

CONFERENCE OF CIRCUIT COURT ADMINISTRATORS MEETING

Minutes
May 30, 2017

Conference Members Present:

Timothy Sheridan (Chair)
Doug Hofstedt (Vice-Chair)
Matthew Barrett
Melissa Batie
Sondra Battle
Amy Craig
Missy Gallagher
Jennifer Keiser
Joy Keller
Lionel Moore
Judy Rupp
Marilyn Saulsbury
Teri Scherer
Sandy Smith
Lori Tabor-Finch
Debbie Zrioka

Administrative Office of the Courts:

Lynne Wheeler

Deputy Court Administrator Guests:

Nancy Faulkner
Lisa Mohink
Erica Payne-Santiago
Kristine Short

A meeting of the Conference of Circuit Court Administrators was held on May 30, 2017, at the Judiciary Education & Conference Center, beginning at 10:00 AM. Tim Sheridan began the meeting by welcoming everyone. He then called for approval of the minutes from the March 28, 2017 meeting. Missy Gallagher moved for their approval. The motion to approve was seconded by Marilyn Saulsbury and passed.

PROGRAMS DIVISION UPDATES

- **PROGRAMS – *Lou Gieszl***
 - The Programs division is comprised of several different shops with the same mission, to advance court initiatives statewide. Two shops were recently merged and now make up the newly-titled Department of Juvenile & Family Services. The new Director is Stacy Reid-Swain, who will begin on June 21, 2017. The other shops include Access to Justice, MACRO, and Problem-Solving Courts, as well as Court Operations and the Office of Communications & Public Affairs.

- Grants
 - The total of the FY2018 grants exceeds \$25 million.
 - Current employees will be funded at the current level, but no increases will be given.
 - The Grants Committee tracks all grants based on a spreadsheet compiled by Lynne Kelleher, which is then reviewed by Pam Harris and Lou Gieszl. A 3.5% increase across the board was budgeted, instead of increasing some and not others. The lack of increases is based on the legislature.
- Courthouse Equity – Tier 1 has been approved by the Judicial Council. The Tier 2 list is for courts that want to go beyond the minimum. Lou asked that Court Administrators review Tier 1 to see if they have all of the items listed in place.
- **ACCESS TO JUSTICE – Pam Ortiz**
 - This division supports District Court, providing assistance to the public through services such as self-help centers, and programs for self-represented litigants.
 - Also provided are language services. The five facets are:
 - Maryland Court Interpreter Program & Registry
 - Telephonic interpretation
 - Staff interpreters
 - Translation services (written)
 - Language portals
 - As of January, all data collection for the Court Interpreter Program will be done in GEARS. For the 2017 calendar year, benchmarks will be available based on the data that can be accessed now.
 - Court Interpreter Program:
 - Certification exams in 14 languages
 - Two recruitment cycles per years
 - The process for becoming a certified interpreter involves a one-day workshop, a written exam in English proficiency, oral language proficiency interviews, a two-day orientation workshop before they serve, and certification exams.
 - Skill-building workshops are offered, and 16 hours of Continuing Education Requirements (CEU's) must be completed every two years.
 - Interpreters are offered to the public for 75 languages, but not all will be certified. The most-used languages will have certified interpreters.
 - There is a way to receive feedback on interpreters, so if necessary, some can be removed.
 - There are over 750 interpreters on the registry, interpreting in 74 different languages. Of those interpreters, 482 are eligible and 270 are certified.
 - ASL is an ADA issue, and is in high demand. It is taxing on the mind, but also on the body because of the physical nature of the language. Many people will limit the amount of time they perform interpreting services due to the drain, so more than one interpreter is needed for long cases.
 - Telephonic Interpretation:
 - Commissioners are using it extensively, but it is not being utilized as often in courts. All of the costs are paid by AOC/District Court. It is best for informal matters, such as marriage licenses, self-help centers, and clerks' office matters. It is not useful in the courtroom, unless there is an emergency situation.

