

Maryland Judiciary Annual Report 2003-2004

Statistical
Abstract and
Court-Related
Agencies

THE
ANNUAL REPORT
OF THE
MARYLAND
JUDICIARY

*Statistical
Abstract
and
Court-Related Agencies*

2003-2004

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THE INTRODUCTION

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January 10, 2005

I am pleased, once again, to present the Annual Report of the *Maryland Judiciary – Statistical Abstract and Court-Related Units*. This volume of the *Annual Report* provides a statistical compilation of the work of the courts and its various component parts during the past fiscal year. As you will note, the courts handled millions of matters, consisting of, *inter alia*, traffic citations, civil litigation, sensitive family issues and criminal cases. The court-related agencies also were quite busy, working tirelessly to discharge their designated responsibility: officially overseeing the admission of new lawyers; developing and proposing, for promulgation by the Court, new Rules of Practice and Procedure; operating the attorney discipline process, maintaining the client protection apparatus, establishing and improving alternative dispute resolution programs across the State.

The operation of the Judicial Branch over the past year has been effective and efficient. That is a tribute to the hardworking men and women of whom it is comprised. It is with gratitude and thanks to each of them that I present this *Report*.

A handwritten signature in black ink that reads "Robert M. Bell".

Robert M. Bell
Chief Judge

Judicial Revenues and Expenditures

JUDICIAL REVENUES AND EXPENDITURES

In Fiscal Year 2004, the total amount expended to support the operations of the Judicial branch of government was approximately \$371 million. The Judicial branch consists of the Court of Appeals, Court of Special Appeals, the Circuit Courts, the District Court of Maryland, the appellate and circuit court clerks' offices, the Administrative Office of the Courts, the Standing Committee on Rules of Practice and Procedure of the Court of Appeals, the State Board of Law Examiners, the Maryland State Law Library, the Commission of Judicial Disabilities, and the Maryland Mediation and Conflict Resolution Office.

There were 272 judicial positions and approximately 4,239 non-judicial positions in the Judicial branch as of June 30, 2004. The State-funded portion of the Judiciary operates on a program budget and expended more than \$269 million in Fiscal Year 2004. There also are locally funded operations.

The two appellate courts and their respective clerks' offices are funded by two programs. The circuit court program contains the compensation, travel, and educational costs for circuit court judges which totaled \$43,824,243, and the costs to operate the circuit court clerks' offices of \$63,727,796 all of which totaled \$107,552,039. The State-funded District Court expended \$104,876,965. The Maryland Judicial Conference contains funds for continuing judicial education and Conference activities. As noted on the accompanying chart, there were no funds expended for the Judicial Conference during Fiscal Year 2004. Remaining programs fund the Court of Appeals, the Court of Special Appeals, the

JUDICIAL BRANCH PERSONNEL IN PROFILE	
Judicial Personnel	
Court of Appeals	7
Court of Special Appeals	13
Circuit Courts	146
District Court	106
Non-Judicial Personnel	
Court of Appeals	65
Court of Special Appeals	67
Circuit Court Clerks' Offices	1,284
District Court	1,530
Administrative Office of the Courts	398
Court-Related Agencies	
State Board of Law Examiners	8
Standing Committee on Rules of Practice and Procedure	4
State Law Library	14
Commission on Judicial Disabilities	4
Mediation and Conflict Resolution Office	5
Circuit Courts - Local Funding	860
Total	4,511

Administrative Office and court-related agencies.

The Attorney Grievance Commission and the Clients' Security Trust Fund are supported by assessments paid by lawyers entitled to practice in Maryland. These supporting funds are not included in the Judicial budget.

The figures and tables show the revenue and expenditures for Fiscal Year 2004. With the exception of several special funds, all revenues are remitted to the State's general fund. The Circuit Court Real Property Records Improvement Fund, created by statute effective in Fiscal Year 1992, permits a surcharge by circuit court clerks for recording land instruments. The Fund is used for essential land records automation and equipment to improve land records operations in the clerks' offices. Four additional

special funds are the Victims of Crime Fund, the Victim and Witness Protection and Relocation Fund, the Criminal Injuries Compensation Fund, and Maryland Legal Services. The source of the funds is additional costs assessed in criminal cases, a portion of which is to be remitted to establish programs that provide victim and witness services. The other special fund is the State Transfer Tax Fund. Prior to Fiscal Year 1993, State Transfer Tax was deposited into the general fund. During Fiscal Year 2004, the circuit court clerks' offices collected State Transfer Tax totaling \$181,050,727.32. Shown on the following tables is the total revenue collected by the circuit court clerks in Fiscal Year 2004 for court related and non-court related activities. A total of \$55,378,534.81 was collected for commissions on land

records transactions, State licenses, court costs, and for criminal injuries compensation. In addition, the circuit court clerks' offices remitted \$294,291,379.72 to the local governments for recordation taxes, licenses, and court fines. An additional \$38,556,069 was collected for the Circuit Court Real Property Records Improvement Fund, \$149,597.48 was collected for the Victims of Crime Fund, \$144,536.56 was collected for the Criminal Injuries Compensation Fund, \$15,923.44 for the Victim and Witness Protection and Relocation Fund, and \$888,850.30 was collected for Maryland Legal Services. The District Court remitted \$84,472,507.01 in fees, fines, and costs to the State general fund. An additional \$10,774,103.83 was collected for various special funds, \$4,699,774.04 for the Law Enforcement Training Fund; \$3,506,361.01 for the Criminal Injuries Compensation Fund; \$948,239.59 for the Victims of Crime Fund, \$112,299.22 for the Victim and Witness Protection and Relocation Fund, and \$1,507,430.00 was collected for Maryland Legal Services. The Administrative Office of the Courts also administers funds received through the Abandoned Property Fund and IOLTA (Interest on Lawyers Trust Accounts) for Maryland Legal Services. In addition to the \$2.4 million collected by the District Court and the circuit courts, the AOC received \$3,646,560 from the aforementioned sources for disbursement to Maryland Legal Services.

