

MARYLAND JUDICIARY

2005-2006  
highlights

“We must never forget that the  
only real source of power  
that we as judges can tap  
is the respect of the people.”

— Justice Thurgood Marshall  
U. S. Supreme Court



2005 - 2006

maryland judiciary

highlights

- how citizens benefit
- offering alternative forms of justice
- strengthening our jury system
- new approaches to old issues
- teaching and reaching out
- improving perception, enhancing professionalism
- advancing with technology
- working for families
- establishing our place in history
- looking beyond borders to the future



District Court for Worcester County  
Ocean City, Maryland

[mdcourts.gov](http://mdcourts.gov)

## Dear Fellow Marylanders,

Each year the Maryland Judiciary handles upwards of two million cases with quiet efficiency, skill, and the high-quality service that an ever-increasing number of citizens have come to expect. As we look toward the future, the Judiciary is embracing change and challenge with new initiatives.

As we work toward making our courts more user-friendly, new issues, such as language barriers and growing caseloads, are presented. This year we took another step in that direction; we opened a new line of communication for the public we serve by establishing an ombudsman position.

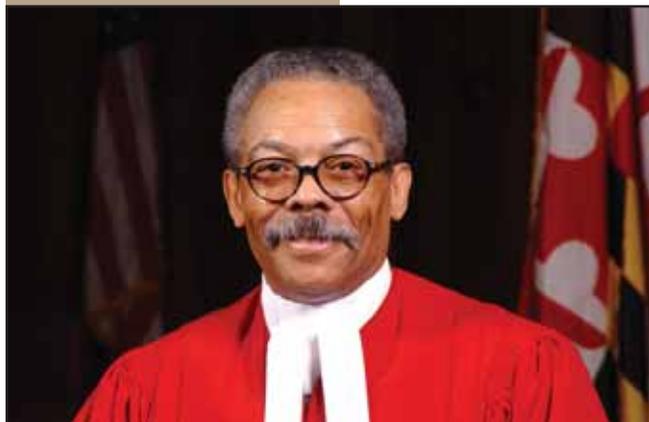
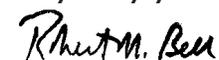
At the same time, it is critical that we improve as a court system. To do so, we must cultivate and grow our most successful programs and functions. We know that the use of alternative dispute resolution measures often results in better outcomes, thus easing the burden on our courts. Continuing to enhance and build on technological advances by implementing necessary initiatives increases efficiency. Valuing jurors ensures that justice is served each day in our courtrooms. Developing and sponsoring educational outreach programs and promoting professionalism in judges and attorneys help to enhance and to build the public's trust and confidence in the justice system.

This year, thanks to the General Assembly's increase of drug court funding, the Judiciary is looking forward to achieving bigger and better things, including more positive outcomes in those courts, as well as establishing new ones.

While we continue to take on new challenges, the Judiciary's guiding principles remain the same: fuller access to justice; improved case expedition and timeliness; equity, fairness, and integrity in the judicial process; and branch independence and accountability. These principles guide, and will guide, all that we do.

And, each day in our courthouses, Maryland's courts will continue to reflect, by their action, commitment to provide full and fair access to justice for all citizens.

Very truly yours,



Robert M. Bell  
Chief Judge  
Maryland Court of Appeals

# How citizens benefit

In their interactions with the courts, citizens expect and deserve exceptional service. This year the Maryland Judiciary again took strides toward improving systems, enhancing interpreter services, opening an “Under One Roof” integrated domestic violence court in Baltimore City, and continuing to serve as a 24-hour-a-day system through the work of the state's court commissioners. Compared to 2004-05, commissioners handled 29 percent more protective order filings and 19 percent more peace order filings in 2005-06, as citizens continue to turn to the courts around the clock.



In addition to the services the courts provide, citizens benefit from the funds collected through the courts, as a significant amount of that money returns to their communities to fund local services and programs.

