencies.

### **Will people who have business with the courts notice any changes when MDEC is in place? What will be different about how people file lawsuits or how their cases are recorded and filed?**

**BD:** If they are MDEC-registered electronic filers, they will notice great advantages. One advantage from paper filing is that lawsuit cases will be e-filed from their portals. Plus, filing electronically can take place 24 hours a day, unlike paper lawsuit filing, which is only when the courthouse door is open for public business.

Also, electronic filers will be able to access the

record and its contents in real-time without having to make phone calls or visit the courthouse. However, Circuit Court clerks will still be validating e-filed case documents, and the e-filed case document will be electronically recorded by the clerk and become the original court record. The electronic recording process by the Circuit Court will have the same high quality as today, if not better.

### **What do you think the first day of the pilot launch will be like in Anne Arundel County Circuit Court? What do you think people should expect?**

**BD:** Certainly, it will be a bit hectic. However, so much time and energy have gone into preparing for the system that we will be ready to rock and roll it out. We have stepped up to the plate before with the new Anne Arundel County courthouse when we had a weekend deadline to move in and get ready for a Monday court docket and we didn't skip a beat. Tyler, JIS, Court Operations, and our Clerk's Office are working hard now to identify any potential glitches and make sure they are avoided come go live. GO MDEC!

## **More online**

Visit *Justice Matters Online* on the Judiciary's website, [www.mdcourts.gov](http://www.mdcourts.gov), and

- See Bob Duckworth and Lisa Preston talk about MDEC in a video report.
- Read the complete interview.



# DISTRICT COURT

## Welcomes a New Chief

Prince George's County District Court Judge John P. Morrissey is the new Chief Judge of the District Court of Maryland. Maryland Court of Appeals Chief Judge Mary Ellen Barbera named Judge Morrissey as chief in April.

Judge Morrissey, 49, was appointed as an associate judge for the District Court in 2005. He succeeds District Court Chief Judge Ben C. Clyburn, who retired May 31 after nearly two decades of Judiciary service. Chief Judge Clyburn was appointed to the bench in 1995 and named District Court Chief Judge in 2004.

As the administrative head of the statewide court, Judge Morrissey oversees the operations of 34 locations and nearly 2,000 employees, including 116 state judges. The District Court of Maryland has an annual budget of \$165 million and processes more than 1.7 million cases a year. District Court is typically the first point of contact for members of the public who interact with the court system. Judge Morrissey is also managing the launch of the Maryland Electronic Courts (MDEC) initiative, which includes e-filing and other online capabilities, within the District Court system.

Judge Morrissey serves as a member of the Judicial Cabinet and the Judicial Council to advise Chief Judge Barbera on policies affecting the judicial system and to assist in the superintendence of the state courts. He also serves on the Judiciary's Legislative Committee and is vice chair of the Maryland Access to Justice Commission.

Judge Morrissey has presided over domestic violence, criminal, motor vehicle, civil, landlord-tenant, and bail review cases. He is a member of the Maryland Judicial Ethics Committee, the Maryland State Commission on Criminal Sentencing Policy, and chairs the Guidelines Committee. Judge Morrissey also serves on several technology committees created to integrate advanced technologies into the courts. He was named Judge of the Year in 2013-2014 by the Maryland State Bar Association Litigation Section.

Born in Washington, D.C., Judge Morrissey has been a resident of Prince George's County for more than 40 years. He is a cum laude graduate of the University of Baltimore School of Law, serving as editor-in-chief of the University of Baltimore Law Review. He also holds a bachelor's degree in business administration, magna cum laude, from James Madison University. He is a member of the Maryland State Bar Association and the Prince George's County Bar Association, among other legal and civic organizations.



