

The Circuit Court for Howard County
Fifth Judicial Circuit
Juvenile Differentiated Case
Management Plan

Approved by the Court of Appeals of Maryland
July 17, 2008

Revised 2010

The Honorable Diane O. Leasure
Administrative Judge
The Circuit Court for Howard County
8360 Court Avenue
Ellicott City, Maryland 21043
<http://mdCourts.gov/circuit/howard>

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Table of Contents

	<u>Page</u>
Differentiated Case Management Description	5
Juvenile DCM Plan Track Descriptions	8
Track 1: Juvenile Delinquency Detention	9
Track 2: Juvenile Delinquency Shelter	13
Track 3: Delinquency Non-Detention / Non-Shelter	16
Track 4: Peace Order	19
Track 5: Child in Need of Supervision	21
Track 6: Child in Need of Assistance Shelter	24
Track 7: Child in Need of Assistance Non-Shelter	28
Track 8: Voluntary Placement	30
Track 9: Termination of Parental Rights	32
Track 10: Public Agency Adoption	35

Appendices

- A. Juvenile Postponement Policy
- B. Juvenile Phone Directory for the Circuit Court for Howard County
- C. Juvenile Court Master's Schedule

The Circuit Court for Howard County Juvenile Differentiated Case Management Plan

1. Purpose:

The Circuit Court for Howard County is dedicated to providing consistent processing of all cases. The Differentiated Case Management Plan (DCM) is designed to improve the handling of cases. The Juvenile DCM has been developed to provide Tracks for specific cases to maximize judicial resources. The designation of each individual Track will ensure each case is handled fairly and resolved promptly.

2. Background:

The creation of this particular DCM Plan is not intended as the final version for all Juvenile Causes. This plan will be reviewed yearly and amended to provide for changes in the law, changes in the needs of the community, and changes in resources. The process of creating this case management system is collaborative.

3. Case Information:

This DCM plan has been established to provide a system of Tracking for all Juvenile Causes. The specific cases that fall under this jurisdiction are as follows:

Delinquency Detention
Delinquency Shelter
Delinquency Non-Detention
Juvenile Peace Orders
Child in Need of Supervision
Child in Need of Assistance Shelter
Child in Need of Assistance Non-Shelter
Voluntary Placements
Termination of Parental Rights/Guardianship or Long-term Care short of Adoption
Public Agency Adoption
Any newly created juvenile cause as designated by the State Legislature

4. Assignment, Scheduling and Postponements:

The Administrative Judge for the Circuit Court for Howard County has the authority to specially assign Judges and Masters to hear Juvenile Causes under Maryland Code, Courts and Judicial Proceedings Art. §§ 3-806(b) and 3-807 (a) respectively. The Honorable Louis A. Becker III, Honorable Richard S. Bernhardt, Master Mary M. Kramer, Master William V. Tucker, and Master Elaine Patrick have been appointed to hear Juvenile causes in the Circuit Court for Howard County. The Circuit Court for Howard County has adopted a modified “One Family One Judge” model to ensure timely and fair processing of cases. Once a respondent has appeared before one Master or one Judge the Court generally tries to schedule all future events

before the same Master or Judge. This is subject to change depending upon the availability of the assigned Master or Judge.

5. Assignment of Tracks:

A member of the Court Juvenile DCM team will determine the Track for each case. A Juvenile Judge has ultimate discretion as to which Track the case will take. The Juvenile Judge may, at any time, revise the case selection or case schedule.

There have been 10 Tracks established in this Court. These Tracks have been designed to assist in the case management of these specific cases. The Uniform Court System (UCS) has been programmed to assist in case tracking as well as establish uniform notices, and orders. Please see the description for each case type to determine what schedule has been established for each case. Track assignment allows the Court to provide consistent handling of all cases. This offers predictability to the Court community.

6. Scheduling:

The scheduling of Juvenile Causes is a collaborative effort with input from several areas. The Court Juvenile DCM team will maintain the calendar for both the Judges and the Masters. The Court Juvenile DCM team will ensure proper notice is sent to all parties. All parties have the responsibility to contact the Court with information regarding a change of address. (See Appendix E, Parental/Guardian Address and Phone Information Sheet that may be completed at any time)

Cases will be assigned in accordance with Track assignment. Please see the Track chart for a list of all scheduled dates. The dates may be modified by the Court, or by an individual party upon request and with good cause.

7. Postponements:

Please see the Appendix A Juvenile Postponement Policy.

8. Alternative Dispute Resolution, Settlement Conferences, and Diversionary Programs:

The Circuit Court for Howard County supports the use of Alternative Dispute Resolution (ADR) to reduce bench time and settle cases in a timely manner. The use of ADR may be scheduled at the request of any party or by order of the Court. This Court is piloting the increased use of mediation in many different case types. These programs will be monitored to make certain that ADR is used properly and is appropriate for an individual case. All mediation should be scheduled through the designated coordinator of the Court. All mediation sessions should take place in the Howard County Circuit Court or other designated places approved by the Court.

The Circuit Court for Howard County continually revises and reviews its plan to ensure timely and fair processing of all cases. If you are interested in the Court exploring a new program, or have information regarding diversionary programs please contact the Family Law

Office.

9. Confidentiality:

Juvenile records are confidential. It is the intention of this Court to maintain that confidentiality. The Maryland Rules and the Annotated Code of Maryland govern access to juvenile records as well as juvenile Hearings.

10. Emergencies:

All emergency situations are taken seriously by the Court and are handled in the most expeditious manner possible. All emergency motions/petitions filed before 11:30 a.m. will be heard the same day. All emergency motions/petitions filed after 11:30 a.m. will be heard the next business day. The petitioner should contact the assigned Master's/Judge's chambers if the above-mentioned timeframe cannot be met and extenuating circumstances exist.

Petitions for Emergency Evaluations filed in accordance with The Annotated Code of Maryland, Courts and Judicial Proceedings Art. §3-824 shall be heard by a designated Juvenile Judge. A Hearing will be promptly scheduled on the petition the same day as the filing.

11. Reports, Evaluations, Discovery:

All Court reports, permanency plan reports, and discovery should be distributed to all parties 10 days prior to the designated scheduled Hearing. All Court ordered evaluations are to be distributed to counsel and **FILED** 5 days prior to the designated Hearing. All emergency Hearings are excluded from this rule.

12. Motions, Requests for Relief:

All motions, or requests for relief are to be filed with the Clerk's Office. Once docketed the motions will be forwarded to the appropriate Juvenile DCM team member for review. The Juvenile DCM team member will make sure motions are handled correctly. They will schedule cases for Hearings when appropriate. In accordance with the Maryland Rules, motions will be forwarded to the Master or Judge for ruling. The file will then be forwarded to the Clerk's Office for docketing. Copies will be mailed to all parties if any order is signed.

Juvenile Differentiated Case Management Plan Track Description

Event	TRACK 1	TRACK 2	TRACK 3	TRACK 4	TRACK 5	TRACK 6	TRACK 7	TRACK 8	TRACK 9	TRACK 10
	Delinquency Detention	Delinquency Shelter	Delinquency Non-Detention Non-Shelter	Peace Order	Child in Need of Supervision	Child in Need of Assistance Shelter	Child in Need of Assistance Non-Shelter	Voluntary Placement	Termination of Parental Rights	Public Agency Adoption
Day 1	Filing	Filing	Filing	Filing	Filing	Filing	Filing	Filing	Filing	Filing
Detention/Shelter Care Hearing	1-2	1-2			1-2	1-2				
Arraignment	7-14	1-14	1-14		14-28					
Preliminary Hearing							1-14			
Adoption Hearing										15-60
Status Hearing									1-60	45-60
Adjudicatory Hearing	14-30	25-30	45-60		30-60	20-30	30-45			
Diposition Hearing	28-44	25-44	60-90		30-70	20-60	30-75			
Plea Hearing	1-44	1-30	1-60							
Review Hearing	45-120	40-120	120-180		70-120	160-200	120-180			
Voluntary Placement Hearing								1-25		
Permanency Planning Hearing	300-330	300-330				300-330		145-160		
Permanency Planning Review Hearing						330+		220-280		
Peace Order Hearing				1-10						
Pre-Trial Hearing									90-120	
Mediation						anytime	anytime		60-90	
Trial/Final Hearing									120-160	
Initial Guardianship Review Hearing									250-300	
Adoption Hearing										
Guardianship Review Hearing									615+	
Case Time Standards Date	90 days	90 days	90 days	N/A	N/A	30 days	60 days	N/A	180 days	N/A

Track 1

Juvenile Delinquency Detention

A. Process Summary

All cases involving a respondent alleged to have committed a delinquent act that has been detained are assigned to Track 1. The Annotated Code of Maryland outlines Juvenile Causes, specifically Juvenile Delinquency cases under section 3, subtitle 8A of the Courts and Judicial Proceedings Article. All Juvenile Delinquency Detention cases are handled in an expedited manner.

