

CIRCUIT COURT FOR CARROLL COUNTY
Fifth Judicial Circuit of Maryland
Courthouse Annex, 55 North Court Street
Westminster, Maryland 21157
Phone: 410-386-2026

Family Law Differentiated Case Management Plan
Pursuant to Md. Rule 16-202b
Effective Date October 1, 2007
Approved by the Chief Judge of the Court of Appeals
Amended February 1, 2008 and September 1, 2009

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I. Overview.

Family Law cases constitute the second largest category of filings in the Circuit Court for Carroll County and present unique issues not encountered in criminal cases or other types of civil cases. The adversarial framework inherent in the court process is often not the preferred method of resolving family issues. This Family Law Differentiated Case Management Plan (“Plan”) is being implemented to help provide for just and efficient resolution of cases without compromising due process. A strong judicial commitment is essential to achieve the objectives of this Plan.

The County Administrative Judge supervises all aspects of the Plan and is ultimately responsible for overseeing the implementation of the Plan. Family Law cases will be assigned randomly to the Judges. Absent extraordinary circumstances the assigned Judge will handle all aspects of each case. This Plan recognizes that the various provisions of the Maryland Constitution, Maryland statutes, and Maryland rules are controlling. If any parts of the Plan are contrary to the provisions of said Constitution, statutes or rules, the latter prevail, except that time deadlines established herein or in the related Scheduling Order and/or the Notice of Assignment shall be Orders of Court which shall control.

The County Administrative Judge may reassign any Family Law case in the interest of judicial economy.

II. Purpose and Goals of the Plan.

A. Purpose. It is the purpose of this Plan to provide an effective case management system to assure the following:

1. Protection of the best interests of children;
2. That the Court gives equal treatment and due process to all litigants, including self-represented litigants;
3. Timely disposition consistent with the circumstances of each individual case;
4. Public confidence in the Court as a system;
5. Access for all litigants to alternative dispute resolution interventions; and
6. That Family Law cases are given at least the same priority in assignments, hearings, and trials as are criminal and non-domestic civil cases.

B. Goals. The goals of the plan are to assure the following:

1. That cases assigned to the Expedited Track are concluded within 6 months of filing, that 90% of all cases are concluded within 12 months of filing, and that 98% of all cases are

concluded within 24 months of filing*; and

2. That children's access to parents is established at the earliest practical time.

III. Family Law Cases Defined.

A. The policies and procedures described in this Plan apply only to the following types of contested cases:

1. Divorce, alimony, child support, custody and/or child visitation actions, except as set forth in paragraph B below.
2. BOSE, Paternity and Child Support cases, but only as set forth in section XIX.
3. Paternity Actions, except BOSE cases.
4. Adoption.
5. Termination of parental rights, which cases are to be concluded within 180 days of filing in the Circuit Court.
6. Annulments.
7. The following cases, but only upon *de novo* exceptions from the Juvenile Master:
 - a. Juvenile Guardianship
 - b. Child in Need of Assistance
 - c. Juvenile Delinquency
 - d. Child in Need of Supervision
 - e. Other actions pursuant to Rule 11-103b and FL 3-8A-03
8. All exceptions on the record from the Master, but only to the extent that such exceptions shall be set for a hearing within 60 days.

B. Cases excluded from this Plan include the following:

1. Domestic Violence cases under FL Art. §4-501, et seq., which shall proceed as therein provided.
2. All uncontested cases, which shall proceed to a hearing before a Master and without a Scheduling Conference, except for cases previously contested that settled on a Pretrial Conference date under Rules 2.504.1 and 17-102, or after a Pretrial Conference but before a trial date. In such

* As required by the Maryland Circuit Courts Time Standards effective April, 2009, and attached as Exhibit 1.

cases, testimony may be taken on either the Pretrial Conference or the trial date.

3. Requests for modification, enforcement or contempt of any aspect of any prior judgment, order or agreement, except BOSE cases, **provided that**, a modification of existing custody and/or visitation order may, at the request of either party, be set for a Scheduling Conference as herein provided, and may further be set for a Pretrial Conference at the discretion of the Master. Such modifications will be assigned a hearing date before the Master within 6 months from the date the case is at issue and shall not exceed 1 day in length without prior approval of the Master or Court.

4. Contested cases that the parties and Master agree should proceed to a final hearing on contested issues before the Master, as set forth in XIV.E.

5. As used in this Plan, a “contested case” is one where a responsive pleading in any form is filed opposing any relief; otherwise, the case is “uncontested.”

IV. Waivers of Filing Fees and other Costs.

When waivers for prepayment of filing fees and other costs are granted, costs are to be determined by the Clerk’s Office at the conclusion of a case. Said costs shall then be assessed by the Judge or waived. The Clerk’s Office is to remind the Judges of this obligation. The entry of final relief may be deferred pending the payment of costs.

V. Notification of Need for Accommodation or Interpreter

The Court must be notified, as far in advance as possible, of need for accommodation by filing Form CC-DC 49 (Exhibit 2) or of the need for an interpreter by filing of Form 1-332. CC-DC 41. (Exhibit 3)

VI. Postponement Policy

A. All requests for postponements shall be made in writing and considered by the Court under the provisions of this Court’s Postponement Policy (Exhibit 4), as may from time to time be further amended.

B. The Assignment Office will give priority in scheduling to a continued case (a case started but not completed), excluding continuances necessitated by inaccurate time estimates of counsel.

VII. Sanctions

The Court will take appropriate steps to assure compliance with all orders issued in accordance with this Plan. Monetary or other sanctions may be imposed on any attorney or party who fails to

comply with an order issued in accordance with the Plan. Such sanctions may include the denial or granting of any relief requested, as justice requires.

VIII. Settlement of the Case.

If settlement occurs before the Pretrial Conference or between the Pretrial Conference and the date of trial, attorneys and/or parties shall notify the Assignment Office in writing immediately, but in any event within 7 days of settlement. Unless final paperwork has been approved by the Court, the parties will appear on the Pretrial Conference or trial date to spread the agreement upon the record. Such agreement will be incorporated immediately into a Temporary Order (Exhibit 5), which shall further provide for a status review hearing in approximately 30 days in the event that final paperwork has not been submitted.

IX. Dismissals Under Rule 2-507.

A request to defer dismissal under Rule 2-507 shall state the specific deferral period sought and the reasons for such request. In cases where the re-issuance of process has been requested within 120 days from case filing, the first dismissal notice shall be deferred until six months from case filing.

X. Effective Date.

The provisions of this Plan shall apply to all Family Law cases filed after October 1, 2007. The provisions of this Court's Postponement Policy shall apply to all cases. Later amendments are/were effective February 1, 2008 and September 1, 2009, respectively as to all cases pending on or filed after those dates.

XI. Civil (Domestic) Case Information Report.

Pursuant to Rule 2-111, a Civil (Domestic) Case Information Report (DCIR) shall be filed with a complaint or petition and a copy must be served on the defendant/respondent. This form must be filed in all civil cases, except those cases that are exempt by a Revised Administrative Order of the Chief Judge of the Court of Appeals dated December 10, 1996, effective January 1, 1997 and as may be amended in the future. (See the current list of these cases in the Committee Note to Md. Rule 2-111).

XII. Ex Parte Orders.

A. Generally. All motions for *ex parte* relief shall follow the rules for *ex parte* hearings, including the affidavit required by Rule 1-304, the required notice to all opposing parties under Rule 1-351(b) and, if practical, an opportunity to be heard given before ruling. *All ex parte relief will be*

granted or denied in the form attached as Exhibit 21. This expeditious handling of these cases is consistent with Rule 16-202(a)(4) which requires the "prompt disposition of ... *ex parte* matters." Motions for *ex parte* relief must be filed in writing, with a proposed order, and will be reviewed by the Family Law Administrator and the Law Clerk of the Judge assigned to the case. Motions for such relief will be screened to determine whether they meet the notice requirements and the standard for *ex parte* relief detailed herein, and will then be forwarded to the assigned Judge for a ruling.

B. Standards for *Ex Parte* Relief

Motions for *ex parte* relief will be denied unless there is a sufficient showing:

- 1. Of an imminent risk of immediate physical harm to a party or minor child;**
- 2. That a prejudicial relocation of a minor child from a stable environment has occurred;**
- 3. That a serious and continuing breach of an existing order for custody or visitation has taken place; or**
- 4. Of a serious and continuing denial of access to a child.**

Following a hearing, the prevailing party may be granted reasonable attorney's fees. Motions for the immediate payment of child support and/or alimony do not meet the standard for *ex parte* relief.

XIII. Initial Case Review

Upon the filing of a responsive pleading, the case file is forwarded by the Clerk's Office to the Family Law Administration for review and preparation of appropriate educational seminar and/or Mediation recommendations and proposed Orders. The file will then be returned to the Clerk's Office.

A. Referral to Educational Seminar

All appropriate parties will be ordered to attend and complete a 6-hour educational seminar. Each party can choose where to attend this seminar as long as it meets the requirements of Rule 9-204, and a copy of the Certificate of Completion is presented to the Family Law Administration. The Family Law Administration provides a list of classes within the region and referrals for other locations, and also sends letters recommending the course to parents who have not been ordered to attend. The goals of educational seminars include the education of parents and the provision of necessary tools to remove the children from the adult conflict, in order to encourage a healthy adjustment for children whose parents are not living together.

B. Referral to Mediation Programs

After determining what issues are contested and whether mediation is appropriate under Md. Rule 9-205, the Family Law Administration shall select the mediator and date of mediation and prepare the appropriate order for the Court's consideration which will state the name of the mediator, time, date and location of the first session, and the applicable costs. An Information Sheet about the mediation process will be included with all copies of the order. The goal of mediation is to help the parties develop an agreement on as many of the contested issues as possible, without a Court hearing.

XIV. Master's Hearings

A. Presently, the Circuit Court for Carroll County has four Masters.

B. Unless the Court orders otherwise, the Masters will hear matters including guardianship of a child, child in need of assistance, child in need of supervision, juvenile delinquency, non-BOSE contempt cases, and all BOSE, paternity and child support cases as provided in Section XIX.

C. Masters shall hear all *pendente lite* issues in cases set forth in Section III.A.1 and all cases described in Section III.A.3. Pursuant to Rule 9-208 (a)(1)(K), matters set forth in Article XV.B 1-11 are hereby referred to the Masters as a matter of course.

D. Within ten days of the filing of an answer to a new divorce, custody, and or visitation case, the Assignment Office will promptly set a Scheduling Conference date. By or at the Scheduling Conference, which will be held within 30 days of the filing of the Answer, the Parties will either have all *pendente lite* issues resolved and submit a proposed consent order or have a firm, agreed upon hearing date with a Master to resolve *pendente lite* issues.

E. If at the Scheduling Conference the parties and the Master agree, a Master may conduct the final hearing on contested issues. In such cases, review will be by exceptions and the case will proceed to a hearing before the Master without a Scheduling Order. The Master will set the time to be allotted for such trial at the Scheduling Conference.

F. Unless waived by the assigned Judge in advance of the hearing for extraordinary and specific facts established by affidavit, all *pendente lite* relief in divorce and/or custody cases shall be heard before the Master in a single hearing within 45 days of the Scheduling Conference which shall not exceed 3 hours in length with such time divided equally between the parties, provided that, upon motion for good cause shown, the Master or assigned Judge may grant additional time or the Judge may elect to hear *pendente lite* issues instead of the Master, but the pendency of or intent to file such a motion shall not affect the acts required by this Plan.

G. In any case in which reasonable child support is not being paid or reasonable access to a child is being denied, or upon a finding of any other extraordinary circumstance, the Master shall recommend that an order be entered immediately, pursuant to 9-208(h)(2).

H. Scheduling Conferences in modification or enforcement of existing custody and/or visitation cases may, at the discretion of the Master be set for a Scheduling Conference, pursuant to Section III.B.2.(3) above.

