



Hon. Matthew J. Fader, Chair
Chief Justice, Supreme Court of Maryland

Hon. Donine Carrington Martin
Circuit Court for Charles County

Hon. Audrey J. S. Carrión
Chair, Conference of Circuit Judges

Hon. Karen Christy Holt Chesser
District Court in St. Mary's County

Hon. Heather S. DeWees
Vice-Chair, Conference of Circuit Court Clerks

Nancy Faulkner
Secretary, Deputy State Court Administrator

Hon. Jeffrey S. Getty
Circuit Court for Allegany County

Hon. Fred S. Hecker
Vice-Chair, Conference of Circuit Judges

Kathy Hefner
*Administrative Clerk
District Court in Montgomery County*

Hon. Geoffrey G. Hengerer
District Court in Baltimore City

Hon. James A. Kenney, III
Chair, Senior Judges Committee

Hon. Stacy A. Mayer
Circuit Court for Baltimore County

Stephanie Medina
Chair, Conference of Circuit Court Administrators

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

Amanda Purnell
Vice-Chair, Conference of Circuit Court Administrators

Judy Rupp
State Court Administrator

Rebecca Sloane
*Administrative Clerk
District Court in Cecil County*

Hon. Shaèm C. P. Spencer
District Court in Anne Arundel County

Hon. Kevin Tucker
Chair, Conference of Circuit Court Clerks

Roberta Warnken
Chief Clerk, District Court of Maryland

Hon. E. Greg Wells
Chief Judge, Appellate Court of Maryland

Hon. Alan M. Wilner
Chair, Standing Committee on Rules of Practice and Procedure

MARYLAND JUDICIAL COUNCIL

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Meeting Minutes
November 13, 2024

Judicial Council Members Present:

Hon. Matthew J. Fader, Chair	Hon. James A. Kenney, III
Hon. Donine M. Carrington Martin	Hon. Stacy A. Mayer
Hon. Audrey J.S. Carrión	Stephanie Medina
Hon. Karen Christy Holt Chesser	Hon. John P. Morrissey
Hon. Heather S. DeWees	Amanda Purnell
Nancy Faulkner	Judy Rupp
Hon. Jeffrey S. Getty	Rebecca Sloane
Hon. Fred S. Hecker	Hon. Kevin Tucker
Kathy Hefner	Roberta L. Warnken
Hon. Geoffrey G. Hengerer	Hon. E. Greg Wells

Others Present:

Richard (Gray) Barton	Andrew Ortiz
Hon. Kathleen L. Beckstead	Sharon Reed
Melissa Canada	Hon. Laura S. Ripken
Hon. Kimberly M. Davis	Hon. Mark F. Scurti
Shamika Dent-Williams	Chris Sharpes
Dominique Johnigan-Simmons	Gillian Tonkin
Amanda Miller	Jamie Walter
Andrea Murphy	

A meeting of the Judicial Council was held on Wednesday, November 13, 2024, at the Maryland Judicial Center, beginning at 9:30 a.m. Chief Justice Matthew J. Fader welcomed attendees and announced that the meeting was being livestreamed on mdcourts.gov. Justice Fader then asked for approval of the minutes from the previous meeting. Judge Jeffrey S. Getty made a motion with a second from Judge Donine M. Carrington-Martin. After hearing no objections, the minutes were approved.

1. Committee / Strategic Initiative Updates

a. Education Committee

Judge Laura S. Ripken is chair of the Education Committee. Presenting with Judge Ripken was committee staff member, Shamika Dent-Williams, Assistant State

Court Administrator, Judicial College.

Judge Ripken noted that the annual Faculty and Mentor Banquet will be held at the Maryland Judicial Center this evening. She then presented the Education Committee structure. The Education Committee oversees nine subcommittees. Judge Ripken presented an overview of the number of learning opportunities provided by the Judicial College in 2024 compared to the number offered in 2023. In 2023, there were a total of 341 learning opportunities offered. In 2024, there were a total of 765 learning opportunities offered. Of the 765 offered, 181 were face-to-face, 61 were webinar, 113 were instructor-led distance learning, and 410 were self-paced distance learning. The total number of learners in 2024 was 13,332.