1. The initiating event in this Track is a Petition for Continued Detention. Once a Petition for Continued Detention is filed a Juvenile DCM team member will set the case in for a Detention Hearing.
2. The Emergency Detention Hearing is the first Hearing in this Track. If the Petition is filed before 11:30 a.m. the case will be heard the same business day. If the Petition is filed after 11:30 a.m. the case will be heard the next business day. The outcome of the Emergency Detention Hearing determines the future path of the case. If a motion for immediate review is made the case will be reviewed by a Juvenile Judge no later than the next business day the Court is sitting. Once a child is detained then the case proceeds to the Arraignment.
3. The next Hearing that a Track 1 case is scheduled for is an Arraignment/Review of Detention. This Arraignment/Review Hearing occurs from 7-14 days of the initial Detention Hearing. The case then proceeds to Adjudication.
4. The Adjudication Hearing is scheduled within 30 days of the filing of the Petition for Continued Detention. If the child is found to have committed the alleged acts then the case may proceed to Disposition. If a Petition for Waiver, or Notice of Incompetence is filed the Adjudication Hearing will become a Review Hearing and the case will proceed as described in each sub-Track.
5. The Disposition Hearing is scheduled within 14 days of the Adjudication Hearing. If a child is detained the Disposition Hearing shall be held no later than 14 days after the Adjudication.
6. The Disposition Hearing is followed by Court reviews as long as the child remains in detention. The individual Review Hearing will be held no later than every two weeks while the child remains in Detention. The remainder of the Review Hearing dates will be scheduled in Court. If the respondent is committed and detained pending placement, the review Hearing will be no later than 25 days.
7. A Permanency Planning Hearing should be scheduled if a child is committed for 10 months or longer. The actual date will be no later than 330 days after filing of the Petition for Continued Detention. The Permanency Planning Hearing will be set upon the request of Department of Juvenile Services. This Hearing may be set in earlier than day 330. The Permanency Plan will be reviewed every 180 days while the child remains in detention/care.

B. Track 1 Timeline:

Day 1-2 Detention Hearing

At the Detention Hearing, status is determined by the Court.

Day 7-14 Review of Detention/Arrestment

The Respondent's placement is reviewed.

Day 14-30 Adjudication Hearing

Court determines whether petitioner has proved the allegations in the petition.

Day 28-44 Dispositional Hearing

Court determines whether the child is delinquent and what type of placement is appropriate. The Hearing must be held within 14 days if the child is detained.

Day 45-120 Review Hearing

The Court reviews the child's status. Review Hearings continue every 2 weeks while the child detained. If a child continues in Foster Care but is not detained in a juvenile facility then review Hearings will be set every 90 days.

Day 300-330 Permanency Planning Hearing

This Hearing is set upon the request of the Department of Juvenile Services.

Additional Events:

Detention Hearing – Heard same day as filing, or next business day.

Shelter Hearing – Heard same day as filing, or next business day.

Immediate Review – Heard same day as request.

Master's Exceptions – Exceptions are forwarded to the Family Law Office for review. The Exceptions Hearing is scheduled between 45-60 days of filing.

Waiver Hearing – To be waived up to adult Court. To be set in immediately, no later than 30 days.

Mediation – Within 60 days of request.

Reasonable Efforts Hearing – Within 30 days.

Waiver of Reasonable Efforts – Within 30 days.

Change of Specific Placement Hearing – Within 30 days

Emergency Placement – At the discretion of the Judge/Master.

Motions Hearing – At the discretion of the Judge/Master.

Plea Hearing – At the request of any party the Court will schedule a plea Hearing within 14 days from the request. All remaining dates will NOT be vacated from the docket until the conclusion of the Hearing and depending upon the outcome.

Restitution Hearing - If there is an issue of restitution, it shall be resolved at the time of the disposition hearing, or in a separate restitution hearing to be scheduled no later than 45 days after disposition at the Court's discretion.

C. Track 1A WAIVER Sub-Track timeline:

SUBTRACK TIMELINE IS FROM FILING OF PETITION FOR WAIVER

Day 1 Petition for Waiver to Criminal Court filed. The Judge signs the Order for Waiver Investigation within 7 days of filing. If the respondent is detained a Detention Hearing is scheduled for no later than 30 days from the date filed.

Day 45-52 The Waiver Investigation is **REQUIRED** to be filed with the Court within 45 days from the Order for Waiver Investigation.

Day 75-82 Waiver Hearing. To be scheduled 30 days from the Order for Waiver Investigation. To be scheduled before a Juvenile Judge. If the Judge grants the Waiver Petition this case will proceed as outlined in the Criminal DCM plan. If the case is dismissed the case is closed. If the Judge denies the Waiver Petition this case continues as outlined in section 1B.

D. Track 1B COMPETENCY Sub-Track timeline:

SUBTRACK TIMELINE IF FROM FILING OF NOTICE OF INCOMPETENCY

Day 1 Notice of Incompetency filed with Court. The Order for Competency Evaluation signed by the Judge within 7 days of filing.

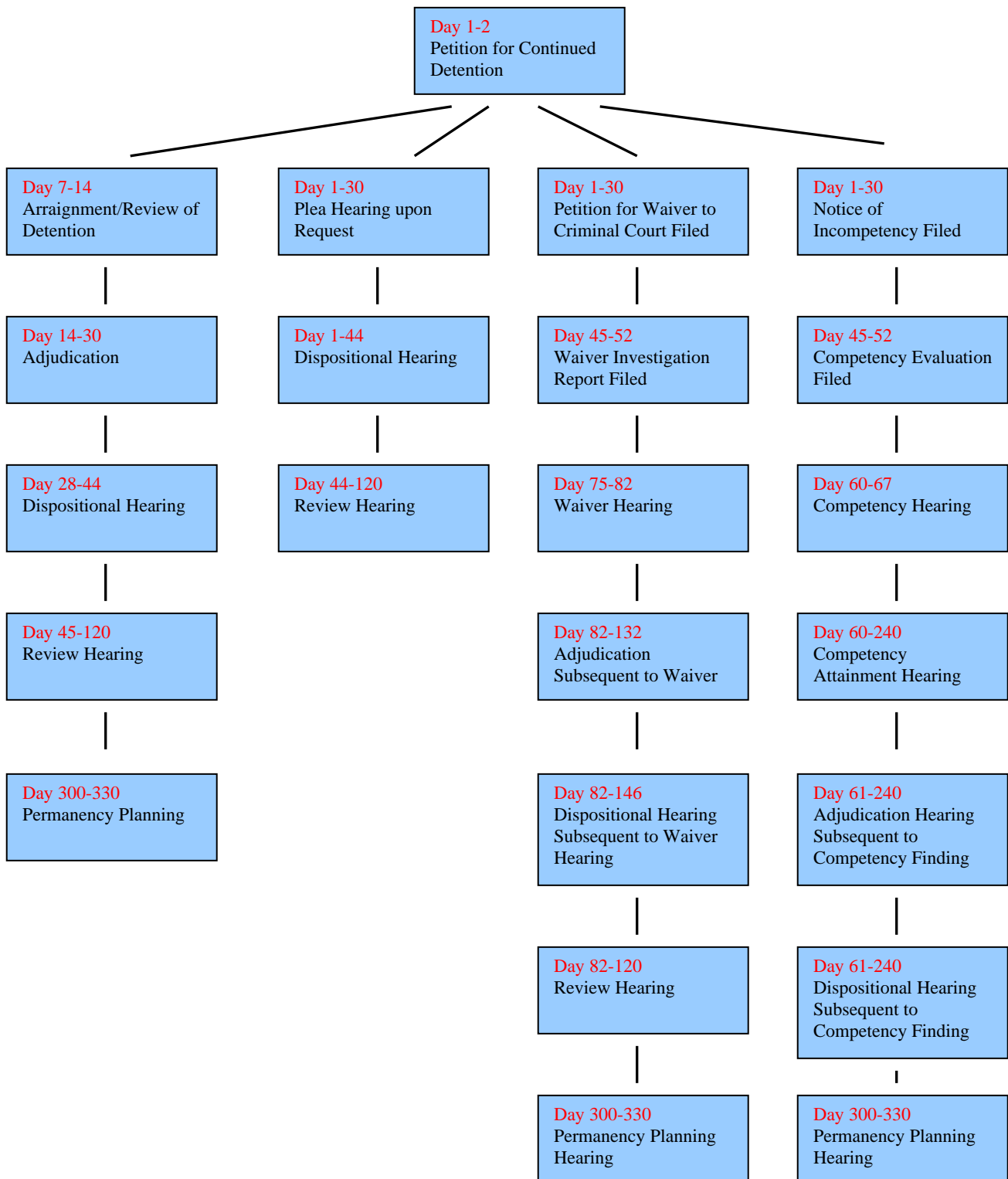
Day 45-52 The Competency Evaluation is **REQUIRED** to be filed with the Court and served upon counsel within 45 days from the Order for Competency Evaluation. Filing period may only be extended for up to 15 days by Order of the Court for good cause shown.

