

Family Differentiated Case Management Plan

This Family Differentiated Case Management Plan is established in accordance with Md. Rule 16-302(b) which requires the County Administrative Judge to develop and, upon approval by the Chief Judge of the Maryland Court of Appeals, implement and monitor a case management plan for the prompt and efficient scheduling and disposition of family law actions in the Circuit Court. The differentiated case management (DCM) plan for family case types does not include general civil (i.e., non-domestic relations case types). Family cases are the exclusive jurisdiction of the Circuit Court.

Case Management

The policies and procedures outlined in this plan shall be implemented by the Administrative Judge who supervises all aspects of family case management pursuant to Md. Rule 16-302(b). The administrative judge designates certain judges to hear the various family matters, and makes final decisions about whether and to whom a case should be assigned, when necessary. All judges are responsible for the effective management of cases assigned to them, and assigned cases should be managed to the extent possible consistent with the provisions of this plan, including adherence to the case time standards.

Family Law Case Coordinator

The Family Law Case Coordinator is responsible for case management of matters referred for family services and programs with the Office of Family Court Services (OFCS). Those responsibilities include assisting with screening for domestic violence issues, track designation issues, magistrate hearing scheduling, preparation of referral orders for custody evaluations, substance abuse testing, and psychological evaluations. The office also facilitates income eligibility determinations for OFCS.

Office of Family Court Services

OFCS offers programs and services that are designed to facilitate conflict resolution and improve outcomes in family cases. Some family services and programs are mandatory and will be ordered by the Court during the case. Other services and programs are

discretionary by referral of the Court during a case, or they may be requested by either or both parties. Descriptions of family services and programs are provided after the basic case management tracks are described below.

Family Tracks

A family case may follow four potential tracks to resolution. Tracks are determined at filing, based on the case subtype. Tracks define expected case processing events, the timing of events, assignment, and the expectations for case duration.

Table 1.1 – Family Tracks Case Types and Outcomes

<i>Track</i>	<i>Case Subtypes</i>		<i>Expected Case Duration and Notes</i>
Track 1 Family Expedited	<ol style="list-style-type: none"> Uncontested Divorce Uncontested or Minor Child Support Issues Uncontested or Minor Child Access Issues Annulment Defaults Modifications of Child Support 	DA SP CT AT	Answer + 90 days = 120 days
Track 2 Family Standard	<ol style="list-style-type: none"> Contested Divorce, with or without custody and child support Contested Modifications, other than child support. Contested Child Support Contested Child Access Contested Adoption Guardianship Paternity 	DA SP CT AD GS PA	Answer + 240 days = 270 days
Track 3 Family Complex	<ol style="list-style-type: none"> Contested Divorce, with business property, 3rd party custody, or alimony 	DA	545 days 3-5% of caseload; specially assigned and custom managed
Track 4 Limited Divorce	Limited Divorce	DL	730 days

Track Designations Set at Filing

Track designations are set at filing. A plaintiff, or plaintiff’s attorney, is required to designate a track for selected case types that may have multiple track options, based on the characteristics of the case. The track designation must be indicated on the Circuit Court Domestic Case Information form which must accompany the filing. Although a family law

dispute may be assumed by the plaintiff to be uncontested or simple at filing and designated as a Track 1 Expedited case, if the other party contests the matter or other issues arise making the case more complex, the Court may issue an order re-designating the track for the case.

An attorney or a party who disagrees with the designated track assignment, may file a request in writing with the Clerk's Office for a change in the track, stating the reason(s) why a different track assignment is needed. All requests to change a track designation must be made within 30 days of the first answer. The Family Law Case Coordinator will then contact all attorneys or self-represented parties in the case to see if they concur with the request to change the track assignment. If the attorneys/parties cannot agree on a track assignment, the administrative judge will designate the appropriate track based on track assignment guidelines.

Table 1.2 and Diagrams 1.1-1.4 on the following pages illustrate the events and times required for family case processing tracks.

