

**CASEFLOW ASSESSMENT REPORT
FOR
THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY**

FY 2015



Submitted by:

Honorable Thomas G. Ross, County Administrative Judge
Honorable Scott MacGlashan, Clerk of Court
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Katherine B. Hager, Chief Deputy

**(Circuit Court for Queen Anne's County)
December, 2015**

I. Introduction

Percentage of Cases Within Standard 5 Year Comparison					
Case Type	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Criminal Standard - 98% within 180 days	99.4%	99.7%	100%	99.2%	99.8%
Civil General - All Standard - 98% within 548 days	99.3%	99.2%	99.3%	97%	95.4%
Civil General – Foreclosure Standard – 98% within 548 days	Not previously reported separately				92.4%
Civil General – Foreclosure Right of Redemption Standard 98% within 548 days	Not previously reported separately				92.9%
Limited Divorce (730 days) Standard - 98% within 730 days	100%	100%	100%	100%	100%
Family Law (365 days) Standard - 98% within 365 days	98.3%	98.2%	97.2%	98.4%	97.5%
Juvenile Standard - 98% within 90 days	99%	98.5%	100%	90.9%	100%
CINA Shelter Standard - 100% within 30 days	0%	0%	0%	100%	100%
CINA Non-Shelter Standard - 100% within 60 days	0%	0%	100%	0%	100%
Termination of Parental Rights Standard - 100% within 180 days	100%	60%	0%	0%	100%

Queen Anne's County is located just east of the Chesapeake Bay Bridge in the mid-portion of Maryland's Eastern Shore. It is part suburban (Kent Island), with the rest of the county being rural. The county seat is located in Centreville. Queen Anne's County is one of five counties in the Second Judicial Circuit and has an estimated population of 48,804 (U.S. Census) as of 2014 and population increase rate from 2010-2014 of 2.1%, and continues to be by far the largest one-judge county in the State.

Fiscal Year 2015 is the eleventh full fiscal year (July 1, 2014 - June 30, 2015) in which Judge Ross has served as administrative judge for Queen Anne's County. Essential information has been timely provided primarily by the Clerk's Office. There was a meeting of the Court Executive Team to discuss the FY15 results and options for improvement. This year because of the additional work required to meet deadlines related to the implementation

of the MDEC project, the Clerk's staff conducted a minimal data review of 10% of the court's cases.

The Court's "executive team," continues to draft a new proposed case management plan. The use of status conferences remains a significant case management tool, both before the Magistrate and Circuit Court Judge, and they are being utilized to assure that scheduling requirements are met and that orders are filed in a timely manner. There are virtually no cases that do not have a future calendar event to assure compliance with time standards. Same day initial appearances in jury trial prayers [in criminal cases] have continued, which has been a good method for securing timely trial dates and dispositions, although jury trial prayers have significantly increased over the past four years. Trial dates in those cases are set between 30-45 days after the initial appearance. The issue of increasing numbers of jury trial prayers continues to be addressed.

Great efforts continue to be made to assure that all cases are accounted for, addressed and/or concluded in a timely manner without unnecessary delay. As previously noted, all open case files are to have a future court date scheduled. Changes and modifications are being made on a regular basis to ensure compliance with case management criteria. The Clerk and Chief Deputy Clerk and their staff have worked well with the Court, Magistrate, Court Administrator and Assignment/Jury/ADR Commissioner to identify the "time" concerns and to address each in an appropriate manner. The Administrative Judge, Court Administrator, Clerk and Chief Deputy regularly discuss court issues, including case management. In addition, the Administrative Judge, Court Administrator, Magistrate, ADR/Assignment/Jury Commissioner and Family Services Coordinator met weekly to address issues which include case management goals and objectives. In particular, the Chief Deputy reviews all "open case" reports from AOC and the related files and advises the Court on matters that do not appear to be proceeding in an expeditious and timely manner, usually at the end of each month. The notice packages that are distributed to litigants and/or attorneys to provide information relating to filing requirements for proof of service and/or default situations continue to be effective in keeping cases moving especially when parties are self-represented. The Court Administrator reviews all cases that the Magistrate hears regularly (and all cases on a monthly basis) to ensure that all matters are being timely concluded.

