

CONFERENCE OF CIRCUIT COURT ADMINISTRATORS MEETING

Minutes
March 29, 2016

Conference Members Present:

Jennifer Keiser (Chair)

Timothy Sheridan (Vice-Chair)

Matthew Barrett

Sondra Battle

Susan Braniecki

Barbara Domer

Missy Gallagher

Doug Hofstedt

Melissa Johnson

Susan Leary

Stephanie Medina

Cherie Meienschein

Eunice Plank

Sally Rankin

Wayne Robey

Judy Rupp

Anne SanGiovanni

Marilyn Saulsbury

Teri Scherer

Sandra Smith

Deborah Zrioka

Administrative Office of the Courts:

Pamela Harris

Faye Matthews

Lynne Wheeler

Others present:

Erica Payne-Santiago, Deputy Court Administrator, PG County

A meeting of the Conference of Circuit Court Administrators was held on March 29, 2016, at the Judiciary Education & Conference Center, beginning at 10:00 AM. Jennifer Keiser began the meeting by welcoming everyone. She called for approval of the minutes from the November 10, 2015 meeting, and received a motion from Doug Hofstedt. The motion to approve was seconded by Matt Barrett and passed.

MARYLAND STATE ARCHIVES – V. Joyce Phelps II/James Watson (2 handouts)

- ❖ Joyce and James explained that they have both a new building and a new State Archivist, Tim Baker. They then presented the Administrators with an overview of the Maryland State Archives and its role and various functions.
 - The job of the Archives is to preserve the history and records of the State of Maryland. Anything deemed permanent by the retention schedule is their focus. They also provide research on records for things including cases and genealogies, as well as provide general access to public records.

- ❖ The Archives is working on the transfer of records (because of MDEC). Decisions will be made once the MOU between the Archives and AOC is finalized.
- ❖ The Archives is reviewing the Circuit Court retention schedule to determine whether changes are needed due to the arrival of MDEC. If the schedule is revised, the Archives will be consulted to ensure that it works for all involved.
- ❖ QUESTIONS/CONCERNS:
 - Is there a goal to digitize records?
 - James explained that, for now, records will be scanned upon request.
 - What if there are permanent and non-permanent records mixed together?
 - James stated that the current policy is to separate the permanent and non-permanent case files. This also applies to electronic files. The permanent records are separated and exported, while the non-permanent ones are destroyed.
 - Jenn expressed concern that it is not possible, given the current technology, to extract specific portions of audio from audio records.
 - James explained that there is staff at the Archives who are working on extracting permanent from non-permanent audio. It is feasible, but the process requires time and effort, and will most likely be on a case-by-case basis. The Archives must abide by the retention schedule, but courts may choose to work directly with the companies (CourtSmart, etc.) to separate the records. The intention is not to make it so a file is not accessible to the public.
 - Would the Archives be willing to accept the current audio files?
 - James would want to have a conversation with Tim Baker and obtain the answer and final approval from him.
 - Barb Domer is concerned about how time-consuming the process of going through all of the audio files would be, in addition to how much manpower it would require.
 - Doug Hofstedt would like to give the case files to the Archives to free up space, both off-site and at the courthouse.
 - Joyce responded by saying that the Archives is “not in the storage business; they are “in the archiving business”.
 - Do you have the ability to splice cases, dividing by case type?
 - According to James, this is a long-term possibility. There is no guarantee at the moment. It has been done, but so far only in response to individual requests.
 - What’s the future for archiving MDEC?
 - The Archives is still in talks with the AOC about the transfer of permanent records. The method and timing have been agreed upon, and the process has been set up, but final decisions have not been made.
 - What advice do you have for courts with many boxes of documents in poor shape (not labeled, crumbling, moldy, etc.)?
 - Courts can work with James and Joyce to schedule a time for the Archives to make a site visit, to look at the files in question, and to assist with their organization. A ranged inventory might be more helpful than a detailed one.
 - Joyce explained that there exists a backlog in several counties as of late. The new procedure is to have a site visit before transferring these old files. The Archives is careful about what they receive into their holdings, as they cannot create any health risks. After the site visit, the Archives will determine whether or not the records are worth salvaging.