I. If the failure to provide timely discovery or expert notice materially affects the ability of a party to present his or her case, the Master may impose any appropriate sanction as allowed by the Rules. Should a continuance be necessary, the Master will first take testimony on other issues not affected by the discovery or notice violation and grant a continuance only as to the affected issues. The Master shall assess all costs resulting from such continuance, including reasonable attorney's fees, against the offending party.

XV. Scheduling Conferences

A. Generally

Upon filing of the first answer in a contested case, the Assignment Office will set a Scheduling Conference before a Master, which will occur within 30 days after the filing of said answer pursuant to Rule 2-504.1, except that in Termination of Parental Rights cases, the Scheduling Conference will take place within 90 days of filing. Conferences are not held where the parties are in default of answering the complaint or petition or where a contempt petition and a show cause order have been filed. All parties and attorneys must attend the Scheduling Conference. Self-Represented Litigants will be sent the notice attached as Exhibit 19 with the Hearing Notice.

Pending the entry of a Scheduling Order, any party may pursue any discovery permitted by the Rules.

B. Matters to be considered

If no agreement as to *pendente lite* relief has been reached, the parties will agree at the Scheduling Conference to a Master's hearing date on *pendente lite* relief which shall occur within 45 days of the Scheduling Conference.

At least five (5) days prior to the Scheduling Conference, counsel shall consult with one another and advise which types of relief each intends to request.

A mediator may be available at the Scheduling Conference for *pendente lite* issues. Use of the mediator will be determined by the Master, and may be prearranged with the Master.

Upon request of attorneys/self-represented parties, and for good cause, the following relief will be considered by the Master at the Scheduling Conference:

1. Order Appointing a Best Interest Attorney
2. Order Appointing a Child Advocate

3. Order Appointing a Child's Privilege Attorney
4. Order for Family Study
5. Order for Substance Abuse Assessment
6. Order for Psychological Evaluation
7. Order for Monitored Transfer and/or Supervised Visitation
8. Order for Paternity Testing
9. Order for Mediation
10. Order for Suit Fees, including attorney's fees and expert witness fees, which will be considered based on need and ability to pay.
11. Any other Investigations or Orders that may be necessary to expedite the case.

After the Scheduling Conference, the above relief will only be considered for good cause shown that did not exist on the date of the Scheduling Conference.

After considering the positions of the parties, the Master will make written recommendations to the Court (Exhibit 6). If the parties agree to the Master's recommendations each party shall sign a proposed Consent Order which will then be forwarded to the assigned Judge for a ruling. If any party disagrees with any recommendation of the Master, the contested issue(s) and the parties will appear immediately before the assigned Judge or, in his or her absence, any available Judge for hearing and ruling (Exhibit 7).

At the Scheduling Conference, a Recommended Scheduling Order will be issued setting forth discovery and filing deadlines, together with a Notice of Assignment scheduling a Pretrial Conference and a Trial Date.

C. Waiver of the Scheduling Conference

The parties may request a waiver of a Scheduling Conference prior thereto only if all of the following requirements are met:

1. Both parties are represented by counsel.
2. A written waiver is signed by both counsel prior to the Scheduling Conference in the form substantially similar to Exhibit 8 and has been granted by the Court.
3. The waiver requests assignment to the Expedited or Standard Track.

4. None of the relief set forth in subparagraph B 1-11 above is requested by either party or, if any such relief is requested, all of the relief requested is agreed upon by the parties and submitted for approval to the Court by consent motions. Consent motions for a Family Study must set forth specific facts warranting same.

5. The parties have all *pendente lite* issues resolved and have submitted a consent order or have a firm, agreed upon hearing date with a Master within 45 days of the Scheduling Order to resolve *pendente lite* issues, or agree in writing to waive or defer such hearing.

D. Issuance of Scheduling Order

Upon the Court granting a Motion for Waiver of Scheduling Order or following a Scheduling Conference, the Assignment Office shall issue a Scheduling Order and Notice of Assignment setting forth the Pretrial Conference and trial dates.

XVI. Assignment Guidelines.

A. Tracks: At the Scheduling Conference, or by prior filing of the Scheduling Conference Waiver, the Court will assign all Family Law cases under this Plan to one of the three following tracks:

1. Domestic Expedited Track. The date for the trial for a Domestic Expedited Track case is approximately 90 days after the Scheduling Conference. This normally occurs where the contested complaint for absolute divorce (a) does not contain a request for *pendente lite* relief involving custody, visitation, support or use and possession of property; and (b) contested marital property issues are simple. Upon assignment to the Domestic Expedited Track, a Notice of Assignment (Exhibit 9) and Scheduling Order (Exhibit 10) shall be issued. Cases assigned to this Expedited Track will include paternity, *de novo* exceptions from the Master, Termination of Parental Rights cases and any other cases agreed upon by the parties to be assigned to this Expedited track.

2. Domestic Standard Track. The date for the trial for a Domestic Standard Track case is the later of approximately 150 days after the Scheduling Conference, *or* 60 days after the earliest date that any party will be entitled to an Absolute Divorce, as indicated by the pleadings. A Pretrial Conference will also be scheduled approximately 60 days prior to the trial. Upon assignment to the Domestic Standard Track, a Notice of Assignment (Exhibit 9) and Scheduling Order (Exhibit 11) shall be issued. Cases assigned to this Standard Track will include all cases not specifically assigned to either the Expedited or Extended track.

3. Domestic Extended Track. The date for the trial for a Domestic Extended Track case is approximately 500 days after the Scheduling Conference. A Pretrial Conference will also be scheduled approximately 60 days prior to the trial. Upon assignment to the Domestic Extended Track, a Notice of Assignment (Exhibit 9) and Scheduling Order (Exhibit 12) shall be issued. Cases assigned to this Extended Track will include all cases specially assigned at the Scheduling Conference.

4. Miscellaneous Provisions Applicable to All Tracks.

a. The filing of an Amended Complaint, Supplemental Complaint, Counter-Complaint, Cross-Claim, Third-Party Claim and/or the joinder of additional parties shall not change a Scheduling Order, except upon motion and for good cause shown.

b. Every Scheduling Order issued shall be issued with a Notice of Assignment setting forth the trial date and, if applicable, a Pretrial Conference date.

c. A comparison of all tracks is attached to this Plan (Exhibit 13).

d. Copies of the Julian calendars to calculate Scheduling Order due dates in leap years and other years are attached (Exhibits 14 and 15).

e. In supplementation of Exhibit 1, for purposes of calculating whether a case meets the applicable time standard, case time will be suspended upon the grant of *pendente lite* relief and will resume upon the filing of an amended or supplemental complaint for absolute divorce.

B. Hearings and Trials. If practical, hearings and trials will proceed on consecutive days until completed, except that any case for which an inaccurate time estimate has been given ordinarily will not take precedence over a trial or hearing scheduled to begin thereafter. No evidence shall be received by proffer in any hearing or trial, regardless of designation, unless all parties fully agree to its introduction by proffer. This applies to all cases regardless of whether the parties are self-represented or represented by counsel. Cases must be tried on the assigned trial date or dismissed. Exhibit 20 may be used for dismissals.

XVII. Alternative Dispute Resolution Programs

A. Mediation

1. General Procedures: Mediation is ordered in cases where:

a. There are custody and/or visitation issues; and

b. There is no substantial allegation of physical or sexual abuse; and

c. Both parties live within a reasonable distance from Westminster and are not incarcerated or under a disability preventing meaningful participation.

Mediation may also be ordered in cases where:

d. The parties agree to mediate issues other than custody/visitation;
and/or

e. A party who lives a significant distance from Westminster agrees to return for mediation.

When the parties are ordered to participate in mediation, the order will include the name, address and telephone number of the mediator, the date, time and location of the first session, and the costs required from each party. The parties will be required to participate in good faith for up to two 2-hour sessions. The parties may agree to have more than two sessions and each session will have the same fee structure. If the parties agree to have more than two sessions, a second Order for Mediation will be issued.

Each copy of the Order will include an Information Sheet and the Family Law Administration's Rescheduling and/or Cancellation Policy explaining the process (Exhibit 16). Attorneys do not attend mediation with their clients. Any rescheduling and payment of fees of the first session must be done through the mediator and/or the Family Law Administrator with the knowledge of all participants in accordance with the Family Law Administration's Rescheduling and/or Cancellation Policy.

2. Agreement Documentation

If the parties agree on some or all of the disputed issues, the mediator will assist the parties in making a record of the points of agreement by:

a. Preparing the document in the form of a Consent Order, if both parties are unrepresented and/or the only issues are custody/visitation; OR

b. Preparing a Memorandum of Points of Agreement, if it covers more issues than custody/visitation and at least one of the parties is represented.

The documentation will be sent to the attorneys/self-represented parties for their approval and signatures, if applicable. A fully executed agreement must be returned to the Court by the mediator or one of the attorneys/self-represented parties as promptly as possible for submission to the Court. If the proposed agreement needs modification, the parties may return to mediation.

3. Mediation Fees

The County Administrative Judge sets the fees for Court-Ordered mediation, and a mediator may not charge fees in excess of the fee rate set in the Order.

A party may be eligible to have fees waived based upon his/her income, as documented by a filed Financial Statement or Motion for Waiver of Family Service Fees with a notarized affidavit.

4. Mediator Qualifications

Mediators assigned cases by the Family Law Administrator must meet the criteria set forth in the Md. Rules, and agree to on-going supervision and evaluation by the Family Law Administrator.

Amended Family Law DCM 9-1-09

Administrator.

5. Contempt of Mediation Order

If a party fails to attend, participate in good faith, or pay the required fees, the mediator will report the failure to the Court. The Court may issue an Order to Show Cause and, after a hearing, impose sanctions.

B. Courthouse Facilitation Services

In cases set for a hearing before a Judge or Master, a staff member of the Family Law Administration may be available for facilitating an immediate agreement. Priority is given to assistance at Protective Order Hearings. This service is provided on a time-available basis.

C. Pretrial (“Settlement”) Conferences

A Pretrial Conference is a non-binding effort to facilitate a resolution of the case, and will be conducted by a Settlement Officer appointed by the Court.

1. Scheduling Pretrial Conferences

A Pretrial Conference will be scheduled for all matters except the Expedited Track at the time of the initial Notice of Assignment. All attorneys and parties are required to attend the Pretrial Conference. Failure to attend may result in sanctions by the Court. All discovery must be completed by the time of the Pretrial Conference in accordance with the Scheduling Order.

The following updated documents shall be filed with the Court and copies forwarded to the assigned Settlement Officer, as well as to all attorneys and self-represented parties, at least five (5) days prior to the Pretrial Conference:

- a. A statement addressing those matters set forth in Md. Rule 2-504.2(b);
- b. Joint Statement of Property (Md. Rule 9-207);
- c. Current Financial Statement (Md. Rule 9-203);
- d. Income information and documents verifying that income;
- e. Child Support Guidelines Worksheet, if child support is at issue (Md. Rule 9-206).

2. Pretrial Conference Procedure

The Settlement Officer will meet with the attorneys and the parties in an attempt to facilitate a settlement in the case. **ALL ATTORNEYS AND PARTIES MUST BE PREPARED TO DISCUSS ALL ASPECTS OF THE CASE IN ANTICIPATION OF A POSSIBLE SETTLEMENT.**

a. If a full agreement is reached by the parties, the following procedures will be followed:

(i) Place Agreement on the Record. If an agreement is reached on some or all issues before the Court, that agreement will be placed on the record and incorporated immediately into a Temporary Order that sets a status review hearing date in approximately 30 days to be attended if a final consent order documenting the agreement has not been filed. If both parties are unrepresented, no status review hearing will be scheduled and the Court shall prepare the Consent Order.