The total State budget was approximately \$22 billion in Fiscal Year 2004. The State-funded Judicial budget consumes about 1 percent of the entire State budget. Other expenditures of the circuit courts come from local appropriations from Maryland's 23 counties and Baltimore City. These appropriations were approximately \$66.5 million in Fiscal Year 2004. Revenues from fines, forfeitures and certain appearance fees are returned to the subdivisions, primarily for the support of the local court library. Other court-related revenues collected by the circuit courts come from fees and charges in domestic relations matters and service charges in collecting non-support payments.

STATE FUNDED JUDICIAL BUDGET

Revenues

Program	Fiscal Year 2002	Fiscal Year 2003	Fiscal Year 2004
Court of Appeals	\$126,405	\$108,018	\$99,205
Court of Special Appeals	89,697	85,757	87,281
Circuit Courts	368,005,401	428,425,606	570,381,173
District Court	82,610,952	81,010,507	95,070,029
State Board of Law Examiners	721,383	751,032	950,329
Maryland Law Library	15,098	14,161	10,969
TOTAL	\$451,568,936	\$510,395,081	\$666,598,986

*Please refer to the narrative for an explanation of the revenues. In addition, \$38,556,069 was remitted to the Land Records Improvement Fund, \$1,097,837 to the State's Victims of Crime Fund, \$3,650,897 to the Criminal Injury

Compensation Fund, \$128,222 to the Victim and Witness Protection and Relocation Fund, \$6,042,840 to Maryland Legal Services which includes \$2.4 million collected by the District Court and the circuit courts, as well as \$3.6 million received and disbursed by the Administrative Office of the Courts from the Abandoned Property Fund and IOLTA.

**Prior to 1993, State Transfer taxes were included in General Fund revenue. Beginning in 1993, State Transfer taxes were allocated to a special fund. State Transfer taxes were \$181,050,727 for Fiscal Year 2004.

***The circuit court clerks' offices also collected \$25,040,457 in non-resident withholding taxes during Fiscal Year 2004. The taxes are withheld from sellers of real property in Maryland who reside outside of the State. The courts do not retain any of the monies collected.

Expenditures

Program	Fiscal Year 2002	Fiscal Year 2003	Fiscal Year 2004
Court of Appeals	\$5,350,850	\$6,119,213	\$6,256,634
Court of Special Appeals	6,235,652	6,657,796	6,559,607
Circuit Court Judges	35,944,446	40,714,213	43,824,243
District Court	102,386,000	102,724,908	104,876,965
Maryland Judicial Conference	150,493	3,953	0
Administrative Office of the Courts	16,355,003	19,215,297	22,970,265
Court-Related Agencies	3,688,035	4,291,021	4,906,101
State Law Library	1,569,088	1,646,499	2,190,375
Judicial Information Systems	18,531,600	16,209,765	20,732,345
Clerks of the Circuit Courts	65,327,986	64,218,086	63,727,796
Family Law Divisions	9,233,577	11,796,881	11,531,242
Major Information Technology Projects	8,022,555	6,212,592	16,781,024
TOTAL	\$272,795,285	\$279,810,224	\$304,356,597

The Court of Appeals

THE COURT OF APPEALS

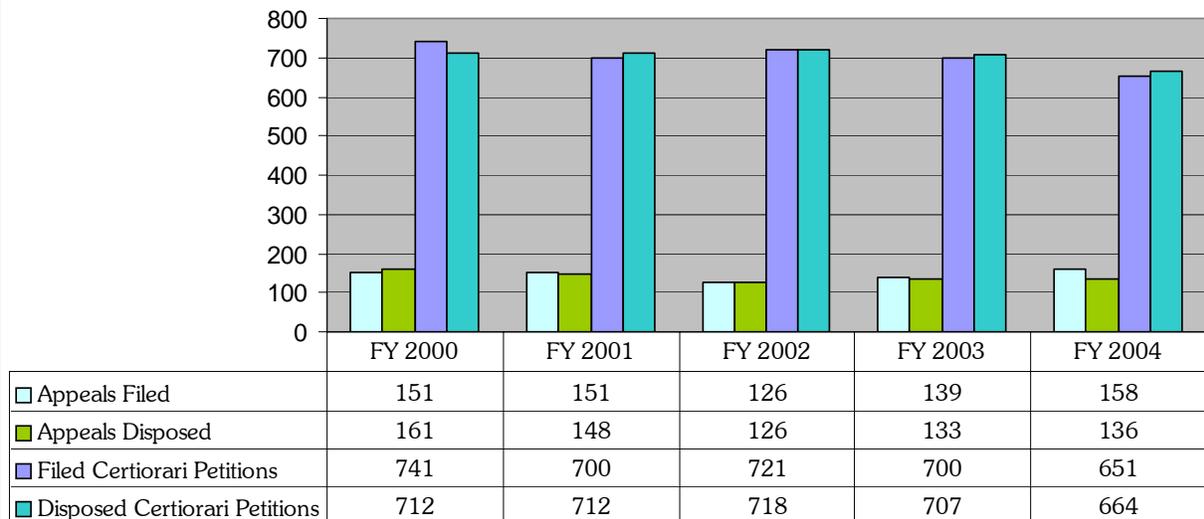
The Court of Appeals, the highest tribunal in the State of Maryland, was created by the Constitution of 1776. The Court sat in various locations throughout the State in the early years of its existence, but has sat only in Annapolis since 1851. The Court is composed of seven judges, including the chief judge, with one judge from each of the seven appellate judicial circuits. There are three single jurisdiction circuits included among the seven — Montgomery and Prince George’s Counties and Baltimore City. Members of the Court are initially appointed by the Governor and confirmed by the Senate. Subsequently, they run for office on