II. Criminal Cases

A. What the data shows about the Court's performance.

Based upon the information compiled by the Clerk's Office as of November, 2015, the FY 2015 assessment shows that of the 494 cases reviewed 493 were within the standard – **99.8%**. The total cases in the assessment this year was increased by 131 from 2014. While the time standard was met, 1 case was over standard and the Court's performance in this category increased by .6% from last year.

B. What is being done to address problems.

Procedures were put in place long ago in 2004-05 to address the problem areas, particularly the ever increasing volume of jury trial prayer cases from District Court.

Additionally, there are many situations where the scheduling of cases for trial within 75-90 days of initial appearance is *increasingly* difficult. Constantly, forms and procedures are being modified to address this concern. Despite the increase in jury trial prayers and appeals from District Court, the Court's practice of setting firm trial dates as early as possible and denying non-emergency postponements continues to be the most effective tool in managing the increasingly heavy criminal docket. In the one over standard case, it was traveling with another case for the same defendant and, eventually, consolidated. Representations from the State indicated that it would entered *nolle prosequi* at time of a plea in the companion case. However, at the plea hearing conducted by a retired judge, the sentence hearing was set out 90 days, and this case was not dismissed. Instead, it was placed on the STET docket at the time of the sentence hearing in the companion case causing it to go over the standard.

A review of trends and practices in all the criminal cases reflected that postponements and failures to appear were recurring experiences in many cases, even when these issues did not push the case over the time standard. It is clear that the trends show that the court needs to continue to schedule calendar events as early as possible in the time line and to hold a consistent and firm policy on postponements. In the face of an increasing volume of criminal matters, primarily jury trial prayers, the court needs employ all options to ensure early resolution of these cases, preferably in the District Court, based on the fact that the majority of the jury trial prayer cases in this court are traffic matters that should have been concluded before coming to the Circuit Court. Despite the ever increasing number of jury trial prayers, the Court, its staff, and the Clerk's staff make extraordinary efforts to ensure that jurors are summonsed only when a trial is expected to proceed. This includes issuing orders with strict guidelines for timelines for notification of waiver of jury trial and/or acceptance of plea, monitoring the cases for compliance with orders, managing the papers in the files, and communicating with counsel for information about the status in advance of trial dates. This process is very labor intense for the court, its staff and the Clerk's staff, as well as jurors who are awaiting word regarding their service, but it does result in very little waste of juror appearances at the courthouse without participating in trials.

C. What is the Court doing that may warrant attention by other courts.

A very close look at the timeliness of the filing of mandatory motions and the setting of motions hearing is in place. For any hearing on motions, the Court is requiring the filing of a supplemental memorandum [to an omnibus motion] specifically addressing the issues to be presented. The Court has dispensed with pretrial conferences, having found such proceedings often to be useless due to counsel's lack of preparedness. Instead, the Court is setting matters for motions hearing and trial, and requiring plea offers to be accepted by the motions hearing date. The Court implemented a policy with District Court in 2004, requiring the appearance of all *pro se* jury trial prayers at either 10:30 a.m. or 2:30 p.m. on the day of the jury trial prayer so that early advice of rights to counsel and jury trial date can be addressed by the Court. Implementation of procedures regarding the timing and/or acceptance [by the court] of plea offers is in place. Postponements must be granted only upon showing of emergency circumstances and not for reasons of lack of preparation or deliberate delay. The Court has informed the State and Public Defender that beginning in January, 2016, it will not accept entry of jury trial prayer cases on the STET docket, and that such action must be taken in the District Court. Additionally, the Court is attempting to inform alternate and/or recalled judges of the policy and procedures for maintaining

consistent practices with the intent that attorneys will be unable to avoid the requirements of the case management plan.