# District Court of Maryland

# *An interview* with Maryland District Court Chief Judge John P. Morrissey

By Talbot County District Judge William H. Adkins III

## **As you begin your tenure as chief judge of the District Court of Maryland, what do you see as some of your major goals?**

My goal as the new chief judge of the District Court of Maryland is to implement the mission of the District Court in the most efficient and effective method. The mission is to provide equal and exact justice for all who are involved in litigation before the Court. To that end, it is my goal to motivate my judges, clerks, bailiffs and commissioners to review and improve our processes and to manage the technology advances that will be coming to our court in the next several years.

## **What challenges and what aspects of the job are you looking forward to?**

I am most looking forward to meeting and visiting with the judges and clerks from across the state in the 34 different locations that comprise the District Court. Rather than a perspective of serving the citizens of Prince George's County, I am looking forward to implementing best practices in a statewide system.

Chief Judge John P. Morrissey talks with Court of Appeals judges in front of colleagues, friends, and family. The gathering in the Court of Appeals celebrated the beginning of Judge Morrissey's tenure as District Court Chief Judge.

## **How have your professional experiences thus far prepared you for this new role?**

My career prior to assuming this office has been varied but has a consistent business theme running through it. I am looking forward to applying these business models to the District Court processes to more effectively serve the citizens of this state.

## **What are some of the major challenges facing the District Court and Maryland Judiciary now and in the coming years?**

While there are many challenges facing the District Court, the successful implementation of appointed attorneys for initial appearances at each commissioner's office and the management and implementation of the Maryland Electronic Court initiative are paramount.



*In case you missed it: Coverage praises Chief Judge's first year*

## THE DAILY RECORD

*The chief judge's first year*

# Barbera wins kudos for 'prompt justice,' cooperative approach

by Steve Lash, *Daily Record* Legal Affairs Writer July 13, 2014



The Daily Record/ MAXIMILIAN FRANZ

Maryland's top court is "right on target" to achieve its goal of deciding by Aug. 31 all of the 127 cases it has heard since its term started in September, Court of Appeals Chief Judge Mary Ellen Barbera said Thursday.

Hitting the self-imposed deadline — and there were 25 cases outstanding as of Friday — would be a personal victory for Barbera, who marked her first anniversary as chief on July 6.

It would also stand in stark contrast to the high court's recent history, in which many of its cases were not decided until years after they were heard.

To help make the Aug. 31 deadline, the high court reduced the number of cases it heard this term to 127, Barbera said. That's down from an average of 146 cases per term for the three prior terms, which run from September to August, according to Maryland Judiciary data.

However, Barbera said she expects a different metric — the number of cases the court accepts for review — to remain relatively unchanged at about 135 cases per term.

As a result, some parties will have to wait longer for their promised day

in court, as oral arguments on more cases are shifted into the following term, Barbera acknowledged.

But all litigants benefit from the assurance that a decision will be rendered no later than the Aug. 31 after their appeal is heard, she added.

"We can control the flow [and] we slowed it down a bit this year," Barbera said of the high court's caseload.

With seven weeks left in the current term, the court has agreed to hear 107 appeals so far, and has two more sessions scheduled in which to review petitions, according to Judiciary data.

Pushing more cases to the following term ensures decisions are made in a timely fashion without causing a reduction in the quality of the rulings, she added.

"You can't let effectiveness suffer for efficiency," Barbera said during an interview Thursday in her chambers in the Montgomery County Circuit Court building in Rockville. "It's my firm belief that in the end, we get the delivery of our decisions more quickly and efficiently."

Maryland Public Defender Paul B. DeWolfe, whose office was critical of

the high court's years-long delays in deciding criminal appeals, called the pledge of same-term decisions "a wonderful step in the right direction in terms of getting justice for our clients in the Maryland courts."

Barbera has "reached out to all levels of the court system and partners in the criminal justice system to cooperate," DeWolfe said Friday. "Everyone that I know has responded very positively to her leadership and her vision for the future the judiciary. I think she has had a stellar first year."

Retired Court of Appeals Judge Dale R. Cathell, who continues to hear cases when specially assigned by the chief judge, also praised Barbera's approach.