- Staff Interpreters:
 - Twenty-one Spanish staff interpreters currently exist. Additional Spanish interpreters have been recommended, in the Prince George’s County Circuit Court and District Court, and in Baltimore City District Court.
- Translation Services:
 - Most translation is limited to public materials, such as forms, web pages, signs, brochures, and instructions. A total of 52% of projects were in Spanish. The five priority languages identified for translation are Spanish, French, Russian, Korean, and Chinese. It takes approximately 30 days to complete a translation project.
- Language Portals:
 - The website is the “front door” to the five portals available.
- Innovations and Resources:
 - There are several, including interpreter feedback and protocol, video remote interpreting, video ASL workstations, assisted listening devices in all Circuit Courts, and dual handset phones. Contact will be made with courts within the next few months about implementing items in courtrooms.
- **MACRO – *Jonathan Rosenthal***
 - Mediator Training:
 - Training occurred in 2014 for employees. In 2016, training was held for judges, in an effort to give them an inside look at what is happening in mediation. In September of this year, another training will be offered to court staff. The training will most likely be limited to 24 enrollees. After this round, the plan is to follow up with a session for judges and magistrates at the end of the year.
 - ADR Committee:
 - Meetings have been productive. The three ADR offices in the Judiciary work together often and share information. In addition to sharing information and resources, courthouse equity information is circulated in order to help all courts reach Tier 1 status. Jonathan and Alan Weiner will be reaching out to courts who do not currently have a Civil ADR program.
 - Meeting discussions have included MDEC and the fact that it is moving along well. There was no ADR segment in MDEC at its creation, but there is the possibility that ADR-related event codes can be developed and ADR markers can be incorporated. These would pertain to caseload management in particular.
 - Standards of Conduct for Mediators:
 - There are two sets of Standards of Conduct, one for court rules, and one containing rules for outside of courts. The differences between the two pertain to confidentiality and requirements for being a mediator. The goal is to improve upon the clarity where possible, and to combine the two separate sets into one.
 - The workgroup contains employees in multiple positions, including judges, to allow for various perspectives. The hope is that this will go to the Rules Committee by the end of this year.
 - ADDRESS Forms:
 - These are evaluation forms for attorneys, litigators, and neutral parties (mediators, etc.). At some point, all surveys will be connected to the JIS database and CONNECT. The core questions will apply to all courts, but questions can also be modified for court-specific information. Although some courts are not part of the pilot process, they have requested the forms and have been using them. The

response rate is between 50% and 70%, revealing that this is the most effective means.

- ADR Research:
 - Over the last 5 years, research has been conducted in areas including family, custody and visitation, civil, and District Court day-of-trial.
 - The caucus shows that litigants come out more hopeless and they doubt that the resolution will be durable, but they still find the mediators to be very skilled.
 - There will be a recommendation to the Rules Committee, through the ADR Committee, that the most recent research be incorporated into the training.
 - There is an effort to create one-day courses to sharpen negotiating skills to promote settlement conversations, and in the future will hopefully be additional requirements to better equip senior judges.
- **PROBLEM-SOLVING COURTS – *Gray Barton***
 - Over the last nine years, the number of programs has increased from 15 to 55.
 - Application Requirements:
 - Nature and purpose of program (target population, estimated number to be served, services to be provided, and to whom they will be offered)
 - Structure of program (duties of judges/magistrates, other court personnel, and non-court personnel/assisting agencies)
 - Judge or magistrate Problem-Solving Courts education
 - Protocols for entry (eligibility criteria, how self-represented litigants will be protected)
 - Description of program (available services, role of counsel, measuring success, restrictions imposed, nature of rewards or sanctions, satisfactory and unsatisfactory completion)
 - Budget/funding
 - Data and evaluation
 - HOPE & Treatment Act of 2017
 - Established by House Bill 1329/Senate Bill 967, the HOPE Act requires assessment of drug courts to determine how to increase the programs to meet each county's needs.
 - Upcoming Events:
 - Problem-Solving Courts coordinators' meeting on June 6, 2017
 - Understanding Psychiatric Disorders & Hearing Voices, taking place on June 21, 2017 at the JCECC
 - PSC: Leadership & the Role of the PSC Judge, occurring on June 22, 2017 at Chesapeake College. This will be offered to judges and magistrates. Judge Bill Meyers will be presenting.
 - NADCP Training Conference from July 9-12, 2017 at the National Harbor
 - Annual Combined PSC Symposium on October 24, 2017
 - Contact with the Court:
 - Judges and magistrates met with drug court, veterans' court, re-entry court, and mental health court participants nearly 22,800 times in court hearings during FY2016.
 - There were 2,583 people served in drug court, 735 in mental health court, 47 in veterans' court, and 554 in truancy courts, totaling 3,919 people served.

JUDICIAL BRANCH POLICIES OF GENERAL APPLICATION – *Tim Sheridan*

- It is important that these be made available, so people know how to file claims.
- Will need to find a way to bridge the gap between the current policies and business practices, and the policies which will soon go into effect.

2018 MEETING SCHEDULE – *Tim Sheridan*

- As of right now, the July 25th meeting will occur. The September 26th meeting has been canceled due to scheduling conflicts, and an alternative date might be chosen. The November 28th meeting is still scheduled to take place.

JOINT CONFERENCE – *Tim Sheridan/Amy Craig*

- A conference is in the works, but will most likely not occur until next spring. The Conference of Circuit Court Clerks meets on March 20th and May 15th, so those are potential dates. Once a date has been selected, it will be worked into next year's schedule. Two CCCC volunteers are ready, and they are now looking for CCA

OTHER BUSINESS

- Jenn Keiser shared that magistrates are hearing guardianship cases in PG County and Baltimore City. They are hearing both contested and uncontested cases. Both are using For the Record (FTR) audio recording. She mentioned that the computers in Howard County are changing from 32 bit to 64, and their version of FTR does not work on the 64 bit.