Table 1.2 – Family DCM Track Guidelines

Track	Family Case Types Tracks	Filing	Answer Filed	Scheduling Conference	Mediation	Other Hearing Types	Discovery Motions Filed	Pretrial Settlement Conference	Exhibit List	Merits Hearing
Track 1	Expedited	0 days	30 days	-	-	90 days	90 days	-	-	120 days
Track 2	Standard	0 days	30 days	60 days	120 days	180 days	180 days	210 days	210 days	270 days
Track 3	Complex	0 days	30 days	60 days	120 days	240 days	240 days	270 days	270 days	365 days
Track 4	Limited Divorce	0 days	30 days	-	-	90 days	90 days	-	-	730 days

Diagram 1.1 – Family DCM Track Diagram

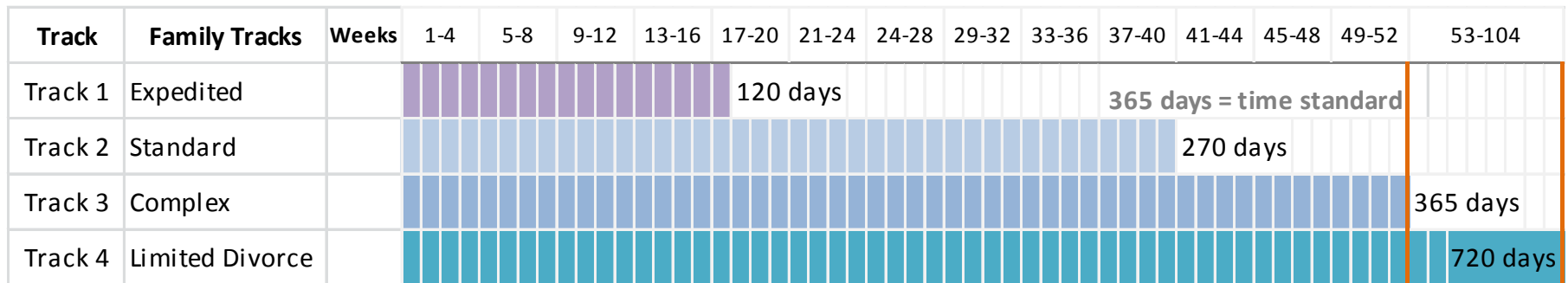


Diagram 1.2 – Family Track 1 Expedited Case Processing

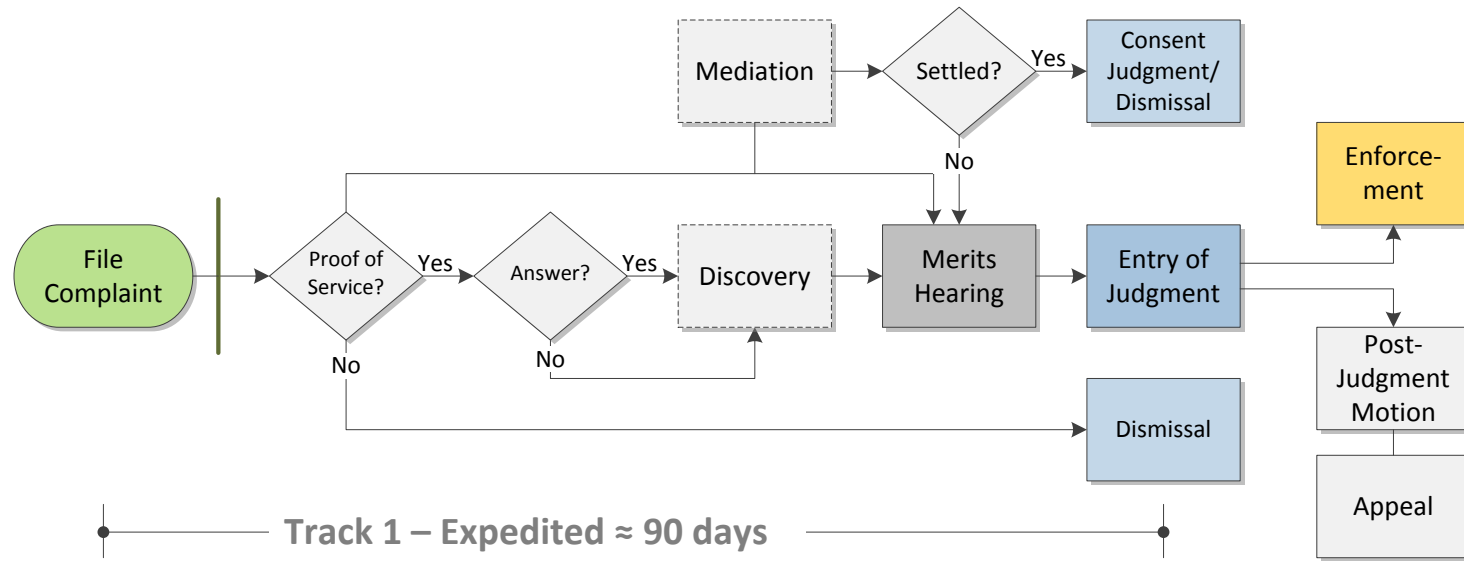
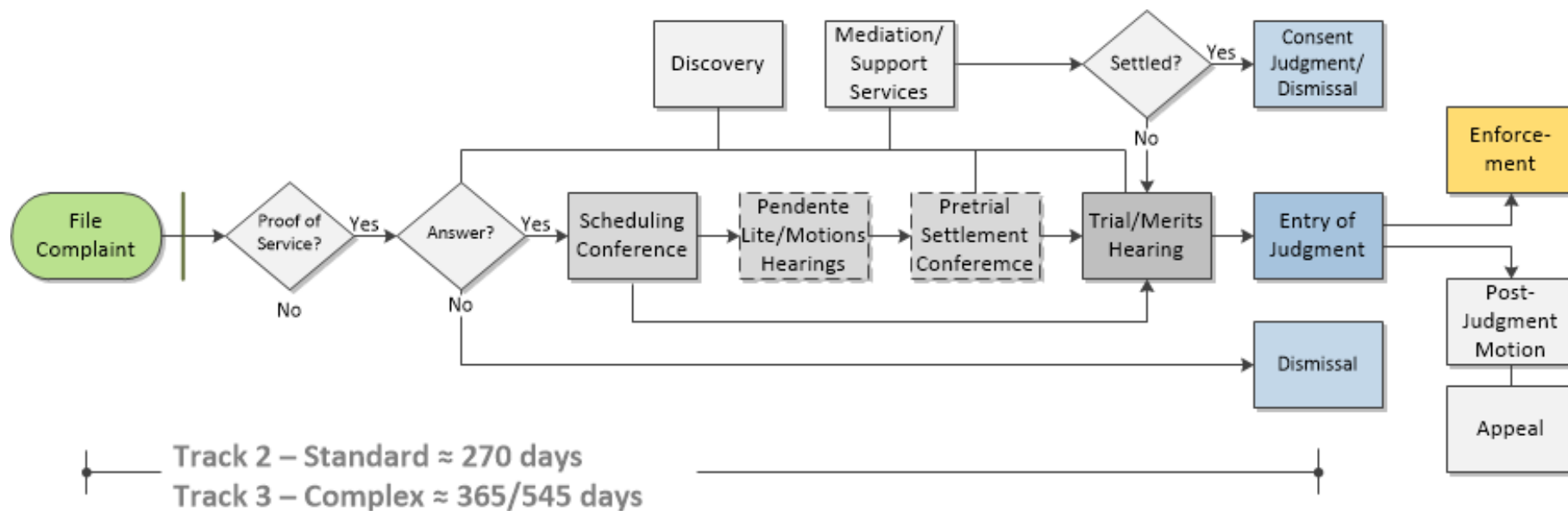