All of the money collected through the appellate courts—\$199,050 in 2005-06—goes directly to the state’s General Fund. The

state's General Fund also benefited from \$782,449 collected by the Board of Law Examiners, \$5,132 from the Maryland Law Library, \$91,369,532 from the District Court, and \$57,192,530 from the circuit courts. Among the programs that benefited directly from funds collected through the courts in 2005-06 were:

- ◆ Land Records Improvement Fund - \$34,252,924
- ◆ Criminal Injuries Compensation Fund - \$2,719,935 with an additional \$1,126,519
- ◆ Victims of Crime Fund - \$801,791
- ◆ Maryland State Police (for law enforcement training)- \$6,879,583

About 95 percent of the funds collected by Maryland's circuit courts (more than \$423 million) goes directly back to the county collecting the funds for the county’s use:

Allegany County	\$2,802,241
Anne Arundel County	\$131,667,465
Baltimore City	\$57,775,596
Baltimore County	\$2,137,278
Calvert County	\$14,656,756
Caroline County	\$5,194,587
Carroll County	\$313,835
Cecil County	\$9,823,079
Charles County	\$524,376
Dorchester County	\$7,005,702
Frederick County	\$951,131
Garrett County	\$7,072,440
Harford County	\$24,142,410
Howard County	\$66,143,358
Kent County	\$3,065,414
Montgomery County	\$1,986,485
Prince George's County	\$1,831,604
Queen Anne's County	\$9,976,942
St. Mary's County	\$21,983,346
Somerset County	\$1,549,654
Talbot County	\$12,734,110
Washington County	\$17,716,072
Wicomico County	\$6,989,347
Worcester County	\$15,226,716

# Offering alternative forms of justice

Maryland has become an innovative leader and national model for alternative dispute resolution (ADR) programs. ADR programs increase the public's access to justice, empower people to resolve their own disputes, and increase efficiency by reducing the number of cases.

Over the past eight years, the number of mediation programs in the circuit courts has quadrupled, resulting in eight mediation programs for marital property and 13 for child welfare. During that time, the District Court ADR programs have grown the volunteer civil mediation programs from two to 15, offering services such as day-of-trial mediation, pre-trial mediation referrals, and settlement conference facilitation.

With the support of the Mediation and Alternative Conflict Resolution Office (MACRO), the state's community mediation programs have swelled to 22 thriving centers serving 21 counties.

Working to ensure the quality of ADR services, MACRO created the Maryland Program for Mediator Excellence (MPME) and concluded three pilot programs this year: a performance-based mediator assessment project in the Circuit Court for Anne Arundel County, a mediator mentoring project, and a statewide mediator survey.

"Some of our cases that have gone to mediation have been through the courts two or three times. Mediation is the perfect venue for preventing similar cases from occurring because it helps people talk and get to the root of the problem."

Chief Judge Joyce Baylor-Thompson,  
Baltimore City Orphans' Court

Building on the success in Montgomery County, which has made mediation available in probate cases through its circuit court mediation program since 2000, MACRO is developing the first mediation programs in the state's traditional three-person Orphans Courts. Baltimore County began its pilot program in January 2006, following the example of Baltimore City, which launched a program in 2004.

"The courthouse should be the place of last resort for dispute resolution. We encourage Marylanders to use mediation and other collaborative processes whenever appropriate."

Chief Judge Robert M. Bell,  
Court of Appeals

**BUSINESS CONFLICT?**

His car went "ping-ping"

He heard "cha-ching" "cha-ching"

**MEDIATION: IT'S YOUR SOLUTION**

CALL THE MARYLAND JUDICIARY'S  
**Mediation And Conflict Resolution Office**  
for more information

410-841-2260 • [www.marylandmacro.org](http://www.marylandmacro.org)

**MACRO**  
MARYLAND  
Mediation and Conflict  
Resolution Office

MACRO produced posters with the theme "Mediation: It's Your Solution." Court, school, government, and community mediation programs are customizing the posters.

# Strengthening the jury system

For several years, the Judiciary's Council on Jury Use and Management has studied the need to update, clarify, and add provisions to Maryland's laws for juries and jurors. During the 2006 legislative session, the council's long-standing effort and dedication helped secure the passage of a bill regarding jury selection and service. The highlights of this much-needed bill include:

- ◆ Preparing jury records for an electronic age
- ◆ Specifying qualifications of a juror
- ◆ Conforming jury laws with the Americans with Disabilities Act
- ◆ Clarifying exemptions for military service
- ◆ Clarifying disqualifications for criminal convictions
- ◆ Establishing public access rules for information on prospective jurors
- ◆ Explaining the role of the jury judge and jury commissioner
- ◆ Establishing penalties for jury noncompliance
- ◆ Providing guidelines for donation of jury pay



"People who are involved in jury trials recognize that jurors have become much more interested in being more involved in the process. We want to continue to make the process better so that jurors will have a better perception that when we ask them to come in that it's going to be something we really need them for, and it's going to be a process that's comfortable and involving them as much as we can."