Day 60-67 The Competency Hearing is required to be 15 days from the filing of the Competency Evaluation (Report from a qualified expert). This period will be extended for 15 days if the filing period is extended. If the Court finds the respondent competent the case will proceed the Adjudication within 14 days. If the Court finds the respondent incompetent and unlikely to attain competency the Court may order a Petition for Emergency Evaluation pursuant to Health General §10-622. If the Court finds the respondent incompetent and an ability to attain competency a Review Hearing will be within 14 days.

Day 60-240 Competency Attainment Hearing

The Court reviews all services ordered for the respondent under CJ 3-8A-17.8. The Court reviews evaluations filed with the Court, services ordered to achieve competency and, services received since order for services. The case will continue to be reviewed by the Court until competency is achieved. A Competency Attainment Hearing will be scheduled no later than 6 months from the Order for Competency Attainment. Once competency is achieved the case will be set in for an Adjudication and Disposition.

Track 1 Delinquency Detention Flow Chart



Track 2

Juvenile Delinquency Shelter

A. Process Summary

All cases involving a respondent alleged to have committed a delinquent act that has been sheltered are assigned to Track 2. The Annotated Code of Maryland outlines Juvenile Causes, specifically Juvenile Delinquency cases under section 3, subtitle 8A of Court and Judicial Proceedings Article. All Juvenile Delinquency Shelter cases are handled in an expedited manner.

1. The initiating event in this Track is the Petition for Continued Shelter. Once the Petition for Continued Shelter is filed a Juvenile DCM team member will set the case in for a Hearing.
2. The first Hearing in this Track is an Emergency Shelter Hearing. If the Petition for Continued Shelter is filed before 11:30 a.m. the case will be heard the same business day. If the Petition is filed after 11:30 a.m. the case will be heard no later than the next business day. The outcome of the Emergency Shelter Hearing determines the future path of the case. Once a child is sheltered or detained then the case proceeds to an arraignment.
3. The Arraignment is scheduled within 1-14 of the filing of the Petition for Continued Shelter. If an attorney enters an appearance on behalf of the respondent the Arraignment date will be vacated.
4. The Adjudication is the next Hearing scheduled. The Adjudication Hearing is scheduled within 30 days of the filing of the Petition for Continued Shelter. If the child is found to have committed the alleged acts then the case may proceed to disposition.
5. The Disposition Hearing is scheduled within 30 days of the Adjudication Hearing. The Hearing shall be held within 14 days of the Adjudication if the child is sheltered.
6. The Disposition Hearing is followed by frequent Court reviews as long as the child remains in detention/care. The individual Review Hearing will be held no later than every 30 days while the child remains in shelter.
7. Approximately 10 months into shelter care the case will be scheduled for a Permanency Planning Hearing. The actual date will be no later than 330 days after the filing of the Petition for continued shelter. This date will be set upon the request of the Department of Juvenile Services. The Permanency Plan will be reviewed every 180 days while the child remains in shelter care.

B. Track 2 Timeline:

Day 1-2 Shelter Care Hearing

The Court determines the Shelter Care status.

Day 1-14 Arraignment Hearing

Advice of Rights.

Day 25-30 Adjudication Hearing

Court determines whether petitioner has proved the allegations in the petition.

Day 25-44 Dispositional Hearing

Court determines what type of placement is appropriate. The Hearing must be held within 14 days if the child is sheltered.

Day 40-120 Review Hearing

The Court reviews the child's status. Review Hearings continue every 30 days while the child is sheltered. If a child becomes detained the case will be reviewed every 2 weeks.

Day 300-330 Permanency Planning Hearing

The Permanency Planning Hearing is set upon request. Once a request has been made the Hearing will be scheduled for no later than day 330. The only deviation from this date will be the filing of a Reasonable Efforts Waiver Petition. If a Reasonable Efforts Waiver Petition is filed, the Permanency Planning Hearing will be held within 30 days of the Waiver Hearing and Waiver granting.

Additional Events:

Detention Hearing – Heard same day as filing, or next business day.

Shelter Hearing – Heard same day as filing, or next business day.

Immediate Review – Heard same day as request.

Master's Exceptions – Exceptions are forwarded to the Family Law Office for review. The Exceptions Hearing is scheduled between 45-60 days of filing.

Waiver Hearing – To be waived up to adult Court. To be set in immediately, no later than 30 days.

Mediation – Within 60 days of request.

Reasonable Efforts Hearing – Within 30 days.

Waiver of Reasonable Efforts – Within 30 days.

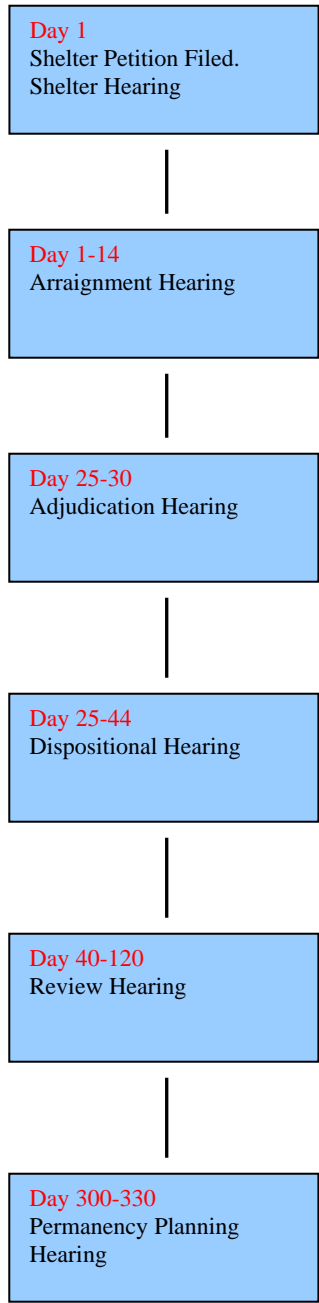
Change of Specific Placement Hearing – Within 30 days.

Emergency Placement – At the discretion of the Judge/Master.

Motions Hearing – At the discretion of the Judge/Master.

Restitution Hearing - If there is an issue of restitution, it shall be resolved at the time of the disposition hearing, or in a separate restitution hearing to be scheduled no later than 45 days after disposition at the Court's discretion.

Track 2
Delinquency Shelter
Flow Chart



Track 3

Delinquency Non-Detention/Non-Shelter

A. Process Summary

All delinquency Non-Detention/Shelter cases are assigned to Track 3. Track 3 cases include all cases involving a respondent alleged to have committed a delinquent act that have not been detained/sheltered are assigned to Track 3. The Annotated Code of Maryland outlines Juvenile Causes, specifically Juvenile Delinquency cases under section 3, subtitle 8A of Court and Judicial Proceedings Article.

1. The initiating event in this Track is the filing of the Juvenile Petition. All Juvenile Petitions alleging a respondent has committed a delinquent act are to be filed with the Clerk of Court. The Clerk will process the file and forward it to the Master's Office for scheduling. The Master's Office will schedule the initial Arraignment and forward the file to the Sheriff's Office for service.
2. An Arraignment Hearing is set for all Delinquency Non-Shelter cases within 2 weeks. This Hearing is used to give an advice of rights, and serve the Petition on the respondent if present. The Arraignment Hearing is set upon filing of the Petition.
3. A Plea Hearing may be set upon request. The Hearing will be set no later than 60 days from the date of filing of the Petition. The request may be made in open Court or in writing. Every effort will be made to schedule the Plea Hearing as soon as possible.
4. The Adjudication Hearing is set within 60 days of the first appearance of the respondent or entry of appearance of counsel. If the allegations in the Petition are sustained the case may proceed to Disposition. If the allegations are dismissed the case is closed.
5. The Disposition Hearing is set within 30 days of the Adjudication Hearing. The Hearing shall be no later than 30 days after Adjudication.
6. A Status hearing will be set for all cases where the respondent fails to appear for the Arraignment Hearing in lieu of an Adjudication/Disposition Hearing. A Status Hearing will continue to be set every 30 days until the Respondent appears or the case is closed, whichever occurs first.
7. The next Hearing date is dependant upon the status of the case. The frequency of reviews depends upon the final ruling. The presiding Master or Judge will set all additional Hearing dates.

If at any time the juvenile is committed to an agency or detained the case becomes reviewed on a more frequent basis as outlined in the Annotated Code of Maryland.

B. Track 3 Timeline:

Day 1-14 Arraignment

The status of the case is determined. Advice of rights.