Judge Ripken presented subcommittee updates, beginning with the Judicial Education Subcommittee, chaired by Judge Bibi M. Berry. The Judicial Education Subcommittee offered 57 face-to-face courses with a total of 1,689 attendees, 13 webinars with a total of 470 attendees, and 41 self-paced distant learning courses with a total of 123 attendees in 2024. The subcommittee launched and completed the Unconscious Bias training for judicial officers and offered two new appointment courses, Judicial Ethics for Judges & Magistrates and Workplace Laws, Regulations, and Policies Affecting Judges and Courts. Several 2024 highlights for the Judicial Education Subcommittee include the Administrative Judge Training, Annual Judicial Conference, Digital Library, Family Law University, New Law Clerk Orientation, New Law Clerk: Coffee with the Courts, New Trial Judge Orientation Two-Day Update, New Trial Judge Orientation, and Senior Judge Technology Day. Upcoming, the subcommittee will debut on-demand resources for administrative judges, launch Criminal Law University, and continue to develop Judicial Conference 2025, which will be held April 23-25, 2025.

In 2024, the Judicial Education Course Recommendation Workgroup, co-chaired by Judge Berry and Judge Michael W. Siri, formed Circuit and District Court specific workgroups focused on proposed courses each trial judge should complete within the first five years, aligned with the vision for more flexible and customized learning opportunities. Upcoming, the workgroup will submit a report to the Education Committee.

The New Trial Judge Mentoring Subcommittee, chaired by Judge Richard R. Trunnell and Judge Siri, recruited 22 new mentors and matched 23 new trial judges, completed revisions to the Mentor Resource Manual, and adopted a requirement of the mentee judge to observe a docket by the mentor judge. This year, the subcommittee will revise the online mentor and mentee orientations and incorporate security peer-to-peer into the mentor-mentee team.

The Magistrate Education Subcommittee's Magistrate Course Slate Workgroup worked alongside the Family Law Judicial Workgroup to develop a Family Law Course Slate for 2026 that will better cater to both judges and magistrates with minimal overlap of content. The subcommittee, chaired by Magistrate Jamie Adkins, also successfully held the annual Magistrates Conference, where 60 magistrates attended, with no attrition. Upcoming, the subcommittee will continue its work on a Magistrate Bench Book to assist newly appointed magistrates, as well as support current magistrates and update the internal Magistrate Directory upon magistrate

appointments, resignations, and retirements.

In 2024, the Commissioner Education Subcommittee, chaired by Judge Patricia L. Mitchell, developed and authored *The 41g Report*, a quarterly single page newsletter publication that provides helpful information for day-to-day Commissioner use. The subcommittee also rotated 283 commissioners through the annual Commissioner Conference. This year, the subcommittee will engage more commissioner participation in the teaching and programmatic aspects of the subcommittee and hopes to expand the number of commissioners desirous of teaching at the annual education conferences.

The Professional Development Subcommittee, chaired by Kristin Grossnickle, offered 48 face-to-face courses with 1,216 attendees, 21 webinars with 993 attendees, 19 instructor-led distant learning courses with 945 attendees, and 351 self-paced distant learning courses with 4,054 attendees. The subcommittee cohosted over 450 for the 2024 Leadership Conference, managed 330 LinkedIn Learning Licenses, and offered 14 courses to support diversity, equity, and inclusion. The subcommittee also supported a three-part training program for District Court supervisors and managers. The program is designed to assist supervisors and managers in coaching and mentoring their team, improving performance, and inspiring engagement. Additional work included supporting 49 students through six courses for the Institute for Court Management (ICM) program, sustaining seven graduates of the 53rd class of the ICM Fellows program, expanding the land records program with a new Land Records Leadership course to accompany the existing Land Records 101 and Advanced Land Records, and supporting Access to Justice in offering several courses. Upcoming, the subcommittee will collaborate with Judicial Education on a proficiency-based training manual for administrative judges and continue expanding course offerings.

In 2024, the Technology Education Subcommittee, chaired by James McAllister, offered 88 face-to-face courses with 1,460 attendees, 27 webinars with 928 attendees, 95 instructor-led distant learning courses with 1,200 attendees, 19 self-paced distant learning courses with 329 attendees, 21 Webucator courses with 134 Webucator licenses, and two hybrid courses. The subcommittee responded to 125 ServiceNow tickets, continued to co-host Senior Judge Technology Day, partnered with Judicial Information Systems (JIS) on a training video on how to complete cannabis expungement using the Intellidact/AI tool in Odyssey Navigator, co-hosted Leadership Conference 2024, launched its TechTalk series, and continued to offer New Employee Technology Orientation (NETO-J) for judges and magistrates. Upcoming, the subcommittee will host TechTalk for Judges and Chambers Staff: Zoom and Teams – Winning the Battle of the Mics on December 11th, roll-out the Non-Case Revenue System (NCRS) training, roll-out the MDEC: Circuit Court Fiscal Clerk training, and partner with Professional Development to support the Expungement Forum.