Howard County Circuit Judge Dennis M. Sweeney,  
chair of the Council on Jury Use and Management

The changes strengthen the jury system by modernizing some processes and clarifying roles and refining qualifications for jurors.



# New approaches to old issues

During the 2006 session, the General Assembly approved \$4.9 million for drug treatment courts. The Governor's supplemental budget also included \$1.7 million for executive branch services related to drug courts. The increase came at a critical time, allowing the Judiciary to sustain and expand the programs even as federal start-up funds are fading.

## Family Recovery Courts

In its second year, the Circuit Court for Harford County's family recovery court helped three parents overcome drug problems so they could be reunited with their children who were in foster care or other out-of-home placements. Baltimore City adopted the creative solution too, launching its own family recovery court this year. Similar in structure to other drug courts, the family recovery court provides parenting skills, family counseling, and assistance with housing needs.

## Mental Health Court

Maryland's courts are working to get treatment for those who need it, while reducing the recidivism rate of offenders who commit crimes due to mental illness. In Baltimore City District Court, Judge Charlotte M. Cooksey oversees the mental health court, initiated in 2002, which deals with defendants with mental illness who have been charged with non-felony/misdemeanor crimes. In Harford County, District Court Judge Mimi Cooper presides over a similar program that she established in 2004.

"These parents are paying money that child support would not be getting otherwise."

Janet Glover Kerkvliet, chief court employment coordinator for the Circuit Court for Baltimore County

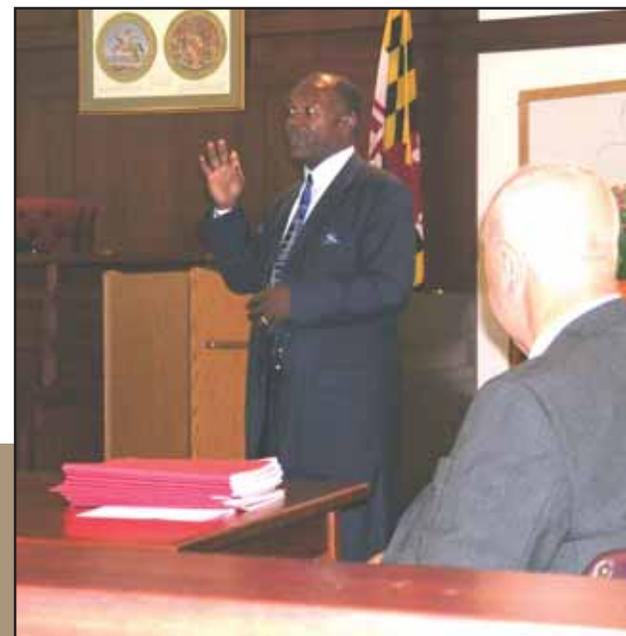
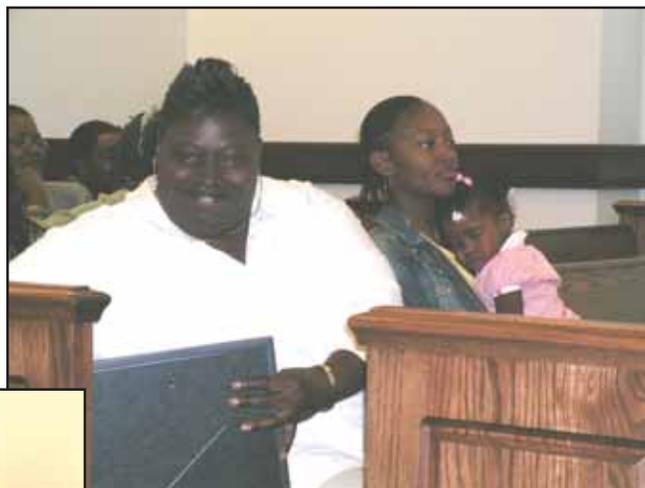
## Family Employment Support Program

The Circuit Court for Baltimore County is looking for jobs—for non-custodial parents who are behind in their child support payments. The court started monitoring each participant's payments and employment status in Fall 2004 through the Family Employment Support Program, with clear results. Since the program began, 208 participants under the court's supervision have made nearly \$246,206 in child support payments, more than 100 hires have occurred, and 36 employers have signed up for the program's job banks. Baltimore County's program is modeled after Harford County's Absent Parent Employment Program, which has collected nearly \$3 million in support and helped more than 1,600 people find employment since it was established in 1986.