(ii) Take Testimony. If the matter is ripe for an uncontested absolute divorce, the Court may take testimony on the divorce or the parties may dismiss. See Exhibit 20. If not ripe, an uncontested divorce hearing before the Court may be rescheduled after the earliest date the case will meet all requirements for an Absolute Divorce, but in any event within one year of filing.

b. If the parties fail to reach an agreement on any or all of the issues, an additional Pretrial Conference may be requested by a Settlement Officer and/or the attorneys/parties for the following reasons:

(i) The Pretrial Conference has lasted the entire day and additional time is required;

(ii) The Settlement Officer believes that the attorneys/parties need time to consider what has already taken place and would benefit from coming back another day;

(iii) Certain documents are needed to resolve a particular issue and a party needs additional time to retrieve those documents. **THIS DOES NOT INCLUDE DISCOVERY THAT THE COURT ORDERED TO BE COMPLETED BY A DATE CERTAIN.**

c. The Settlement Officer and the attorneys/parties, must contact the Settlement Conference Coordinator to obtain a date for the additional Pretrial Conference. The Motion for Additional Pretrial Conference is properly completed by the Coordinator and signed by all attorneys/parties. It is then forwarded to the assigned Judge for ruling. The Assignment Office forwards a copy of the signed Order to all attorneys/parties. If the Motion for Additional Pretrial Conference is denied, the Civil Assignment Office will contact the attorneys/parties to so advise and the case will proceed on the trial date. An additional Pretrial Conference that requires a postponement of the trial date will not be granted.

d. Failure to settle - If the parties cannot reach an agreement, the case will proceed to trial on the scheduled date.

XVIII. Constructive Civil Contempt Petitions and Show Cause Orders.

Pursuant to Rule 15-206, the Assignment Office will schedule constructive civil contempt hearings upon the filing of the contempt petition and show cause order. The petition and show cause order will then be presented to the Judge for his or her signature. The show cause order will assign a hearing date approximately 60 days from the date the petition is filed. The show cause order, together with a copy of any petition and other document filed in support of the allegations of contempt, shall be served on the party pursuant to Rule 15-206(d). The contempt hearing may not be held unless the petition and show cause order are served.

Petitions for constructive civil contempt must expressly state whether or not incarceration is sought and must comply with Rule 15-206(c). A show cause order issued as a result of a petition must also comply with Rule 15-206(c) and state, specifically, (1) when an answer is due, and (2) the date and time of a hearing before a Judge. If incarceration is sought, the order must contain the notice required under Rule 15-206(c)(2)(C).

Any finding of contempt along with the sanction, purge provision, and other matters required by Rule 15-207(d) or (e), must be in writing and signed by the Judge in order to be effective. Docket entries or commitment orders are insufficient.

XIX. Bureau of Support Enforcement (IV-D) Cases

A. This section applies only to the following Bureau of Support Enforcement (IV-D) matters filed with the Circuit Court for Carroll County by the Child Support Unit of the State's Attorney's Office:

1. Paternity Establishment
2. Establishment of Child Support
3. Modification of Existing Child Support Orders
4. Enforcement of Existing BOSE Child Support Orders

B. This section does not apply to any Child Support Order that has been referred by the Court to the Bureau of Support Enforcement/Maryland Child Support Account for collection and disbursement only.

C. The policies and procedures of this section are as follows:

1. Paternity Establishment: Upon filing these matters shall be set for a Paternity Scheduling Conference and Establishment Hearing Date. The defendant shall be served with the pleading and notice of both hearing dates.

a. Paternity Scheduling Conference: These cases shall be set for the Conference within sixty (60) days of filing before the Child Support Master. At the Paternity Scheduling Conference, the parties shall receive a Paternity Scheduling Order. The Paternity Scheduling Order (Exhibit 17) shall address the genetic testing to occur on that date and provide the parties with discovery deadlines prior to the Establishment Hearing Date (also included).

b. Establishment Hearing Date: It is the goal of the Court that these cases be set for Establishment within six (6) weeks of the Paternity Scheduling Conference. If the parties resolve this matter prior to the trial date, it is the responsibility of both parties to notify the Clerk of the Circuit Court (per the Paternity Scheduling Order). Further, the Defendant may request a Paternity Trial Date at this hearing and the Master will schedule same in open court and serve the Defendant with said trial date.

2. Establishment of Child Support:

a. Matters Where Paternity Has Been Established: These matters shall be set before the Child Support Master by the Child Support Clerk as requested by the State's Attorney's Office.

b. Matters in Which Paternity Trial Waiver is executed at Paternity Scheduling Conference: These matters shall be set in open Court by the Child Support Master on a regularly scheduled child support hearing date.

3. Modification of Child Support Orders:

a. Motion filed by Custodial Parent: These matters shall be set by the Child Support Clerk to be heard by the Child Support Master on a regularly scheduled hearing date. These matters are generally filed by the State's Attorney's Office, as the party has applied for and received the services of the Bureau of Support Enforcement.

b. Motion filed by Noncustodial Parent: These matters shall be set by the Child Support Clerk to be heard by the Child Support Master on a regularly-scheduled hearing date. These matters are filed by the self-represented party, by counsel, or by the State's Attorney's Office when the party has applied for and receives services of the Bureau of Support Enforcement.

4. Enforcement of Child Support Orders:

a. First Time Contempt Hearings: These matters are filed by the State's Attorney's Office requesting a contempt finding and sanctions. As incarceration is not requested, the Child Support Master hears these matters as scheduled by the Child Support Clerk.

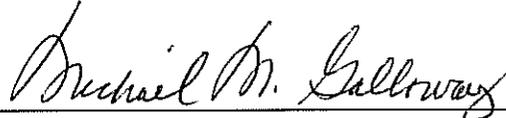
b. Contempt Hearings: These matters are filed by the State's Attorney's Office requesting a contempt finding and incarceration. As incarceration is requested, these matters are heard by the Judges of the Circuit Court as scheduled by the Child Support Clerk.

D. Postponements: All motions for postponement must be made pursuant to Md. Rule 2-311 and Md. Rule 2-508. These requests will be considered in accordance with the provisions of the Plan and the Postponement Policy of the Circuit Court for Carroll County. In most instances, the Master will rule on postponement requests unless that matter is scheduled to be heard by a Judge.

E. All Title IV-D Child Support cases will be set for a Settlement Conference in accordance with Exhibit 18.

ACKNOWLEDGMENTS: This case management Plan was implemented and revised after extensive and much appreciated input, review and comment by the Carroll County Bar Association Family Law Committee, Judges, Masters, Court Administrator, Settlement Conference Coordinator, Family Law Administrator, Clerk and Civil Supervisor of the Circuit Court for Carroll County. Additional sources for the content of this Plan include the Case Management Plans of other Maryland counties, Baltimore City, and particularly Cecil County.

RESPECTFULLY SUBMITTED,



Michael M. Galloway, County Admin. Judge
Circuit Court for Carroll County
55 North Court Street
Westminster, Maryland 21157
Phone: 410-386-2650

MARYLAND CIRCUIT COURTS TIME STANDARDS

Table I. Definition of Time Standard Terms by Case Type

Case Type Time Standard (Performance Goal)	Case Time Start	Case Time Suspension		Case Time Stop	Additional Measures
		Suspend Begin	Suspend End		
Criminal 6 Months (98%)	First of either of the two dates: <ul style="list-style-type: none"> o First Court Appearance of Defendant, or o Entry of Appearance by Counsel (Rule 4-271) o Date should reflect the Hicks starting date. 	FTA/Bench Warrant Issue	Warrant Service Date	Disposition <ul style="list-style-type: none"> o Guilty Plea or Verdict Date o Verdict Date for: <ul style="list-style-type: none"> o NG o STET o Probation before Judgment o NP o Reverse Waiver Granted o Found 'Not Criminally Responsible' 	1. Arrest/Service of Summons or Citation Date to Filing in Circuit Court 2. Filing to First Appearance 3. Plea/Verdict Date to Sentence Date
		Mistrial Date	Retrial Date		
		NCR Evaluation Order Date	NCR Finding Date.		
		Petition for Reverse Waiver Date	Reverse Waiver Decision (Denied/Granted) Date		
		Incompetency Evaluation Order Date	Not Incompetent Finding Date		
		PSI Order Date	Receipt of PSI Report Date		
		Pre-Sentence Treatment Program Order Date	(Un)Successful Completion of Pre-Sentence Treatment Program Date		
		Interlocutory Appeal Filing Date	Interlocutory Appeal Decision (Mandate) Filed Date		
		Military Leave Date	Military Return Date		
		Pre-Trial Treatment Program Order Date	Conclusion of Pre-Trial Treatment Program		
Civil 18 Months (98%)	Filing Date	Postponement Due to DNA/Forensic Evidence	Receipt of DNA/Forensic Evidence	Disposition <ul style="list-style-type: none"> o Dismissal o Judgment o Order of Binding Arbitration 	1. Circuit Court Filing to Service or Answer, whichever comes first
		Date of Court Order for Psychological Evaluation	Date the Psychological Evaluation was received by the Court		
		Bankruptcy Filing Date (Suggestion or Notice)	Order Lifting Bankruptcy Stay or Dismissal Date		
		Demand for (Non-Binding) Arbitration	(Non-Binding) Arbitration Reinstatement Date		
		Interlocutory Appeal Filing Date	Interlocutory Appeal Decision (Mandate) Date		
		Military Leave Date	Military Return Date		
		FTA/Body Attachment Issue Date	Body Attachment Service Date		

Note: If a suspension begins sometime between the case start and stop date, and the case ends via dismissal or Nolle Pros (prior to obtaining the suspension end date), the suspension time is calculated from suspension begin to dismissal or Nolle Pros date (i.e., case stop date). Further, if a suspension event begins prior to case start and ends sometime between case start and case stop, the suspension time will begin at the case start date and end at the suspension end date.

Table I. Definition of Time Standard Terms by Case Type, Continued

Case Type Time Standard (Performance Goal)	Case Time Start	Case Time Suspension Suspend Begin	Suspend End	Case Time Stop	Additional Measures
Domestic 12 Months (90%) 24 Months (98%)	Filing Date ¹	Bankruptcy Filing Date (Suggestion or Notice)	Order Staying Bankruptcy Date	Disposition	1. Circuit Court Filing to Service or Answer, whichever comes first
		Interlocutory Appeal Filing Date	Interlocutory Appeal Decision (Mandate) Date	Initial Judgment Date	
		Military Leave Date	Military Return Date	Divorce Cases if limited divorce is the only issue	
		FTA/Body Attachment Issue Date	Body Attachment Service Date		
		No Service in Child Support cases after 90 days from filing	Service in Child Support cases or Dismissal if Service never effected		
		Collaborative Law Filing Date	Collaborative Law Conclusion Date		
		FTA/Bench Warrant Issue Date	Warrant Service Date	Disposition	
		Military Leave Date	Military Return Date	Jurisdiction Waived	
		Incompetency Evaluation Order Date	Not Incompetent Finding Date	Dismissal	
		Mistrial Date	Retrial after Mistrial Date	Probation	
Juvenile Delinquency 90 Days (98%)		Waiver to Adult Court Petition Filing Date	Waiver Denied/Granted Filing Date	Facts Not Sustained	1. Original Offense date to Filing 2. Petition Filing date to first appearance
		Interlocutory Appeal Filing Date	Interlocutory Appeal Decision (Mandate) Filing Date	Facts Sustained	
		Pre-Disposition Treatment Program	Completion of Pre-Disposition Treatment Program	Facts Not Sustained	
		PDI Ordered Date	Receipt of PDI Report Date	Waiver Granted	
		Date of Court Order for Psychological Evaluation	Date the Psychological Evaluation was received by the Court		

For URESA cases, use the filing date as both service and answer date. Also, use the consent date as the answer date when consents are filed with no answer. For Name Change cases, use the affidavit of publication service date or the show cause date as the answer date when no objection was filed.