CIRCUIT COURT DCM GUIDE – *Rey Banks, JMI/Jamie Walter (handout)*

- ❖ Jamie Walter introduced the Court Operations division’s new Researcher, Luke Dillon.
- ❖ Rey began her PowerPoint presentation by mentioning that the DCM guide will be especially beneficial for smaller courts or those with limited resources.
 - The “alignment with statewide consensus tracks” mentioned correlates to aligning with MDEC.
- ❖ Debbie Zrioka spoke regarding her involvement in the DCM Pilot Program.
 - The kick-off began with an invitation to both internal and external justice partners. First, they identified their executive court team, then identified individuals (SME’s) to serve on each team alongside those in leadership roles. Each team consists of approximately 5 people. Debbie, herself, is not on a team because she is considered to be the project manager on the local level. The Assignment Commissioner is on most, if not all teams. All draft templates are in place and will be sent out at the end of this week. An invitation will be sent for the project management workshop on April 8th.
 - Barb Domer asked for an example of a goal in the case plans. Debbie suggested setting reasonable, feasible goals, and offered the following examples:
 - An overall goal for what you want the plan itself to accomplish
 - A more specific goal, such as “To reduce the number of backlogged cases by __% within a period of __ months”
- ❖ QUESTIONS/CONCERNS:
 - Those with pre-existing DCM plans did not create goals within those plans. Is there a difference between those who already have DCM plans and those who do not?
 - Jamie expects that the Judicial Council will adopt the plan for this to be in place in a certain period of time.
 - Will Administrators be receiving a series of documents to help guide them, or will there be people to walk them through the process?
 - The timeline might be ambitious, but it will be up to the Judicial Council to decide whether or not to grant the courts more time. Jamie explained that her office is always happy to help in any way they can.
 - Debbie Zrioka shared that the caseflow assessment and DCM plan coinciding is actually beneficial. She would recommend pushing out the deadline to allow time for finalizing caseflow assessments, then using those assessments as a tool for moving forward. She suggested that Administrators begin to think about how they would like their teams to be configured.
 - Sandy Smith is concerned that courts that are preparing for the imminent MDEC rollout will not be able to tackle the project right now. Small courts do not have enough manpower to handle this on top of MDEC and are already overwhelmed.
 - Jamie offered to suggest that the MDEC counties would like a different timeline than other counties. Matt Barrett mentioned the possibility of working the project in phases.
 - Jamie opined that in the long run it will be a good thing. The timing is the difficult part, but it will turn out well.

JUDICIAL NEEDS ASSESSMENT & COURTOOLS – Andrew Ginder/Jamie Walter (2 handouts)

❖ JUDICIAL NEEDS ASSESSMENT:

- Andrew explained that a letter had been sent from Pam Harris regarding the introduction to the Judicial Needs Assessment, being overseen by the Judicial Needs Assessment Workgroup.
- The AOC has partnered with NCSC for this project, which will track the need for magistrates, in addition to the need for judges. Also included in the study will be commissioners, standing examiners, and some recalled judges.
- Completion of the study should take no longer than 5-10 minutes per day, for 30 days. There are two sides to the study (case-related and non-case related). Under case-related, there are 5 choices.
- NCSC has also created a high volume activity log. According to Jamie, some jurisdictions are sorting the paperwork beforehand, in order to expedite the process for the judges.
- For election work, judges will log their time as leave.
- The official training package will be sent next week. Chief Judge Barbera recorded a video introduction to the training module.
- There will be a dedicated helpdesk at NCSC for assisting judges. If there are any issues with the helpdesk, Andrew asked that he be contacted.
- After the study is finished, a Sufficiency of Time survey will be sent out to provide feedback from judges. Afterwards, NCSC will form groups to review draft case weights and make qualitative adjustments before the finalization of the study.
- QUESTIONS/CONCERNS:
 - Will it be taken into consideration that MDEC training begins on June 6th?
 - Andrew explained that there is a section to cover time spent doing time study, but he will check on how to code MDEC training on the log.
 - What if your only judge is now retired and has not yet been replaced? Will retired judges be participating in the study?
 - According to Jamie, some retired judges will be involved in the study, especially those who are doing a lot of routine work.
 - Jamie and Andrew will share the list of participants so the Court Administrators can make amendments to it.
 - Can only judges input data into the log? Most judges use their Administrative Assistants for things like this.
 - Judges can print out and handwrite the information, then give to anyone they designate to enter it. NCSC is aware that the assistants typically handle the input of judges' data.