# Drug Courts

Drug treatment courts are one of the new ways in which the Judiciary is approaching and addressing age-old issues, offering practical, cost-effective alternatives to incarceration. Maryland established eight new drug treatment courts in 2005-2006. By June 30, the state boasted 32 programs—14 juvenile drug courts, 12 adult drug courts, three DUI/drug courts, and two family recovery courts.

A report issued in February 2006 showed how effectively Maryland's juvenile drug courts are in helping juvenile drug court participants find new direction. More than 70 percent do not return to the court as chronic offenders.



"Drug court has given me a complete life. As a result of being part of drug court, I have a whole life, I have complete freedom, I have command of my own destiny. The program was tough, but it was what I needed. I really thought my addiction was everyone else's fault. But I began to take responsibility. I owe everything to the people who are part of the drug court process. I didn't know they had compassion."

James Craig, a business owner and one of Maryland's first drug treatment court graduates. Formerly an addict for 31 years, he has been drug-free for more than 12 years and volunteers to help others as they struggle to overcome addiction.

# Teaching and reaching out

Education and community outreach are vital to the ongoing mission to build the public's confidence in the Judiciary. Twice a year the District Court for Anne Arundel County invites county high school students to court for its Schools in the Courts program. As they watch live criminal cases and hear from formerly convicted drunk drivers, the students discover the consequences of making the wrong choices, such as drinking and driving, drug use, and other crimes. More than 200 students visited court this year through the program, which Judge Vincent A. Mulieri started in 2001.

After seeing the impact of poor choices from the bench, Chief Judge Ben C. Clyburn of the District Court of Maryland has developed a "Choices" program, in which he provides lesson plans and visits schools to continue the dialog.

Judges of all court levels speak to student groups throughout the state, both at schools and in the courts. As part of an outreach program to support the film "Branded D.U.I.," which the Judiciary helped produce, District Court judges are visiting schools to discuss the film with students. The film, which shares real-life experiences of teens with alcohol-related driving offenses, premiered before the 2006 prom season.

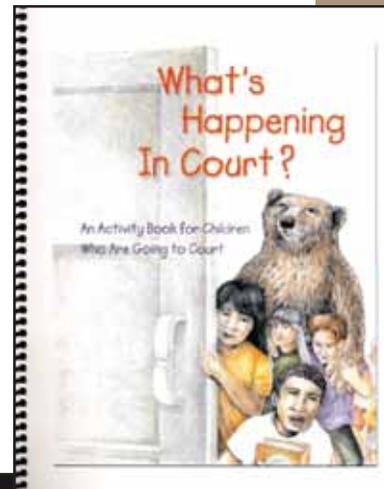
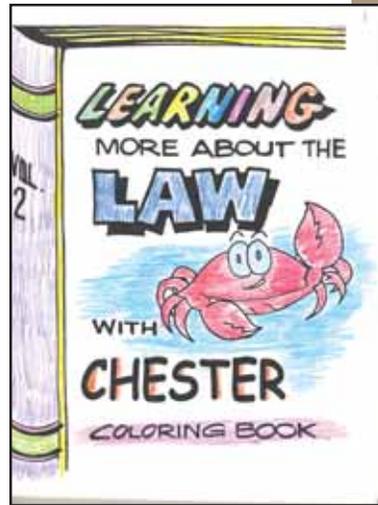
Meanwhile, schools are a key recipient of the educational outreach efforts for Maryland's alternative dispute resolution programs. In its third year in partnership with the Maryland State Department of Education and the University of Maryland School of Law Center for Dispute Resolution, the Mediation and Conflict Resolution Office (MACRO) helped support more than 20 innovative school-based initiatives. Since 2000 the number of schools receiving help from MACRO has grown ten-fold, with programs in place in schools from elementary to college level.



"We don't do anything different when the students are there than we do on any other day in the courtroom. Each defendant is sentenced based on the facts, and the students see the consequences of their actions, including getting handcuffed and sent to jail in the appropriate cases. The courtroom gets real quiet when that happens."

Anne Arundel County  
District Judge Vincent A. Mulieri

The Judiciary's Committee on Public Awareness produced a series of coloring books designed to introduce children to the justice system. Featuring "Chester the Crab" as the narrator, the books are designed for children in third grade or younger. The committee also republished and distributed the "What's Happening in Court?" activity book, geared toward children of all ages. Judges distribute the books to visiting student groups, teachers use them in their classrooms, and the books are available to the public for free on the Judiciary's Web site.