Note: If a suspension begins sometime between the case start and stop date, and the case ends via dismissal or Nolle Pros (prior to obtaining the suspension end date), the suspension time is calculated from suspension begin to dismissal or Nolle Pros date (i.e., case stop date). Further, if a suspension event begins prior to case start and ends sometime between case start and case stop, the suspension time will begin at the case start date and end at the suspension end date.

Table I. Definition of Time Standard Terms by Case Type, Continued

Case Type Time Standard (Performance Goal)	Case Time Start	Case Time Suspension		Case Time Stop	Additional Measures
		Suspend Begin	Suspend End		
CINA Shelter* 30 Days (100%)	Shelter Care Hearing Date	Military Leave Date	Military Return Date	<input type="checkbox"/> Adjudication Hearing Held Date <input type="checkbox"/> Case Dismissal Date	1. Adjudication to Disposition 2. Removal for Permanency Planning Hearing 3. Good Cause extension to Adjudication 4. Removal to Shelter Care Hearing
CINA Non-Shelter* 60 Days (100%)	Service of Parent(s), Guardian(s), and/ or Custodian(s) (First Service Entry Date), or Date of Shelter Care Hearing where Petition for Continued Shelter Care was Denied. (When a case started as Shelter Care, and Shelter Care Hearing was held but petition ultimately denied)	Military Leave Date	Military Return Date	<input type="checkbox"/> Adjudication Hearing Held Date <input type="checkbox"/> Case Dismissal Date	1. Removal for Permanency Hearing 2. Extraordinary Cause to Adjudication
TPR 180 Days (100%)	TPR Petition Filing Date	Interlocutory Appeal Filing Date	Interlocutory Appeal Decision Date	TPR Final Order	1. TPR Petition filed to service of Show Cause Order 2. Service of Show Cause Order to Objection 3. TPR Granted to Guardianship Review Hearing
		Military Leave Date	Military Return Date		

* The distinction between CINA Shelter and Non-Shelter cases is made based on the child's status (sheltered vs. non-sheltered) at the time of Adjudicatory Hearing or Case Dismissal, and the case time will be measured from Case Start Time according to the appropriate Case Start Time defined above, not necessarily the actual case start date or the federally defined case start date (date of child removed from home).
 Note: If a suspension begins sometime between the case start and stop date, and the case ends via dismissal or Nolle Pros (prior to obtaining the suspension end date), the suspension time is calculated from suspension begin to dismissal or Nolle Pros date (i.e., case stop date). Further, if a suspension event begins prior to case start and ends sometime between case start and case stop, the suspension time will begin at the case start date and end at the suspension end date.



COURT OF APPEALS COURT OF SPECIAL APPEALS

CIRCUIT COURT DISTRICT COURT OF MARYLAND FOR _____
City/Country

Located at _____
Court Address

STATE OF MARYLAND

Case No. _____

or

VS.

Plaintiff/Petitioner

Defendant/Respondent

REQUEST FOR ACCOMMODATION BY PERSONS WITH DISABILITIES

Name of Applicant: _____

Applicant is: Party Witness Juror Attorney Other

Applicant requests accommodation under Americans with Disabilities Act (ADA) as follows:

1. Type of court proceeding: Criminal Civil Traffic Juvenile Other: _____

2. Hearing/Trial date: _____ Time: _____

3. Nature of disability related impairment (specify): _____

4. Type of accommodation(s) (be specific - a list of examples of accommodations is available at the clerk's office). If requesting sign language interpreter, specify type: _____

5. Please provide any further information that may assist the court in providing a reasonable accommodation (specify): _____

I request that this information be kept confidential to the extent allowed by law.

I certify that to the best of my knowledge this information is true and correct. I agree to provide medical documentation if required by the court.

Date

Signature of Applicant/Applicant's Representative

Applicant/Applicant's Representative's Address

Telephone No.

The clerk's office and the ADA Coordinator are available to provide further assistance.

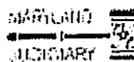
The request for accommodation is GRANTED; or
 Alternate accommodation(s) GRANTED (specify):

The request for accommodation is DENIED.
 Applicant does not qualify under the ADA.
 It fundamentally alters the nature of the service program or activity as defined by the ADA.
 It creates an undue burden on the court as defined by the ADA.

Date

Judge/Administrative Official

If you disagree with this decision, you can file a Grievance. (Form CC-DC 50 is available for this purpose.)

 CIRCUIT COURT DISTRICT COURT OF MARYLAND FOR _____
City/County
Located at _____
Court Address

Case No. _____

STATE OF MARYLAND
or

Plaintiff/Petitioner vs. _____
Defendant/Respondent

REQUEST FOR SPOKEN LANGUAGE INTERPRETER

Type of court proceeding: Criminal Civil Traffic Juvenile Other: _____

1. Hearing/Trial date: _____ Time: _____

2. Location of hearing/trial: _____

3. Language: _____

4. Dialect: _____

Name of Applicant: _____

Applicant is: Defendant Plaintiff Attorney Defendant Witness State Witness
 Other: _____

Applicant requests the services of an interpreter in this case.

I understand that if I fail to appear in court and have not notified the court in writing at the above address at least (2) business days prior to the trial/hearing date, I may be charged for the services of the interpreter (a minimum of \$70).

Date

Signature of Applicant/Applicant's Representative

Applicant/Applicant's Representative's Address

Telephone Number

Requests for interpreter should be received by the court at least two (2) weeks prior to the scheduled trial/hearing date.

(Front)

CARROLL COUNTY CIRCUIT COURT POSTPONEMENT POLICY

EFFECTIVE JANUARY 1, 2006
(as amended through September 1, 2009)

1. **CRIMINAL POSTPONEMENTS** - All requests for postponements, within 30 days of hearing or trial date, where the defendant is represented by an attorney, shall be in the form of a motion with an attached order filed with the Criminal Clerk's Office. The reason for the postponement, the *Hicks* date, the relevant dates under Maryland Rule 4-271(a)(1) and Criminal Procedure Article §6-103, and the position of all parties as to that postponement request, and a new hearing date on which all parties are available shall be included in the motion. Should the new hearing date exceed the *Hicks* requirement, the motion shall be accompanied by a written *Hicks* Waiver.

A Self-represented defendant requesting a postponement shall also put their request in writing, stating the reason for the postponement and filing same with the Criminal Clerk's Office. The Criminal Clerk's Office shall forward a copy of this request to the State's Attorney's Office for its position.

The Administrative Judge or his/her designee shall rule on all criminal trial postponement requests. All requests for postponement of a violation of probation hearing or disposition shall be made to the Judge presiding over that matter.

2. **CIVIL POSTPONEMENTS**

a. Dates set by agreement of counsel shall be firm upon agreement and will not be postponed for any reason known or which by the exercise of due diligence should have been known at the time such date was set.

b. Dates set by Order or by the Civil Assignment Officer and without agreement of counsel shall be firm and may not be postponed:

(1) due to a conflict in trial schedule unless a postponement is requested within 15 days of the notice; or

(2) for any other reason unless a postponement is requested within 30 days of the notice.

c. Postponement of a firm date will only be granted if good cause exists.

d. All requests for postponements shall be in the form of a motion with documentation establishing the need for a postponement, except that, postponements requested by counsel of nonfirm trial dates may be made by Line without documentation, and postponements requested for counsel's medical reasons need not be documented. Included in the Motion or Line shall be the reason for the postponement, the positions of all parties, and a new date from the Civil Assignment Office on which all parties are available. All motions and Lines are to be filed with the Civil Clerk's Office, where they will be attached to the corresponding file(s) and then forwarded to the Judge presiding over the matter for consideration.

3. **CINA AND TPR POSTPONEMENTS** - All requests for postponements in CINA cases set before the Juvenile Master shall be ruled upon by the Juvenile Master. Requests prior to hearing shall be in writing and filed with the Juvenile Clerk. In the event that the need for a postponement arises within twenty-four (24) hours of the scheduled hearing, making it impractical to file a written request with the Juvenile Clerk, the request must be made orally in open Court or in a conference call with the Master and all counsel. However, the party seeking such a postponement shall promptly file a written request with the Juvenile Clerk. If a postponement is granted, the case shall be reset to the next day the Court is sitting in CINA, but in no event later than eight (8) days from the original trial date.

If a CINA matter is not completed in a day, then it shall be continued to the next day the Court is sitting CINA or to the next Court day if counsel is available but in no event later than eight (8) days unless the matter is continued pending the receipt of evidence or evaluations.

In TPR matters, all requests for postponements shall be in writing and submitted to the Administrative Judge. All requests for postponements shall be in the form of a Motion with documentation establishing the need for a postponement and a proposed Order. Included in the Motion shall be the reason for the postponements and the positions of all parties. Should it be necessary to grant a postponement in a TPR matter, it shall be postponed to the next Court day unless the matter is postponed pending the receipt of additional evidence or evaluations. In such event, the case shall be reset promptly and shall have priority over other cases.

In all events, postponements shall only be granted for good cause as defined herein. In no event will a case be postponed beyond the statutory requirement of 180 days from filing except if there is a finding of extraordinary cause.

4. **JUVENILE POSTPONEMENTS** - All requests for postponements in juvenile cases set before the Juvenile Master shall be ruled upon by the Juvenile Master. Requests prior to hearing must be made in writing to the Juvenile Clerk. In the event that the need for a postponement arises within 48 hours of the scheduled hearing, making it impractical to file a request with the Juvenile Clerk, the request must be made orally in open Court or in a conference call with the Master and all counsel. However, the party seeking such a postponement shall promptly file a written request with the Juvenile Clerk.

If the request is made more than 2 weeks prior to the hearing date and if the parties are in agreement, the Juvenile Clerk may reset the hearing to a new date within 3 weeks of the original date.

All requests for postponements must state the reason for the request, whether there have been any prior postponements, and whether the opposing party has any objection to the postponement. Any request for a postponement due to the fact that the Respondent is in a treatment facility must be approved by the Master, whether there is agreement of the parties or not.

5. **OTHER POSTPONEMENTS BEFORE A MASTER** – All requests for postponements in matters set before the Master shall be ruled upon by the Master. Requests prior to hearing must be made in writing to the Clerk in the Civil Clerk's Office. All requests for postponements must state the reason for the request, whether there have been any prior postponements, whether the opposing party has any objection to the postponement, and a new hearing date agreed to by all parties.

In the event that the need for a postponement arises within 24 hours of the scheduled hearing, making it impractical to file a written request with the Clerk, the request must be made orally in open Court or in a conference call with the Master and all counsel. Any oral motions for postponement made in Court, on the date of the hearing, and granted by the Master, will be rescheduled to a date certain while in Court. However, the party seeking such a postponement shall promptly file a written request with the Clerk.

6. **"GOOD CAUSE" POSTPONEMENT POLICY** - The policy for the Circuit Court for Carroll County is to deny requests for postponement unless "good cause" is shown. Documents establishing good cause must be provided with all requests for postponement.

a. The following are examples of good cause before a trial date becomes firm:

(1) Trial Date Conflict: The first case set takes precedence (see Chief Judge Murphy's Revised Administrative Order for Continuances for Conflicting Case Assignments or Legislative Duties effective May 15, 1995 which is attached ; as used therein "continuances" shall mean "postponements").

(2) Conflicting Vacation Schedule: Vacation scheduled before establishing the hearing, motion, or trial date is "good cause" for a postponement.

(3) Expert or other witness is not available.

(4) An attorney has another case scheduled before this Court at the same time.

b. The following are **not** "good cause" after a trial date becomes firm:

(1) No previous requests for postponement.

(2) Request for postponement is agreed upon by parties.

(3) Request for postponement made early in case.

(4) Outstanding motions at date of hearing or trial.

(5) Discovery is incomplete at date of hearing or trial.

(6) Change of counsel.

(7) Any matter known or which should have been known when the trial date became firm is not "good cause" for postponement.