❖ COURTOOLS:

- Jamie Walter offered a PowerPoint presentation. As part of it, she pointed out that helpful documents can be printed from the website, www.courtools.org.

EDUCATION UPDATES – Stacey Saunders

❖ STRUCTURE OF THE JUDICIAL COLLEGE (org chart handout)

- There are 3 departments, the names of which might be changing:
 - Judicial Education (formerly Judicial Institute)
 - Professional Development (headed by James Davis)

- Technology Training (headed by Robb Wilmott)
- The central office is where Stacey herself is located.
- There are the following subcommittees:
 - Education Subcommittee (chaired by Judge Neil Axel)
 - Professional Development Subcommittee (chaired by Kathy Smith)
 - Technology Training Subcommittee (chaired by Judge Mark Chandlee)
 - Magistrates Subcommittee

❖ **JUDICIAL COLLEGE UPDATES**

- Stacey explained the overall vision of the Judicial College. It is still fairly new, but the intention is to broaden their scope and to grow going forward.
 - Standards of Effective Practice include issues like social media. The standards need to be described first, followed by the formulation of a plan to go about achieving them.
 - Program Procedures describes the process of developing programs for the primary programs, in the event someone needs to assume another person's role, either temporarily or permanently.
- Proficiency-Based Education – The difference between competency and proficiency was explained. Proficiency is comprised of the following:
 - Awareness
 - Knowledge
 - Skill
 - One of the goals of proficiency-based education is to show a return on the investment made into employees. There also exists a gap between what we actually do and what we should be doing. The courses offered are done so in an effort to close that gap.
- There are 3 types of training provided:
 - *CORE Training* – This type of training is beneficial for employees who have been promoted, to help the person get started in their new position. Online coursework is being developed to accommodate employees' busy schedules.
 - *Specialized Training* – This training is intended to drill down deeper and go beyond the basics of the position.
 - *Related Training* – This is pertinent to the position, based on what types of things one might see or be exposed to in their job role. The goal is to develop well-rounded, better-versed employees.
- Impact Evaluations – These are provided post-training by reaching out to either the employee directly, or to their supervisor, to see if they are applying what they learned. If a supervisor has developed a PIP for their employee, it is important to know if the course has proven effective.

EDUCATION WORKGROUPS: Judges' Assistants & Supervisory – Sally Rankin

- ❖ Sally issued a call for volunteers to join the Judicial Assistants Workgroup. The following Administrators volunteered/offered suggestions:
 - Teri Scherer (representing a medium court)
 - Anne SanGiovanni (representing a small court)
 - Sondra Battle recommends including a PG County judicial assistant.
 - Tim Sheridan mentioned that the Bench-Bar Conference could be a convenient time for the judicial assistants to meet and discuss this.

- ❖ Stacey explained that most workgroups meet twice a month (one in-person meeting and one conference call). The commitment would last approximately 1.5 years, and once specific goals have been accomplished, some members would have the freedom to opt out.