"What she has done so far in terms of court efficiency comes close to magnificent," Cathell said Friday.

"The court during her tenure has gone from a situation where opinions were filed five and six years after oral argument to a point where every opinion will be required to be filed within 11 months and in some cases within a month or two," he added. "Efficiency is almost an automatic requirement for any court at any level. Prompt justice is what people deserve, whether it is in the civil or the criminal arena."

## Other goals

Ensuring timely decisions was not the only demand on Barbera's attention in the last 12 months. In her larger role as leader of the state's judicial branch, she also has ultimate responsibility for ensuring attorneys are available to represent indigent people at the 153,000 initial bail hearings held annually before District Court commissioners across the state.

The Appointed Attorneys Program follows from the Court of Appeals' Sept. 25 decision in *DeWolfe v. Richmond*, which found a state constitutional right to counsel at the initial proceedings. The program went into effect July 1 by order of the Court of Appeals.

Attorneys who sign up for the program through the Judiciary are paid at a rate of \$50 per hour plus mileage and tolls. Lawyers can also opt to volunteer their time.

In the General Assembly's past session, Barbera took the controversial step of appearing before Senate and House committees to discuss the Judiciary's *Richmond*-related program while a petition to recon-

sider the landmark decision was pending before the Court of Appeals. However, she made sure not to respond to any question pertaining to the case itself or the pending petition.

"I am aware of the limits," Barbera said Thursday.

The high court later accepted the petition and upheld *Richmond* in March.

The General Assembly ultimately funded the Appointed Attorneys Program by earmarking \$10 million from the Judiciary's \$500 million fiscal year 2015 budget. While that meant shifting money from other Judiciary programs, Barbera declined to criticize the legislative decision.

"We're making it work," she said.

State Sen. Jamin B. "Jamie" Raskin said Barbera has fostered "terrific relationships" with legislators, particularly on the House Judiciary Committee and the Senate Judicial Proceedings Committee, on which he sits.

"She clearly wants to make the courts accessible, transparent

and user friendly," said Raskin, D-Montgomery.

Barbera said her goals as head of the Maryland Judiciary include achieving "meaningful access to justice" for the poor and disabled, whether through legal-services agencies or by attorneys volunteering their services. Barbera said she also wants to improve the juvenile justice system by answering the question, "What haven't we been doing that we can be doing to achieve better outcomes?"

In pursuit of those goals, Barbera said, she has toured all the state circuit courts and is nearly finished visiting all the district courts to get the views of judges and court staff.

"It was crucial for me to spend this first year doing a lot of listening," Barbera said.

"We [the Judiciary] are about doing whatever is necessary and feasible to achieve meaningful access," she said. "Everything flows from that."

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## *a summary*

### 2014 Legislature session

The 2014 Legislative Session was very busy and challenging for issues affecting the courts and the citizens we serve. The Maryland Judicial Conference's Legislative Committee has issued a summary of the bills that affect the Judiciary, which is available in *Justice Matters Online* on the Judiciary's website: [www.mdcourts.gov](http://www.mdcourts.gov).



## Judge Keith Baynes leads Cecil County Circuit Court

Judge Keith A. Baynes was named Cecil County Circuit Court administrative judge Jan. 1. Judge V. Michael Whelan, who had served as administrative judge since October 2010, has returned to the bench full-time.

Administrative judges oversee the administration of the court, budget and procurement functions, and trial calendars to ensure the expeditious disposition of cases. They supervise the court's judges, officers, and employees.

Judge Baynes received his J.D. from the University of Baltimore School of Law in 1979 and was admitted to the Maryland Bar that year. He served as law clerk to Cecil County Circuit Judge H. Kenneth Mackey from 1976-1979. He is a member of the Maryland State and Cecil County bar associations, and is a past president of the Cecil County Bar Association.