PLEASE NOTIFY THE COURT, AS FAR IN ADVANCE AS POSSIBLE, OF ANY REASONABLE ACCOMMODATION THAT IS NEEDED BECAUSE OF A DISABILITY.

IN THE COURT OF APPEALS OF MARYLAND

REVISED ADMINISTRATIVE ORDER FOR CONTINUANCES FOR CONFLICTING
CASE ASSIGNMENTS OR LEGISLATIVE DUTIES

WHEREAS, in 1972, an informal policy as to conflicts between case assignments in trial courts was published in the *Daily Record* following consideration by the Maryland Judicial Conference and then Conference of Circuit Administrative Judges and consultation with judges of the United States District Court for the District of Maryland; and

WHEREAS, this policy evolved into a uniform Statewide policy formalized by Administrative Orders issued on October 21, 1977, June 2, 1978, October 9, 1980, and December 30, 1980; and

WHEREAS, at a meeting on March 14, 1995, the Executive Committee of the Maryland Judicial Conference resolved that, given the lapse of time since promulgation, the policy should be reviewed, revised to incorporate statutory requirements such as legislative postponements, and reissued to all Maryland Judges, to bar associations for dissemination to their members, and to others as appropriate; and

WHEREAS, it is appropriate to encompass appellate courts as well;

NOW, THEREFORE, I, Robert C. Murphy, Chief Judge of the Court of Appeals and administrative head of the Judicial Branch, pursuant to the authority conferred by Article IV, § 18 of the Constitution, do hereby order this 26th day of April, 1995, that the procedures for the resolution of conflicts in case assignment among appellate and trial courts in the State, as adopted by Administrative Orders of June 2, 1978, October 9, 1980, and December 30, 1980, are amended, effective May 15, 1995, to read as follows:

1. PURPOSE OF ADMINISTRATIVE ORDER - CERTAIN CONTINUANCES PROHIBITED.

This Administrative Order establishes policy regarding priorities between cases assigned for argument, hearing, or trial in one or more APPELLATE OR trial courts [of] IN the State on the same date. When there is a conflict in assignment, a continuance, postponement, or change in schedule may be made only in accordance with this Administrative Order.

THIS ADMINISTRATIVE ORDER ALSO STATES POLICY REGARDING CONTINUANCES FOR LEGISLATIVE PERSONNEL AND MEMBERS OF ADMINISTRATIVE AGENCIES.

2. RESPONSIBILITIES OF COUNSEL.

a. When consulted as to the availability of dates for trial, counsel has the responsibility of assuring the absence of conflicting assignments on any date [he] THAT COUNSEL indicates is

available for trial.

b. If counsel accepts employment in a case in which a date or time for argument, hearing, or trial has already been set after [he] COUNSEL has been notified of a conflicting assignment for the same date or time, [he] COUNSEL should not expect to be granted a continuance.

c. If a conflict in assignment dates develops after representation has been accepted, counsel shall make every effort to obtain the presence of a partner or associate to act in one of the cases before a continuance is requested. Obviously, this provision is subject to obligations counsel may have to the client. However, a request for continuance because of conflicting cases should include a statement that it is not practical for a partner or associate to handle one of the conflicting cases.

3. PUBLICLY EMPLOYED LAWYERS.

A lawyer who [hold] HOLDS public office or employment as an attorney (e.g., State's Attorney, Assistant State's Attorney, Public Defender, District Public Defender, County Attorney, OR City Solicitor) and who is [also] permitted to engage ALSO in the private practice of law may not be granted a postponement or continuance of a case in which [he] THE LAWYER appears in [his] A public capacity, if there is an assignment conflict between that case and one in which [he] THE LAWYER appears in [his] A private capacity, except under the most extraordinary circumstances.

4. LEGISLATIVE PERSONNEL.

A CONTINUANCE MUST BE GRANTED TO AN ATTORNEY OF RECORD WHO IS A MEMBER OR DESK OFFICER OF THE GENERAL ASSEMBLY EXERCISING THE PRIVILEGE UNDER COURTS AND JUDICIAL PROCEEDINGS ARTICLE, § 6-402. IN ACCEPTING EMPLOYMENT, HOWEVER, SUCH ATTORNEY SHOULD CONSIDER THE INCONVENIENCE TO THE PUBLIC, BAR AND JUDICIAL SYSTEM PRODUCED BY EXCESSIVE CONTINUANCES.

[4.] 5. RESPONSIBILITY OF THE COURT WHEN A CONTINUANCE IS REQUESTED AND GRANTED BECAUSE OF CONFLICTING CASE ASSIGNMENTS.

a. In a case in which counsel has accepted employment which creates a conflict in assignments, a judge may, in [his] THE JUDGE'S discretion[,] and under extraordinary circumstances, grant a continuance. In the exercise of that discretion, the judge shall first assure that all parties, witnesses, and counsel in the case can be notified of the continuance sufficiently in advance of the trial date to avoid undue inconvenience; that the case has not been continued an unreasonable number of times prior thereto; and that the continuance would not otherwise impede the proper administration of justice.

b. It is the responsibility of the court to fix a new date

for the continued or postponed case when a continuance or postponement is granted.

[5.] 6. PRIORITIES AS BETWEEN TRIAL COURTS.

With respect to conflicting hearings or trial dates between a circuit court for a county[, a court of the Supreme Bench of] OR Baltimore City, EITHER DIVISION OF the United States District Court for the District of Maryland, the United States Bankruptcy Court for the District of Maryland, or the Maryland District Court, priority shall be given to the case in accordance with the earliest date on which assignment for hearing or trial was made, except [that] THAT, regardless of the date the assignment for hearing or trial was [made] MADE, (1) if the provisions of the Federal Speedy Trial Act so require, priority shall be given to a criminal proceeding in the United States District Court; and (2) if the provisions of Maryland Rule [746] 4-271 AND/OR ARTICLE 27, § 591 OF THE CODE so require, priority shall be given to a criminal proceeding in a Maryland court, over a civil proceeding in the United States District Court or the United States Bankruptcy Court for the District of Maryland.

7. PRIORITIES BETWEEN APPELLATE AND TRIAL COURTS.

WITH RESPECT TO CONFLICTING PROCEEDINGS BEFORE THE COURT OF APPEALS, THE COURT OF SPECIAL APPEALS, OR THE 4TH CIRCUIT COURT OF APPEALS AND A TRIAL COURT, THE APPELLATE PROCEEDING SHALL BE GIVEN PRIORITY OVER THE TRIAL COURT PROCEEDING UNLESS OTHERWISE AGREED BY THE APPELLATE AND TRIAL COURTS AS TO PARTICULAR PROCEEDINGS.

[6.] 8. CONFLICTS BETWEEN TRIAL COURTS AND ADMINISTRATIVE AGENCIES.

If counsel is a member of an administrative agency which has scheduled a meeting or hearing conflicting with [a] AN APPELLATE OR trial court proceeding in which the lawyer-member of the agency is also involved, the [trial] court proceeding has priority and the pendency of the administrative hearing is not a basis for granting a continuance.

/s/ Robert C. Murphy
Robert C. Murphy
Chief Judge

Filed: /s/ Alexander L. Cummings
Alexander L. Cummings
Clerk
Court of Appeals

_____	*	IN THE
Plaintiff	*	CIRCUIT COURT
vs	*	FOR
_____	*	CARROLL COUNTY
Defendant	*	Case No. _____

* * * * *

TEMPORARY ORDER

It is hereby,

ORDERED, that the Agreement between the parties as spread upon the record this date be and the same is hereby INCORPORATED into this Temporary Order of Court pending submission of a final order executed by the parties; and it is further

ORDERED, that the parties and their counsel shall appear at a compliance hearing on _____ at 9:30 a.m., if such final paperwork is not received prior to said hearing.

DATE

JUDGE

Recommended by:

DATE

MASTER

_____	*	IN THE
Plaintiff	*	CIRCUIT COURT
vs.	*	FOR
_____	*	CARROLL COUNTY
Defendant	*	Case No. _____

* * * * *

MASTER’S SCHEDULING CONFERENCE REPORT & RECOMMENDATION(S)

Counsel and the parties appeared, and the Master Reports and Recommends as follows:

a) Recommended and Undisputed; b) Recommended but Disputed; c) Not Recommended but Disputed; d) Not Recommended or Requested.

- a b c d Order Appointing a Best Interest Attorney
- a b c d Order Appointing a Child Advocate
- a b c d Order Appointing a Child’s Privilege Attorney
- a b c d Order for Family Study
- a b c d Order for Substance Abuse Assessment
- a b c d Order for Psychological Evaluation
- a b c d Order for Monitored Transfer and/or Supervised Visitation
- a b c d Order for Paternity Testing
- a b c d Order for Mediation
- a b c d Temporary Order for Suit Fees, subject to final allocation at Trial.
- a b c d Any other Investigations or Orders that may be necessary to expedite the case:

Track Assignment: Expedited Standard Extended

Pendente Lite Issues: have been resolved by attached consent order

a hearing on *pendente lite* issues has been scheduled by agreement on _____ at _____ a.m./p.m.

All Experts who will testify at the *pendente lite* hearing must be identified to the other party at least 30 days prior to that hearing.

At least 10 days prior to the *pendente lite* hearing, each party shall also provide the other with evidence of his or her income for the preceding 3 months.

waived

deferred

Pre-Trial Conference: _____

Trial Date: _____

DATE

MASTER

Only the above undisputed recommendations are agreed to, and the proposed consent orders are attached or will be prepared and filed by _____.

PLAINTIFF/COUNSEL

DEFENDANT/COUNSEL

ORDER

The above undisputed Recommendations are adopted by consent, and a Scheduling Order and Notice of Assignment consistent with the above terms shall be issued.

DATE

JUDGE

_____	*	IN THE
Plaintiff	*	CIRCUIT COURT
vs	*	FOR
_____	*	CARROLL COUNTY
Defendant	*	Case No. _____

* * * * *

ORDER RESOLVING SCHEDULING CONFERENCE ISSUES

Counsel or the parties having been heard, the Court makes the following determination on the disputed recommendations of the Master:

1. Issue: _____
Ruling: Denied or Granted
2. Issue: _____
Ruling: Denied or Granted
3. Issue: _____
Ruling: Denied or Granted

Order to be prepared by: _____ within 15 days

Status Review hearing date: _____

DATE

JUDGE

	*	IN THE
Plaintiff	*	CIRCUIT COURT
vs	*	FOR
	*	CARROLL COUNTY
Defendant	*	Case No. _____

* * * * *

**JOINT REQUEST FOR WAIVER OF SCHEDULING CONFERENCE
AND TRACK ASSIGNMENT**

The undersigned jointly request a waiver of the Scheduling Conference of _____, and certify to the Court that neither party seeks any of the following relief or, if any such relief is sought, it is agreed upon and submitted by separate consent motion(s) for Court approval by

Order:

1. Order Appointing a Best Interest Attorney
2. Order Appointing a Child Advocate
3. Order Appointing a Child’s Privilege Attorney
4. Order for Family Study
5. Order for Substance Abuse Assessment
6. Order for Psychological Evaluation(s)
7. Order for Monitored Transfer and/or Supervised Visitation
8. Order for Paternity Testing
9. Order for Mediation
10. Order for Suit Fees
11. Any other Investigations or Orders that may be necessary to expedite the Case

Further, counsel certify and agree that:

12. This case should be assigned to the (check one) Expedited or Standard Track;

13. ***Pendente Lite* Issues (choose one):**

have been resolved by attached consent order

a hearing on *pendente lite* issues has been scheduled by agreement on _____ at _____ a.m./p.m.

All Experts who will testify at the *pendente lite* hearing must be identified to the other party at least 30 days prior to that hearing.