their records, unopposed. If a judge’s retention in office is rejected by the voters or there is a tie vote, that office becomes vacant and must be filled by a new appointment. Otherwise, the incumbent judge remains in office for a ten-year term. The Chief Judge of the Court of Appeals is designated by the Governor and is the constitutional administrative head of the Maryland Judiciary. As a result of legislation effective January 1, 1975, the Court of Appeals hears cases almost exclusively by way of certiorari, a discretionary review process. Petitions for certiorari are granted by the Court for those cases it

deems to be “desirable and in the public interest.” That process has resulted in the reduction of the Court’s formerly excessive workload to a more manageable level, thus allowing the Court to devote more time to the most important and far-reaching issues.

The Court may review cases already decided by the Court of Special Appeals or bring up for review, cases filed in that Court before they are decided. Additionally, the Court of Appeals has exclusive jurisdiction over appeals in which a sentence of death is imposed. Cases from the circuit court level also may be reviewed by the Court of Appeals if

**TABLE CA-1
COURT OF APPEALS
APPEALS ACTUALLY FILED AND
TERMINATED WITHIN FISCAL YEAR**



■ Appeals Filed
 ■ Appeals Disposed
 ■ Filed Certiorari Petitions
 ■ Disposed Certiorari Petitions

those courts have acted in an appellate capacity with respect to an appeal from the District Court. The Court is empowered to adopt rules of judicial administration, practice, and procedure which will have the force of law. It also admits persons to the practice of law, reviews recommendations of the State Board of Law Examiners and conducts disciplinary proceedings involving members of the bench and bar. Questions of law certified by federal and other state appellate courts also may be decided by the Court of Appeals.

Filings

During the 2003 Term, the Court of Appeals docketed a total of 143 regular docket appeals and 667 petitions for certiorari, a decrease of 1.4 percent and 6.7 percent, respectively, since the previous year's term. Since the 1999 Term, regular docket appeals have decreased nine percent, from 157 appeals in 1999 to the 2003 total of 143 appeals. Criminal appeals decreased 11.1 percent over the five-year period, from 54 in the 1999 Term, to 48 in the 2003 Term. Civil appeals also decreased, from 103 cases in the 1999 Term, to 95 in the 2003 Term. Table CA-2 details the appellate judicial circuits in which appeals originated during the 2003 Term. Of the seven appellate circuits, the Sixth Appellate Circuit (Baltimore City) reported the greatest number of appeals, with 33 cases, representing 23.1 percent of the total. The Fifth Appellate Circuit followed, with 24 appeals, representing nearly 17 percent of the total. The jurisdiction reporting the greatest percentage of the total in this appellate circuit was Anne Arundel County, with 14.7 percent, or 21 total appeals. The First and Third Appellate Circuits

reported the smallest number of docketed appeals, equally comprising 9.8 percent of the total.

Table CA-1 illustrates the number of docketed appeals and petitions for certiorari filed since Fiscal Year 2000. Over the five-year period, the number of regular docket appeals filed has increased approximately 4.6 percent, from 151 cases in Fiscal Year 2000, to 158 in Fiscal Year 2004. In contrast, the number of filed certiorari petitions has decreased since Fiscal Year 2000, from 741 cases in that year, to 651 in Fiscal Year 2004, representing a decrease of approximately 12.1 percent. As summarized in Table CA-4, in Fiscal Year 2004, the Court of Appeals docketed a total of 931 filings, which included the previously mentioned 158 regular docket filings and 651 petitions for certiorari, in addition to 89 attorney grievance proceedings, and 33 miscellaneous appeals. In the previous fiscal year, there were 979 total filings, representing a decrease of nearly five percent over the two-year period. Contributing to the decrease was a seven percent decrease in petitions for certiorari, from 700 filings in Fiscal Year 2003, to 651 in Fiscal Year 2004. Also decreasing significantly were attorney grievance proceedings, from 101 filings in Fiscal Year 2003, to 89 in Fiscal Year 2004, representing a decrease of nearly 12 percent.

In Fiscal Year 2004, 1,408 bar admissions were recorded by the Court of Appeals.

Dispositions

In Fiscal Year 2004, there were 920 dispositions recorded by the Court of Appeals, which included 136 regular docket dispositions, 664 disposed petitions for certiorari, 85

disposed attorney grievance proceedings, and 35 disposed miscellaneous appeals. In the previous fiscal year, there were 965 total dispositions, indicating a decrease of approximately 4.6 percent over the two-year period. Contributing to the decrease was a decrease in the number of petitions for certiorari, from 707 in Fiscal Year 2003, to 664 in Fiscal Year 2004, a decrease of approximately 6.1 percent. Disposed miscellaneous appeals also decreased over the two-year period, from 44 cases in Fiscal Year 2003, to 35 in Fiscal Year 2004, a decrease of approximately 20.4 percent.

Table CA-6 summarizes a five-year comparison of disposed petitions for certiorari. Since Fiscal Year 2000, the number of petitions granted has decreased significantly, from 117 petitions in Fiscal Year 2000, to 90 in Fiscal Year 2004, representing a decrease of 23 percent. In Fiscal Year 2000, there were 712 disposed petitions, which included 385 civil petitions and 327 criminal petitions. Also, during that same year, 19 percent of civil petitions were granted and 13.5 percent of criminal petitions were granted. Comparatively, in Fiscal Year 2004, 664 petitions for certiorari, which included 351 civil petitions and 313 criminal petitions, were disposed. During Fiscal Year 2004, 14.2 percent of the civil petitions were granted, while approximately 12.8 percent of criminal petitions were granted.