## Judge Tiffany Hanna Anderson appointed Administrative Judge for Prince George's County District Court

On June 5, Prince George's County District Court Judge Tiffany Hanna Anderson became the new administrative judge for District 5, Prince George's County. Judge Anderson was appointed by Chief Judge John P. Morrissey to succeed Judge Thomas J. Love, who retired after 17 years on the bench. Judge Love was appointed in June 1997, and has served as administrative judge since May 2007.

Judge Anderson was appointed to the District Court of Maryland by Governor Martin O'Malley in August 2008. She serves on the Domestic Violence Subcommittee of the Judiciary's Family Law Committee and the Criminal Law, Legislative, and Judicial Compensation Committees. Her assignments for District 5 have included domestic violence and criminal matters.

Judge Anderson is the first woman and first African-American woman to serve as administrative judge for the Prince George's County District Court.

Judge Anderson received a bachelor's degree in political science from the University of California, San Diego, and a Juris Doctor from the Catholic University, Columbus School of Law. In addition to her bar memberships, she is a member of Alpha Kappa Alpha Sorority, Inc., and a member of both Leadership Greater Washington and Leadership Prince George's, Inc.



# Appointments

## Judge Althea M. Handy heads civil docket for Baltimore City Circuit Court

Judge W. Michel Pierson, administrative judge for the Circuit Court for Baltimore City, appointed Judge Althea M. Handy to head the court's civil docket. The appointment was effective Dec. 1.

"Judge Handy brings excellent leadership and management skills to this new assignment," said Judge Pierson, who had been judge-in-charge of the civil docket since 2009. "I had the rare opportunity of appointing my successor, and I have every confidence in handing over these duties to Judge Handy."

Judge Handy has served on the Baltimore City Circuit Court bench since December 2002. Before her judicial appointment, she was Baltimore City Assistant State's Attorney from 1987-2002, where she was a senior prosecutor in the homicide division and division chief of the sex offense unit from 1999-2002. She earned her J.D. from the University of Baltimore School of Law in 1986.

## Victoria Sulerzyski joins Judiciary as chief of staff

Maryland Court of Appeals Chief Judge Mary Ellen Barbera has named Victoria Z. Sulerzyski as her chief of staff. Sulerzyski, who had been with the law firm of Ober|Kaler in Baltimore, began her new duties with the Maryland Judiciary Jan. 13.



As chief of staff, Sulerzyski reports directly to Chief Judge Barbera and manages the daily operations of the chief judge's chambers, including supervising staff, handling communications, inquiries, and scheduling, providing research, reviewing reports, advising, and, as directed, communicating on the chief judge's behalf. The chief judge is the head of Maryland's judicial branch and is responsible for the administration of the state court system, overseeing a budget of \$468 million with nearly 300 judges and about 4,000 employees.

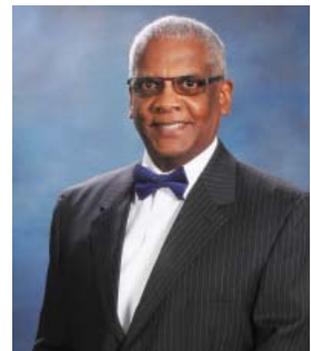
Sulerzyski's private practice focused on estates and trusts, and assisting those individuals with special needs. Until her appointment as chief of staff, she was an associate at Ober|Kaler since October 2009.

Sulerzyski graduated from the University of Maryland in 1986 with a bachelor's degree in journalism, and received a second bachelor's degree in paralegal studies from the University of Maryland University College in 1996. She earned her J.D. in 2005 from the University of Baltimore School of Law. She was an administrative assistant and law clerk for Court of Appeals Judge Alan M. Wilner (since retired) from July 2003-December 2006.

## Judiciary welcomes new HR head

Dennis Scott joined the Judiciary in February as director of human resources. In announcing the appointment, State Court Administrator Pamela Harris said, "Dennis is a well-respected professional in his field, and brings with him a wealth of experience in all facets relating to managing human resources."