"The coloring books provide a vehicle by which young children can be educated about the courts and the Judiciary in a fun and informative context. Our mascot, Chester the Crab, is featured as a sort of judicial guide."

Judge Jean Szekeres Baron, chair of the Committee on Public Awareness



"I hope teens will watch this film, see someone who reminds them of themselves, learn from the experiences of their peers, and make better choices."

Administrative Law Judge Yvette N. Diamond, who produced "Branded D.U.I." with assistance from the Maryland Judiciary

# Improving perception, enhancing professionalism

After considering the issue of professionalism in light of concerns that public perceptions of lawyers and the practice of law have declined, the Judicial Commission on Professionalism presented its report to the Court of Appeals on May 31. The commission recommended greater sanctions for unprofessional conduct, counseling for errant attorneys, and a judicial mentoring program for law students. After several public meetings, the Court will address the efficacy of the recommendations.

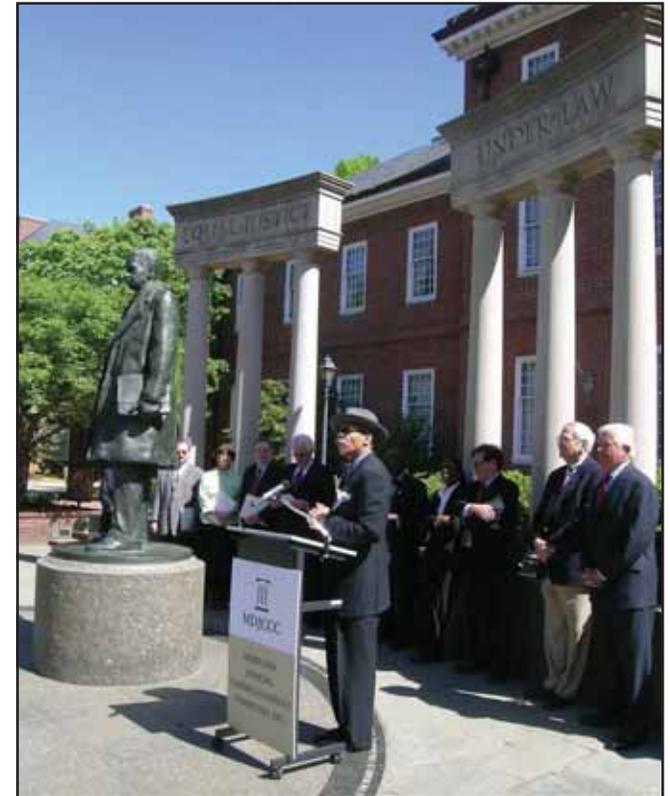
To promote impartiality and dignity in judicial elections, Judge Bell invited former U.S. Attorneys George Beall and Stephen Sachs to serve as chairs for a new Maryland Judicial Campaign Conduct Committee, which is independent of the Judiciary. In May, the committee announced a campaign to educate voters about how judicial elections are different from other elections and established conduct standards that judicial candidates were asked to abide by during campaigns.

Maryland citizens can now take their issues and concerns about the courts to the Judiciary's first ombudsman. Chief Judge Robert M. Bell established the ombudsman position in 2005 at the recommendation of the Commission on Racial and Ethnic Fairness in the Judicial Process.



"People want a dignified, meaningful, and expeditious process that helps them to address their problems. I explain how the court system works. I'm humanizing the system, and by being there to listen, to call someone back, it's helping to build the public's confidence in the Judiciary."

William Howard, ombudsman for the Maryland Judiciary



"We have found that problems involving professionalism are not just in Baltimore or the big firms. When we have gone out in the field, we found there are issues to address statewide, even in the small jurisdictions."

Court of Appeals Judge Lynne A. Battaglia,  
chair of the Judicial Commission  
on Professionalism

# Advancing with technology

Staying ahead of technological advances is vital to providing easy, open access to the judicial system and its services, and ensuring full access to justice in an ever-changing society.

Judiciary case records are now as close as the computer keyboard. This year marked the launch of the first phase of the Maryland Judiciary Case Search, allowing free, 24-hour-a-day Internet access to information from case records. Making civil, traffic, and criminal case records available through an Internet connection simplifies and streamlines paper requests to reduce the burden on court clerks' offices.

A redesigned, more user-friendly Judiciary Web site added more informational links to the home page to provide more immediate access to users. A new "Quick Links" section and a Google search tool guide visitors to information more quickly on the site—renamed mdcourts.gov.