As shown in Table CA-8, the average amount of time expended from certiorari to argument during Fiscal Year 2004 was approximately 3.4 months, a decrease from the previous year's average of 3.6 months. Also decreasing over the two-year period was the amount of time expended from certiorari to

decision and from argument to decision. In Fiscal Year 2003, the average amount of time expended from certiorari granted to decision was approximately 9.4 months. However, this number decreased significantly in Fiscal Year 2004, when the average time expended was 8.4 months. The average amount of time expended from argument to decision decreased by a slightly lesser degree, from 5.8 months in Fiscal Year 2003 to 5.3 months in Fiscal Year 2004.

During Fiscal Year 2004, the Court issued 121 majority opinions and 15 per curiam orders. In addition, there were 13 concurring

opinions, 22 dissenting opinions, and five opinions that were concurring in part and dissenting in part. Comparatively, in the previous fiscal year, there were 117 majority opinions and 13 per curiam orders, as well as 17 concurring opinions, 32 dissenting opinions, and three opinions that were concurring in part and dissenting in part.

Pending

As illustrated in Table CA-8, there were 116 cases pending at the close of Fiscal Year 2004. Of this total,

civil cases comprised the greatest percentage of the pending caseload with 66.4 percent, or 77 cases, followed by 37 criminal cases, which comprised 32 percent of the total. Juvenile cases comprised only 1.7 percent of the total number of pending cases. Approximately 54.3 percent of the pending cases originated in the 2003 Term, while nearly 40 percent originated in the 2004 Term. The Fiscal Year 2004 pending caseload represents an increase of approximately 35 percent from the Fiscal Year 2003 pending caseload of 86 cases.

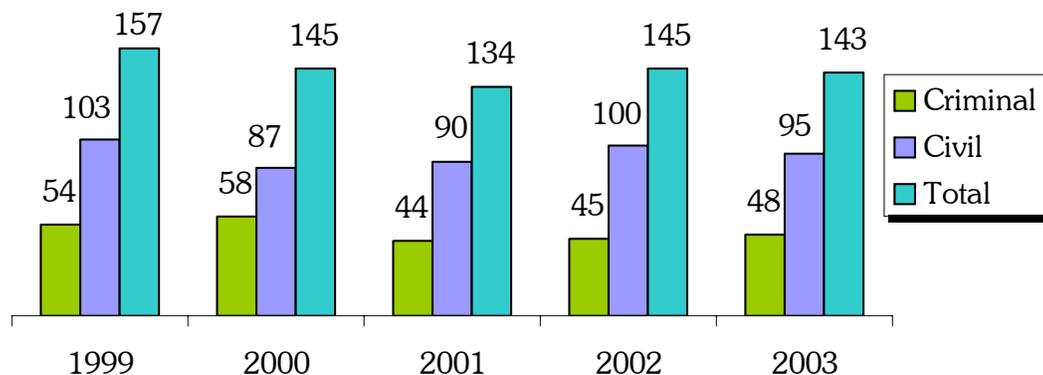
TABLE CA-2

**ORIGIN OF APPEALS BY
APPELLATE JUDICIAL CIRCUITS AND JURISDICTIONS
COURT OF APPEALS**

**REGULAR DOCKET
2003 TERM**

FIRST APPELLATE CIRCUIT	14		9.8%
Caroline County	3		
Cecil County	1		
Dorchester County	1		
Kent County	1		
Queen Anne's County	1		
Somerset County	1		
Talbot County	2		
Wicomico County	2		
Worcester County	2		
SECOND APPELLATE CIRCUIT	23		16.1%
Baltimore County	19		
Harford County	4		
THIRD APPELLATE CIRCUIT	14		9.8%
Allegany County	0		
Carroll County	2		
Frederick County	6		
Garrett County	0		
Howard County	4		
Washington County	2		
FOURTH APPELLATE CIRCUIT	17		11.9%
Prince George's County	17		
FIFTH APPELLATE CIRCUIT	24		16.8%
Anne Arundel County	21		
Calvert County	1		
Charles County	1		
St. Mary's County	1		
SIXTH APPELLATE CIRCUIT	33		23.1%
Baltimore City	33		
SEVENTH APPELLATE CIRCUIT	18		12.6%
Montgomery County	18		
TOTAL	143		100.0%

**TABLE CA-3
APPEALS DOCKETED BY TERM
COURT OF APPEALS REGULAR DOCKET**



**TABLE CA-4
FILINGS AND DISPOSITIONS
COURT OF APPEALS
JULY 1, 2003 - JUNE 30, 2004
FISCAL YEAR 2004**

	Filings	Dispositions
Regular Docket	158	136
Petitions for Certiorari	651	664
Attorney Grievance Proceedings	89	85
Bar Admission Proceedings	1	1
Certified Questions of Law	1	5
Miscellaneous Appeals	31	29
Total	931	920

TABLE CA-5
DISPOSITION OF COURT OF APPEALS CASES
REGULAR DOCKET
JULY 1, 2003 - JUNE 30, 2004
FISCAL YEAR 2004

	CIVIL	JUVENILE	CRIMINAL	TOTAL
Affirmed	40	2	18	60
Reversed	36	0	11	47
Dismissed - Opinion Filed	2	1	2	5
Dismissed Without Opinion	2	0	1	3
Vacated and Remanded	12	0	1	13
Affirmed in Part, Reversed in Part	4	0	3	7
Affirmed in Part, Vacated in Part	0	0	0	0
Dismissed Prior to Argument or Submission	1	0	0	1
Origin				
2000 Docket	3	1	2	6
2001 Docket	5	0	0	5
2002 Docket	39	0	9	48
2003 Docket	50	2	25	77
Total Cases Disposed During Fiscal Year 2004	97	3	36	136