Scott's professional experience spans a variety of settings, from the federal government to colleges to hospitals and other private corporations. He received his undergraduate degree in sociology from California State University, a Master of Science degree in human resources from National Louis University, and a JD from the William Howard Taft University School of Law. Scott also has a number of certifications in human resources, including the Society for Human Resources Management (SHRM), Professional in Human Resources (PHR), and International Personnel Management Association (IPMA).



# Montgomery County Circuit Court's NEW SOUTH TOWER opens

The south tower of the Montgomery County Circuit Court opened to the public this spring, a new space that connects seamlessly to the existing north tower. The interior is open and accessible, and wide hallways lead to 10 new courtrooms and eight new hearing rooms with state-of-the-art technology. Also in the south tower are family and juvenile departments and drug court coordinators. New offices and facilities support employees of the Clerk of the Court, the Circuit Court, and the Montgomery County Sheriff's Department.

The building is LEED-GOLD certified, one of only six buildings and the only courthouse in Maryland to achieve this distinction. Montgomery County Circuit Court Administrator Judy Rupp describes the benefits to the public this way: "Immediately, the public will notice the open access to justice. The careful design created plenty of seating and meeting spaces for the public. Docket displays and way-finding information is easily available to help guide everyone to where they need to be quickly and efficiently. Having all of the family-related groups in one location and on one floor has already demonstrated a more efficient experience for our visitors."



## More online

For an in-depth interview with Rupp about the new space and the move, visit *Justice Matters Online* on the Judiciary's website, [www.mdcourts.gov](http://www.mdcourts.gov).



## Public alert

# Beware of “court” scams

The Maryland Judiciary wants to warn the public about a couple of different scams that are currently operating.

### Email “court case” virus

Watch out for a computer virus that comes in an email claiming to be about a court case. The email is a scam, and opening any attachment or clicking on any link in the message triggers a malicious program that infects the recipient’s computer. The email is not from the courts nor is it about a court case.

If you receive an email with a subject line such as “Hearing of your case in Court” or “Notice to Appear in Court”:

- Do not open the email or any attachments, don’t click on any links or unsubscribe. Doing so may install the malware/virus onto your computer.
- Delete the email.



### Telephone “jury duty” scam

In this phone scam, the caller claims to work for a court, tells the person he or she has been charged with contempt for not reporting for jury duty, refers to a judge by name, and demands payment over the phone, typically with a pre-paid card.

This phone call is a scam. If you get a call like this, hang up. Maryland courts do not call citizens to get payment over the phone for a fine for missing jury duty.

You can check your status as a juror or report any suspicious jury duty telephone calls by contacting your Circuit Court jury office. Contact information for courts is available on the Maryland Judiciary’s website, [www.mdcourts.gov](http://www.mdcourts.gov), and click on “Locate a Maryland Court.”

More information about how to recognize, report, and prevent becoming a victim of telephone scams is available through the Federal Trade Commission website: [www.consumer.ftc.gov/articles/0076-phone-scams](http://www.consumer.ftc.gov/articles/0076-phone-scams).

### Guard yourself with more information

How to protect yourself from email scams and malware threats:

- “Recognizing and Avoiding Email Scams,” United States Computer Emergency Readiness Team (US-CERT), Department of Homeland Security: [www.us-cert.gov/sites/default/files/publications/emailscams\\_0905.pdf](http://www.us-cert.gov/sites/default/files/publications/emailscams_0905.pdf).
- How to recognize, report, and prevent becoming a victim of telephone scams: Federal Trade Commission website: [www.consumer.ftc.gov/articles/0076-phone-scams](http://www.consumer.ftc.gov/articles/0076-phone-scams).