Regular users, who want to stay abreast of court news, can subscribe to the Judiciary's new RSS feed. Judiciary subscribers are kept up to date on appellate opinion filings, press releases, judicial vacancies, and other news.



"As long as we have the public accessing information, we will be revising our systems. It was a complex group working to put this together, including data analysts, network people, and clerks' offices. Then we reviewed Web sites for other states and state agencies. We wanted to be just a little bit better than everyone else. If they had a five-second response time, we wanted to have a three-second response time."

Mary Hutchins, security administrator for Judicial Information Systems

# Working for families

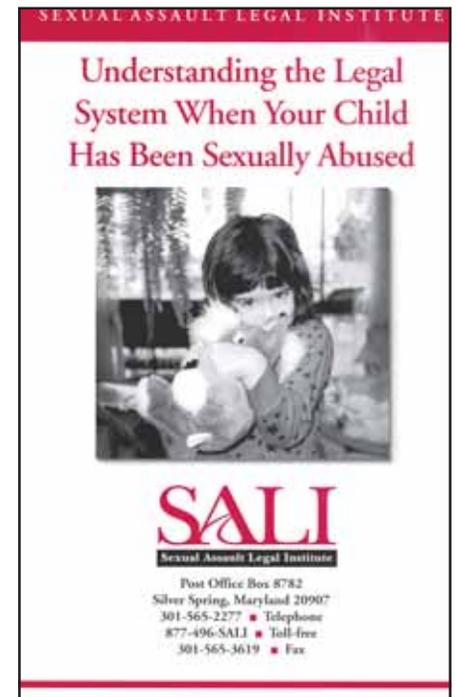
The services the courts offer Maryland's families continue to change and strengthen.

Adoption ceremonies are celebrated regularly in Maryland's courts, but in November 2005 the Circuit Court for Baltimore County became Maryland's first court to hold ceremonies as part of National Adoption Day. The nationwide effort promotes adoption and increases awareness of foster children who need permanent homes. "Adoption days are happy days," said Baltimore County Circuit Judge John O. Hennegan, who presided over the event, which the Committee on Public Awareness is promoting as a statewide model.

The General Assembly passed a bill during the 2006 Legislative Session to complete the juvenile competency procedures bill passed in 2005. Courts are now authorized to order services for youths found to be incompetent.

As Family Administration continues to improve delivery of family-related services, the department conducted surveys to evaluate satisfaction with the Judiciary's family court reform efforts and how family divisions and programs meet users' needs.

Thanks to a grant from the Department of Family Administration, parents can turn to a new resource: "Understanding the Legal System When Your Child Has Been Sexually Abused." The 28-page booklet covers topics such as emotional effects of abuse, the specifics of criminal trials, peace and protective orders, family law, and tort lawsuits.



"It's an incredible feeling going through the adoption process, and an event like this really stresses the importance of placing children in a loving home."

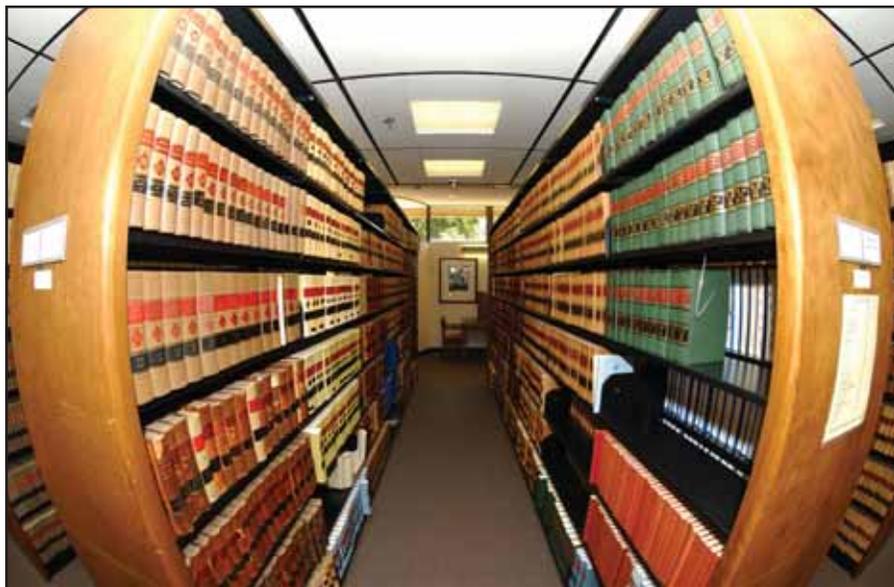
Edward Bartlinski, adoptive parent

# E

## stablishing our place in history

During the past year, the Maryland State Law Library constructed a new Special Collections Room to house the rare books, documents, and articles collected since the library's founding in 1827. The room's star residents are the long treasured and now newly restored Audubon bird prints, purchased in 1834 for \$1,000. There are fewer than 100 sets in existence today, and similar collections have been sold at auction for millions of dollars. After cleaning and conservation, the prints returned to a room featuring an air filtering system, automatic climate controls, UV-filtered lighting, and stringent security measures including cameras and code locks.