Day 1-60 Plea Hearing

If the State, the respondent, and the respondent's attorney agree to proceed by way of plea a Plea Hearing will be scheduled no later than the date of the Adjudication Hearing.

Day 45-60 Adjudication Hearing

Court determines whether facts in the Petition are sustained.

Day 60-90 Dispositional Hearing

Court determines whether the child is delinquent and what type of placement is appropriate.

Day 120-180 Review Hearing

This Review Hearing is used to continue judicial oversight of the child's current situation. Reviews may be set in upon request of any party.

Additional Events:

Detention Hearing – Heard same day as filing, or next business day.

Shelter Hearing – Heard same day as filing, or next business day.

Competency Hearing – Heard within 30 days.

Immediate Review – Heard same day as request.

Master's Exceptions – Exceptions are forwarded to the Family Law Office for review. The Exceptions Hearing is scheduled between 45-60 days of filing.

Waiver Hearing – To be waived up to adult Court. To be set in immediately, no later than 30 days.

Mediation – Within 60 days of request.

Reasonable Efforts Hearing – Within 30 days.

Waiver of Reasonable Efforts – Within 30 days.

Change of Specific Placement Hearing – Within 30 days.

Emergency Placement – At the discretion of the Judge/Master.

Motions Hearing – At the discretion of the Judge/Master.

Violation of Probation – Heard upon request within 30 days.

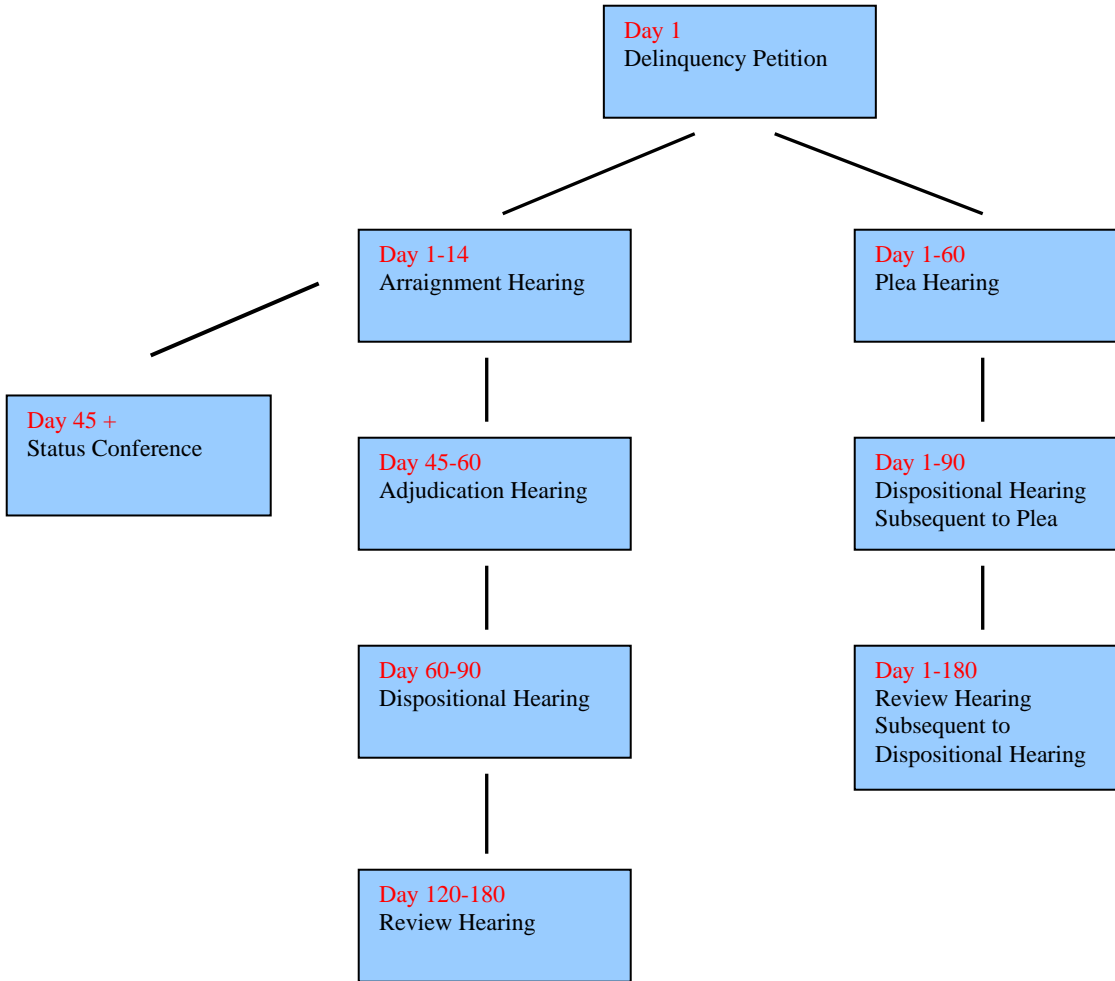
Plea Hearing – Heard upon request, no later than date of adjudication.

Writ – Heard upon service of writ.

Show Cause – Heard upon notification of service.

Restitution Hearing - If there is an issue of restitution, it shall be resolved at the time of the disposition hearing, or in a separate restitution hearing to be scheduled no later than 45 days after disposition at the Court's discretion.

Track 3
Delinquency Non-Detention/Non-Shelter
Flow Chart



Track 4 Peace Order

A. Process Summary

All cases where a Petition for a Peace Order is filed are assigned to Track 4. The Department of Juvenile Services and or the States Attorney's office must authorize the filing of a Petition for a Juvenile Peace Order. Section 3-8A of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland governs this process.

1. The initiating event in this case type is a Petition for Peace Order. Upon the filing of the Petition, a Juvenile DCM team member will issue the notice of Hearing. The notice of Hearing is served on the Petitioner, Respondent and DJS.
2. The Court will immediately set the case in for a Hearing. The Hearing takes place within the guidelines stated below. The Hearing may only be reset upon a written request. All parties must receive notification of the Hearing for the case to proceed. The Court requires the Department of Juvenile Services to be available for the Hearing.
3. The Petition will be granted, denied, or dismissed at the Peace Order Hearing. The case is closed upon the conclusion of the Peace Order Hearing. The Order is in effect for 6 months if granted. All violations of the order are to be referred to the Department of Juvenile Services as stated in the Annotated Code of Maryland.

B. Track 4 Timeline:

Day 1 Petition Filed

The clerk processes the file and sends it to the assigned Judge for review.

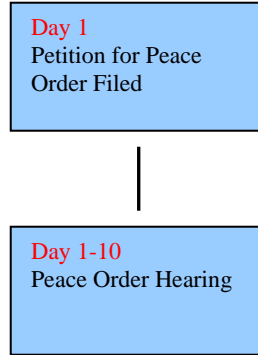
Day 1-10 Peace Order Hearing

Petition is granted, denied, dismissed.

Additional Events:

Modification/Rescission Hearing – Scheduled within 2 weeks of request

Track 4
Peace Order
Flow Chart



Track 5

Child in Need of Supervision

A. Process Summary

Track 5 has been established for all Child in Need of Supervision (CINS) cases. All cases involving a respondent alleged to be in Need of Supervision are assigned to Track 5. The Annotated Code of Maryland outlines Juvenile Causes, specifically Child in Need of Supervision cases under section 3, subtitle 8A of Courts and Judicial Proceedings Article. Child in Need of Supervision cases can have two different initiating events.

1. The initiating event in this Track is the filing of Petition alleging a Child is in Need of Supervision and/or a Petition for Continued Shelter.
2. An Emergency Shelter Hearing can be the first Hearing in this Track. If the Petition for Continued Shelter is filed before 11:30 a.m. the case will be heard the same business day. If the petition is filed after 11:30 a.m. the case will be heard the next business day. The outcome of the Emergency Shelter Hearing determines the future path of the case. If a motion for immediate review is made the case will be reviewed by a Juvenile Judge no later than the next business day the Court is sitting. If a child is sheltered then the case proceeds to the Arraignment.
3. The next Hearing type for CINS cases is an Arraignment/Review of Shelter. If there has not been a Petition for Continued Shelter filed the Arraignment will be the first event after the filing of the CINS Petition. This Arraignment/Review Hearing occurs from 14-28 days of the initial Shelter Hearing. The case then proceeds to Adjudication.
4. The Adjudication Hearing is scheduled within 30 days of the filing of the Petition for Continued Shelter Care. If the respondent is not sheltered the Adjudication is scheduled no later than 60 days. If the facts in the Petition are sustained the case may proceed to Disposition.
5. The Disposition Hearing is scheduled within 14 days of the Adjudication Hearing. The Hearing shall be held the same day as the Adjudication unless good cause is shown to postpone it.
6. The Adjudication Hearing is followed by Court reviews as long as the respondent remains in shelter pending Disposition. After the Disposition Hearing the remainder of the Review Hearing dates will be scheduled in Court.

