

## **DISTRICT 8 - PHASE II PLAN**

### **PHASE II – JUNE 5, 2020 THROUGH JULY 19, 2020**

#### **Bail Reviews/Bench Warrants**

- All bail review hearings including requests for second bail review hearings and bench warrants for any court location in Baltimore County will continue to be heard via video conference with the Detention Center daily at 1:00 PM at the Temporary Towson courthouse located at 1 Rolling Cross Road, Catonsville Md. 21228.
- Prosecutors, public defenders, private criminal defense attorneys and other witnesses may participate remotely.

#### **Emergency Evaluation Petitions**

- Emergency Evaluation Petitions will be heard immediately, either in-person and/or remotely at the Temporary Towson courthouse and the Essex courthouse.

#### **Quarantine and Isolation Violations**

- To date, Baltimore County District Court has not received any quarantine and/or isolation violations. However, any such filings will be handled at the Temporary Towson courthouse location. Prosecutors, public defenders, criminal defense attorneys, law enforcement and other witnesses may be able to participate remotely.

#### **Body Attachments**

- Body Attachments will be heard at the Temporary Towson courthouse location.

#### **Commissioners shall continue to hear the following matters:**

- New DV's, Peace Orders and ERPO's for old Catonsville District Court and for the Temporary Towson Court (west side, central and northern part of the County) will be heard 24 hours per day both in-person and remotely at the Temporary Towson Courthouse location.
- New DV's, Peace Orders and ERPO's for the east side of the County will be heard at the Essex courthouse, 24 hours per day, both in-person and remotely.
- All Initial Appearances will be heard via video conference located at the Temporary Towson courthouse. Three police precincts have been wired for video IA's: Dundalk, Towson, Woodlawn. Recently, Baltimore County IT completed the installation of touch-screen monitors and high-speed fax machines at the Essex District courthouse. As a result, Initial Appearances will also be heard via video conference at the Essex District courthouse. Additional precincts throughout the County will soon be wired. Initial Appearances are heard daily, 24 hours per day.
- Applications for Statement of Charges, acceptance of bail bonds and bench warrant satisfactions will be heard at Temporary Towson courthouse for defendants on the west side of Baltimore County and at Essex courthouse for defendants on the east side of the County. These matters will be heard daily, 24 hours per day.

### **Criminal Competency Matters**

- These matters will be heard for the entire County at the Temporary Towson Courthouse. All cases are handled remotely with all attendees participating via video conference or telephone. No defendants are transported for these hearings. These hearings are held every other Tuesday or as justice requires. The prosecutors, public defenders and other witnesses participate remotely.

### **Interim, Temporary and Final DVs, Peace Orders and ERPOs**

- These matters are heard daily and will be scheduled on a staggered basis throughout the day. For petitions submitted on the west side, central or northern part of the County, all hearings are scheduled at the Temporary Towson courthouse. For petitions submitted on the east side of the County, all hearings are scheduled at the Essex courthouse. Interims, dismissals, unserved temporary matters and waiver cases are handled remotely, when possible, unless justice requires otherwise.
- Motions and Contempt hearings related to peace and protective orders will be scheduled daily on a staggered basis throughout the day at the Temporary Towson Courthouse and the Essex Courthouse. These matters may be handled remotely, unless justice requires otherwise.
- For Essex, only two courtrooms will conduct hearings for these cases. One courtroom will remain available for extra witnesses to wait or for attorneys to communicate with their clients while maintaining 6-foot social distance.
- For Temporary Towson courthouse, four courtrooms will conduct hearings: two courtrooms on the third floor and two courtrooms on the fourth floor. Four other courtrooms will remain available for extra witnesses to wait or for attorneys to communicate with their clients while maintaining 6-foot social distance.

### **Matters involving locally incarcerated defendants**

- It is unclear whether defendants who are incarcerated locally will be transported. If not, defendants housed within the Baltimore County Detention Center may be able to have their matters handled via video conference daily. If the defendant is housed in an out-of-county detention center, a date and time will be scheduled to attempt to conduct a hearing via Polycom with the out-of-county detention center. Prosecutors, public defenders and/or private defense attorneys, witnesses and victims may appear in-person or remotely.

### **Guilty Pleas, with deferral of incarceration start date**

- Criminal cases, including must appear serious traffic matters, will be handled at the Essex courthouse for violations occurring on the east side of the County and at the Temporary Towson courthouse for violations occurring in the central and northern part of the County. Beginning the week of June 22, 2020, violations occurring on the west side of the County will be heard at the old Catonsville courthouse.

- For Essex and old Catonsville courthouses, only two courtrooms will conduct criminal/must appear-serious traffic cases. Each courthouse will have one courtroom available for extra witnesses to wait or for public defenders and/or private defense attorneys to communicate with their clients while maintaining 6-feet social distance.
- For Temporary Towson courthouse, four courtrooms will conduct hearings: two courtrooms on the third floor and two courtrooms on the fourth floor. Four courtrooms will remain available for extra witnesses to wait or for public defenders and/or private defense attorneys to communicate with their clients while maintaining 6-feet social distance.
- Dockets in all three court locations will be scheduled at four (4) times: 9:00 a.m., 11:00 a.m., 1:30 p.m. and 3:00 p.m. with a maximum of 9 cases (4 criminal /5 must appear serious traffic) per session.
- To comply with the CDC guidelines for social distancing, most courtrooms can only accommodate 20 – 26 people. As a result, it may be necessary to limit attendees in the courtroom to prosecutors, criminal defense attorneys and/or public defenders, defendants, testifying witnesses, victims and law enforcement.

#### **Hearings on Petitions for Mental Health Evaluation and Competency to Stand Trial**

- These matters will be heard for the entire County at the Temporary Towson Courthouse. All cases are handled remotely with all attendees participating via video conference or telephone. No defendants are transported for these hearings. These hearings are held every other Tuesday or as justice requires. The prosecutors, public defenders and other witnesses will participate remotely.

#### **Preliminary Hearings with a proposed resolution, no testimony**

- These matters will be heard at the Temporary Towson courthouse every Friday, starting June 12, 2020, on a staggered basis throughout the day. For non-incarcerated defendants whose felony charges are being dismissed or amended to misdemeanor charges, whenever possible, those cases will be handled via MDEC submissions. For incarcerated defendants whose charges are being dismissed or amended to misdemeanor charges, whenever possible, those cases will be handled via videoconference and may receive further bail review consideration given the change in circumstances and charges.
- The Grand Jury will resume on June 15, 2020. As a result, the State may be able to identify as a priority, those cases currently scheduled for preliminary which will be presented to the Grand Jury for possible indictment. As more cases are presented to the Grand Jury and indicted, the number of preliminary hearings will decrease.

#### **Landlord/Tenant – Emergency Breach of Lease involving threats or injury to people or property**

- All such cases will be scheduled weekly at four (4) times: 9:00 a.m., 11:00 a.m., 1:30 p.m. and 3:00 p.m.
- Cases will be heard in Essex courthouse (for east side matters), Temporary Towson courthouse (for the central and northern part of the County and old Catonsville (for west side matters).

**Landlord/Tenant – Emergency wrongful detainer actions**

- All such cases will be scheduled weekly at four (4) times: 9:00 a.m., 11:00 a.m., 1:30 p.m. and 3:00 p.m.
- Cases will be heard in Essex courthouse (for east side matters), Temporary Towson courthouse (for the central and northern part of the County and old Catonsville (for west side matters).