At least 10 days prior to the *pendente lite* hearing, each party shall also provide the other with evidence of his or her income for the preceding 3 months.

waived

deferred

Pre-Trial Conference Date: _____

Trial Date: _____

Counsel for Plaintiff

Counsel for Defendant

For good cause shown, the Scheduling Conference in this case is hereby CANCELLED, and a Scheduling Order and a Notice of Assignment consistent with the above terms shall be issued forthwith.

DATE

JUDGE

JOHN DOE * IN THE
 Plaintiff * CIRCUIT COURT
 vs * FOR
 JANE DOE * CARROLL COUNTY
 Defendant * Case No. 06-C-05-000000

* * * * *

NOTICE OF ASSIGNMENT

The above case has been scheduled as follows:

Date	Time	Description	Court Room
01/01/00	9:30AM	Scheduling Conference	To be assigned
01/01/01	9:00AM-4:30PM	Pretrial ("Settlement") Conference	Courthouse Annex
03/01/01	9:30AM-4:30PM	Civil Non-Jury Trial	To be assigned
03/02/01	9:30AM-4:30PM	Civil Non-Jury Trial	To be assigned

ALL INTERESTED PARTIES TO A CASE SHALL PERSONALLY BE IN ATTENDANCE AT THE PRETRIAL CONFERENCE. FAILURE TO DO SO WILL RESULT IN THE CONTINUANCE OF THE PRETRIAL CONFERENCE AND SANCTIONS, INCLUDING ATTORNEY'S FEES.

The above dates will be firm as to all counsel, parties and witnesses unless a motion for postponement and proposed order are filed within 30 days of date of service. If a postponement is requested because of a preexisting conflict, a copy of a document evidencing the prior conflict shall be attached to the motion. Postponements will be considered in accordance with Maryland Rule 2-508 and this Court's Postponement Policy as amended, a copy of which can be reviewed at the Carroll County Law Library. Any party requesting a postponement shall include in that request the position of all other parties to the requested postponement or if such position(s) remain unknown, certify in writing to the specific, good faith efforts made to ascertain same prior to filing. Such filing shall also include the next available and mutually agreeable reset date from the Assignment Office in the event the postponement is granted.

All Court sessions will commence promptly at 9:30 A.M., unless another time is specifically designated.

Parties are expected to have sufficient witnesses available throughout the entire course of the trial to insure a full trial day each day. The Court will not recess early or continue cases in mid-trial because witnesses have not been properly scheduled. Witnesses will not be called out of order, absent a written agreement. "Witness" includes doctors, as well as other experts.

Special Assistance Needs: If you, a party represented by you, or a witness to be called on behalf of that party need an accommodation under the Americans with Disabilities Act, please contact the Court Assignment Office at (410) 386-2715/2716 or use the Court's Voice/TDD line. (410) 848-4063.

Jane Roe
 Assignment Officer
 410-555-1212
 TTY: 410-555-1212

Date Issued: 06/01/00
 cc: All counsel or parties.

JOHN DOE	*	IN THE
Plaintiff	*	CIRCUIT COURT
vs	*	FOR
JANE DOE	*	CARROLL COUNTY
Defendant	*	Case No. 06-C-05-000000

* * * * *

SCHEDULING ORDER
(Domestic Expedited Track)

FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN JUDGMENT BEING ENTERED AGAINST THE PARTY FAILING TO COMPLY AND ANY OTHER SANCTION PERMITTED BY LAW.

It is this ____ day of _____, 20____, ORDERED that:

1-4. Not used.

5. **DISCOVERY, IF APPLICABLE, MUST BE COMPLETED 45 DAYS PRIOR TO TRIAL.** The filing of a motion to compel or a motion for a protective order will not result in a general extension of the discovery deadline. All parties are advised that this Court will enforce the Discovery Guidelines of the State Bar as set forth in the Maryland Rules when resolving discovery disputes. The Court will endeavor to rule on discovery disputes promptly and will usually rule on such matters without oral argument. Extensions of time to answer specific discovery must be approved by Court Order for good cause shown. Failure to timely respond to discovery fully and completely because the discovery deadline is not imminent, or for any other reason lacking merit, will subject the offending party to sanctions, including attorney’s fees.

6. **NOTICE OF INTENT TO USE COMPUTER-GENERATED EVIDENCE AT TRIAL MUST BE GIVEN 60 DAYS PRIOR TO TRIAL.** Such notice will contain the information required by Md. Rule 2-504.3(b), except as limited in subsection (b)(2) of that Rule.

7. **NOTICE OF INTENT TO USE AUDIOTAPE OR VIDEOTAPE DEPOSITIONS AT TRIAL MUST BE GIVEN 60 DAYS PRIOR TO TRIAL.**

8. Not used.

9. **ALL MOTIONS (EXCEPT MOTIONS *IN LIMINE*) AND ALL AMENDMENTS TO PLEADINGS MUST BE FILED 30 DAYS PRIOR TO TRIAL .**

10. **A LIST OF ALL EXHIBITS AND, UNLESS PREVIOUSLY PROVIDED, COPIES OF ALL PAPER EXHIBITS SHALL BE SERVED UPON EVERY OTHER PARTY 20 DAYS PRIOR TO TRIAL.** Exhibits shall be individually identified (e.g. “all financial records” will not suffice.)

11. **EACH PARTY MUST FILE WITH THE COURT 10 DAYS PRIOR TO TRIAL:**

- a. Any objections to any exhibits and the basis for such objection. Documents will be deemed authentic if an objection is not filed.
- b. That party's list of witnesses with addresses. Expert witnesses shall be so designated.
- c. All motions *in limine*.
- d. An accurate estimate of trial time for that party.

12. The dates contained herein may not be extended by agreement of the parties, unless expressly approved in writing by the Court for good cause shown.

13. **IN CASE OF SETTLEMENT, the Assignment Office must be notified in writing within 7 days of settlement. Unless a signed consent order is submitted prior to the Pretrial Conference or trial, all parties will be required to appear as scheduled to place the agreement on the record. The agreement will be incorporated immediately into a Temporary Order that sets a compliance hearing in 30 days to be attended if a consent order documenting the agreement has not been filed.**

14. The provisions of this Court's Notices of Assignment in this case are incorporated by reference herein and shall be enforced pursuant to the terms of this Order.

Judge

Date Issued: 07/01/00

cc: All counsel or parties.

JOHN DOE	*	IN THE
Plaintiff	*	CIRCUIT COURT
vs	*	FOR
JANE DOE	*	CARROLL COUNTY
Defendant	*	Case No. 06-C-05-000000

* * * * *

SCHEDULING ORDER
(Domestic Standard Track)

FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN JUDGMENT BEING ENTERED AGAINST THE PARTY FAILING TO COMPLY AND ANY OTHER SANCTION PERMITTED BY LAW.

It is this ____ day of _____, 20 ____, ORDERED that:

1. **PLAINTIFF’S EXPERTS MUST BE IDENTIFIED 150 DAYS PRIOR TO TRIAL** and all information specified in Md. Rule 2-402(f)(1)(A) and (B) disclosed..
2. **DEFENDANT’S EXPERTS MUST BE IDENTIFIED 130 DAYS PRIOR TO TRIAL** and all information specified in Md. Rule 2-402(f)(1)(A) and (B) disclosed.
3. **ADDITIONAL PARTIES MUST BE JOINED NO LATER THAN 130 DAYS PRIOR TO TRIAL.**
4. **REBUTTAL EXPERTS MUST BE IDENTIFIED 120 DAYS PRIOR TO TRIAL** and all information specified in Md. Rule 2-402(f)(1)(A) and (B) disclosed.
5. **DISCOVERY MUST BE COMPLETED 90 DAYS PRIOR TO TRIAL.** The filing of a motion to compel or a motion for a protective order will not result in a general extension of the discovery deadline. All parties are advised that this Court will enforce the Discovery Guidelines of the State Bar as set forth in the Maryland Rules when resolving discovery disputes. The Court will endeavor to rule on discovery disputes promptly and will usually rule on such matters without oral argument. Extensions of time to answer specific discovery must be approved by Court Order for good cause shown. Failure to timely respond to discovery fully and completely because the discovery deadline is not imminent, or for any other reason lacking merit, will subject the offending party to sanctions, including attorney’s fees.
6. **NOTICE OF INTENT TO USE COMPUTER-GENERATED EVIDENCE AT TRIAL MUST BE GIVEN 90 DAYS PRIOR TO TRIAL.** Such notice will contain the information required by Md. Rule 2-504.3(b), except as limited in subsection (b)(2) of that Rule.
7. **NOTICE OF INTENT TO USE AUDIOTAPE OR VIDEOTAPE DEPOSITIONS AT TRIAL MUST BE GIVEN 90 DAYS PRIOR TO TRIAL.** The Court will allow audiotaped or videotaped depositions of an expert to be taken after the Pretrial Conference, provided the party offering the expert has complied with all of the following procedures: (a) paragraphs 1, 2 and 4 of this Scheduling Order; (b) prior to the Pretrial Conference a notice of the deposition has been filed with the Court confirming that the date, time and place of the audiotaped or videotaped deposition of the expert has been agreed to by all parties and the expert; and (c) the audiotaped or videotaped deposition shall be concluded 15 days prior to trial. All rulings on objections raised

EXHIBIT 11

during the audio or videotaped depositions of the expert taken after the Pretrial Conference shall be made at trial.

8. **PRETRIAL (“SETTLEMENT”) CONFERENCE.** Five days prior to the scheduled Pretrial) Conference, each party shall submit a statement addressing the matters set forth in Maryland Rule 2-504.2. THE SETTLEMENT OFFICER ASSIGNED TO THIS CASE IS _____.

9. **ALL MOTIONS (EXCEPT MOTIONS *IN LIMINE*), INCLUDING DISPOSITIVE MOTIONS, AND ALL AMENDMENTS TO PLEADINGS MUST BE FILED 90 DAYS PRIOR TO TRIAL;**

10. **A LIST OF ALL EXHIBITS AND, UNLESS PREVIOUSLY PROVIDED, COPIES OF ALL PAPER EXHIBITS SHALL BE SERVED UPON EVERY OTHER PARTY 20 DAYS PRIOR TO TRIAL.** Exhibits shall be individually identified (e.g. “all financial records” will not suffice).

11. **EACH PARTY MUST FILE WITH THE COURT 10 DAYS PRIOR TO TRIAL:**

- a. Any objections to any exhibits and the basis for such objection. Documents will be deemed authentic if an objection is not filed.
- b. That party’s list of witnesses with addresses. Expert witnesses shall be so designated.
- c. All motions *in limine*.
- d. An accurate estimate of trial time for that party.

12. The dates contained herein may not be extended by agreement of the parties, unless expressly approved in writing by the Court for good cause shown.

13. **IN CASE OF SETTLEMENT, the Assignment Office must be notified in writing within 7 days of settlement. Unless a signed consent order is submitted prior to the Pretrial Conference or trial, all parties will be required to appear as scheduled to place the agreement on the record. The agreement will be incorporated immediately into a Temporary Order that sets a compliance hearing in 30 days to be attended if a consent order documenting the agreement has not been filed.**

14. The provisions of this Court’s Notices of Assignment in this case are incorporated by reference herein and shall be enforced pursuant to the terms of this Order.

Judge

Date Issued: 06/01/00

cc: All counsel or parties.

JOHN DOE	*	IN THE
Plaintiff	*	CIRCUIT COURT
vs	*	FOR
JANE DOE	*	CARROLL COUNTY
Defendant	*	Case No. 06-C-05-000000

* * * * *

SCHEDULING ORDER
(Domestic Extended Track)

FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN JUDGMENT BEING ENTERED AGAINST THE PARTY FAILING TO COMPLY AND ANY OTHER SANCTION PERMITTED BY LAW.