Diagram 1.3 – Family Track 2 Standard, and Track 3, Complex Case Processing



The Circuit Court for Harford County, Maryland Circuit 3
Family Differentiated Case Management Plan

Track 1 – Family Law Expedited

Court Event	Timing
Case Initiation	Case filing in Circuit Court
Discovery	30 days prior to trial
Trial	Within 120 days from filing

Track 2 - Standard

Court Event	Timing
Case Initiation	Case filing in Circuit Court
Motions Hearings (Discovery) Complete	Within 90 days of trial
Pretrial Status Conference	Within 60 days of trial
Trial	Within 270 days from filing

Track 3 – Family Law Complex

Court Event	Timing
Case Initiation	Case filing in Circuit Court
Motions Hearings (Discovery) Complete	Within 125 days of trial
Pretrial Status Conference	Within 95 days of trial
Trial	Within 365 days from filing

Track 4 – Family Law Limited Divorce

Court Event	Timing
Case Initiation	Case filing in Circuit Court
Trial	Within 730 days from filing

Case Processing Events – All Family Case Types

The following are the major events for family cases:

File a Case

The following steps are required to file a family case:

(a) **File a complaint** with the Court (Md. Rule 2-111) at the Circuit Court Clerk's office.

Most family cases are required to attach a completed [Domestic Case Information Form](#) (CC-DCM-001), with the complaint. Family case subtypes exempt from filing the Domestic Case Information Form include the following:

- Contempt for failure to pay child support, when filed by a government agency
- Domestic violence relief under Code, Family Law Article, §§ 4-501 through 4-516, including Rule 3-326(c) transfer
- Guardianship, other than action to terminate parental rights (Md. Rules 10-201 through 10-305)
- Paternity, when filed by government agency (Code, Family Law Article, §§ 5-1001 through 5-1048)

(b) **Pay filing fee.** Refer to the [Summary of Charges, Costs, and Fees of the Clerks of the Circuit Court](#) for fees. The filing fee for divorce cases is \$165.00. (See *Divorce, Complaint for Limited or Absolute.*) If/when electronic filing is available in this jurisdiction, a plaintiff may also electronically file a case and pay the filing fee using MDEC. Filing fees may be waived by the court, based on the following conditions:

- ✓ Filing by the plaintiff of the [Request for Waiver of Prepaid Costs](#) (CC-DC-089); and/or
- ✓ Representation by a civil legal aid lawyer; and/or
- ✓ Other determination by the court.