B. Track 5 Timeline:

Day 1-2 Shelter Hearing

At the Shelter Hearing, status is determined by the Court.

Day 14-28 Review of Shelter/Arrestment

The Respondent's placement is reviewed

Day 30-60 Adjudication Hearing

Court determines whether the allegations in the petition are sustained.

Day 30-70 Dispositional Hearing

Court determines whether the child is in need of supervision and what type of placement is appropriate.

Day 70-120 Review Hearing

The Court reviews the child's status. If a child continues in out of home placement, but is not sheltered in a juvenile facility review Hearings will be set every 90 days.

Additional Events:

Shelter Hearing – Heard same day as filing, or next business day.

Immediate Review – Heard same day as request.

Master's Exceptions – Exceptions are forwarded to the Family Law Office for review. The Exceptions Hearing is scheduled between 45-60 days of filing.

Mediation – Within 60 days of request.

Reasonable Efforts Hearing – Within 30 days.

Waiver of Reasonable Efforts – Within 30 days.

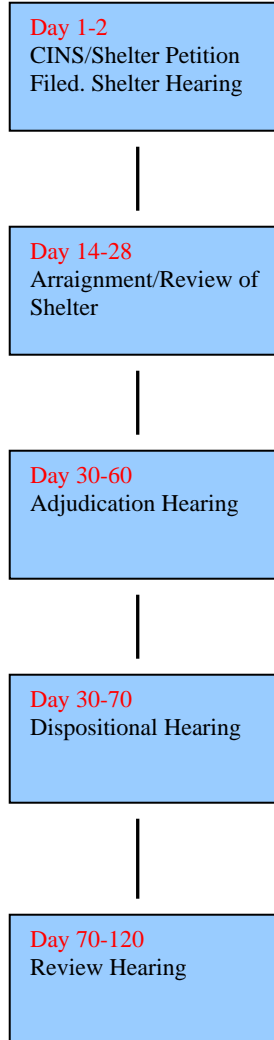
Change of Specific Placement Hearing – Within 30 days.

Emergency Placement – At the discretion of the Judge/Master.

Motions Hearing – At the discretion of the Judge/Master.

Plea Hearing – At the request of any party the Court will schedule a plea Hearing within 14 days from the request. All remaining dates will NOT be vacated from the docket until the conclusion of the Hearing and depending upon the outcome.

Track 5
CINS
Flow Chart



Track 6

Child in Need of Assistance Shelter

A. Process Summary

All Children in Need of Assistance (CINA) cases, when the child is placed in shelter, will be assigned to this Track. The Annotated Code of Maryland outlines Juvenile Causes, specifically Children in Need of Assistance cases under section 3, subtitle 8 of Courts and Judicial Proceedings Article. This section requires the local Department of Social Services to file a Petition to Continue the Emergency Shelter Care of a child beyond what is mandated in the Code of Maryland Regulations (C.O.M.A.R.). An assigned Master in this Court handles all CINA cases. Masters preside over all Hearings for CINA cases with the exclusion of Master's Exceptions or immediate review Hearings.

1. The initiating event in this Track is the filing of a Juvenile Petition alleging a Child is in Need of Assistance and/or a Petition for Continued Shelter.
2. All cases will initially have a Shelter Hearing. The Shelter Care Hearing will determine the child's placement. All Shelter Hearings will be heard no later than the next business day from filing. If the Petition is granted the shelter will continue for up to 30 days. If the Shelter is granted the case will proceed to Adjudication.
3. All CINA cases will be set for an Adjudication Hearing between 20-30 days after the child was taken into care, depending upon the Court schedule. The outcome of the Adjudication Hearing will determine the next step in the case. If the allegations of the CINA petition are sustained, the case will go to Disposition. If the allegations are not sustained, the case will be dismissed. Unless good cause is shown to delay Disposition, the case shall proceed to Disposition the same day as the Adjudication. The Disposition Hearing shall be no later than 30 days from Adjudication.
4. If the Court has determined that the respondent is a child in need of assistance the Court must determine the most appropriate placement for the child. If a child is removed from the home the Court is committed to frequent judicial oversight of the child's placement. If the child is in out of home placement for 10 months the Court will hold a Permanency Planning Hearing to determine the Permanency Plan for the child. This Hearing will be no later than 12 months from the date of out of home placement and the date will be set at the end of the Disposition Hearing. Once the Plan is set, the Plan is periodically reviewed to ensure it is the best plan for the child and that reasonable efforts are being made by the local department to achieve permanency for the child.
5. The initial Review Hearing is held six months after the conclusion of the Disposition Hearing, unless the Master recommends an earlier date. This date will be set at the conclusion of the Disposition Hearing. This Review Hearing is used to keep the Court informed of the status of the case and to continue judicial oversight.
6. In accordance with the Maryland Rules, after any Hearing if any party files a written exception to a Master's Written Report and Recommendation, a Hearing will be scheduled before a Juvenile Judge within 45-60 days.
7. This Court (to help resolve cases in a timely manner) is using mediation. Mediation may be scheduled on multiple occasions. Any party may request a mediation session provided by the Court at any time. The Court may also refer a case for mediation at any time.

B. Track 6 timeline:

Day 1-2 Shelter Care Hearing

The Court determines the Shelter Care status.

Day 20-30 Adjudication Hearing

Court determines whether the allegations in the petition are sustained.

Day 20-60 Dispositional Hearing

Court determines whether the respondent is CINA and where the respondent should be placed and who has custody.

Day 160-200 Initial Review Hearing

This review Hearing is used to continue judicial oversight of the child's placement, and the family's progress.

Day 300-330 Permanency Planning Hearing

This Hearing is set after the Adjudication Hearing. The only deviation from this date will be the filing of a Reasonable Efforts Waiver Petition. If a Reasonable Efforts Waiver Petition is filed, the Permanency Planning Hearing will be held within 30 days of the Waiver Hearing and Waiver granting.

Day 330 + Permanency Planning Review Hearings

Any party may request a Review Hearing at any time. The Court may also set in a Review Hearing on its own initiative with notification to all parties. Unless requested, or a change in circumstances occurs the Court will regularly schedule review Hearings every 180 days after the Permanency Planning Hearing until the case is closed.

Additional Events:

Immediate Review – Heard same day as request.

Master's Exceptions – Exceptions are forwarded to the Family Law Office for review. The Exceptions Hearing is scheduled between 45-60 days of filing.

Mediation – Within 45 days of request.

Reasonable Efforts Hearing – Within 30 days of filing of request.

Waiver of Reasonable Efforts – Within 30 days of filing of petition.

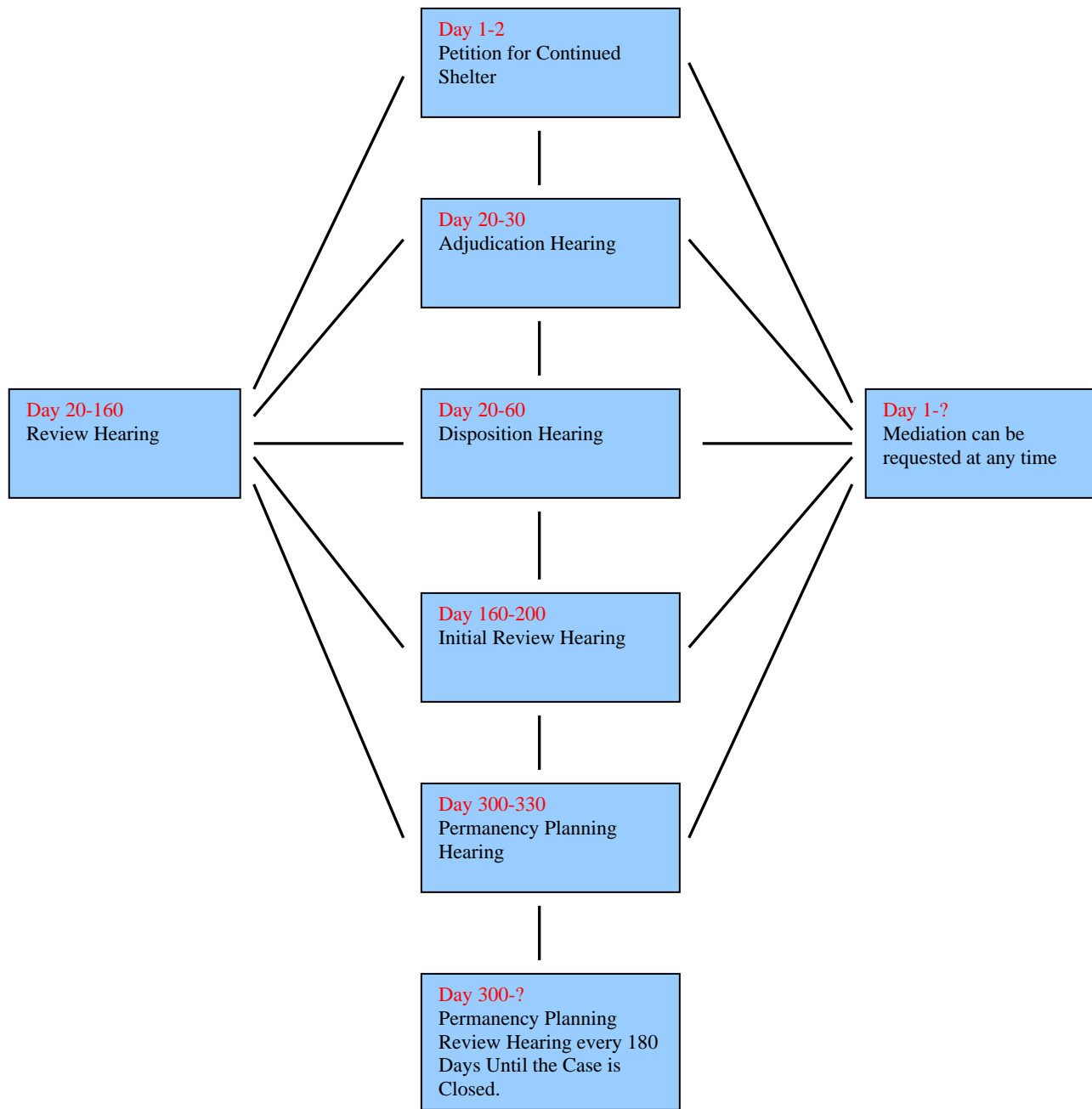
Change in Specified Placement Hearing – Within 30 days of filing of request.