The approximately 1,100 volumes in the Special Collections Room include rare legal works, handwritten records, and books dating back to the room's oldest work, published in 1579.



"These documents belong to the people of Maryland and we have a duty to maintain them. We recognized that in building the Special Collections Room we had a unique opportunity to preserve and protect these unique items for this and future generations."

Steve Anderson, director of the  
Maryland State Law Library

# Looking beyond borders to the future

Welcoming visitors from around the world, hosting a visit from United States Chief Justice John G. Roberts, Jr., rescuing our heritage and history, training adjudicators for the challenges that will face them in the future—these were some of the diverse tasks the Judiciary undertook during 2005-2006. In these and other ways, the Judiciary is preserving its past and preparing for the future.

The Judiciary welcomes judges and court administrators from other countries who visit to learn about topics from outreach to judicial education and court automation. This year the courts hosted delegations from countries including Egypt, China, Japan, and Nigeria.



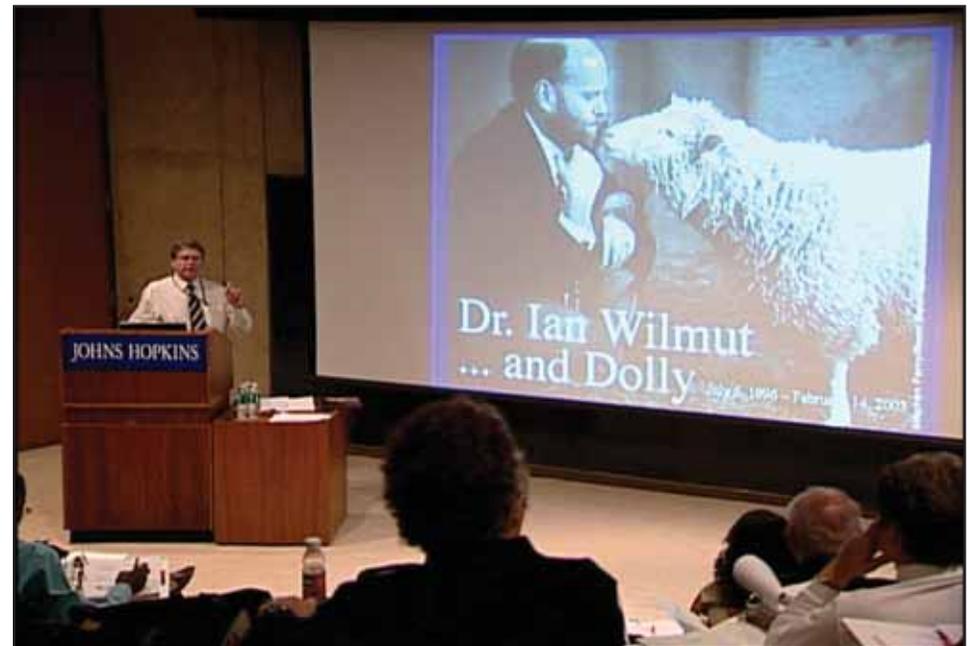
"I am committed to do what I can, working with state and federal judges to promote the strength and independence of the judiciary. We value judicial independence here in the federal courts and in the state courts."

Chief Justice of the United States  
John G. Roberts, Jr.



Having taken a leading role with the formation of the Advanced Science and Technology Adjudication and Resource Center (ASTAR), the Judiciary continues to prepare judges to adjudicate cases involving advanced science and medical issues.

In April, the Judiciary joined with The Johns Hopkins University School of Medicine and the U.S. Department of Agriculture to offer the fourth ASTAR workshop for the ASTAR “resource judges,” who will assist their jurisdictions with bench/bar and educational leadership activities and, within ethical constraints, serve as resources to their colleagues when adjudication issues are raised by novel and complex scientific evidence.



