

PROTOCOL FOR CRIMINAL STATUS CONFERENCES AND POSTPONEMENTS
DURING PHASE II
CIRCUIT COURT FOR HARFORD COUNTY

During the return to Phase II, the Circuit Court for Harford County will be conducting status conferences in criminal cases on currently scheduled pre-trial conference dates.

Plea Agreements

If a plea agreement is reached and all parties agree to proceed remotely via devices that permit the defendant and all participants to be visible to the Court, to the defendant, and to the attorneys, the plea hearing will be done remotely at the status conference.

If defendants are incarcerated, both HCDC and DOC have the ability to permit defendants to participate via Zoom.

If a guilty plea will be entered by a defendant who is participating remotely, defense counsel must review the Waiver of Rights form with the defendant in advance and have the defendant initial and sign the form. The completed form (regarding the rights waived in pleading guilty as well as the post-trial rights) must be submitted via MDEC in sufficient time to reach the judge before the guilty plea hearing.

If a plea agreement is not reached at the status conference, the judge will inquire as to the further issues on the Trial Readiness Checklist to keep matters moving in terms of discovery, witness issues, motions, and the like.

Status Conferences

At the status conference, the judge will postpone the trial date for any unresolved case, complete the Postponement Form, and note the good cause for the postponement as set forth in the Eighth Administrative Order Restricting Statewide Judiciary Operations Due to the Covid-19 Emergency.

At the status conference, the judge will also oversee the selection of new dates for trial events. The Criminal Assignment Coordinator will email the list of available dates to the judicial assistant for the primary criminal judge, with copies to the other judicial assistants in case one judge substitutes for another as the primary criminal judge. The judicial assistant will give the current list to the judge and the courtroom clerk and will email the list to attorneys who are not on the regular distribution list, if requested. Ms. Roach will also distribute the list on a weekly basis via email to SAO, PD, and other members of the criminal trial bar as it has been distributed in the past. (If any attorney wishes to have his or her email address added to the weekly distribution list, the attorney should contact Ms. Roach via email at lauren.roach@mdcourts.gov.) The courtroom clerk will fill in the dates submitted by counsel on the scheduling order during the status conference, the judge will sign the scheduling order, and the courtroom clerk will file the scheduling order in MDEC for distribution to the parties. The courtroom clerk will ensure that Ms. Roach receives the yellow copy of the scheduling order for each case postponed during the status conference docket. The

courtroom clerk will docket each postponement and remove the trial date for each postponed case from the calendar.

If the previously chosen reserve dates for a case fall before April 26, 2021 (the date that circuit courts are currently permitted to resume jury trials), those dates may not be used for the next pre-trial conference and trial dates. Counsel will need to select both new pre-trial conference/trial dates and reserve dates.

Judges will ensure the scheduling order is completed before excusing the attorneys and the defendant from the status conference.

Attorneys must attend the status conference, even if they do not expect any plea discussion to be successful.

If a plea agreement is reached at some point other than at a status conference, counsel may contact Lauren Roach at lauren.roach@mdcourts.gov for a plea hearing date so that the case may be resolved promptly.

Revised February 1, 2021