If the court does not grant the request to waive prepaid costs, the plaintiff has 10 days to pay the filing and other required fees (prepaid costs).

(c) **Notice to other party (Defendant).** The clerk will issue a summons to officially notify the defendant that a suit has been filed (Md. Rule 2-112). The summons has a

60-day time limit to serve the defendant. After the time limit has expired, the summons is no longer valid, unless renewed by motion of the plaintiff. The following documents must be delivered to the defendant: original complaint and summons. There are **four** legal ways to deliver these documents to the defendant: 1) Certified Mail, 2) Private Process; 3) Sheriff; and 4) hand-delivery by someone other than the Plaintiff.

(d) **Proof of Service.** The court requires that the plaintiff fill out an [Affidavit of Service](#) (CC-DR-55) form to prove that the other side has been notified, or served. If the Court does not receive proof of service within the time allotted for the defendant to file an Answer, the plaintiff may not be able to present their case on the trial date.

(e) **Lack of Jurisdiction or Prosecution.** Maryland Rule 2-507.

(1) For lack of jurisdiction. An action against any defendant who has not been served or over whom the Court has not otherwise acquired jurisdiction is subject to dismissal as to that defendant at the expiration of one year from the last issuance of original process directed to that defendant.

(2) For lack of prosecution. An action is subject to dismissal for lack of prosecution at the expiration of one year from the last docket entry, other than an entry made under this Rule, Rule 2-131, or Rule 2-132

Answer

The defendant must file an affirmative Answer, typically within 30 days after service of a summons, for most Circuit Court family law case subtypes (Md. Rule 2-321).¹ These cases are considered by the Court to be at issue, and the case shall proceed (Md. Rule 2-323). In addition, if the defendant seeks to modify any information on the original case information report, or expects to file a counterclaim, cross-claim, or third-party claim, he or she is required to file with the Answer a Domestic Case Information report.

¹ The Maryland Rules allow additional time for filing answers by defendants who reside outside of the State of Maryland, resident agents, and officers or agencies of the U.S. government, among others. See MD Rule 2-321.

Track1 – Family Expedited Cases

After the Answer has been filed, and both parties agree that the case is primarily uncontested or an expedited matter, the Clerk’s office will direct the matter to a magistrate for a final merits hearing, typically heard within 60 days.

If an answer has not been filed, and a default order has been issued, a final hearing on the merits also is automatically set within 60 days.

Uncontested Final (Merits) Hearings

All uncontested divorce proceedings are scheduled before a magistrate or an assigned judge. Uncontested divorce hearings do not require a special request for hearing. The Court shall schedule a hearing on the uncontested divorce before a magistrate and notify the parties.

This is consistent with Md. Rule 16-302 which requires the “prompt disposition of uncontested matters” and at the same time allows self-represented litigants and attorneys unfamiliar with the processes in Harford County to have routine court proceedings expeditiously resolved.

A party or attorney who has a conflict on the date of the scheduled hearing may make a written request of the magistrate to reset the date. If the matter has become contested, the magistrate’s office should be contacted so that the hearing date is vacated and a Scheduling Conference can then be scheduled (see below).

Tracks 2 and 3 – Family Standard and Complex Cases

A Scheduling Conference with a magistrate is set for all contested family cases by the Family Law Case Coordinator’s Office 30 days after the answer or a counter-complaint is filed. The Scheduling Conference date is included on a notice sent to the plaintiff and defendant. Scheduling Conferences are not scheduled on uncontested cases, cases for

which no answer has been filed, or cases in which a contempt petition and show cause order have been filed.

Scheduling Conference (Mandatory for Tracks 2 and 3)

The goals of a Scheduling Conference include the following:

- (a) Provide an early opportunity for the parties to settle any of the issues in their case;
- (b) Confirm track assignments;
- (c) Determine the contested issues in each case;
- (d) Determine the need for mediation, investigations, counseling or any other support related services; and
- (e) Screen high conflict family cases so that the parties and children can be identified as soon as possible for services such as high conflict parenting mediation and/or evaluations in child access cases.

