

Circuit Court for Baltimore County Resumption of Phase V



Honorable Ruth A. Jakubowski
Administrative Judge



CIRCUIT COURT RESUMPTION OF PHASE V

Resumption of Jury Trials



In compliance with Chief Judge Barbera's Amended Administrative Order Expanding Statewide Judiciary Operations in Light of the COVID-19 Emergency dated February 16, 2021, Maryland Courts will move to Phase V on April 26, 2021.

As we return to Phase V, the following scheduling changes will occur.

General Guidance

The courthouse will continue to be open to the public and there will be an increase in traffic within the courthouse. There will be continued use of social distancing restrictions and courtroom capacity will continue to be limited. The wearing of masks and health screening will continue to be required of everyone entering the courthouse.

The Clerk's office will remain open to the public. Appointments will still be required in Licensing for civil marriage ceremonies. Filings that cannot be made electronically will be left in a drop box at the Plaza entrance to the courthouse, to be docketed in the manner outlined in prior Administrative Orders.

The Assignment office will continue to pre-assign dockets two weeks in advance. Judges and their staff will review hearing assignments in advance and convert as much as practical/possible to remote hearing platforms. If a hearing is converted to a remote platform, a Zoom for Government notice will be generated with details on how to participate remotely. Counsel should familiarize themselves and their clients with the Court's rules regarding remote hearings.

<https://www.courts.state.md.us/sites/default/files/import/legalhelp/pdfs/remotehearingsguidelitigantchecklist.pdf>

The Law library will continue to be open to the public in a limited capacity based on social distancing guidelines.

The Self- Help office will remain closed for in-person meetings during this phase but will continue to operate remotely with appointments available through its website.

Criminal Matters

Resumption of Jury Trials

- Criminal jury trials will resume during this phase.
- Our capacity to handle jury trials will be restricted until social distancing measures are lifted.
- All jury selection will take place at the American Legion, located at 125 York Road, Towson, MD beginning at 9:00 a.m.
- Only jury selection will take place on the first day of trial. Jury selection will be conducted by the trial judge. Only one criminal jury selection will proceed on any given day at the American Legion.
- Once selected, the jury will be assigned to a specific courtroom and instructed to report to the courthouse the following day. The jury will be sworn in when the trial commences the following day.
- All specially assigned cases, which include all murders, manslaughters and complex matters, have been scheduled for trial. Backup cases (stand by) have also been selected. If the backup case does not proceed on the first day of trial it will remain on the standby docket for an additional day. If the backup case cannot be reached, a postponement should be requested before the Criminal Administrative Judge. Cases from the felony or misdemeanor dockets for which a request for jury trial is made should be ready for trial, if the primary case and the designated backup case do not proceed.
- Four courtrooms have been designated criminal jury courtrooms and have been reconfigured to accommodate social distancing for all jurors within the jury box, defendants, counsel and courthouse staff.
- Public access will be limited in the courtrooms due to their reconfiguration and social distancing requirements.
- Audio access will be available to the public for any trials in either another courtroom, the grand jury room or the jury assembly room. The public space will be identified at the beginning of the trial. Counsel should notify the trial judge of the number of family members or other members of the public they anticipate will be present for the trial prior to the start of the trial.
- Counsel or family members may bring civilian clothes to the **jail only** for inmates prior to jury selection. Civilian clothing will not be accepted at the American Legion or the courthouse.
- Counsel must file voir dire and trial exhibits through MDEC at least two days prior to the trial date.

Non- Jury Trial Related Matters

- Criminal dockets will continue to proceed as scheduled at 9:00 a.m., 11:00 a.m., 1:30 p.m. and 3:00 p.m.
- Criminal motions will be set on dockets primarily in the afternoon.
- Juvenile Waiver motions will be set on a morning docket.
- Non-jury trials will continue to be set during this phase.

Family Matters

- Trials and hearings will be reviewed by the assigned judge to see if they can be converted to a remote proceeding. Remote hearings are preferred but in person hearings are allowed at the discretion of the judge.
- Mediation and Family Services will continue to work remotely at this time.
- Uncontested and default cases will continue to be heard remotely.
- Any case that can be heard remotely should be converted to that platform.
- Scheduling conferences will continue to be handled remotely.
- Afternoon family dockets will continue to be handled by judges, to include, but not be limited to, DV's, SIJS, contempt, and contested hearings.
- Family Settlement conferences will continue to be heard remotely in one-hour time slots.

Civil Matters

Resumption of Jury Trials

- Civil jury trials will resume during this phase.
- Our capacity to handle jury trials will be restricted until social distancing measures are lifted.
- All jury selection will take place at the American Legion, located at 125 York Road, Towson, beginning at 9:00 a.m.
- Specially assigned protracted cases (i.e. medical malpractice cases) will proceed on their assigned trial dates. The trial judge will conduct jury selection on the first day of trial. Once selected, the jury will be assigned to a specific courtroom and instructed to report to the courthouse the following day. The jury will be sworn in when the trial commences the following day.
- Other civil trials (i.e. 1-2-day auto torts) will be assigned to a judge two weeks before the trial date. Counsel will receive notification that their case will proceed to trial. Jury selection will take place on the morning of the first day of trial at the American Legion. The trial will start in the afternoon of the first day. Jurors will be instructed to report to a specific courtroom after selection.
- Back up cases (standby) will also be identified. Backup cases that do not proceed on the first day of trial will remain on the standby docket for an additional two days. If the backup case is not reached, a postponement should be directed to the Lead Civil Judge.
- Three courtrooms have been designated civil jury courtrooms and have been reconfigured to accommodate social distancing for all jurors within the jury box, litigants, counsel and courthouse staff.
- Public access will be limited in the courtrooms due to their reconfiguration and social distancing requirements. The public space will be identified at the beginning of the trial.
- Audio access will be available to the public for any trial in either another courtroom, the grand jury room or the jury assembly room.
- Counsel should notify the trial judge of the number of family members or other public they anticipate will be present for the trial prior to the start of trial.

Non- Jury Trial Related Matters

- All motions, administrative appeals, district court appeals, and other civil matters will remain on the dockets as scheduled.
- Afternoon dockets will continue in civil cases.
- All bench trials will proceed as scheduled.
- Civil settlement conferences will continue to be held remotely in 30-minute slots.

Juvenile Matters

- Delinquency dockets before magistrates will continue with morning sessions handled remotely until further notice.
- Contested hearings will be scheduled and may be remote, hybrid, or in person as is appropriate for the particular case and judicial officer.

CINA Matters

- All cases will be presumed to be heard remotely until further notice, subject as always to an advance request for hybrid or in person hearing. Please provide details in your request for the judicial officer's consideration.
- TPR hearings will be scheduled and may be remote, hybrid, or in person as is appropriate for the particular case and judge. Please contact your assigned judge in advance for instructions.

Child Support Matters

- Establishment cases will continue to be heard in G-10. Cases will be heard on Monday – Thursday. Dockets will be staggered between 9:00 a.m. – 12:30 p.m.
- DNA testing will resume on Mondays.
- Contempt hearings will resume on April 13, 2021. Dockets will be held every Tuesday and Wednesday on a staggered basis between 9:00 a.m. and 11:00 a.m.
- Office will resume collection of child support money on April 13, 2021, and every Tuesday thereafter from 9:00 am. – 12:00 p.m.