The Diversity & Inclusion Education (DEI) Subcommittee, chaired by Yolanda L. Curtin, launched the online Unconscious Bias course for justices, judges, magistrates, and commissioners, finalized a quick reference card, Facilitating Groups through the Lens of DEI, developed the Judicial Education course, Understanding and Identifying Biases to Eliminate Roadblocks to Procedural Fairness, and submitted five DEI focused courses to Professional Development for 2025. This year the subcommittee will launch the online Unconscious Bias course to all judiciary employees; provide the quick reference card, *Facilitating through the Lens of DEI*, to all committee chairs; and identify additional courses in DEI.

The Human Trafficking Subcommittee is chaired by Barbara B. Waxman. The subcommittee hosted Kimberly Sauer, Chief of Staff and Director of Policy for Baltimore City Councilman Kristerfer Burnett, and, during the legislative session, assisted with HB 508, a new law that adds labor trafficking to the definition of abuse for CINA proceedings. Also under consideration was HB 892, which, if passed, would have expanded the statutory definition of trafficking to include benefits trafficking. Upcoming, the subcommittee will expand course offerings based on courts needs.

The Public Education & Community Outreach Subcommittee, chaired by Judge Jennifer B. Schiffer, supported eight Schools in the Court presentations throughout the 2023 – 2024 school year in Prince George’s, Anne Arundel, and Baltimore Counties; supported two special events, which included the MYLaw Mock Trial Championship and the Legal Pipeline Event with the Anne Arundel County Bar Association; supported seven visits to the Supreme Court; held Reading and Robes, led by Judge Lisa Hall Johnson and Judge Sidney A. Butcher; and held the Maryland State Department of Education Social Studies Collaborative Event. Upcoming, the subcommittee will expand the Maryland Gavel Will Program to Harford, Prince George’s and Montgomery Counties and start fulfilling requests within those counties for the 2024 – 2025 school year.

Justice Fader acknowledged Judge Ripken as chair of the Voir Dire Pilot Program Advisory Board. The Advisory Board undertakes the expansive effort over six months (January 1, 2025 – June 30, 2025) to implement the voir dire pilot program in eight jurisdictions across the state. The advisory board will gather data to determine whether to adopt expanded voir dire statewide.

b. Court Operations Committee

Judge Mark F. Scurti is chair of the Court Operations Committee. Judge Scurti began by recognizing the memory of Judge Klavans. He then provided an overview of the subcommittees and workgroups under the Court Operations Committee. The subcommittees and workgroups include the Case Management Subcommittee, Forms Subcommittee, Circuit Court Workgroup, Criminal-Traffic Workgroup, Civil Workgroup, Consistency Workgroup, Guide & File Review and Testing Workgroup, Jury Use and Management Subcommittee, Court Notices Workgroup, Courthouse Security and Safety Workgroup (sunset), Data and Statistical Reporting Workgroup (sunset), Docket Management Workgroup, Expungement Workgroup, Legislative Review Workgroup, and Senior Judge Use Workgroup (sunset).

Judge Scurti presented the committee’s accomplishments as aligned with the strategic initiatives. Under the initiative to *promote accountability and public trust*, the committee produced the Circuit Court Senior Judge Use Guide, refined Reserved Case Reporting and provided training, published the Maryland Trial Court Performance Measurement Best Practices Guide, made recommendations on courthouse screening protocols and is researching expanding the jury source pool. Under the initiative to *encourage a service-oriented approach to court operations*, the committee held regular best practice group meetings and increased communication on resources available to judges. Under the initiative to improve access to justice, the committee made forms updates, including 33 new forms, 267 revised forms, 10 forms rendered obsolete, and 139 forms translated in five languages. In regard to the initiative of *use technology effectively and responsibly*, the committee refined case management reporting

requirements, developed District Court time standards in MDEC, and is exploring alternative methods for providing timely displays of caseflow data.

The committee's goals are also aligned with the strategic initiatives. Under the initiative to *promote accountability and public trust*, the committee seeks to continue to refine Reserved Case Reporting and offer trainings, complete a jury summons video, and finalize District Court caseflow reports. In regard to the initiative to *encourage a service-oriented approach to court operations*, the committee's goals are to finalize docket management best practices report and guide, assess MDEC codes on forms and in caseflow, refine QRGs for consistent clerk data entry, continue the Jury Operations Roundtable, analyze additional performance data (including pending case counts and postponement rates), and evaluate Courthouse Equity Tier I and Tier II reporting. With the help of JIS, the committee also hopes to provide final recommendations on expansion of the jury source pool.