At the conference, all parties and attorneys meet with a magistrate to attempt to settle all or any of the contested issues in the case and to identify all unresolved issues. The magistrate also will confirm or determine the appropriate scheduling track and set at a time estimate for any necessary hearings. If the parties come to an agreement at the conference, the magistrate will prepare a consent agreement to be forwarded to a judge for approval.

If the entire case is not settled at the conference, agreed dates are obtained from the attorneys and parties for the scheduling of parenting classes and mediation, any necessary *pendente lite*² (temporary or interim relief) hearings, and settlement conferences. A final merits hearing (trial) date will be assigned at the pre-trial settlement conference. A Scheduling Order then will be generated and distributed at the time of the conference. Hearing dates established at the time of the conference will not be postponed except for extraordinary reasons.

² A Latin term meaning temporary or interim relief, often required in family cases to order child support or alimony payments, or to establish a shared parenting plan while awaiting a trial on the merits.

Telephonic Scheduling Conference

Telephonic scheduling conferences also are available, at the discretion of the Court. Attorneys who wish to conduct these conferences must first contact the Family Law Case Coordinator and arrange a date and time that is acceptable to the court. The telephone conference must be conducted 30 days from the assignment date notice and the magistrate's chambers will initiate the conference call on the agreed date and time.

Re-Scheduling Scheduling Conferences (Postponements)

A party and/or attorney who is unable to attend a Scheduling Conference MUST contact the magistrate's chambers at least seven days in advance to obtain a new date and/or time. Failure to notify the magistrate or failure to appear at the Scheduling Conference may result in a Scheduling Order being issued without any opportunity to be modified, or, if the plaintiff (moving party) fails to appear, the matter being dismissed.

The magistrate will provide the party/attorney seeking to modify the date with new available dates to reschedule the Conference. That party/attorney must contact all parties or attorneys in the case and get an agreed date. The new date for the Conference must be set within 21 days of the originally scheduled Conference date. If the parties/attorneys cannot agree on a new date within this timeframe, the party/attorney seeking to change the originally scheduled date must file a written request in the Clerk's Office. The request shall contain the reason for the postponement and why a new date cannot be set within the 21-day timeframe pursuant to the case time standards. The request will be reviewed and ruled upon by the administrative judge or her/his designee.

Office of Family Court Services Programs

The following are some of the services that may be ordered as part of an ongoing contested family case. Ideally, the need for any service will be determined at the time of the Scheduling Conference, however, a judge may order, or a magistrate may recommend any

of these services at any time while the case is proceeding. The services and programs listed below are described in more detail after the Tracks 2 and 3 case flow narrative:

- Co-parenting classes
- Supervised visitation and monitored exchange
- Mediation services
- Family support services
- Psychological evaluations
- Child custody/access evaluations
- Home studies
- Substance abuse evaluation and testing

Discovery

Procedural and discovery motions should be filed up to 30 days prior to the pretrial settlement conference. Dispositive motions may be filed at any time. Family case motions are assigned to a magistrate or a judge. Typically, the assignments and dockets are set by the Assignment Office.

Pretrial Settlement Conference

A Pretrial Settlement Conference is set for Track 2 and Track 3 cases, unless one is not necessary due to a court order, the request has been withdrawn, a default order has been entered, the case has been settled, or consent agreement has been filed. The date of the Pretrial Settlement Conference will be set at the Scheduling Conference or when the initial Scheduling Order is issued.

All Pretrial Settlement Conferences are conducted by a judge. The assigned judge will place on the record any settlement agreement reached between the parties. Unless requested in writing and approved in advance of the Settlement Conference, all parties and counsel must appear in person.

Required Documentation

Marital property. In advance of any Pretrial Settlement Conference, attorneys and self-represented parties are required to prepare and exchange initial drafts of a Maryland Rule 9-207 Joint Statement of Parties Concerning Marital and Non-Marital Property in all cases with contested issues involving marital property. Although a final joint statement is not required at the Settlement Conference, the initial drafts must be provided to the settlement judge for use in the Settlement Conference.

Child support. In advance of any Pretrial Settlement Conference, attorneys and self-represented parties are required to prepare and exchange proposed Child Support Guidelines in all cases with contested child support issues. The draft guidelines must be provided to the settlement judge for use in the Settlement Conference.

Postponement or Cancellation of a Settlement Conference

Any request to postpone or re-schedule a Settlement Conference must be made in writing in accordance with the Circuit Court's Postponement Policy. Requests made within ten (10) days of the scheduled conference are strongly discouraged. If a case settles in advance of the settlement conference, parties or their attorneys must notify the Assignment Office so the matter may be removed from the court calendar. However, a matter will not be removed from the calendar until an executed agreement is submitted to the Court; otherwise, parties and attorneys must appear to place the settlement agreement on the record.