TABLE CA-6

**FIVE-YEAR COMPARATIVE TABLE
PETITION DOCKET DISPOSITIONS
(PETITIONS FOR CERTIORARI)**

FISCAL YEAR 2000 - FISCAL YEAR 2004

Petitions	Granted	Dismissed	Denied	Withdrawn	Total	Percentage of Certiorari Petitions Granted
<i>Civil</i>						
1999-00	73	3	301	8	385	19.0%
2000-01	84	10	300	1	395	21.3%
2001-02	79	4	268	3	354	22.3%
2002-03	71	5	331	4	411	17.3%
2003-04	50	4	296	1	351	14.2%
<i>Criminal</i>						
1999-00	44	2	279	2	327	13.5%
2000-01	42	3	270	2	317	13.2%
2001-02	41	2	319	2	364	11.3%
2002-03	31	0	262	3	296	10.5%
2003-04	40	2	270	1	313	12.8%

TABLE CA-7 AVERAGE INTERVALS FOR CASES DISPOSED BY COURT OF APPEALS REGULAR DOCKET JULY 1, 2003 - JUNE 30, 2004 FISCAL YEAR 2004			
	Certiorari Granted to Argument or to Disposition Without Argument*	Argument to Decision**	Certiorari Granted to Decision*
Days	103	159	251
Months	3.4	5.3	8.4
Number of Cases	136	130	136
* Includes all cases disposed in Fiscal Year 2004.			
** Includes all cases disposed in Fiscal Year 2004 which were argued.			

TABLE CA-8 CASES PENDING COURT OF APPEALS REGULAR DOCKET June 30, 2004				
	Civil	Juvenile	Criminal	Total
Origin				
2002 Docket	4	1	2	7
2003 Docket	43	1	19	63
2004 Docket	30	0	16	46
Total	77	2	37	116

The Court of Special Appeals

THE COURT OF SPECIAL APPEALS

Maryland's intermediate appellate court, the Court of Special Appeals, was created in 1966 to address a substantial backlog in the Court of Appeals that had developed as a result of a rapidly increasing caseload.

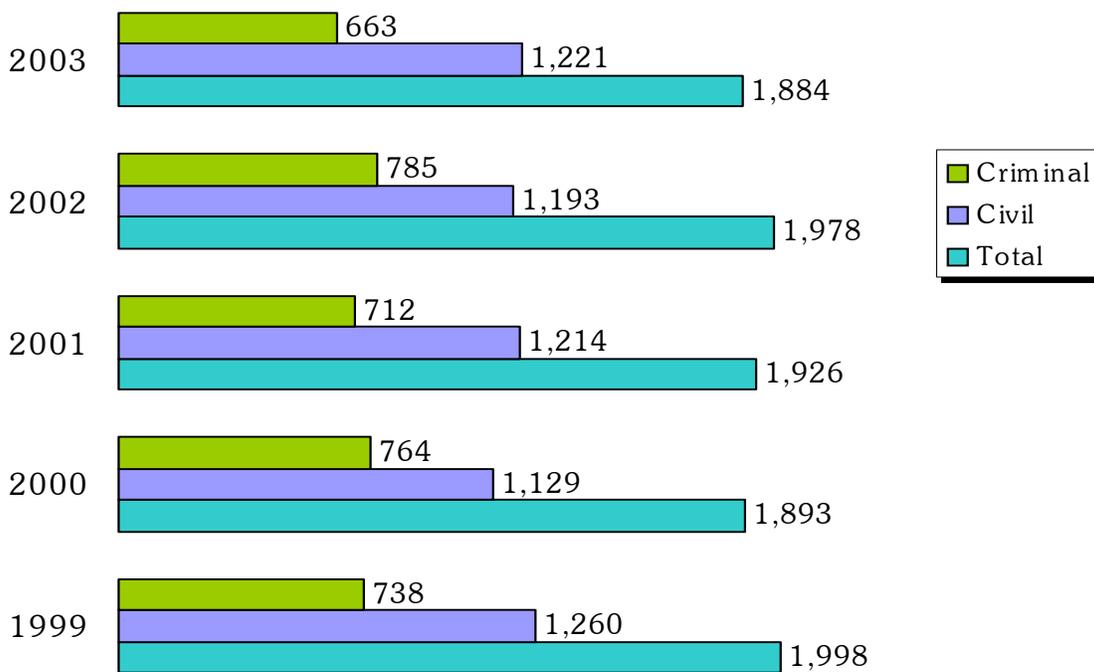
The Court of Special Appeals sits in Annapolis and is composed of thirteen members, including a chief judge. One member of the Court is elected from each of the seven appellate judicial circuits. The remaining six members are elected from the State at large. Members of the Court of Special Appeals are

appointed by the Governor and confirmed by the Senate. The judges run on their records without opposition for ten-year terms. If a judge's retention in office is rejected by the voters or there is a tie vote, that office becomes vacant and must be filled by a new appointment. Otherwise, the incumbent judge remains in office for a ten-year term. The Governor designates the Chief Judge of the Court of Special Appeals.