JUROR CHECK-IN KIOSKS – *Matt Barrett*

- ❖ Matt explained the functionality of the remote kiosks and their benefits to the Judiciary. With the increased use of jurors over the last 10 years, and having the same number of staff, this would help to free up some of their time.
- ❖ Matt spoke with Mark Bittner regarding a statewide enterprise license with JSI. Mark and Pam Harris have met and a statewide agreement should be forthcoming. JIS is working on it, with Ann Looker as the lead.
- ❖ The suggestion was made that other Administrators look into the system, as well.
 - Tim Sheridan asked Judy Rupp, who is currently utilizing the kiosks, how much use they get.
 - Judy explained that in Montgomery County they have 4 kiosks and one person there to help with any questions the jurors might have. There have not been long lines and the process appears to be relatively seamless. In addition to the 4 regular kiosks, they have one portable kiosk, which can be used on days with a higher volume of jurors.
- ❖ JIS is providing the equipment and licensing for each kiosk’s monitor and printer, so each court would be responsible only for obtaining the necessary furniture.

REPLACEMENTS FOR SALLY RANKIN & BARBARA DOMER

- ❖ **SALLY RANKIN**
 - Jenn Keiser offered a “goodbye” on behalf of the Conference and thanked Sally for all of her hard work and support.
 - **Education Committee:** Melissa Johnson volunteered to take her place.
 - **Professional Development Subcommittee:** Melissa Johnson
 - **Retired/Recalled Judges Committee:** Sondra Battle volunteered.
 - **Project with Michele McDonald (OAG):** Debbie Zrioka
- ❖ **BARB DOMER**
 - **Access to Justice Committee:** Barb recommended that her replacement take her place on the committee. The rest of the Conference agreed.

COMMITTEE UPDATES

- ❖ **JUDICIAL COUNCIL – *Jenn Keiser***
 - At the January meeting:
 - The Communications Protocol was received. Jenn recommends that everyone read it.
 - A legislative update was provided and a presentation was given on the DCM Guide.
 - The Pew Foundation presented Justice Reinvestment. The basis is that incarceration is more expensive than treatment and is less beneficial.
 - A State of the Court Reports Workgroup has been formed. Dick Outten is the representative for the Court Administrators.
 - At the February meeting:

- As part of the Technology Committee update, an update was given on e-Warrants. The concern was expressed that some judges are not comfortable with technology and would like more time. Judge Everngam says that if any judges have questions or concerns, they may contact him. Once they get the hang of it, it will prove to be a great tool.
 - Judy Rupp is encouraging law enforcement officers to submit their search warrants during the day to allow judges to practice in an environment where they have support, allowing them to handle them quickly in the middle of the night.
 - The March meeting was canceled.
- ❖ **CONFERENCE OF CIRCUIT JUDGES** – *Jenn Keiser*
 - The January meeting was canceled.
 - At the March meeting:
 - The Risk Assessment Feasibility Study Advisory Workgroup presented an update, as part of the Justice Reinvestment project. Timing is a concern for some of the judges.
 - There was not much concern regarding the private mediation discussion for recalled judges.
 - Comp time for magistrates was broached. It was thought that two jurisdictions might be providing magistrates with comp time, but a letter was sent from Lee Robinson notifying the courts that they are not to do so. Faye asked that any Administrator whose jurisdiction is still providing magistrates with comp time email her to let her know.
 - Faye explained that as part of the legislative update, they discussed that the judgeship bill had been doing okay, the expungement bills are changing from day to day, and the bill regarding election of judges was shot down.
 - The Sentencing Matrix is to be reviewed by judges and they are to contact David Soule with any questions. The estimated date that it will go into effect is July 1st.
 - One judge from each court may apply for PACER access. A form was being developed at the time of the meeting.
- ❖ **CONFERENCE OF CIRCUIT COURT CLERKS** – *Tim Sheridan*
 - The dominant topic was the implementation of CONNECT and the issues surrounding it.
 - The potential dates for the Joint Conference are June 20-21, 2016.
 - According to Jenn, they are obtaining quotes from various hotels, in hopes of finding one within walking distance of Annie's Restaurant.
- ❖ **COURT TECHNOLOGY** – *Matthew Barrett*
 - In March, the committee discussed e-Warrants and ShareFile, part of that discussion including ShareFile's potential rollout to the Judiciary.
 - The Office 365 pilot is ongoing. In addition to Office 365, they are also testing OneDrive, another cloud-based system.
 - JIS is considering a new helpdesk program called Service Now, which would increase the ability of people to use internet-based or email-based reporting methods. This would also provide users with email notifications to update them on the status of their work ticket.
 - The major project right now is MDEC. Training begins on June 6th, with a go-live date of July 18th.