Procedure of Scheduling Merits Hearings (Trials)

At the conclusion of the Pretrial Settlement Conference, if the case has not settled, parties and counsel must have their calendars available to set an agreed date for a merits hearing. If the case is not resolved at the Settlement Conference, the trial date will be confirmed and finalized, and can only be postponed by the administrative judge. Any follow up Settlement Conference must be set prior to that date.

Pretrial Order

If a case is not settled at the Pretrial Conference, the Court shall enter an order that recites in detail the decisions made at the Pretrial Conference. The order controls the subsequent course of the action, but may be modified by the Court to prevent manifest injustice. If the case is not resolved by way of settlement or an agreement to have the issues submitted to some form of ADR, and the case is ready for trial, the judge shall coordinate an agreed trial date within case time standards, and enter it into the order. In completing the Family Law Pretrial Order, the judge shall specify the anticipated length of trial, number of witnesses, and number of experts. The Family Law Pretrial Order shall set the deadline for filing any dispositive motions.

All Tracks – Family Services

The mission of the Office of Family Court Services is to identify, support, and promote the needs of the children in the delivery of appropriate services in child custody and/or visitation cases. Child support matters are not referred to this office.

Services

The Office of Family Court Services provides the following family support services in an open child custody and/or visitation case in Harford County Circuit Court:

- Alternative Dispute Resolution (ADR) Services/Mediation
- Co-Parenting Education
- Child Custody/Access Evaluations
- Psychological Evaluation
- Parent Access Program (PAP)
- Voluntary Mediation
- Children’s Support Group
- Quick Initial Substance Abuse Screening (QISS)
- Developmental Need Assessment of Children (DNA)
- Supervised Visitation and Monitored Exchanges

Reunification Counseling

Parenting Coordinator – (Md. Rule 9-205.2)

Attorneys for Children (Md. Rule 9-205.1)

Home Study Investigations

Independent Adoption Investigations

Dependency Mediation in CINA Cases (Juvenile Court)

Family Law Assistance Programs (Self Help Center)

Immediate Order Hearings

Pursuant to Md. Rule 9-208(h)(2), a magistrate may recommend immediate entry of an order by a judge if the magistrate finds that extraordinary circumstances exist for the immediate entry. If a magistrate makes this recommendation, the case is automatically scheduled for the first Tuesday following the hearing at which the magistrate recommended immediate entry. A party opposing the immediate entry of an order must appear at the hearing to provide oral argument against the recommendation of the magistrate. Failure to appear for the hearing may result in the entry of the order. The entry of the order does not stay the time frame in which exceptions may be filed by a party.

Exceptions Hearings

A party may challenge the findings of fact, conclusions of law and the recommendations of a magistrate at an exceptions hearing, pursuant to Md. Rule 9-208(i). A judge will decide the exceptions based only on the evidence presented to the magistrate, subject to certain exceptions in the Rule. Transcripts, if required, may be ordered by contacting the Administrative Court Reporter in accordance with the information provided in the magistrate's report and recommendations. The Court may decide exceptions without a hearing unless a party files a written request for a hearing. A hearing will be held within 60 days of the filing of the exceptions unless the parties otherwise agree in writing.

Final Order/Judgment

The final order/judgment is entered by the clerk following a trial. The operative date of the judgment for post-judgment filings is the date the Clerk's Office enters the judgment into the case management system (Md. Rule 2-601). Types of judgments include:

Judgment: The official decision of the Court upon the respective rights and claims of the parties to an action or suit therein litigated and submitted to its determination.

Consent judgment. The Court may enter a judgment at any time by consent of the parties. The clerk may enter a judgment at any time by consent of the parties if the judgment (a) is for a specified amount of money or for costs or denies all relief and (b) adjudicates all of the claims for relief presented in the action, whether by original claim, counterclaim, cross-claim, or third-party claim.

Post-Judgment

The parties have 10 days to file a motion to alter or amend a judgment (Md. Rule 2-534); 30 days to file a motion for reconsideration, and 30 days to file an appeal. On appeal, a circuit court case is reviewed by the Court of Special Appeals. Pursuant to Md. Rule 2-551, parties also may request in banc review by a three-judge panel.

