

**The Circuit Court for Dorchester County  
State of Maryland**

Administrative Order  
2011-02

WHEREAS, the Circuit Court for Dorchester County has determined that a formalized protocol will promote a more efficient coordination between all departments and agencies involved in the Grand Jury process;

NOW, THEREFORE, IT IS HEREBY ORDERED this 2nd day of June, 2011, by the Circuit Court for Dorchester County, Maryland that the Grand Jury Protocol attached hereto implemented by the Circuit Court for Dorchester County, Maryland, effective immediately.

  
Judge Brett W. Wilson

**GRAND JURY PROTOCOL**  
**(Revised May 2011)**

**A. Convening Grand Jury**

1. State's Attorney will notify Judge of need to call Grand Jury and request a date within a suggested time frame.
2. Judge will coordinate with State's Attorney to select a date. Upon selection the Judge will send a letter of notification regarding the selected date to State's Attorney, Jury Commissioner, Circuit Court Clerk and Court Security.
3. State's Attorney will notify Jury Commissioner and Clerk as to extent of Grand Jury session.
4. State's Attorney will supply Clerk with a list of potential indictments, and a list of witnesses to be called and/or request issuance of subpoenas for witnesses.
5. Jury Commissioner will supply the Clerk, Judge and, upon request, the State's Attorney, with 1 copy of Grand Juror list on the day before the event.

**B. Day of Event**

1. First time convened:
  - a. Jury Commissioner will conduct initial check-in, make adjustments to juror list and give orientation.
  - b. Jury Commissioner will give 2 copies of juror list (in ascending numerical order) to Clerk.  
One copy will be given to courtroom clerk.  
One copy will be sealed with all materials related to event.
  - c. Jury Commissioner will notify courtroom clerk when Grand Jury is ready. Courtroom clerk notifies Judge and Grand Jury is brought to courtroom at a time directed by the Judge.
  - d. Judge convenes session and addresses jurors.
  - e. Clerk or courtroom clerk administers oath to the Grand Jury.
2. Subsequent sessions:

- a. After juror check-in and adjustments to list, Jury Commissioner will give 2 copies of jury list (in ascending numerical order) to Clerk.  
One copy will be given to courtroom clerk  
One copy will be sealed with all materials related to event.
3. Every Session:
  - a. Security will assign 2 bailiffs for the event. Grand Jury Bailiffs will be sworn by Clerk.
  - b. Witnesses will be sworn by Clerk
  - c. State's Attorney and Grand Jury Bailiffs will coordinate sequestration of witnesses
  - d. After the Clerk has sworn the witness, the witness will receive a receipt confirming the oath. The receipt will be given by the sworn witness to the Grand Jury Foreperson upon being called to testify. After testimony, the witness will then deliver the receipt signed by the Foreperson to the Grand Jury Bailiff. The Grand Jury Bailiff will deliver the witness receipts to the Clerk at the conclusion of the Grand Jury session.

### **C. Indictments**

1. The State's Attorney shall provide the following copies of any indictment and attached motions and orders:  
  
An original to be signed by the foreperson and Judge which is maintained in the Court's file;  
A copy to be signed by the foreperson for service upon Defendant with warrant or summons;  
A copy for the State's Attorney;  
A copy for Law Enforcement Agency; and  
A copy for Court Commissioner
2. All indictments that are new charges must contain tracking sheet and fingerprint card. Cases that have already been initiated in District Court and are to be carried over must list District Court tracking number. BOND DOES NOT CARRY OVER UNLESS CASE COMES OVER.
3. Request for issuance of summons:

- a. New case – must contain tracking sheet and fingerprint card. Fingerprint card will be retained by clerk's office to be used if there is a conviction.
  - b. District Court case – must contain tracking number
4. Orders for request to seal shall be on a separate pleading and attached to the front of the Indictment for Judge's signature.

**D. Presentment**

1. State's Attorney shall notify Clerk when Grand Jury is ready to present indictments/report to the Court. Clerk shall consult with Judge to establish time of presentment.
2. Clerk shall notify State's Attorney, Grand Jury Bailiffs and Courtroom Clerk when time is scheduled for presentment. States Attorney shall escort Grand Jury to courtroom at the scheduled time.
3. State's Attorney and Grand Jury Bailiffs will accompany Jury to the Courtroom.
  - a. Courtroom will be cleared by Grand Jury Bailiffs.
  - b. Courtroom Clerk will place a list of cases furnished by the State's Attorney on the Judge's bench.
  - c. Indictments/Report will be retained by State's Attorney and Grand Jury Foreperson
  - d. The Courtroom Clerk shall conduct roll call.
  - e. Courtroom clerk shall question Grand Jury Foreperson concerning indictments/reports.
  - f. Judge inquires as to future need for Grand Jury and dismisses Grand Jury.
  - g. State's Attorney shall call each indictment, present same to Judge and proceed as to request for service, bond, etc.
  - h. Judge reviews and signs motions and warrants and hands indictment and attachments to Clerk.

4. State's Attorney shall remain in courtroom and assist courtroom clerk in confirming all indictments and attachments are in order.

**E. Miscellaneous**

1. Interpreter/Court Reporter
  - a. Use of an interpreter and/or court reporter requires an order of the Court.
  - b. Pursuant to Rule 4-642(c), if an interpreter is present for witness testimony, an audio recording shall be made
  - c. Interpreters and court reporters shall be sworn by the Clerk
2. State's Attorney's Office will be responsible for providing lunch for Grand Jury when necessary
3. **AT THE CONCLUSION OF THE EVENT ALL GRAND JURY LISTS SHALL BE SURRENDERED TO THE CLERK TO BE KEPT UNDER SEAL WITH OTHER GRAND JURY MATERIALS.**