**Justice Matters** is a publication of the Judiciary that provides news and information about programs and initiatives of the courts, especially as they pertain to the mission of providing timely, fair and equal access to Maryland's judicial system. We would like to know your reactions to *Justice Matters* and the latest Fall 2014 edition. Would you take a few minutes to fill out this survey and provide feedback? Your answers will help us make sure we are meeting the needs of our readers. The survey should take 10 minutes or less to complete, and includes 14 questions. **This survey is completely anonymous.**

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- www.mdcourts.gov       CourtNet       *Justice Matters*  
 Maryland Courts in the News email bulletin (news summaries from print, TV, radio and other media)  
 Other (please specify) \_\_\_\_\_

**Below are some of the major articles featured in either the previous or current issue. Please tell us if you read the article and indicate your level of satisfaction with each.**

**“Where do I go to find answers and help?”**

- Read it       Didn't read it       Don't remember it  
 Very satisfied       Satisfied       Neutral       Dissatisfied       Very dissatisfied

**“What do I do if I get a traffic ticket?”**

- Read it       Didn't read it       Don't remember it  
 Very satisfied       Satisfied       Neutral       Dissatisfied       Very dissatisfied

**“An Interview with Maryland District Court Chief Judge John Morrissey”**

- Read it       Didn't read it       Don't remember it  
 Very satisfied       Satisfied       Neutral       Dissatisfied       Very dissatisfied

**“New Program Provides Attorneys for Indigent Criminal Defendants”**

- Read it       Didn't read it       Don't remember it  
 Very satisfied       Satisfied       Neutral       Dissatisfied       Very dissatisfied

## “Chief Judge Visits Maryland’s Courts”

- Read it     Didn’t read it     Don’t remember it  
 Very satisfied     Satisfied     Neutral     Dissatisfied     Very dissatisfied

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- 2 times a year     4 times a year     3 times a year     Monthly  
 Other (please specify) \_\_\_\_\_

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- News about Judiciary programs, projects, and initiatives  
 Feature articles about departments and what they do  
 Appointments to key leadership positions  
 Professional news – awards, achievements, etc.  
 Issues such as families and courts, self-representation in legal matters, accessibility to justice, etc.  
 Other (please describe)

### Thinking back over the last several editions, what articles/types of articles do you remember?

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- Under 25     25-34     35-49     50-64     65 and over

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# Charles County launches generous juror program



In January 2014, Charles County Circuit Court became the latest court to adopt the Generous Juror Program, which allows people called for jury service the chance to donate their jury stipends to their local Department of Social Services to benefit children in their county who are involved with the child welfare system.

“It is very exciting to implement a program that promotes the dignity and value of children in foster care with a collaborative effort with the county Department of Social Services and the citizens who are called for jury service,” Clerk of the Circuit Court Sharon Hancock said.

Hancock worked with Charles County Administrative Judge Amy J. Bragunier to implement the program. Already, the Charles County Generous Juror Program has received \$4,140 from jurors reporting only 43 days into the year.

Charles County is one of 14 counties currently who have adopted the Generous Juror Program.

## Other counties with Generous Jurors

Allegany  
Anne Arundel  
Baltimore  
Calvert  
Cecil  
Frederick  
Howard  
Kent  
Prince George’s  
Queen Anne’s  
St. Mary’s  
Talbot  
Washington

## Mock trial championship

Richard Montgomery High School, Montgomery County, narrowly defeated the team from Baltimore County’s Park School to claim the 2014 Maryland Mock Trial State Championship Friday, April 25, in the Maryland Court of Appeals. Students argued their cases before Court of Appeals Judge Robert N. McDonald.

The mock trial competition is sponsored by the Citizenship Law-Related Education Program (CLREP), in cooperation with the Maryland State Bar Association and the Maryland Judiciary. Since the competition began in 1983, more than 56,000 students from most counties in Maryland have participated.

The success of the mock trial competition depends heavily on volunteer attorneys and judges who coach teams and score competitions at local, regional, semifinal and final levels. Each year, several hundred attorneys, masters and judges across Maryland volunteer for this program.



### More online

Visit *Justice Matters Online* at [www.mdcourts.gov](http://www.mdcourts.gov) to watch the state championship webcast and learn more about the high school mock trial program.

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