The Court has exclusive initial appellate jurisdiction over any reviewable judgment, decree, order

or other action of a circuit court and generally hears cases appealed directly from the circuit courts unless otherwise provided by law. The judges of the Court are empowered to sit in panels of three. A hearing or rehearing before the Court en banc may be ordered in any case by a majority of the incumbent judges. The Court also considers applications for leave to appeal in such areas as post conviction, habeas corpus matters involving denial of or excessive bail, inmate grievances, appeals from criminal guilty pleas and violations

**TABLE CSA-1
APPEALS DOCKETED BY TERM
COURT OF SPECIAL APPEALS**



of probation.

The Court has implemented statutorily prescribed procedures in an effort to more effectively manage its civil and criminal caseloads. Maryland Rule 8-204 and Courts and Judicial Proceedings Article Section 12-302, which removes the right of direct appeal in those criminal cases in which a guilty plea has been entered, were adopted to manage criminal caseloads more effectively. An application for leave to appeal is required in those instances in which a guilty plea has been entered in criminal cases. The Court has discretionary authority to either assign the case to the regular docket or to deny the appeal. With respect to expediting its civil appeal process, the Court of Special Appeals has used prehearing conferences. During the conferences, panels of judges review pending civil cases to identify cases suitable for resolution by the parties. The appeals are either scheduled for prehearing conferences or proceed through the regular appellate process. If there is no resolution during the conferences, the cases are placed on subsequent dockets and counted as filings. An information report, which summarizes the actions of the circuit court, is filed whenever an appeal is noted.

Since the 1999 Term, the Court of Special Appeals reported an overall decrease of 5.7 percent in the number of docketed appeals, from 1,998 appeals in the 1999 Term, to 1,884 in the 2003 Term (Table CSA-1). The number of criminal appeals docketed decreased approximately 10.2 percent over the five-year period, while the number of civil appeals docketed decreased approximately 3.1 percent. In the 2003 Term, criminal appeals comprised approximately 35.2 percent of the total number of

docketed appeals, and civil appeals comprised nearly 65 percent of the total number of appeals.

Table CSA-2 summarizes the origin of appeals by appellate judicial circuit and jurisdiction for the 2003 Term. Among the five largest jurisdictions, Baltimore City comprised the greatest percentage of docketed appeals, with 379 appeals, or 20.1 percent of the total. Since the 1999 Term, the number of appeals reported by Baltimore City has increased approximately 2.7 percent. The Court recorded 300 appeals from Prince George's County during the 2003 Term, comprising 16 percent of the overall total. Comparatively, this jurisdiction reported a total of 327 appeals in the 1999 Term, representing a decrease of approximately 8.3 percent. Montgomery County comprised approximately 14.8 percent of the total in the 2003 Term, with 279 docketed appeals. The aforementioned jurisdiction reported a rather significant decrease since the 1999 Term, reporting 325 appeals in that term, which represents a decrease of approximately 14.2 percent over the five-year period. Baltimore County reported 220 appeals in the 2003 Term, comprising approximately 11.7 percent of the total. This jurisdiction reported a minimal increase of approximately 1.4 percent in the number of docketed appeals since the 1999 Term. Among the five largest jurisdictions, Anne Arundel County comprised the smallest percentage of the total number of docketed appeals, recording 143 appeals in the 2003 Term. This figure represents a decrease of approximately 7.7 percent since the 1999 Term total of 155 appeals.

The total number of appeals filed and terminated and the number of

opinions issued since Fiscal Year 2000 is shown in Table CSA-3. During Fiscal Year 2004, 1,360 opinions were issued by the Court, 1,856 appeals were filed, and 1,936 appeals were disposed. Over the five-year period, the number of opinions issued has decreased nearly nine percent, from 1,491 opinions issued in Fiscal Year 2000, to 1,360 in Fiscal Year 2004. In addition, the number of appeals filed decreased nine percent over the same period, from 2,038 appeals in Fiscal Year 2000, to 1,856 in Fiscal Year 2004. Also decreasing since Fiscal Year 2000 were the number of disposed appeals. The Court reported a decrease of approximately six percent in the disposition of regular docket appeals, from 2,060 appeals in Fiscal Year 2000, to 1,936 in Fiscal Year 2004. In contrast, since Fiscal Year 2000, the number of disposed miscellaneous cases, including post conviction, inmate grievance, violations of probation, and other miscellaneous cases, increased significantly. As illustrated in Table CSA-6, there was an overall increase of more than 46 percent in the number of miscellaneous dispositions, from 324 in Fiscal Year 2000, to 474 in Fiscal Year 2004. Responsible for the increase was a reported rise in all categories of miscellaneous cases, with the greatest increase occurring in the number of disposed inmate grievance cases, which increased more than 100 percent, from 39 cases in Fiscal Year 2000, to 101 in Fiscal Year 2004. Also contributing to the overall increase was a 62.5 percent increase in violation of probation dispositions, from 32 in Fiscal Year 2000, to 84 in Fiscal Year 2004.

As previously mentioned, there were 1,935 dispositions reported by the Court of Special Appeals in

Fiscal Year 2004. As shown in Table CSA-7, approximately 51 percent, or 989 of the decisions of the lower court were affirmed, while 26 percent, or 501 cases, were dismissed prior to argument or submission. Of the total number of dispositions reported, 1,162 were criminal cases, 724 were civil cases, and 49 were juvenile cases. Additionally, of the total number of cases disposed in Fiscal Year 2004, 1,114 cases, or 57.5 percent, originated in the 2003 Docket. Table CSA-9 is a graphical depiction of the average time interval for disposed cases. In disposing its caseload, the Court of Special Appeals averaged 3.5 months from argument to decision during Fiscal Year 2004, representing a decrease

of half a month since the previous fiscal year. In contrast, the average amount of time from docketing to argument increased almost a month since Fiscal Year 2003, from 6.1 months in that year, to 6.9 in Fiscal Year 2004.