Enforcement

After the Court issues a judgment and it is entered into the case management system by the Clerk's Office, both parties will receive a copy of the judgment by mail. The Court is not responsible for collecting the money owed to the prevailing party. To seek enforcement, the prevailing party must file any required forms with the court, pay any required filing fees, and appear in court for any additional required hearings. A prevailing party usually

must wait 10 days before they can take legal action to enforce a judgment. Once the waiting period passes, there are three ways a prevailing party can collect on the judgment:

1. Garnishing the other person's wages;
2. Garnishing the other person's bank account; or
3. Seizing the other person's personal property or real estate.

The prevailing party must file documents with the court and provide the other party with copies of all motions or correspondence filed with the court in order to garnish or seize money or property.

A party may also seek enforcement of a court order by filing a contempt action against a noncompliant party that willfully violates the court order. Most contempt actions that are filed are constructive contempt actions that are governed by Md. Rule 15-206. If a judge makes finding of contempt, the noncompliant party will be ordered to purge their contempt by coming into compliance with the court order. The Court can exercise its discretion to impose a period of incarceration if a party does not comply although they have the ability to do so. A party that may be subject to incarceration may seek legal representation by a lawyer of their own choosing or, if eligible, a lawyer with the Office of the Public Defender.

Family Assignment and Scheduling

The administrative judge shall designate judges of this bench to handle the responsibility for various matters required for the efficient management of this plan. The Administrative Judge also shall assign magistrates and judges to handle scheduling conferences and pretrial or settlement conferences. The administrative judge may designate a judge to hear requests for emergency and temporary relief, and review all written motions. All judges and magistrates initially assigned as the trial judge/magistrate for each case will remain the assigned magistrate/judge for that case, when feasible, regardless of trial date postponements or motions that are filed after assignment.

If a judge/magistrate previously has been assigned to a case and presided over a substantive hearing (i.e., *pendente lite* hearing or a trial on the merits), then the case will be referred to that judge/magistrate for hearings on modifications and contempt petitions. Where more expedient, a judge may indicate whether a routine modification or contempt of child support can be heard by another judge, after consultation with the administrative judge.

Special Assignment

The special assignment of a family law case is the responsibility of the administrative judge. At the request of any party or if a magistrate or a judge determines it is appropriate that a case be specially assigned for the purposes of litigation management and trial, such request or recommendation shall be forwarded to the administrative judge. This typically will apply only to Track 3 Complex cases. Individual judges are responsible for the effective management of cases specially assigned to them; however, the scheduling of specially assigned cases must always be coordinated with the Assignment Office in order to ensure judicial availability and, to the extent possible, to ensure adherence to the case time standards. Moreover, special assignment does not guarantee priority status on the court's calendar.

Emergency Hearings

The administrative judge, or designee, will review pleadings that allege an emergency to determine the nature of the emergency and whether any opposing parties have been given notice by the party seeking relief that they are appearing before the court for emergency relief. The administrative judge, or designee, will determine whether to hold an emergency hearing that day, within 2 to 3 days depending on the nature of the emergency, or whether the case is to proceed as a non-emergency in accordance with normal timeframes for hearing a case pursuant to the Maryland Rules.

The general criteria for assessing whether a case is an emergency is as follows:

- 1) For custody cases: physical harm or risk of imminent physical harm to a child, child protective services involvement, removal from the state or risk of being removed from the state or away from the lawful custodian contrary to the court order.
- 2) For divorce cases: dissipation of assets or marital property, destruction of marital property.
- 3) For school enrollment matters: conflicts in enrollment in different school districts.

This list is not intended to be exhaustive, but is intended to provide some guidance as to the court's differentiation between emergencies and non-emergencies. The fact that a party has waited to request relief on an emergency basis when earlier avenues of relief were available or other appropriate avenues of relief are available will not necessitate emergency action by the court. And, a party seeking relief must certify in accordance with Md. Rule 1-351 that notice of the time and place of presentment of *ex parte* has been provided to the opposing party. A motion to shorten time or extend time for the response of the opposing party is also required in accordance with Md. Rule 1-204.

Postponements

It is the policy of this Court to resolve family disputes without unnecessary delay or undue waste of the time and resources of the Court, the litigants, and other case participants. Although it may be necessary or appropriate to postpone a hearing or court event, such requests should be based upon a showing of good cause as defined below, and should be done well in advance of any scheduled court deadline or event. Requests for postponement are particularly disfavored on the day of a hearing or trial. The Court also discourages requests for postponement or for modification of a scheduling order that delays the resolution of the matter beyond 12 months from the date of filing, which is the case time standard that applies to family cases other than complaints for limited divorce.