Emergency Placement – At the discretion of the Judge/Master.

Motions Hearing – At the discretion of the Judge/Master.

Review Hearing – Additional review Hearings after disposition, but prior to initial review. This Hearing may be at any time upon the request of any party, at the discretion of the Master or Judge.

Track 6
CINA Shelter
Flow Chart



Track 7

Child in Need of Assistance Non-Shelter

A. Process Summary

All cases involving Children in Need of Assistance (CINA) that do not begin with shelter care are assigned to Track 7. The designation of a Track occurs upon the filing of a Child in Need of Assistance Petition. The Annotated Code of Maryland outlines Juvenile Causes, specifically Children in Need of Assistance cases under section 3, subtitle 8 of Courts and Judicial Proceedings Article. This Track has been created to meet all of the requirements included in that section.

1. The initiating event in Track 7 is the filing of a Petition alleging a Child is Need of Assistance. Upon the filing the Clerk will process the file and send it to Calendar Management to be scheduled.
2. The first Hearing scheduled will be a Preliminary Hearing. This Hearing will be set within day 1-14 to determine the status of the case, the status of service, and an advice of rights for the respondent child's parents.
3. All CINA non-shelter cases will be set for an Adjudication Hearing within 30-45 days. The petitioner must file a request to postpone the event if all parties have not been served by this date.
4. The Disposition Hearing is to be held on the same day as the Adjudication, unless good cause is shown to delay it, but in no event shall it occur later than 30 days after the Adjudication Hearing. The conclusion of the Disposition Hearing determines the child's placement.
5. Review Hearings for all CINA Non-Shelter cases will be held every 180 days until to conclusion of the case.
6. If at any point the child is removed from the home the case will follow the Track 6 timeframes for reviews and Permanency Planning Hearings.

B. Track 7 timeline:

Day 1-14 Preliminary Hearing
Parents are given Advice of Rights.

Day 30-45 Adjudication Hearing
Court determines whether the allegations in the Petition are sustained.

Day 30-75 Dispositional Hearing
Court determines appropriate placement and treatment, if any for the respondent.

Day 120-180 Review Hearing
This review Hearing is used to continue judicial oversight of the child's placement, and the family's progress. Any party may request a Review Hearing at any time. The Court may also set in a Review Hearing on it's own initiative with notification to all parties

Additional Events:

Immediate Review – Heard same day as request.

Master's Exceptions – Exceptions are forwarded to the Family Law Office for review. The Exceptions Hearing is scheduled between 45-60 days of filing.

Mediation – Within 45 days of request.

Reasonable Efforts Hearing – Within 30 days of filing of request.

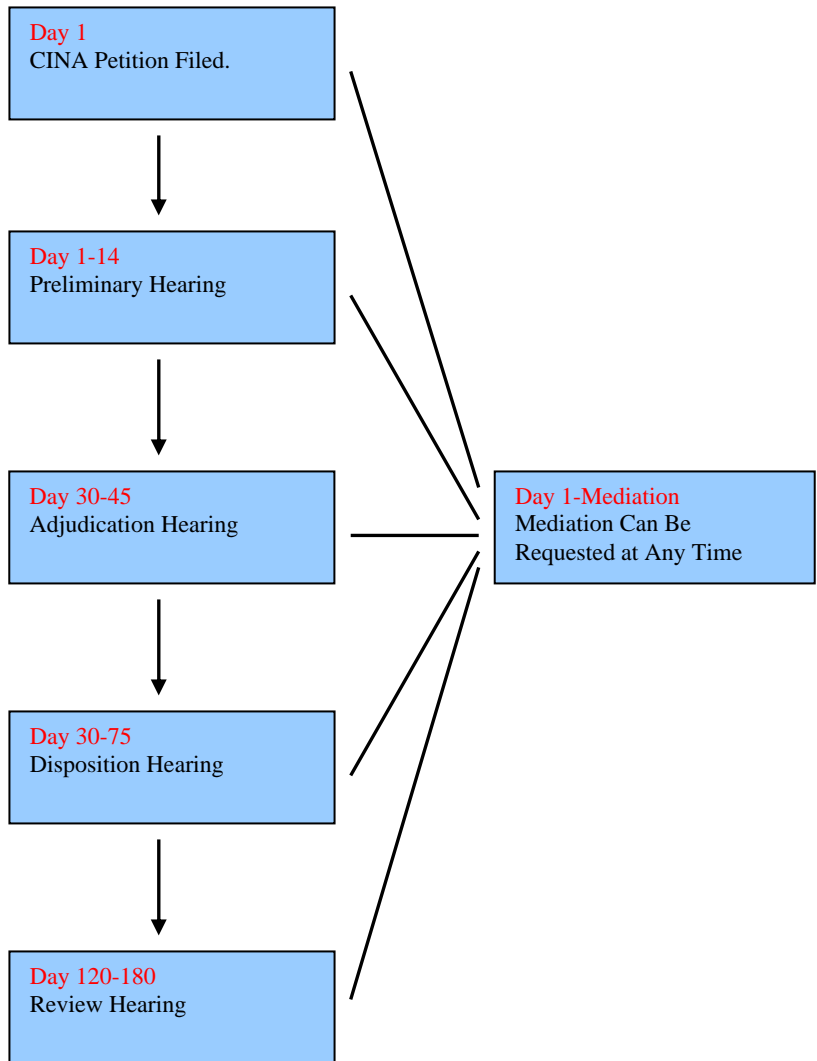
Waiver of Reasonable Efforts – Within 30 days of filing of petition.

Motions Hearing – At the discretion of the Judge/Master.

Review Hearing – Additional review Hearings after disposition, but prior to initial review. This Hearing may be at any time upon the request of any party, at the discretion of the Master or Judge.

Track 7
CINA Non-Shelter
Flow Chart

If the child is removed from the home, the case will follow Track 6 Hearing timeframes.



Track 8

Voluntary Placement

A. Process Summary

The Annotated Code of Maryland outlines Juvenile Causes, specifically Voluntary Placement cases under section 3, subtitle 819.1 of Court and Judicial Proceedings. This Track is uniquely designed to provide for the monitoring of all Voluntary Placements. The Court will review all Voluntary Placement cases on a frequent basis. These reviews are to determine that the child is in the most appropriate placement as well as receiving all of the services needed. All Voluntary Placements cases are assigned to Track 8.

1. The initiating event in this Track is the filing of a Petition for Continued Voluntary Placement. Upon the filing of the Petition the Court will set in a Voluntary Placement Hearing. Notification will be sent to all parties. The Court may appoint counsel for the respondent at any time during the course of the case.
2. The first Hearing will be the Voluntary Placement Hearing. This Hearing will be scheduled between 1-25 days. The voluntary agreement will be reviewed during this Hearing.
3. All Permanency Planning Hearings are scheduled between 145-160 days of the filing of the Petition. All reviews of the Permanency Plan are to be scheduled every 180 days until the closure of the case.