As illustrated in Table CSA-4, from the 2001 Term to the 2003 Term, the Court of Special Appeals reported a decrease of 1.5 percent in the number of information reports received. In the 2003 Term, 89 percent, or 997 cases, proceeded without a prehearing conference, while approximately 11 percent, or 125 cases, were assigned a prehearing conference. Comparatively, 78 percent of the information reports received in the 2001 Term proceeded without a

prehearing conference and approximately 22.2 percent were assigned to prehearing conferences. Of the information reports assigned to prehearing conferences in the 2003 Term, approximately 65.6 percent, or 82 cases, proceeded without limitation of issues, and 42 cases, or 33.6 percent, were pending at the end of the term (Table CSA-5).

At the end of Fiscal Year 2004, there were 1,346 cases pending in the Court of Special Appeals (Table CSA-8). This pending caseload included 663 civil cases, 635 criminal cases, and 48 juvenile cases, which primarily comprised matters that have been scheduled for argument, as well as cases that have been argued or are awaiting issuance of opinions.

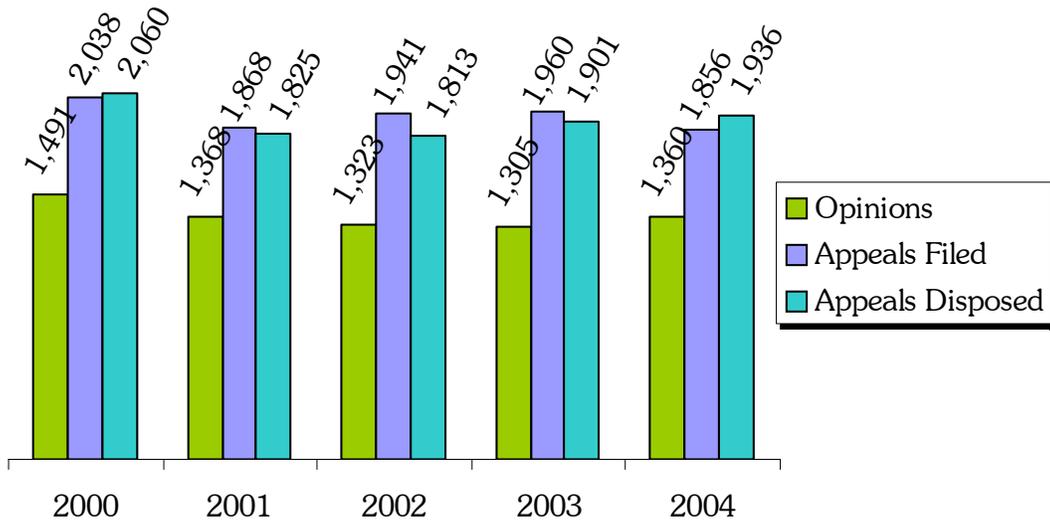
TABLE CSA-2

**ORIGIN OF APPEALS BY
APPELLATE JUDICIAL CIRCUITS AND JURISDICTIONS
COURT OF SPECIAL APPEALS**

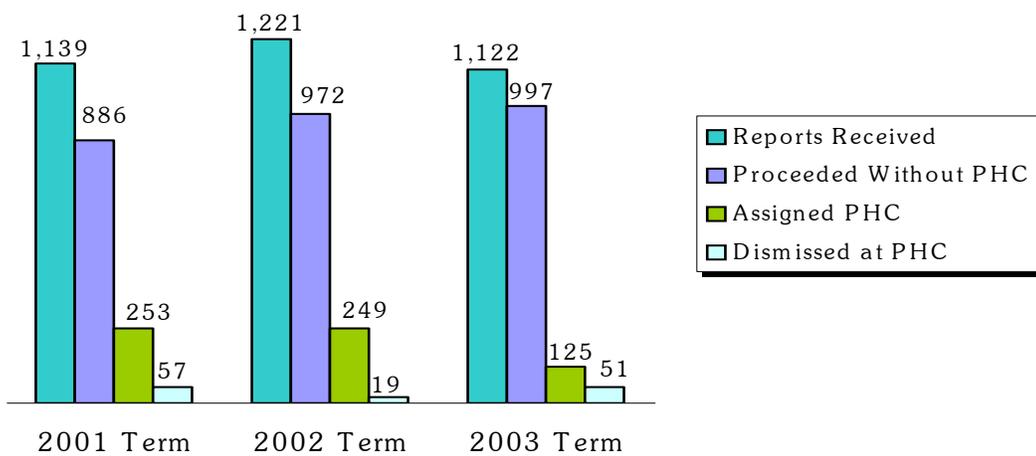
**REGULAR DOCKET
2003 TERM**

FIRST APPELLATE CIRCUIT	191		10.1%
Caroline County	12		
Cecil County	28		
Dorchester County	17		
Kent County	14		
Queen Anne's County	22		
Somerset County	11		
Talbot County	19		
Wicomico County	44		
Worcester County	24		
SECOND APPELLATE CIRCUIT	278		14.8%
Baltimore County	220		
Harford County	58		
THIRD APPELLATE CIRCUIT	238		12.6%
Allegany County	29		
Carroll County	38		
Frederick County	41		
Garrett County	4		
Howard County	62		
Washington County	64		
FOURTH APPELLATE CIRCUIT	300		15.9%
Prince George's County	300		
FIFTH APPELLATE CIRCUIT	219		11.6%
Anne Arundel County	143		
Calvert County	21		
Charles County	33		
St. Mary's County	22		
SIXTH APPELLATE CIRCUIT	379		20.1%
Baltimore City	379		
SEVENTH APPELLATE CIRCUIT	279		14.8%
Montgomery County	279		
TOTAL	1,884		100.0%