Postponement Policy

All requests for modification of a scheduling order or for postponement of a settlement conference, merits hearing or trial shall be made by motion. A request must set forth the basis for the modification or postponement, the position of other parties or their counsel, and provide suggested new scheduling dates obtained from the Assignment Office. Postponements shall be granted in accordance with Md. Rule 2-508 and for competing conflicting matters, with the priority protocol set forth in Chief Judge Robert C. Murphy's Revised Administrative Order for Continuance for Conflicting Case Assignments or Legislative Duties, effective May 15, 1995. If a contested request is made less than three weeks before a scheduled hearing or trial, it must be accompanied by an appropriate motion to shorten time. Do not send original motions for postponement directly to the Administrative Judge. After filing the original motion in the Clerk's Office, a party or counsel may seek to have the matter expeditiously ruled on by the administrative judge.

Good Cause Requirement

The following shall generally be considered good cause for postponement:

- Trial date conflict. The first case set takes precedence;
- Serious illness of, or death in the family of a party, counsel, or necessary witness;
- Vacation(s) scheduled prior to any assigned trial or hearing date. For vacations, requests for postponement must be made within 10 calendar days of notification of the scheduled event;
- Counsel is in trial in another matter that carries over causing a conflict with the Harford County date;
- A party did not receive notice of the hearing or trial, through no fault of the party or the party's counsel; or
- Facts or circumstances arising or becoming apparent too late in the proceedings to be corrected in advance of the hearing, and which, in the view of the Court, would likely cause undue hardship or a possible miscarriage of justice if the hearing or trial proceeded as scheduled.

The following are generally NOT considered good cause for postponement:

- Vacations(s) scheduled after establishing a trial or motion date;
- Consent of counsel without compelling reason or a substantive basis;

- The matter has not previously been postponed (no peremptory postponements);
- Any matter known or which should have been known when the trial date became firm;
- New counsel has entered an appearance or a party wishes to change counsel;
- Discovery is incomplete or was just provided;
- A party wishes to conduct further investigation; or
- A party or counsel is unprepared to try to case for reasons including, but not limited to, the party's failure to cooperate with or maintain necessary contact with counsel.

Rulings on Requests to Modify Scheduling Orders or to Postpone a Hearing

Requests to postpone hearings scheduled before a magistrate may be made by the magistrate. The magistrate will reschedule the hearing on his/her calendar as long as the postponement does not delay other scheduled dates for the case.

Requests for postponement or modification of scheduled dates in cases that are specially assigned shall be referred to the assigned judge. New dates will be set on the assigned judge's calendar and must be coordinated with the Assignment Office, regardless of whether the reset date is during a period when the assigned judge is in a Civil/Family Law rotation.

Advance requests for all other scheduling changes shall be referred to the administrative judge for a ruling.

Requests for postponement made on the date of a hearing or trial shall be heard on the record before the assigned judge. Postponements on the date of trial are strongly disfavored, and may only be granted upon a compelling showing of good cause with substantiating documentation, or other special circumstances. If a case is postponed, parties and attorneys will be directed to the Assignment Office to select an agreed reset date.

Interpreters

If any party becomes aware of the need for an interpreter for any party or witness, the party shall promptly notify the court by filing in the Clerk's Office the Request for Spoken Language Interpreter form, which is available on the Court's web site at least 30 days prior

to trial.³ A delay in notifying the court of the need for an interpreter may result in the inability to handle a case on the scheduled date. Requests for interpreters must be specific as to the language and, if appropriate, the particular dialect that may be needed. The request must also specify for whom the interpreter is needed.

The party requesting an interpreter shall remain responsible for confirming that an interpreter has been ordered and shall notify the Court immediately if the need for the interpreter changes. If a request for interpreter is not cancelled at least 48 hours in advance of the trial or hearing, the Court will be billed for the interpreter's services. If the Court is billed for an interpreter needlessly as a result of counsel's failure to advise the Court that the interpreter will not be needed, or because counsel or a litigant does not appear in court in a timely fashion, the Court may assess the interpreter costs against the party or counsel causing the unnecessary expense.

Unless the Court is advised that a case will be a definite trial and its duration, the Court will only hire interpreters for a single morning or afternoon session.

Forms

The following forms may be required to be attached a complaint in family cases, or to complete a filing and service.

- CC-DCM 002 [Domestic Case Information Form](#)
- CC-DR-55 [Affidavit of Service of Process](#)
- CC-DR-56 [Affidavit of Service \(Certified Mail\)](#)
- CC-DC-089 [Request for Waiver of Prepaid Costs](#)

The following form is used to request a change in a scheduled hearing or trial at the Circuit Court.

- CC-DC-070 [Motion for Postponement](#)

³ Form is found at <http://mdcourts.gov/courtforms/joint/ccdc041.pdf>.