Under *use technology effectively and responsibly*, the committee seeks to explore how artificial intelligence (AI) may be leveraged to improve court operations, develop a procedures document for JIS jury support staff, and to recommend data dashboard court performance visualizations. In addition, the committee plans to explore alternative service methods, including creating an online, centralized searchable database. Judge Morrissey noted that rural jurisdictions still rely on newspapers and paper service options but that an electronic method would serve as a valuable supplement. As chair of the Court Technology Committee, Judge Hecker offered to work closely with Judge Scurti to assist in developing alternative methods.

i. Caseflow Assessment Performance Results

Annual caseflow assessments are used to evaluate the overall efficiency of each court's case management process, with the goal of identifying areas for improvement and ensuring timely justice for litigants. Jamie Walter, the Director of Research and Analysis (RA), explained the measurements used to assess the 2024 caseflow time standards. In each jurisdiction, up to 500 random cases were analyzed for each case type. Court staff first completed an extensive data quality review and removed cases with missing information or negative case processing time. A total of 50,299 District Court cases and 36,605 circuit court cases were included in the analysis. Due to the low number of cases, RA analyzed the entire caseloads in both appellate courts.

Dominique Johnigan-Simmons, Senior Researcher, noted that the Judicial Council approved two changes to the District Court time standards last year. The start date for 21-902 traffic offenses was modified from the date of citation issuance to the first appearance before a judicial officer. A new suspension time was also approved for occurrences when a defendant fails to appear for a criminal, serious traffic, or 21-902 case type and a show cause is issued in lieu of a bench warrant.

In FY2024, all case types scored within 5% of pre-COVID time standards. The number of criminal cases resolved within time standard increased from 85% to 95%. Traffic offenses of 21-902 met the Judiciary's goal for the first time with an increase of 53% within time standards to 98%. A notable trend showed that cases with shorter time standards often closed within just 1 – 4 weeks, indicating only a slight need for extra time. For example, 50% of small civil cases closed within 1 month of the time standard.

Andrew Ortiz, another Senior Researcher, stated that the percentage of family law cases that closed within time standard remained the same from FY2023 to FY2024. The percentage of cases closed within time standard for circuit court civil, criminal, and foreclosure case types improved whereas juvenile, Children in Need of Assistance (CINA), and Termination of Parental Rights (TPR) case type time standard compliance declined. The overall average case time was higher for nearly all case types than the overall median case time. Mr. Ortiz noted that several old cases were resolved and likely caused the average numbers to inflate. The median helps identify the true middle of case times and can help in mitigating issues. When considering the average numbers, it is important to understand that long standing cases may affect the results.

Justice Fader asked whether there is an explanation for the decline from 67% in FY23 to 55% in FY24 in TPR cases being closed within time standards. Mr. Ortiz stated that RA will be conducting outreach to clerks to identify common reasons for TPR case postponements and to determine whether the case management process needs to be improved. Judge Fred S. Hecker suggested that limited attorney availability is likely one cause for many of the case delays. Judge Stacy A. Mayer added that unavoidable delays in service also hinder case progress.

In FY24, the Supreme Court met the goal of closing 90% of cases within time standards in all case types. In the Appellate Court, the number of criminal and civil appeal cases disposed of within time standards declined slightly. Child access case compliance, including juvenile and domestic, improved overall but did not meet the time standard. Judge Jeffrey S. Getty noted that many appellate court cases are referred to mediation but there is no provision for a time standard suspension. Ms. Walter acknowledged that mediation should be a part of the normal court process and stated RA would look into incorporating it in the time standards.

Judge Scurti made three recommendations on behalf of the committee:

1. Civil Small – It is recommended that the time standard be changed from 120 days to 135 days based on a recent amendment to Md. Rule 3-113, which changed the summons service deadline from 30 days to 60 days.
2. Criminal – It is recommended that a new suspension stop be created for when an NCR evaluation or competency evaluation is withdrawn. There is currently no suspension end time or method to restart the case time unless an evaluation is received.
3. Juvenile Delinquency – It is recommended that "Probation With Stay for Delinquency Finding" be added as a valid case stop for the delinquency time standard.

Judge Geoffrey G. Hengerer moved for acceptance of the committee's three recommendations. Judge Mayer seconded the motion and, after hearing no objections, the time standard modifications were approved.

c. Specialty Courts and Dockets Committee

Judge Kimberly M. Davis is chair of the Specialty Courts and Dockets Committee, which monitors and directs the evaluation of evidence-based training, technical assistance, research, funding, and ensures the utilization of best practices by specialty courts and dockets. The committee oversees two subcommittees and three workgroups.