III. Civil General Cases

A. What the data shows about the Court's performance.

The assessment shows that **95.4%** of cases were within the standard, with twenty-three (23) cases of 502 total cases outside the standard, a 1.6% decrease from 2014. While it is discouraging to experience a decrease of cases meeting the standard overall, a detailed analysis reveals that all over standard civil cases were foreclosures with two being foreclosure right of redemption matters. Thus, for all other civil general cases, the Court performed well in maintaining timeliness. The most frequent cause of delay in foreclosure cases was inactivity in matters where there is no suspension for mediation or bankruptcy and there are multiple status conferences without reaching a final result. While these circumstances are not entirely within the Court's control, it is believed that it is in the best interest of all stakeholders for the court to monitor the cases, confirm the reason for long periods of inactivity and direct appropriate action when necessary. The Court conducts regular status conferences in all cases, including foreclosures, and strives to promote positive activity toward resolving the issues for the benefit of the litigants.

B. What is being done to address problems.

The Court Administrator and Chief Deputy Clerk, as well as periodically the Judge and Magistrate, review all of the monthly reports (and docket entries) to see which cases remain open and set status conferences when necessary. The Court and Magistrate continue to maintain a limited time permitted for discovery; however, scheduling in a timely fashion is continues to be difficult.

In addition to settlement conferences, the Court has a mediation/ADR program that requires virtually all civil (not foreclosure) and domestic cases to conduct some form of alternative dispute resolution, that process having begun in July, 2009. Unlike the foreclosure mediation program, through the Office of Administrative Hearings, over which the Court has no control and for which those cases receive a suspension of the time standard during the mediation period, the mediation program administered by the Court provides great assistance in identifying and narrowing issues and, in a significant number of cases, impacts on settlement earlier in the process.

However, the Court must continue to be diligent in controlling the pace of the process by scheduling deadlines and calendar events as early in the time line as possible and avoiding unnecessary delays, including mediation, in order to stay within the time standards which are more than adequate for most civil cases. Postponements must be granted only upon showing of emergency circumstances and not for reasons of lack of preparation or deliberate delay. Settlement conferences must be used effectively to promote discussion of issues and early resolution by scheduling them after the conclusion of ample time for discovery and mediation. Continuation or postponement of status and/or settlement conferences should be strongly discouraged based on the impact this can have on the remaining time to conclude the case in a timely manner.

Additionally, the Court is attempting to inform alternate and/or recalled judges of the policy and procedures for maintaining consistent practices, particularly with respect to setting status conferences to ensure compliance with filing orders, audits, or other follow up matters, with the intent that attorneys will be unable to avoid the requirements of the case management plan and cause unnecessary delay in concluding cases.

C. What is the Court doing that may warrant attention by other courts.

Multiple avenues to follow up cases are being undertaken. This includes setting scheduling conferences within 45-60 days of the case being at issue; issuing a scheduling order if the attorneys cannot be present for a conference in a timely fashion; limiting discovery and extensions; scheduling a trial date within 75 days of settlement conference, all to the extent possible. Status Conferences are an effective tool to ensure that orders and other required documentation is filed within the time standard. When the required papers are filed, the status conference is vacated. With respect to foreclosure cases, some latitude is warranted with respect to continuing status conferences. However, the Court must use appropriate discretion to determine when the additional time is for good cause as opposed for the purpose of extending inactivity without a realistic result and ultimately going over the time standard. The use of Rule 2-507 is a good management tool for keeping cases moving when there is an extended period of inactivity. All of these procedures continue, but the number of cases extended simply because of the respective trial calendars of the court and counsel must be kept to a minimum. The Court continues to work on a revised case management plan with the extensive assistance of the “executive team.”

IV. Family Law

A. What the data shows about the Court’s performance.

The assessment shows that for the 362 cases were in the review, the percentage closed within the standard (365 days) was **97.5%** (a decrease of .7% from the 2014). Nine (9) cases were over standard in 365-day cases, an increase of 3 cases from FY 2014.

After analyzing each case individually, certain trends are apparent. The initial scheduling of events has, generally, been appropriate. However, there were some cases in which scheduling conferences, *pendente lite* hearings, and settlement conferences were set too far into the time line of the case to accommodate subsequent delays caused by inclement weather, postponements, *en banc* review, and untimely requests for interpreter accommodation.