B. Track 8 timeline:

Day 1-25 Voluntary Placement Hearing
Continuation of Voluntary Placement is determined.

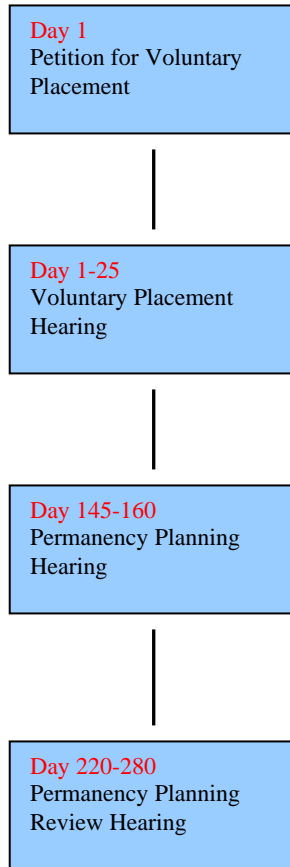
Day 145-160 Permanency Planning Hearing
This review Hearing is used to continue judicial oversight of the child's current situation. Reviews may be set in upon request of any party.

Day 220-280 Permanency Planning Review Hearing
Permanency Planning Review Hearings will be scheduled every 180 days while the child remains in care.

Additional Events:

Additional Hearings may be set in upon the request of any party and at the discretion of the Master or Judge.

Track 8
Voluntary Placement
Flow Chart



Track 9

Termination of Parental Rights

A. Process Summary

The Annotated Code of Maryland outlines Juvenile Causes, specifically Termination of Parental Rights cases under Title 5, section 3 of Family Law Article. All Termination of Parental Rights (TPR) cases follow Track 9. Termination of Parental Rights cases are monitored very closely by the Court. The filing of the Petition for Termination of Parental Rights may be a decision of the Department of Social Services, or by an Order of the Court. The Annotated Code of Maryland states that all cases must be concluded within 180 days of filing. The Court must depend heavily on an efficient case management system to ensure timely processing as well as due process. To assist in timely processing, the Court will frequently review these cases.

1. The filing of the Petition to Terminate Parental Rights is the initiating event in this Track. This also starts the case time standards. Once the file has been created the clerk docketed all appropriate entries and forwards the file to the Permanency Planning Liaison (PPL). The PPL closely monitors the case until it is closed.
2. The initial Status Hearing for Termination of Parental Rights is to be held between days 1-60. This Hearing is to be used to review the status of the case. The Court file is reviewed to determine adequate notice, and accurate party addresses. The Court will either issue a Scheduling Order at this Hearing or set the case in for subsequent Service Status Hearings.
3. A Service Status Hearing may be set in between days 2-60. If a Scheduling Order has been issued a status Hearing will not be set unless requested. If all parties have not been served the Hearing will address the causes of delay.
4. Mediation is scheduled between days 60-90. This Mediation will attempt to resolve any outstanding issues in the case before trial. If the Mediation session results in an agreement the agreement will be placed on the record the same day. If an agreement is not reached any party may request an additional Mediation session, or the case will proceed to trial.
5. A Pre-Trial Hearing is set between days 90-120. This Hearing will address any outstanding discovery issues and ensure all parties are ready for Trial.
6. A Trial date is set between days 120-160. All cases must go forward on the record even if an agreement is reached, or consent is given.
7. If the case results in a Final Order of Guardianship the case will continue to be reviewed until such time as the respondent is adopted or the guardianship is terminated. The Initial Guardianship Review Hearing is scheduled within 6 months of the Final Order for Guardianship. This Hearing can only be canceled by Order of the Court. Upon conclusion of the Initial Guardianship Review the Court will review cases annually (no later than 365 days from Initial Guardianship review). Cases will continue to be reviewed until an Order of the Court granting an Adoption or terminating Guardianship. At every Guardianship Review Hearing the Court will inquire as to whether all foster parents and or relative caregivers have been notified of the Court Hearing, and wish to be heard. All children are required to be present for all Court Hearings for consultation, unless the Court finds extenuating circumstances to waive their presence.

B. Track 9 Timeline:

Day 1-60 Status Hearing

The status of the case is determined. A Scheduling Order may be issued.

Day 2-60 Service Status Hearing

The service status Hearing is used to determine whether service has been affected on all parties.

Day 60-90 Mediation

Mediation is used as another measure to settle the case before trial. All agreements must be placed on the record.

Day 90-120 Pre-Trial Hearing

The Pre-Trial conference will address any outstanding discovery issues.

Day 120-160 Trial/Final Hearing

All cases must proceed to a Hearing even if consents are filed. The final outcome of the case must be put on the record.

Day 250-300 Initial Guardianship Review Hearing

All cases that result in a Final Order of Guardianship will be reviewed within 6 months of the Final Order of Guardianship.

Day 615+ Guardianship Review Hearing

Hearings are to be held within 365 days from Initial Guardianship Review Hearing. Reviews can only be cancelled by an Order of the Court. The Respondent must be present for every review, unless the Court waives their presence.

Additional Events:

Fail Conditional Consent/Revocation of Consent – Hearing will be within 30 days of filing.

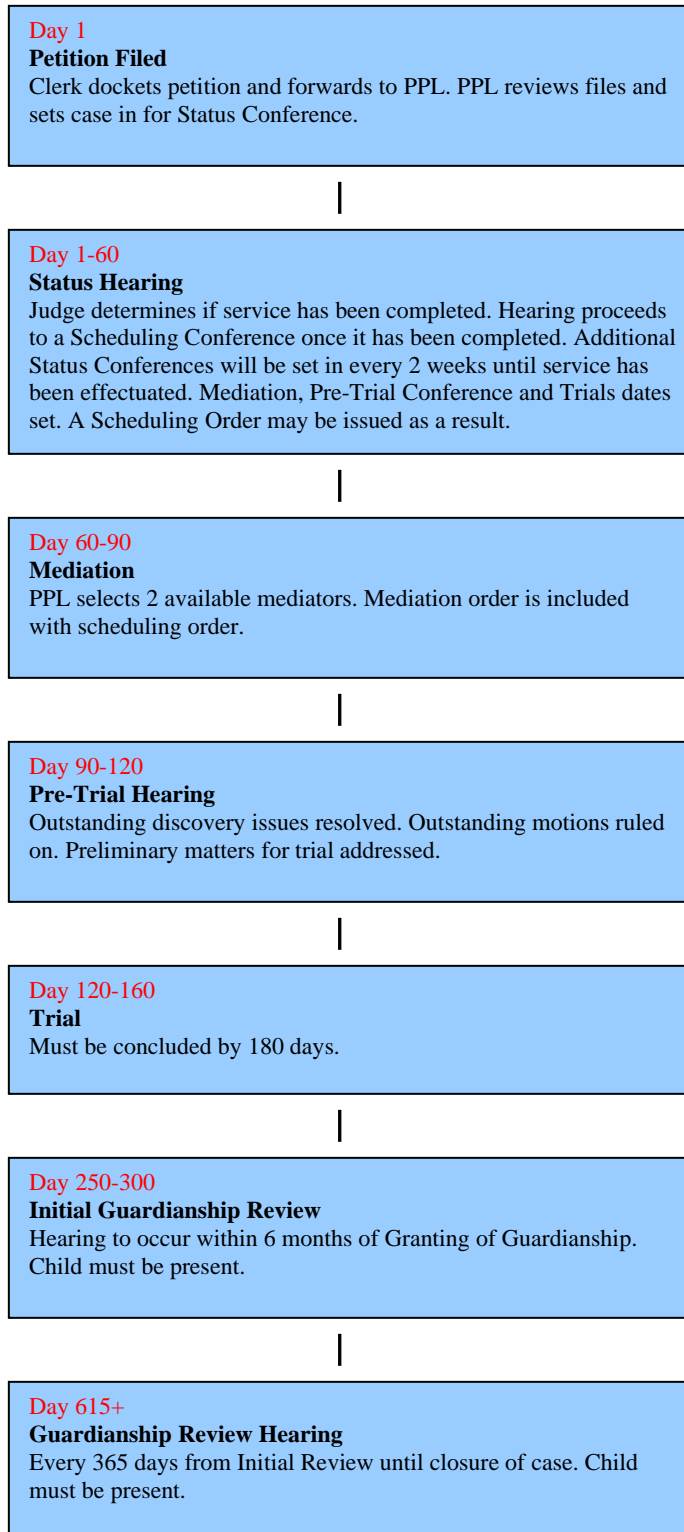
Change in Specified Placement – Hearing will be within 30 days of filing of notification of change.

Emergency Hearing – Hearing will be between 1-30 days depending upon circumstances.

Mediation – (After Final Order for Guardianship has been signed) Mediation will be between 1-45 days from request.

Motions – Hearing will be between 1-60 days.