The Behavioral Health Subcommittee explores pre-trial and sentencing alternatives for treatment rehabilitation of the developmentally disabled, mentally ill, and defendants with substance use disorders involved in the criminal justice system. The subcommittee works to ensure the availability of resources to improve probation supervision compliance and works closely with the Maryland Department of Health (MDH) and other agencies to provide information regarding community and residential based treatment.

In addition, the subcommittee emphasizes reducing the delays in placement of incompetent, NCR, DDA, and substance dependent defendants. The statute requires placement of a defendant within 10 days of a judge's finding or order. The courts were initially receiving petitions to hold MDH in contempt for failure to place but now, as a result of *MDH v. Sean Orlando Myers, Jr.*, many jurisdictions are seeing notices of statutory violation. The case provided detailed instructions on how courts should handle petitions for constructive civil contempt cases versus notices.

Since December 2023, the Problem-Solving Courts (PSC) Subcommittee approved six new programs – three veterans treatment courts and three mental health courts. A truancy court is also under development in Frederick County. There are now 73 PSC programs throughout Maryland with 1,661 active participants. A total of 483 participants successfully completed a PSC program this year. PSC judges and magistrates continued to hold quarterly meetings to discuss the implementation of best practices, to share resources or recommendations, and to discuss issues that must be resolved by a PSC judge or magistrate. The goal is to begin organizing meetings for recovery and veterans court judges as well.

The U.S. Department of Justice's Bureau of Justice Assistance (BJA) provides funding to individual jurisdictions and statewide to support adult drug courts and veterans treatment courts. Since 2021, the Judiciary has received \$1.7 million in federal shares and a \$566,406 match. The Risk and Need Pilot Program Workgroup assisted several courts in applying for the Risk and Need Tool (RANT) screenings that are utilized in the early stages of the trial process. A pilot program has been implemented in three jurisdictions with the assistance of BJA grant funding.

A particular challenge to federal funding is a prohibition to fund programs with violent offenders. Since many of the PSC participants face crimes at varying levels of severity, it is difficult to screen participation without the risk of losing funds. An additional step was developed to assist in screening non-violent offenders. The Circuit Court of Anne Arundel County also began its own pilot screening program not subject to federal funding and therefore is not limited by the violent offender prohibition. This approach provides valuable assistance to individuals based on their needs and not what is found on paper.

It is interesting to note that many parties are referred to substance use and mental health treatment programs through housing and public assistance programs. Environmental stability is important for individuals in treatment and community resources working together will help reduce challenges and recidivism. Justice Fader suggested that data from Anne Arundel County's program might shed light on the number of violent versus non-violent offenders who participate. Gray Barton, Director of PSC, acknowledged the value in tracking the data separately and would relay the suggestion to the evaluators.

Mr. Barton discussed a survey used by PSC to measure participant perceptions of fairness and procedural justice in adult treatment courts. Providing feedback has been broadly linked to

participant compliance, acceptance of outcomes, and legitimacy of programs. The survey is conducted in February and October of each year and is available in both English and Spanish. It is typically taken on a tablet at the court, but staff also have the ability to text or email the survey. The survey is designed to track an individual's perception of a program at the beginning, middle, and end. Predictably, feedback in the beginning phase tends to be more negative and participation in the survey tends to decrease in the middle phase when treatment is most difficult. Courts often modify the way they interact with participants based on the feedback they receive. Judge Getty added how rewarding it is to watch a participant's life change throughout the course of a program. Mr. Barton added that the PSC is developing a survey for truancy, mental health, and veterans court participants to help improve those programs as well.

The next Problem-Solving Courts Symposium is scheduled for November 20 – 21, 2024, in Towson. The presentations will cover the latest trends and best practices for adult drug courts, DUI courts, family recovery, mental health, truancy, and veteran treatment courts.

2. Presentation of Plaques

Justice Fader thanked the departing members and expressed appreciation for their commitment to the Judicial Council and Judiciary. Plaques were presented to the following outgoing members:

Hon. Donine M. Carrington-Martin
Hon. Audrey J.S. Carrión
Hon. Karen Christy Holt Chesser
Hon. Jeffrey S. Getty
Kathy Hefner
Stephanie Medina
Hon. Kevin Tucker

3. For the Good of the Order

Justice Fader thanked everyone for attending. There being no further business, the meeting adjourned at 11:56 a.m. The next meeting is scheduled for January 29, 2025, beginning 9:30 a.m.