It is this ____ day of _____, 20____, ORDERED that:

1. **PLAINTIFF’S EXPERTS MUST BE IDENTIFIED 225 DAYS PRIOR TO TRIAL** and all information specified in Md. Rule 2-402(f)(1)(A) and (B) disclosed..
2. **DEFENDANT’S EXPERTS MUST BE IDENTIFIED 180 DAYS PRIOR TO TRIAL** and all information specified in Md. Rule 2-402(f)(1)(A) and (B) disclosed.
3. **ADDITIONAL PARTIES MUST BE JOINED NO LATER 180 DAYS PRIOR TO TRIAL.**
4. **REBUTTAL EXPERTS MUST BE IDENTIFIED 165 DAYS PRIOR TO TRIAL** and all information specified in Md. Rule 2-402(f)(1)(A) and (B) disclosed.
5. **DISCOVERY MUST BE COMPLETED 130 DAYS PRIOR TO TRIAL.** The filing of a motion to compel or a motion for a protective order will not result in a general extension of the discovery deadline. All parties are advised that this Court will enforce the Discovery Guidelines of the State Bar as set forth in the Maryland Rules when resolving discovery disputes. The Court will endeavor to rule on discovery disputes promptly and will usually rule on such matters without oral argument. Extensions of time to answer specific discovery must be approved by Court Order for good cause shown. Failure to timely respond to discovery fully and completely because the discovery deadline is not imminent, or for any other reason lacking merit, will subject the offending party to sanctions, including attorney’s fees.
6. **NOTICE OF INTENT TO USE COMPUTER-GENERATED EVIDENCE AT TRIAL MUST BE GIVEN 90 DAYS PRIOR TO TRIAL.** Such notice will contain the information required by Md. Rule 2-504.3(b), except as limited in subsection (b)(2) of that Rule.
7. **NOTICE OF INTENT TO USE AUDIOTAPE OR VIDEOTAPE DEPOSITIONS AT TRIAL MUST BE GIVEN 90 DAYS PRIOR TO TRIAL.** The Court will allow audiotaped or videotaped depositions of an expert to be taken after the Pretrial Conference, provided the party offering the expert has complied with all of the following procedures: (a) paragraphs 1, 2 and 4 of this Scheduling Order; (b) prior to the Pretrial Conference a notice of the deposition has been filed with the Court confirming that the date, time and place of the audiotaped or videotaped deposition of the expert has been agreed to by all parties and the expert; and (c) the

audiotaped or videotaped deposition shall be concluded at 15 days prior to trial. All rulings on objections raised during the audio or videotaped depositions of the expert taken after the Pretrial Conference shall be made at trial.

8. **PRETRIAL ("SETTLEMENT") CONFERENCE.** Five days prior to the scheduled Pretrial Conference, each party shall submit a statement addressing the matters set forth in Maryland Rule 2-504.2. THE SETTLEMENT OFFICER ASSIGNED TO THIS CASE IS _____.

9. **ALL MOTIONS (EXCEPT MOTIONS *IN LIMINE*), INCLUDING DISPOSITIVE MOTIONS, AND ALL AMENDMENTS TO PLEADINGS MUST BE FILED 105 DAYS PRIOR TO TRIAL;**

10. **A LIST OF ALL EXHIBITS AND, UNLESS PREVIOUSLY PROVIDED, COPIES OF ALL PAPER EXHIBITS SHALL BE SERVED UPON EVERY OTHER PARTY 20 DAYS PRIOR TO TRIAL.** Exhibits shall be individually identified (e.g. "all financial records" will not suffice).

11. **EACH PARTY MUST FILE WITH THE COURT 10 DAYS PRIOR TO TRIAL:**

- a. Any objections to any exhibits and the basis for such objection. Documents will be deemed authentic if an objection is not filed.
- b. That party's list of witnesses with addresses. Expert witnesses shall be so designated.
- c. All motions *in limine*.
- d. An accurate estimate of trial time for that party.

12. The dates contained herein may not be extended by agreement of the parties, unless expressly approved in writing by the Court for good cause shown.

13. **IN CASE OF SETTLEMENT, the Assignment Office must be notified in writing within 7 days of settlement. Unless a signed consent order is submitted prior to the Pretrial Conference or trial, all parties will be required to appear as scheduled to place the agreement on the record. The agreement will be incorporated immediately into a Temporary Order that sets a compliance hearing in 30 days to be attended if a consent order documenting the agreement has not been filed.**

14. The provisions of this Court's Notices of Assignment in this case are incorporated by reference herein and shall be enforced pursuant to the terms of this Order.

Judge

Date Issued: 06/01/00

cc: All counsel or parties.

**CIRCUIT COURT FOR CARROLL COUNTY
CIVIL DOMESTIC TRACK COMPARISON SUMMARY**

	EXPEDITED	STANDARD	EXTENDED
Trial date will be scheduled approximately:	90 days from the Scheduling Conference date. +	The later of 150 days from the Scheduling Conference date or 60 days after the earliest date that the case will meet all the requirements for an Absolute Divorce, as indicated by the pleadings. +	500 days from the Scheduling Conference date.
<u>Deadlines (in days prior to trial)</u>			
Plaintiff's Expert Disclosure (¶1)	N/A	150	225
Defendant's Expert Disclosure (¶2)	N/A	130	180
Joinder of Additional Parties (¶3)	N/A	130	180
Plaintiff's Rebuttal Expert Disclosures (¶4)	N/A	120	165
Discovery Closes (¶5)	45	90	130
Notice of Intent to use Computer Evidence (¶6)	60	90	90
Notice of Intent to use Audio or Videotape Depositions (¶7)	60	90	90

+ But not later than 11 months from filing.

Motions Due (excluding In Limine) (¶9)	30	100	105
Pretrial Conference (approximately) (¶8)	N/A	60	60
Exchange Exhibits (¶10)	20	20	20
Motions In Limine; Objections to Exhibits; Witness List; Jury Documents; Time Estimate (¶11)	10	10	10

+ But not later than 11 months from filing.

VPC - Day of Year Calendar

Day	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Day
1	001	032	060	091	121	152	182	213	244	274	305	335	1
2	002	033	061	092	122	153	183	214	245	275	306	336	2
3	003	034	062	093	123	154	184	215	246	276	307	337	3
4	004	035	063	094	124	155	185	216	247	277	308	338	4
5	005	036	064	095	125	156	186	217	248	278	309	339	5
6	006	037	065	096	126	157	187	218	249	279	310	340	6
7	007	038	066	097	127	158	188	219	250	280	311	341	7
8	008	039	067	098	128	159	189	220	251	281	312	342	8
9	009	040	068	099	129	160	190	221	252	282	313	343	9
10	010	041	069	100	130	161	191	222	253	283	314	344	10
11	011	042	070	101	131	162	192	223	254	284	315	345	11
12	012	043	071	102	132	163	193	224	255	285	316	346	12
13	013	044	072	103	133	164	194	225	256	286	317	347	13
14	014	045	073	104	134	165	195	226	257	287	318	348	14
15	015	046	074	105	135	166	196	227	258	288	319	349	15
16	016	047	075	106	136	167	197	228	259	289	320	350	16
17	017	048	076	107	137	168	198	229	260	290	321	351	17
18	018	049	077	108	138	169	199	230	261	291	322	352	18
19	019	050	078	109	139	170	200	231	262	292	323	353	19
20	020	051	079	110	140	171	201	232	263	293	324	354	20
21	021	052	080	111	141	172	202	233	264	294	325	355	21
22	022	053	081	112	142	173	203	234	265	295	326	356	22
23	023	054	082	113	143	174	204	235	266	296	327	357	23
24	024	055	083	114	144	175	205	236	267	297	328	358	24
25	025	056	084	115	145	176	206	237	268	298	329	359	25
26	026	057	085	116	146	177	207	238	269	299	330	360	26
27	027	058	086	117	147	178	208	239	270	300	331	361	27
28	028	059	087	118	148	179	209	240	271	301	332	362	28
29	029		088	119	149	180	210	241	272	302	333	363	29
30	030		089	120	150	181	211	242	273	303	334	364	30
31	031		090		151		212	243		304		365	31

This page was previously labeled as "Julian Date Calendar". In actuality, this was in-accurate. This is really listing the Day of the Year. The Julian Date is calculated from the year 4713 BC, and increments every day since then. This provides a unique day numbering scheme for those that need it.

VPC - Day of Year Leap Calendar

Day	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Day
1	001	032	061	092	122	153	183	214	245	275	306	336	1
2	002	033	062	093	123	154	184	215	246	276	307	337	2
3	003	034	063	094	124	155	185	216	247	277	308	338	3
4	004	035	064	095	125	156	186	217	248	278	309	339	4
5	005	036	065	096	126	157	187	218	249	279	310	340	5
6	006	037	066	097	127	158	188	219	250	280	311	341	6
7	007	038	067	098	128	159	189	220	251	281	312	342	7
8	008	039	068	099	129	160	190	221	252	282	313	343	8
9	009	040	069	100	130	161	191	222	253	283	314	344	9
10	010	041	070	101	131	162	192	223	254	284	315	345	10
11	011	042	071	102	132	163	193	224	255	285	316	346	11
12	012	043	072	103	133	164	194	225	256	286	317	347	12
13	013	044	073	104	134	165	195	226	257	287	318	348	13
14	014	045	074	105	135	166	196	227	258	288	319	349	14
15	015	046	075	106	136	167	197	228	259	289	320	350	15
16	016	047	076	107	137	168	198	229	260	290	321	351	16
17	017	048	077	108	138	169	199	230	261	291	322	352	17
18	018	049	078	109	139	170	200	231	262	292	323	353	18
19	019	050	079	110	140	171	201	232	263	293	324	354	19
20	020	051	080	111	141	172	202	233	264	294	325	355	20
21	021	052	081	112	142	173	203	234	265	295	326	356	21
22	022	053	082	113	143	174	204	235	266	296	327	357	22
23	023	054	083	114	144	175	205	236	267	297	328	358	23
24	024	055	084	115	145	176	206	237	268	298	329	359	24
25	025	056	085	116	146	177	207	238	269	299	330	360	25
26	026	057	086	117	147	178	208	239	270	300	331	361	26
27	027	058	087	118	148	179	209	240	271	301	332	362	27
28	028	059	088	119	149	180	210	241	272	302	333	363	28
29	029	060	089	120	150	181	211	242	273	303	334	364	29
30	030		090	121	151	182	212	243	274	304	335	365	30
31	031		091		152		213	244		305		366	31
Day	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	DAY

This page was previously labeled as "Julian Date Calendar". In actuality, this was in-accurate. This is really listing the Day of the Year. The Julian Date is calculated from the year 4713 BC, and increments every day since then. This provides a unique day numbering scheme for those that need it.

EXHIBIT 10

FAMILY LAW ADMINISTRATION
MEDIATION
RESCHEDULING AND/OR CANCELLATION
POLICY

Any party(s) failing to show at mediation or failing to give the required notice for rescheduling and/or cancellation to Family Law Administration, must pay the fees as stated below.