Historically, status conferences have addressed many of the reasons cases remained open. However, in several cases status conferences were not set and follow up action and/or documents was not timely completed. The Clerk’s Office has addressed the issue of the lack of default motions/notices, particularly in cases involving unrepresented parties by providing information packets for the litigants, and this has had a positive impact on these situations. Regular meetings between the Court, Magistrate, Assignment/ADR Coordinator and Family Services Coordinator have been helpful to discuss matters relating to the status of pending cases. The Court Administrator provides feedback on cases where

Magistrate's reports and recommendations are outstanding. The ADR/Assignment Commissioner provides weekly lists of the progress of all mediation cases. This includes the courthouse mediation program. In several cases, multiple *pendente lite* hearings, postponements and multiple settlement conferences were held all of which pushed the time line too close to the target date to accomplish timely resolution. Several cases involved continuances of hearings to allow time for settlement discussions that ultimately were not successful causing significant delay and resulting in postponements pushing beyond the target date. Unfortunately, a couple of cases went many months over standard because final reports, recommendations and orders were not completed in a timely manner.

B. What is being done to address problems.

The Court and Court Administrator review these cases from the monthly printout of open cases. Additionally, the Magistrate and Family Services Coordinator reviews many such cases, including *pro se* cases to monitor compliance with orders and timely completion of mediation and other services required by the Court. The Family Law Clinic and the Mid-Shore *Pro Bono* program that began on November 21, 2005, have assisted unrepresented parties – who unintentionally hold up the system – helping to reduce delay in case management. The Court meets regularly with the Family Services Coordinator, Court Administrator and Magistrate to discuss upcoming cases, *sub curia* cases, and other issues to assure that all court-ordered requirements are met, i.e. mediation, parenting program, home study, psychological evaluation, substance abuse assessment, etc. While it is always preferred and encouraged that litigants work to resolve issues independently and outside of the courtroom, the court must be diligent in keeping the focus on timely disposition even if that means setting a trial date when a settlement *seems* imminent. The pending trial date is the best method to maintain momentum in settlement discussions, and it can easily be vacated when a resolution is reached.

C. What is the Court doing that may warrant attention by other courts.

Cases will continue to have status conferences set where any order or other follow up action is outstanding. Additionally, the Court is attempting to inform alternate and/or recalled judges of this policy and other procedures for maintaining consistent practices, to ensure compliance with filing orders, audits, or other follow up matters, with the intent that attorneys and litigants will be required to comply with the Court's case management plan even when alternate judges are conducting the dockets in order to minimize unnecessary delay in concluding cases.

While the Magistrate is based in Queen Anne's County, her schedule is challenged by the fact that she hears cases essentially on Tuesdays, Thursdays and Fridays in Queen Anne's County and in Kent County on three Wednesdays of each month. Looking at these cases weekly, and making sure that *sub curia* or written recommendations are addressed, has helped as well. The Court and Magistrate must prepare recommendations and orders promptly after conclusion of court events so that cases can reach finality without lengthy delay. The Magistrate has established a practice of setting a subsequent hearing to deliver reports and recommendations verbally to litigants. While this practice, in some measure, has assisted the Magistrate to meet the initial deadline to complete the recommendations, it increases the cost for litigants and attorneys without being an effective

use of the Court's calendar and other resources particularly considering a written recommendation is also required.

Additionally, the Court, the Magistrate, and the Assignment Office must control the timelines in all cases closely monitoring the case target date with respect to unnecessary delay particularly when allowing additional time for settlement discussions or postponements. Scheduling deadlines, mediation and calendar events must be set early in the process to promote forward movement and early resolution. Postponements must be granted only upon showing of emergency circumstances and not for reasons of lack of preparation or deliberate delay. The Court intends to set only one *pendente lite* hearing in these cases, preferably within 60 days after filing of an answer, but not after a scheduling conference, unless a prior final order has been issued. Trial dates must be set within the target date to meet time standards, and this may require placing these cases on the Court's docket instead of the Magistrate's. Ample time is provided for completion of discovery and mediation prior to the date of a settlement conference. Also, reasonable time for meaningful discussion is allotted at the time of the conference. Thus, it is not effective use of court time and resources to schedule additional settlement conferences.