“The training is giving judges the foundation they need in bioscience and biotechnology for cases that may appear in future litigation or alternative dispute resolution contexts.”

Court of Appeals Judge  
Glenn T. Harrell, Jr., who serves  
as an ASTAR leadership director



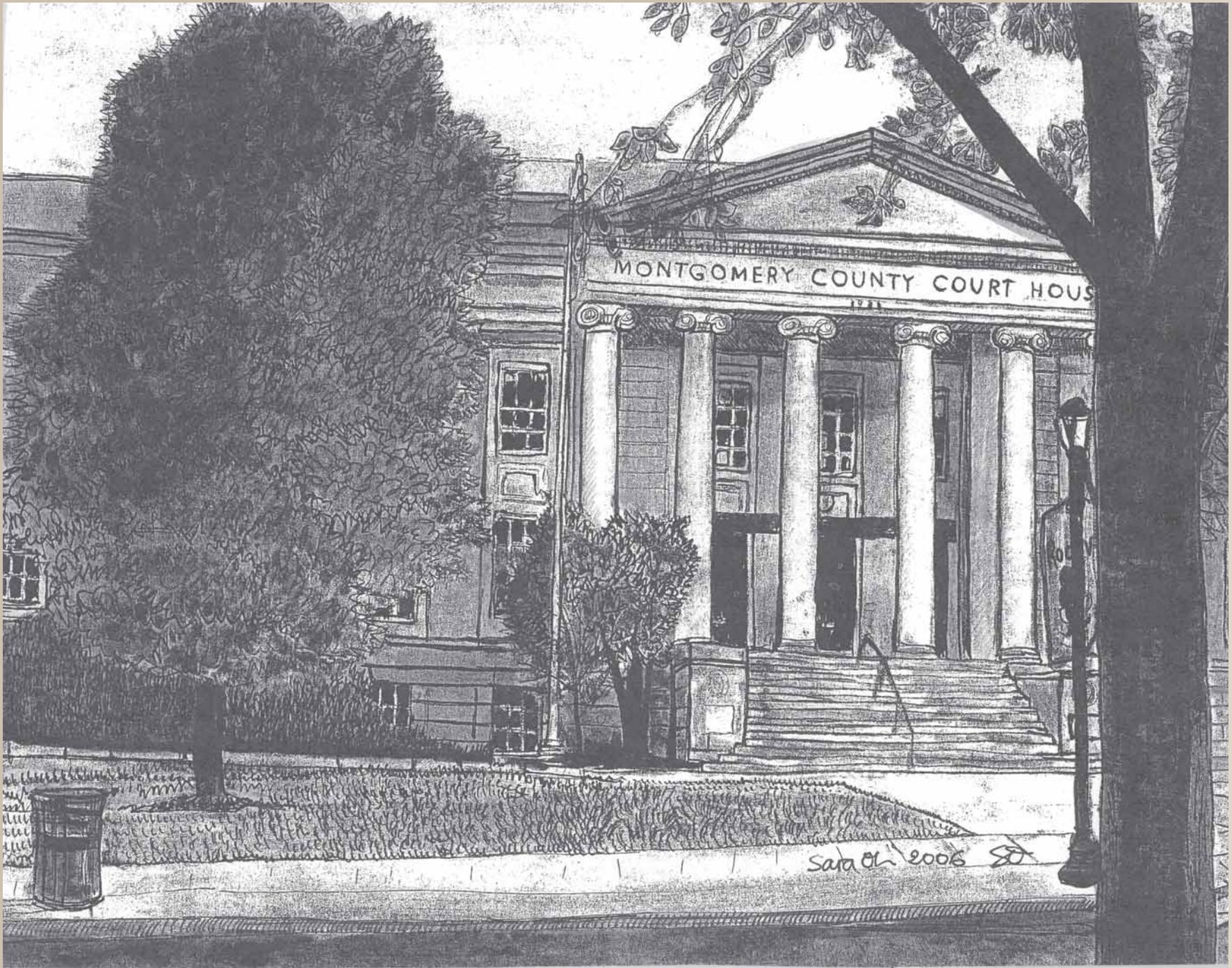


Left: An Anne Arundel County commissioner explaining a protective order application.

Middle: Judge Bell and then-Attorney General Joseph Curran speak to students at a Law Day event at West Baltimore Middle School.

Right: A court interpreter assists at a Frederick County wedding ceremony.

Produced by the Court Information Office  
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Baltimore County Bar Association



District Court for Montgomery County in Rockville by Sara Oh

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