- In Cecil County, they are not able to get one of the programs to work on the bench. Matt recommended that other counties in the UES region test this out.
- **COURT ACCESS** – *Barb Domer*
 - Barb was unable to attend the last meeting, and the minutes have not been distributed yet.
- ❖ **SPECIALTY COURTS & DOCKETS** – *Judy Rupp*
 - They have not met yet. Nothing to report.
- ❖ **ADR** – *Tim Sheridan*
 - The last meeting took place on February 10th. At that meeting, the following items were discussed:
 - The 40-hour mediation training for judges will begin on May 9th
 - There is a new subcommittee, the ADR Research & Grants Subcommittee. Their first meeting was canceled, but they will be rescheduling.
 - There is a symposium taking place at the University of Maryland on June 2nd and 3rd.
 - A joint presentation will be offered at the Bench-Bar Conference in June (between the MSBA and ADR).
- **RETIRED/RECALLED JUDGES** – *Sally Rankin*
 - The April newsletter will be distributed this week.
 - The disclosure form is now available in paper form.
 - The hot topic at the last meeting was CONNECT and the issues being encountered while using it. For example, one judge did not get paid, despite having properly submitted his time.
- **COURT OPERATIONS** – *Sandy Smith*
 - There were meetings in December and March. The DCM proposal was the main topic.
 - **Jury Use Subcommittee** – The last meeting was in January. Sandy was sick and could not attend. She will send the minutes once they are finalized. Anne SanGiovanni was intending to attend via Skype, but it was not functioning properly. There is a meeting on April 14th, and both Sandy and Anne plan to attend.
 - **Case Management Subcommittee** – The next meeting will be to review the proposed changes to time standards. It will take place on May 6th.
 - **Court Equity Subcommittee** – Stephanie will email any updates, as she has no voice.
 - **Court Reporting Workgroup** – The court reporters’ manual has been converted to a Word document.
 - **Grants Advisory Workgroup** – They have not met yet.
 - **Records Retention Workgroup** – The retention schedule is a large project. They are currently working on general language for the preface. The preference would be to have one schedule with 3 distinct parts (District Court, Circuit Court, and AOC financial records, etc.) The feeling is that the Archives will not accept mixed retention period items.

- **EDUCATION** – *Sally Rankin*
 - The minutes have been sent out for the January and February meetings.
 - The Judicial Institute Subcommittee is exploring the use of webinars.
 - Enrollment for 2017 courses will be entirely in CONNECT.
 - The new Orientation Workgroup will be chaired by Judge Dorothy Wilson. They are assuming there will be an Administrative Order pertaining to a policy for orientations.
 - There is interest in technology certifications, as well as linking of offerings of classes to a desired career track.
 - The Family Law bench book has been updated and will be posted.
 - **Professional Development** – The subcommittee reviewed education training proposals and discussed the MDEC Preparation course. They would like some time allotted at the Bench-Bar Conference to ask people if they know and understand what training is available to them and to their employees. A survey is being finalized to measure participation and find out the reasons behind the level of participation.

OTHER BUSINESS

- ❖ Sondra Battle introduced her new Deputy Court Administrator, Erica Payne-Santiago.
- ❖ Jenn conveyed a message from Theresa Thomas, asking Court Administrators to have their Administrative Orders posted to their websites, making them available for general access.
- ❖ Cherie Meienschein asked if there is a way to ensure consistency in everyone being included in emails from the Department of Family Services (Guardianship).
 - Pam Harris recently asked Connie Kratovil-Lavelle to add all Court Administrators to the email group, so this should not be a problem in the future.