V. Limited Divorce

A. What the data shows about the Court's performance.

Limited divorce cases have been separated from the Family Law category in the assessment. There were 27 cases in the review and all were closed within the standard of 730 days for a **100%** performance. The mean time to disposition was 186 days.

B. What is being done to address problems.

The Court's "executive team" focused on addressing the [mechanisms for the] conclusion of limited divorce actions in a timely manner, and has been consistent in taking action on the limited divorce complaint and not leaving the matter open for conversion to absolute divorce at a later time.

C. What is the Court doing that may warrant attention by other Courts.

The cases are monitored closely, and limited divorce issues are resolved timely instead of permitting later filing of complaint for absolute divorce. The Court strives to eliminate unnecessary delay simply for convenience issues.

VI. Juvenile Cases

A. What the data shows about the Court's performance.

The Court exceeded the standard in this year, with **100%** of cases – 9.1% more than FY 2014 meeting the 90-day standard. The total number of cases in the assessment was 30, down from last year's total of 33.

B. What is being done to address problems.

The Court or Magistrate have been very diligent to avoid postponements or to defer disposition that would cause delays as those that were identified in prior annual assessments, unless there is no other way to accomplish appropriate goals for the respondent(s).

C. What is the Court doing that may warrant attention by other courts.

Some concerns remain, given that such cases are heard only twice monthly. The Magistrate continues to hear these cases and aggressive efforts have been undertaken to avoid unnecessary delay. With the time standards so short, all of those involved in the system must help prevent needless and unwarranted delay. Additionally, the weekly meeting with the Court Administrator, and weekly follow up on the conclusion of cases, has greatly assisted this result. It is the goal of the Court or Magistrate to give each case enough time to resolve as many issues as possible. However, extended delay can exacerbate the issues. The time standards provide a baseline for the Court and Magistrate to monitor the progress of the case and to keep all participants focused on the end goal and to continue to schedule deadlines and calendar events early in the process to promote forward movement and early resolution. Postponements must be granted only upon showing of emergency circumstances and not for reasons of lack of preparation or unnecessary delay.

VII. CINA (Shelter), Non-Shelter and TPR

A. What the data shows about the Court's performance.

There were no CINA Non Shelter or TPR cases in the assessment this year. The assessment shows the standard was met *100%* of the time in CINA Shelter cases, as there was only one case in the assessment and it was closed within the standard.

B. What is being done to address problems.

The Magistrate is involved in CINA proceedings, and her background as a practitioner provides a great deal of experience in this area, which continues to be of assistance. The cases can be problematic, primarily due to scheduling only one CINA hearing date per month. The efforts taken by the court executive team – Clerk, Chief Deputy, Court Administrator and Administrative Judge – based on results from prior years' review have been helpful in keeping these case types on target. The Administrative Judge also has discussed with the Magistrate the need to reduce requests for postponement and shelter care orders in these cases. TPR cases required an immediate appearance by parents who file objections to assure that they have counsel for the proceedings.

C. What is the Court doing that may warrant attention by other courts.

Nothing at this time, other than as indicated.

VIII. Priorities and Conclusions

All cases can be difficult to manage within the given time limits. The utilization of the Magistrate does assist in the domestic, juvenile and CINA areas. This has freed up some time for the county administrative judge in criminal and civil cases, which remain a strong focus, but the caseload continues to grow. The Magistrate handles family law scheduling conferences. The Clerk's Office and Assignment Commissioner have also been monitoring cases that need to have matters prosecuted or closed. In those cases, the Clerk asks for a status conference. The Court Administrator provides a regular list of *sub curia* cases awaiting the Magistrate's Report and Recommendation and final orders by the Court. A new case management plan is being developed, and we expect to include appropriate requirements for prompt scheduling of deadlines and calendar events and consistent case monitoring to encourage early resolution of cases and timely disposition.