Track 9
Termination of Parental Rights
Caseflow



Track 10

Public Agency Adoption

A. Process Summary

Track 10 has been established specifically for Public Agency Adoptions. Public Agency adoptions include all cases under the Annotated Code of Maryland, Family Law Article, Title 5, Subtitle 3, Part III, and Part IV. These sections apply to Public Agency Adoptions after TPR and Public Agency Adoptions without Prior TPR. The Petition may be filed in this Court if the termination happened in the State of Maryland, or in another State. Adoption cases are one of the most celebrated cases in the Court and are given a special priority. These cases are heard as soon as all requirements have been met, the Court's calendar allows, and the adoptive family is available.

1. Prior to and/or upon the filing of a petition the petitioner should contact the Calendar Management Office to coordinate the adoption Hearing date and time. The filing of the Petition for Public Agency Adoption is the initiating event in this Track.
2. Upon the filing of the Petition the Clerk will docket the file and forward it to the Family Law Office for review. The Family Law Office will review the file to ensure it meets all of the requirements in the Annotated Code of Maryland. A notification letter will be mailed to the Petitioner if they have failed to comply with all of the requirements of the Annotated Code of Maryland. The Petitioner will have 10 days to return all of the missing documentation.
3. Once all requirements have been met, the case will proceed to the Adoption Hearing. If all of the requirements have not been met a status Hearing will be set by day 60.
4. The Adoption Hearing shall occur no later than day 180 as required by the Maryland Rules of Procedure.

B. Track 10 Timeline:

Day 1 Petition Filed

The clerk processes the file and sends it to the Family Law Office for review.

Day 15-60 Adoption Hearing

Day 45-60 Status Hearing

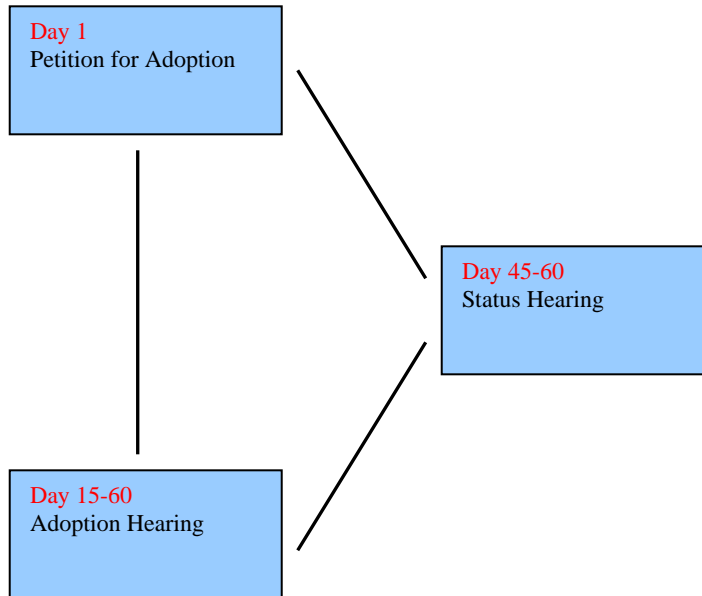
A Status Hearing is set after day 45 if the adoption has not yet been finalized.

Additional Events:

Motions Hearing – Within 45 days of request.

Petition to Invalidate – Within 30 days of filing of petition.

Track 10
Public Agency Adoption
Flow Chart



Circuit Court for Howard County
Juvenile Postponement Policy
Effective February 27, 2007
Updated May 7, 2007

- A. **Background:** The policy of the Circuit Court for Howard County is to hear all cases in a timely manner. The timeliness of case processing is outlined in the Annotated Code of Maryland and the Adoptions and Safe Families Act of 1997.
- B. **Types of Cases:** This policy applies to all requests made to postpone or continue any Juvenile cause. Specifically, it applies to all of the cases listed below:
1. Delinquency Detention
 2. Delinquency Non-Detention
 3. Juvenile Peace Orders
 4. Voluntary Placement
 5. Child in Need of Assistance Shelter
 6. Child in Need of Assistance Non-Shelter
 7. Child in Need of Supervision
 8. Termination of Parental Rights/Guardianship or Long-term Care short of Adoption
 9. Adoption (as a result of Termination of Parental Rights)
- C. **Types of Hearings:** This policy applies to all scheduled Court events. A scheduled Court event is defined as any event in which the Court issued a notice of the event. The Annotated Code of Maryland mandates strict scheduling of many Juvenile Causes. Postponements may not be granted in all case types in order to meet those time frames.
- D. **Requirements:**
1. All requests shall be in the form of a motion, with documentation establishing the need for a postponement and a proposed order (with the exception of oral motions made in Court).
 2. The motion should include the position of all parties and a re-set date provided by the Calendar & Caseflow Management Office (CCMO) that has been cleared with all counsel/parties.
 - i. ***For Judges' Events*** – please contact the Calendar & Caseflow Management Office at 410-313-3057 or 410-313-3579.
 - ii. ***For Masters' Events*** – please contact the Masters' Division of the CCMO at 410-313-4857
 3. If a postponement is granted, the provisions of the scheduling order shall remain in effect except as may be amended by the terms of the postponement order.
 4. **With the exception of emergency Hearings, the request for postponement shall be submitted no later than 5 days prior to the scheduled event.**

E. Procedures:

1. All requests for postponement should be submitted in writing except as previously stated.
2. The motion and any proposed order should be submitted to the juvenile clerk.
3. The clerk will docket the original motion, attach it to the corresponding file(s) and send it to the appropriate Judicial Officer. Only those motions for postponement that adhere to the established policy will be considered.

F. Examples of Good Cause: The policy in the Circuit Court for Howard County is to deny requests for postponement unless “**good cause**” is shown. Examples of “**good cause**” are as follows:

1. Trial date conflict: The first case set takes precedence (See Chief Judge Robert C. Murphy’s Revised Administrative Order for Continuances for Conflicting Case Assignments or Legislative Duties effective May 15, 1995).
2. Death or Illness: Serious illness of, or death in the family of a party, counsel, or necessary witness is usually an “good cause” for postponement.
3. Conflicting vacation schedule: vacation scheduled before a Hearing, motion, or trial date is set, is “good cause” for a postponement. Vacation scheduled after establishing a date is not “good cause” for a postponement.
4. Trial/Hearing Carryover: If counsel is scheduled for a matter before this Court, but becomes involved in a carryover matter in another Court is usually an “good cause” for postponement.

G. Examples that are NOT “good cause”:

1. No previous request for postponement has been made.
2. An agreed upon request for postponement.
3. Outstanding motions at a date of Hearing or trial. Discovery is incomplete at date of Hearing or trial.
4. Change of counsel.
5. Any matter known or which should have been known when the trial date becomes firm is not “good cause” for postponement.

_____/s/
Diane O. Leasure
Administrative Judge

Juvenile Phone Directory for The Circuit Court For Howard County

Circuit Court for Howard County
8360 Court Avenue, Ellicott City, Maryland 21043

Circuit and County Administrative Judge

The Honorable Diane O. Leasure 410-313-2066

Circuit Court Juvenile Judges

The Honorable Richard S. Bernhardt
Debbie Coleman, Secretary 410-313-2145
Law Clerk 410-313-4855

The Honorable Louis A. Becker III
Barbara Unverzagt, Secretary 410-313-2083
Law Clerk 410-313-2083

Circuit Court Juvenile Masters

Master William V. Tucker
Master Mary M. Kramer
Linda Gonder, Secretary/Calendaring 410-313-4857
Marcia Martin, Secretary/Calendaring 410-313-4857

Circuit Court Administration

Suzanne James, Court Administrator 410-313-2028
Melanie Merson, Secretary 410-313-2028

Clerk of the Court

The Honorable Margaret D. Rappaport 410-313-2160
Wayne Robey, Chief Deputy Clerk 410-313-3825
Sheri German, Criminal/Juvenile Manager 410-313-3822

Family Law Office

Lisa Mohink, Family Law Coordinator 410-313-2225
Hella Stevenson, Assistant Family Law Coordinator 410-313-2403
Karin Wilson, Permanency Planning Liaison 410-313-3650
Christina Bieganski, Juvenile Case Manager 410-313-4184

Caseflow and Calendar Management Office

Jennifer Keiser, Director Calendar Management 410-313-3057
Calendar and Information Management Tech 410-313-3579

Juvenile Court Masters' Schedule

<u>Monday</u>	<u>Tuesday</u>	<u>Wednesday</u>	<u>Thursday</u>	<u>Friday</u>
	Delinquency	CINA	Delinquency	
		CINA/ Delinquency		

***** The above-mentioned schedule is for regularly scheduled events. Emergency Hearings will be held in accordance with the Court's emergency Hearing procedures as listed on page 3 of the DCM plan. *****