COMMITTEE UPDATES

❖ JUDICIAL COUNCIL – *Tim Sheridan*

- The next meeting will take place tomorrow, May 31, 2017.

❖ CONFERENCE OF CIRCUIT JUDGES – *Tim Sheridan*

- The meeting was held last week. The main presentation was given by AOC Human Resources, pertaining to the new policies.

❖ CONFERENCE OF CIRCUIT COURT CLERKS – *Doug Hofstedt*

- Policy statements were reviewed.
- The MDEC Security Summit will take place on July 18, 2017, to address the importance of educating staff about security clearance permissions and what is and is not considered confidential. Different levels of security will also be discussed.

❖ COURT TECHNOLOGY – *Matthew Barrett*

- Virtual Desktop – JIS is looking at new technology that would eventually eliminate PCs in the courthouse. Everything would run off of servers, allowing access to the desktop from any device. This will cut down on equipment costs, and also allow more flexibility for troubleshooting. It is currently in testing, with a small pilot planned for late summer/early fall of 2017, and a goal of rolling it out next year.
- An AIS Security Exemption Request was received from Clerk of the Court of Appeals' office, to make them exempt from the timeout feature. This was not granted.

- Email Retention Workgroup – The workgroup presented its recommendations to the Technology Committee. There were three primary recommendations:
 - Mandatory retention period of 12 months for all emails
 - Automatic deletion of emails at month 13, unless action is taken to preserve
 - All courts on same email platform
 - The Technology Committee elected not to act on the first two recommendations, but is going to request support from the Judicial Council regarding the one central email domain.
 - The Video Conferencing Workgroup has not yet met.
- ❖ **COURT ACCESS – *Judy Lohman***
- Judy was not in attendance.
- ❖ **SPECIALTY COURTS & DOCKETS – *Judy Rupp***
- There were favorable recommendations to begin problem-solving courts in Baltimore City and Montgomery County.
 - They are grappling with the recommendation to centralize Business & Technology cases and have statewide judges process cases. No resolution has been reached.
- ❖ **ADR – *Tim Sheridan***
- Nothing additional to report.
- ❖ **SENIOR JUDGES – *Sondra Battle***
- The last meeting was on May 2, 2017.
 - Dionne Smith presented regarding the Attorney Information System (AIS).
 - If a senior judge wants to work in an MDEC county but has not been trained, they will need User IDs and passwords to access the remote portal.
 - It would be helpful to have an assistant and/or a law clerk accompany the judges for training.
 - Senate Bill 182 goes into effect on April 4, 2017, changing the requirement from three years to two years.
- ❖ **JUDICIAL ASSISTANTS – *Teri Scherer***
- The educational program is being finalized and should be available next spring/summer.
- ❖ **COURT OPERATIONS – *Sandy Smith***
- The next meeting is on June 5, 2017.
 - Sandy will send everyone the March minutes once they are approved.
- ❖ **JURY USE – *Sandy Smith***
- The last meeting was held in March.
 - The conversation was primarily involving the jury manual. Judge Fletcher-Hill has been working on it, sharing updates along the way. His goal is to prepare the proposal and to bring it to the Court Operations Committee in June. He will be seeking approval to present it to the Judicial Council.
- ❖ **CASE MANAGEMENT – *Tim Sheridan and Jenn Keiser***
- Case time standards recommendations were reviewed. There were 11 from the circuit courts. No substantive changes were made to the standards.

- ❖ **COURTHOUSE EQUITY – *Stephanie Medina***
 - The last meeting was canceled, so they have not met.
- ❖ **FORMS – *VACANT***
 - The goal is to have Nancy Faulkner added to the workgroup. Tim will check into the status.
- ❖ **COURT REPORTING WORKGROUP – *Teri Scherer***
 - This group has not met.
- ❖ **RECORDS RETENTION WORKGROUP – *Jenn Keiser***
 - The last section that remains to be worked on is the Administrative & Fiscal Records Schedule. It is currently undergoing more legal review.
- ❖ **EDUCATION – *Judy Lohman***
 - No update provided.
- ❖ **PROFESSIONAL DEVELOPMENT – *Tim Sheridan***
 - There have been many ICM applicants, and the certificate programs are doing well with the number of applicants.
 - The group would like to send out a survey regarding what types of classes would be most useful for court employees.
 - The eligibility requirement for some certificate programs might be changed from three years to one year. It would be a criteria used, but not a mandatory one.
- ❖ **TECHNOLOGY TRAINING – *Doug Hofstedt***
 - Doug did not think there had been a meeting. If there was, he will send the minutes.