A. Criminal Cases

Pro se litigants are required to appear in Circuit Court on the day of a jury trial prayer for advice of rights and setting of a jury trial. Motions [Omnibus] are required to be supplemented before a motions hearing, although set, will be held. Pretrial conferences have been abolished as having little utility. Guilty pleas are required to be accepted on the scheduled motions hearing date in all indictment and criminal information cases. Setting multiple jury trials on a single date is necessary, as is denying most postponements.

The Court also has utilized an order regarding jury trial scheduling in jury prayer/appeal cases that requires counsel to advise the Court no later than three (3) days before trial if a jury is not going to be necessary. Failure to do so results in the Court's refusal to accept a guilty plea. This has worked well in scheduling the cases. However, it is necessary to develop options to encourage more consistent early pleas in cases of jury trial prayers and appeals from District Court.

The Court has informed the State and Public Defender that beginning in January, 2016, it will not accept entry of jury trial prayer cases on the STET docket, and that such action must be taken in the District Court.

Additionally, the Court is attempting to inform alternate and/or recalled judges of the policy and procedures for maintaining consistent practices with the intent that attorneys will be unable to avoid the requirements of the case management plan.

Despite the ever increasing number of jury trial prayers, the Court, its staff, and the Clerk's staff make extraordinary efforts to ensure that jurors are summoned only when a trial is expected to proceed. This includes issuing orders with strict guidelines for timelines for notification of waiver of jury trial and/or acceptance of plea, monitoring the cases for compliance with orders, managing the papers in the files, and communicating with counsel for information about the status in advance of trial dates. This process is very labor intense for the court, its staff and the Clerk's staff, as well as jurors who are awaiting word regarding their service, but it does result in very little waste of juror appearances at the courthouse without participating in trials.

B. Civil Cases

The Court has continued the policy of having a court date (or status conference) in all cases where documents are due to be filed. Scheduling conference is usually set within 45 days of the case being at issue, and trials within 75 days of settlement conference. A review of the monthly reports of open cases continues to prove important. Meeting the 60-day time limit for issuing orders in those cases held *sub curia* is, likewise important, but has, on occasion, proven difficult. The Magistrate also is assisting with settlement conferences – in addition to our settlement judge – on Friday afternoons.

The Court will continue to use mediation as a case management tool but will discourage unnecessary delays by maintaining a consistent policy regarding postponements. The mediation program provides great assistance in identifying and narrowing issues and, in a significant number of cases, impacts on settlement earlier in the process. However, the Court must continue to be diligent in controlling the pace of the process by scheduling deadlines and calendar events as early in the time line as possible and avoiding unnecessary delays, including mediation, in order to stay within the time standards which are more than adequate for most civil cases. Postponements must be granted only upon showing of emergency circumstances and not for reasons of lack of preparation or deliberate delay. Settlement conferences must be used effectively to promote discussion of issues and early resolution by scheduling them after the conclusion of ample time for discovery and mediation. Continuation or postponement of status and/or settlement conferences should be strongly discouraged based on the impact this can have on the remaining time to conclude the case in a timely manner.

Additionally, the Court is attempting to inform alternate and/or recalled judges of the policy and procedures for maintaining consistent practices, particularly with respect to setting status conferences to ensure compliance with filing orders, audits, or other follow up matters, with the intent that attorneys will be unable to avoid the requirements of the case management plan and cause unnecessary delay in concluding cases.

The Court, its staff, and the Clerk's staff make extraordinary efforts to ensure that jurors are summonsed only when a trial is expected to proceed. This includes issuing orders with strict guidelines for timelines for notification of waiver of jury trial and/or settlement of the case, monitoring the cases for compliance with orders, managing the papers in the files, and communicating with counsel for information about the status in advance of trial dates. This process is very labor intense for the court, its staff and the Clerk's staff, as well as jurors who are awaiting word regarding their service, but it does result in very little waste of juror appearances at the courthouse without participating in trials.