The policy is as follows:

General	The date and time set in the mediation order for the first session is a firm date and may be changed only by request to the Family Law Administrator with cause. The mediators are professionals who cannot fill in the time set aside for this mediation without adequate notice.
Rescheduling	Any request to reschedule should be made as soon as possible after receiving a copy of the Order. The requests to reschedule from counsel or unrepresented party may be made by telephone, email, or in writing to Family Law Administration to Powell Welliver and Lynn Brewer. Please inform as to whether the other side is in agreement or has been notified of the request.
Cancellation	Any request to rescind (cancel) the mediation order must be made in writing to the Court with copies and telephone calls to Family Law Administration and the mediator. The \$140 charge will be made to any party not giving adequate notice under #4 below to the mediator or Family Law Administration, even if an Order rescinding mediation is granted.
No Shows	If a party or parties fail to appear at the mediation without following the above policy, the \$140 fee will be divided between the absent parties.
Emergencies	An emergency request for postponement or cancellation must be supported by written documentation to avoid the fee. An example of required documentation would be proof of hospitalization.
Agreements	Mediation will be cancelled if there is an agreement signed (by the attorneys and parties) submitted to the Family Law Administration. If the agreement is received within two business days of the mediation, then the \$140 charge will be divided between the parties.
Fees	Any person submitting a request for rescheduling or cancellation within two business days of the day of the mediation must pay the mediator the \$140 fee within 30 days. The cancellation and/or rescheduling charge must be paid by the appropriate party even if the mediation and preparation of documentation fees were waived by the Court. The fee must be paid before a new mediation date is given.
	Family Law Administration, Suite 208, 55 N. Court Street, Westminster, Maryland 21157 Phone-410-386-2751 Fax-410-751-5339 <u>Email-pwelliver@ccg.carr.org</u> <u>Email-icipolletta@ccg.carr.org</u>

	*	IN THE
Plaintiff(s)	*	CIRCUIT COURT
vs.	*	FOR
	*	CARROLL COUNTY
	*	BOSE No.
Defendant(s)	*	Case No.

* * * * *

PATERNITY SCHEDULING ORDER

A Paternity Petition and Complaint having been filed in the above-captioned case and the Defendant having appeared for a Paternity Scheduling Conference, it is this _____ day of _____, 2006, by the Circuit Court for Carroll County, ORDERED that:

1. Genetic Testing.

a. The mother, minor child(ren) and the alleged father are hereby ordered to report for testing immediately at the Courthouse Annex.

b. If a determination is made by the Court after a trial or by a voluntary Acknowledgement of Paternity that the alleged father is, in fact, the natural father, he will reimburse the Carroll County Commissioners in the amount of Forty-four Dollars and fifty cents (\$44.50) per person for the cost of the paternity testing. Said payment shall be made pursuant to a schedule to be determined at a later date.

2. Discovery. Discovery shall begin immediately.

a. Interrogatories and requests for production, if any, shall be served on or before _____.

b. All other discovery, including, but not limited to, depositions, mental or physical examinations, and requests for admission of facts and genuineness of documents, shall be completed on or before _____.

3. Trial. Trial is scheduled for _____.

If case is resolved prior to Paternity Trial, it is mandatory that the parties and/or counsel notify Assignment Personnel immediately so that the appropriate Judge can be advised.

4. Supplementation. The discovery information to be provided by the parties pursuant to this Paternity Scheduling Order shall be continuing in nature and parties are required to supplement said information previously disclosed or provided and disclose newly discovered witnesses or other required information up and to and including the date of the discovery deadline set forth above.

5. Modification. No changes in this schedule shall be permitted except by motion and order of this Court for good cause shown. Counsel are specifically instructed that this schedule will be rigidly enforced by the Court.

KATHRYN BREWER POOLE, MASTER
Courthouse Annex
Westminster, MD 21157

Telephone 410-386-2380

FAX 410-386-2714

MEMORANDUM

Date: April 17, 2009

To: Master Peter M. Tabatsko, Administrative Master
Edgar Ocampo, Sr. Assistant State's Attorney
Michael Chester, Sr. Assistant State's Attorney
Michael Dougherty, Investigator
Margaretta Coe, Investigator
Marie Isaac, Civil Supervisor
Susan Bostic, Child Support Clerk
Caroline Schneider, Child Support Clerk
Bobbie Erb, Court Administrator
Jerry Gooding, Bailiff Coordinator

Re: IV-D CHILD SUPPORT SETTLEMENT CONFERENCE PROCEDURES

In order to more proficiently manage the lengthy IV-D child support dockets we have been experiencing, we began using a settlement conference procedure on the last full docket day of the month. For the remainder of this year, those are 4/29; 5/20; 6/24; 7/29; 8/26; 9/30; 11/18; 12/16. There will not be one for October.

The following procedures became effective January 28, 2009:

1. The parties continue to be summonsed for 8:00 a.m. and 1:00 p.m. (for half day dockets only). The Assistant State's Attorneys and the investigators meet with parties to discuss a resolution of the issues. The three rooms outside of Courtroom 8 may be used. In addition, the auxiliary room in Courtroom 8 is available.

2. Beginning at 9:30 a.m. Master Brewer Poole is available to put any settlements on the record. There will be a luncheon recess from 12:30 p.m.-1:30 p.m. Beginning at 1:30 p.m., the Master will again be available to put any settled matters on the record. In order to effectuate the most efficient use of court personnel, there may be more than one settlement placed on the record at a time.

3. With regard to partial settlements: The issues which are agreed upon may be put on the record and a Report and Recommendation and Temporary Order will be issued. Originally, it was the intention of Master Brewer Poole to hear the remaining issues; however, since its implementation, it became obvious it would be even more practical if there are no hearings on issues that are not resolved on these dockets. Alternatively, a hearing will be set for any unresolved matters by the parties through their counsel and/or any self-represented litigants in consultation with Ms. Susan Bostic, Child Support Assignment Clerk.

cc: Hon. Michael M. Galloway, Administrative Judge
Hon. J. Barry Hughes, Associate Judge
Hon. Thomas F. Stansfield, Associate Judge

SCHEDULING CONFERENCES
CIRCUIT COURT FOR CARROLL COUNTY
Family Law Cases

A Scheduling Conference is not a hearing where testimony is given or witnesses appear. All parties and any attorneys must appear in Court for the Scheduling Conference. No telephone conferences are permitted. All must be prepared to be at Court for a couple of hours. Bringing children to the Scheduling Conference is strongly discouraged.

At the Scheduling Conference, each party will be asked if they want certain services to be ordered by the Court. They will be asked if they need a *PENDENTE LITE* (P.L.) Hearing to be scheduled. At that hearing, a Temporary Order may be issued concerning custody, visitation, child support, alimony and/or use of the home or family personal use property.

The Scheduling Order will set DISCOVERY deadlines. Discovery is the way information is received about the other party or issues in the case. Discovery can be in several forms: depositions, interrogatories (written questions that must be answered in writing), and admission of facts.

All of the services listed below, except a Family Study, have costs that may be charged to one or both parties. Some parties may qualify for a waiver in which case the Court will pay for that party's cost IF funds are available and IF the party's income meets the Waiver Guidelines.

THE FOLLOWING ARE SERVICES THAT MAY BE ORDERED THROUGH THE SCHEDULING CONFERENCE ORDER:

- A. ATTORNEY FOR A CHILD:** There are 3 types of attorneys for children:
1. **Best Interest Attorney:** The attorney has all the powers of a regular attorney, but argues the position of what the attorney feels is in the best interest of the child. This position may be different from the child's wishes. The STARTING retainer is usually \$1500 per party with final expenses being higher.
 2. **Child Advocate:** The attorney acts in the same way as attorney for an adult and supports the child's position. The STARTING retainer is usually \$1500 per party with final expenses being higher.
 3. **Privilege Attorney:** This is a limited role and less expensive. The attorney decides if testimony from the child's therapist can be presented to the Court. The cost is usually \$250 per party per child.

- B. **FAMILY STUDY**: This is a service provided without cost to the parties by the Court's Custody Evaluator. There is only one evaluator on staff, so a Family Study is only ordered in limited circumstances, i.e., serious dispute over custody and/or visitation requiring the Custody Evaluator to visit homes and see the child with each parent. This study takes at least 60-90 days to complete and requires the cooperation of the parties and all persons with whom they live.
- C. **SUBSTANCE ABUSE ASSESSMENT**: The Court cannot provide this service through its staff. If ordered, it may require assessments of both parties.
- D. **PSYCHOLOGICAL EVALUATION**: The Court cannot provide this service through its staff. Private evaluations generally cost \$2500-\$3000 per person. If ordered, it may require evaluations of both parties.
- E. **MONITORED TRANSFER and/or SUPERVISED VISITATION**: This service can be provided by the Court through the Carroll County Visitation Center, administered through the Family Law Administration.
- F. **PATERNITY TESTING**: This is a saliva test of both alleged parents and the child and is performed at the Court House at a designated time. The cost for this service is \$42.00 per person, IS NOT eligible for waiver, and must be paid in advance by the party requesting the test.
- G. **MEDIATION**: Mediation is an opportunity for the parties to reach an agreement on the issues with the help of a neutral person. It is usually required in cases where custody and/or visitation are disputed and may, if the parties agree, be ordered in cases of property issues. The Court has a list of Court-approved, trained and competent Mediators in Carroll County. If the parties have already mediated without a Court Order, they can request an Order for additional mediation or request to be excused from the Mediation Order because they have privately mediated.
- H. **SUIT FEES**: The Court has the power to order one party with financial means to advance money for the other party's attorney or expert(s).
- I. **OTHER ORDERS**: The parties may request other Orders if necessary.

If the parties disagree with the Master's decision about the need for a particular Order, the parties will be heard on that issue by a Judge that day.

FACILITATION AND INFORMATION: A representative from the Family Law Administration will be present at the Scheduling Conference and can assist by answering procedural questions or questions concerning available services. Family Law can also help the parties reach an agreement on the day of the Scheduling Conference on some disputed issues and prepare a Consent Order. Questions and requests for facilitations can be sent to JoAnne Kreider, Mediation Coordinator, at 410-386-2736 or jkreider@ccg.carr.org.

	*	IN THE
Plaintiff	*	CIRCUIT COURT
vs	*	FOR
	*	CARROLL COUNTY
Defendant	*	Case No. _____

* * * * *

CONSENT ORDER

WHEREAS, this case is currently scheduled for trial; and

WHEREAS, the parties have entered into an agreement which is attached hereto and which is incorporated, but not merged, herein; and

WHEREAS, both parties do not wish to pursue a divorce at the present time; and

WHEREAS, by their signatures below, both parties have withdrawn all pending prayers for Limited and/or Absolute Divorce relief, it is

ORDERED, that the within case shall be CLOSED; and it is further

ORDERED, that pursuant to Md. Rule 9-202 (c) either party may at any time in the future file a new complaint to include a ground for divorce; and it is further

ORDERED, that such new pleading shall be filed under this Case Number; and it is further

ORDERED, that the prepayment of any filing fees associated with the filing of such new complaint(s) shall be waived by the Clerk if a copy of this Order is filed with such complaint(s); and it is further

ORDERED, that at such time as an absolute divorce is granted, any filing fees associated with the filing of such new complaint(s) shall be waived upon the parties submitting paperwork requesting such relief; and it is further

ORDERED, that all events presently scheduled in the within case are hereby CANCELLED and REMOVED from the Court docket.

DATE

JUDGE

PLAINTIFF/ATTORNEY

DEFENDANT/ATTORNEY

_____ Plaintiff vs. _____ Defendant	IN THE CIRCUIT COURT FOR CARROLL COUNTY CASE NO. _____
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RULING ON REQUEST FOR *EX PARTE* RELIEF

This request having been filed under Affidavit; **and**
 Proper notice (Certificate attached) having been given or excused; **and**
 The Movant having made a sufficient showing:

1. Of an imminent risk of immediate physical harm to a party or minor child;
2. That a prejudicial relocation of a minor child from a stable environment has occurred;
3. That a serious and continuing breach of an existing order for custody or visitation has taken place; and/or
4. Of a serious and continuing denial of access to a child, it is

ORDERED, that _____ shall have the sole legal and physical custody of _____, DOB: _____; _____, DOB: _____; and _____, DOB: _____ for a period of 90 days to permit service of process and a hearing on the merits of temporary custody *at the Scheduling Conference* before the Master, provided that, the adverse party will be heard within 48 hours of any request to dissolve this Order. Law Enforcement may use necessary force to comply with this Order.

This Temporary Order expires in 90 days.

- This request is denied for the following reasons:
- It is not filed under Affidavit.
 - Notice to other party has not been given or excused.
 - The facts set forth fail to meet this Court’s standard for *Ex Parte* Relief.

 DATE _____
 JUDGE