**TABLE CSA-3
COURT OF SPECIAL APPEALS-APPEALS ACTUALLY
FILED AND TERMINATED WITHIN FISCAL YEAR**



**TABLE CSA-4
PREHEARING CONFERENCE REPORTS
COURT OF SPECIAL APPEALS**



**TABLE CSA-5
DISPOSITION OF INFORMATION REPORTS
ASSIGNED FOR PREHEARING CONFERENCE
2003 TERM**

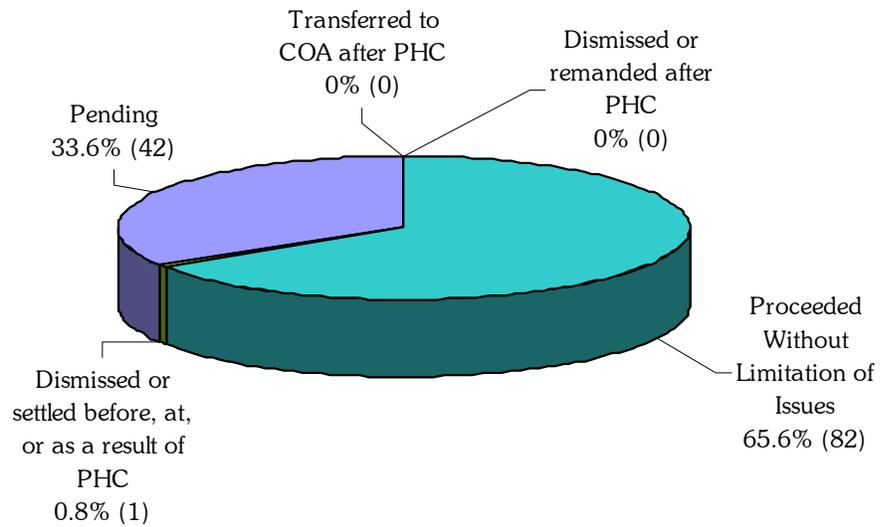


TABLE CSA-6
FIVE-YEAR COMPARATIVE TABLE
DISPOSITION OF APPLICATIONS FOR LEAVE TO APPEAL
AND OTHER MISCELLANEOUS CASES
FISCAL YEAR 2000 - FISCAL YEAR 2004

	2000	2001	2002	2003	2004
POST CONVICTION-TOTAL	216	218	311	216	244
Granted	11	2	3	2	0
Dismissed or Transferred	6	12	19	8	30
Denied	199	204	285	206	213
Remanded	0	0	4	0	1
INMATE GRIEVANCE-TOTAL	39	113	99	117	101
Granted	0	0	0	0	0
Dismissed or Transferred	6	15	14	12	12
Denied	33	98	85	105	89
Remanded	0	0	0	0	0
OTHER MISCELLANEOUS-TOTAL	37	25	85	38	45
Granted	0	4	1	0	0
Dismissed or Transferred	17	4	9	16	8
Denied	17	16	70	21	36
Remanded	3	1	5	1	1
VIOLATIONS OF PROBATION-TOTAL	32	85	73	52	84
Granted	2	2	1	0	0
Dismissed or Transferred	9	24	14	11	14
Denied	21	59	58	41	69
Remanded	0	0	0	0	1
TOTAL	324	441	568	423	474

TABLE CSA-7
CASES DISPOSED BY
COURT OF SPECIAL APPEALS
REGULAR DOCKET
JULY 1, 2003 - JUNE 30, 2004
FISCAL YEAR 2004

	Civil	Juvenile	Criminal	Total
Affirmed	502	20	467	989
Reversed	109	7	67	183
Dismissed - Opinion Filed	42	1	1	44
Remanded Without Affirmance or Reversal	13	0	4	17
Vacated and Remanded	74	2	46	122
Affirmed in Part, Reversed in Part	11	1	1	13
Dismissed Prior to Argument or Submission	361	17	123	501
Transferred to Court of Appeals	48	1	14	63
Other	2	0	1	3
Origin				
1994 Docket	2	0	0	2
1995 Docket	0	0	0	0
1996 Docket	1	0	0	1
1997 Docket	0	0	0	0
1998 Docket	1	0	0	1
1999 Docket	2	0	1	3
2000 Docket	7	0	1	8
2001 Docket	15	0	17	32
2002 Docket	283	20	395	698
2003 Docket	795	28	291	1,114
2004 Docket	56	1	19	76
Total Cases Disposed During Fiscal Year 2004	1,162	49	724	1,935

TABLE CSA-8
AVERAGE INTERVALS FOR
CASES DISPOSED BY
COURT OF SPECIAL APPEALS
REGULAR DOCKET
JULY 1, 2003 - JUNE 30, 2004
FISCAL YEAR 2004

	Docketing to Argument or to Disposition Without Argument *	Argument to Decision**
Days	208	107
Months	6.9	3.6
Number of Cases	1,370	1,360
* Includes all cases disposed in Fiscal Year 2004.		
** Includes all cases disposed in Fiscal Year 2004 which were argued.		

TABLE CSA-9
CASES PENDING
COURT OF SPECIAL APPEALS
REGULAR DOCKET
June 30, 2004

	Civil	Juvenile	Criminal	Total
Origin				
1996 Docket	10	0	2	12
1997 Docket	3	0	1	4
1998 Docket	2	0	0	2
1999 Docket	8	0	1	9
2000 Docket	3	0	1	4
2001 Docket	10	0	3	13
2002 Docket	46	2	77	125
2003 Docket	505	42	465	1,012
2004 Docket	76	4	85	165
Total	663	48	635	1,346