C. Family Law Cases

The regular use of a Magistrate remains of primary importance in clearing these cases. Utilization of monthly reports and status conferences helps to keep these cases on track and within standards. The system is complicated because the Magistrate is primarily in Queen Anne's County but also is assigned to Kent County three Wednesdays per month.

The Court and Clerk's Office will continue active monitoring of cases involving self-represented litigants and to provide informational materials when appropriate. The Court will continue to use mediation as a case management tool but will discourage unnecessary delays by maintaining a consistent policy regarding postponements.

The Court is attempting to inform alternate and/or recalled judges of this policy and other procedures for maintaining consistent practices, particularly with respect to setting status conferences to ensure compliance with filing orders, audits, or other follow up matters, with the intent that attorneys and litigants will be required to comply with the Court's case management plan even when alternate judges are conducting the dockets in order to minimize unnecessary delay in concluding cases. The Magistrate has taken steps to ensure that reports and recommendations are issued promptly.

Lastly, it may be better for purposes of timeliness to keep retired judges out of this assignment. Additionally, the Court, the Magistrate, and the Assignment Office must control the timelines in all cases closely monitoring the case with respect to unnecessary delay particularly when allowing additional time for settlement discussions or postponements. Scheduling deadlines, mediation and calendar events must be set early in the process to promote forward movement and early resolution. Postponements must be granted only upon showing of emergency circumstances and not for reasons of lack of preparation or deliberate delay.

The Court intends to set only one *pendente lite* hearing in these cases, preferably within 60 days after filing of an answer, but not after a scheduling conference, unless a prior final order has been issued. Trial dates must be set within the target date to meet time standards, and this may require placing these cases on the Court's docket instead of the Magistrate's. Ample time is provided for completion of discovery and mediation prior to the date of a settlement conference. Also, reasonable time for meaningful discussion is allotted at the time of the conference. Thus, it is not effective use of court time and resources to schedule additional settlement conferences.

D. Juvenile

This court's performance in this area has increased from last year, but it continues to monitor these cases to stay within standard. Further, in order to comply with standards, disposition will not be deferred because delay does not serve the parties or justice. The Magistrate has been utilized in these cases. The Magistrate will recommend that the court order disposition reports in cases where they are to be filed.

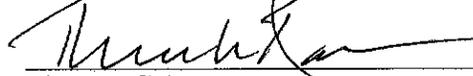
E. CINA (Shelter) and TPR

There were no CINA Non Shelter or TPR cases in the assessment this year. The CINA (Shelter) cases were problematic previously, but performance improved in this assessment in part due to the schedule changes made by the Court and Magistrate of having two available dates per month (rather than one) to handle the adjudication and disposition of these matters within the 30-day standard limitation. The Administrative Judge and Magistrate also have discussed the need to minimize significantly the approval of postponements, and continued shelter care requests.

F. Conclusion

The case assessment process for this year went smoothly with good communication and cooperation among our court's participants. Each year the process of evaluating our case load and case management practices provides valuable insight into areas that are going well and highlights procedures that may need adjustment. Additionally, the assessment reinforces the need to fulfill one of the primary purposes of the judiciary – hearing cases in a timely manner. In all case types, continued effective practices will be utilized, including early scheduling conferences and adherence to deadlines, status conferences to encourage compliance with required filings/pleadings, and limited postponements in cases not involving truly extraordinary circumstances, including scheduling and settlement conferences. In domestic cases, it may be appropriate to schedule the matters before the Court or on dates when retired judges are not involved. No amendments to any scheduling order will be permitted without approval by the Administrative Judge. Consistent scheduling practices and communication between the Court and assignment staff as well as alternate and/or recalled judges are essential to case management. Changes are being made to the scheduling of criminal cases, and one date per month has been set aside for jury trial prayers to encourage early disposition of these matter and to reduce requests for postponements for lengthy plea negotiations. These changes are intended to maintain consistent practices and to improve performance and to educate attorneys and parties about the importance of scheduling and trying all case types in compliance with judiciary time standards.

DATA REPORTS REVIEWED and
CIRCUIT COURT IMPROVEMENT PLAN
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Submitted: January 5, 2016

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