MARYLAND JUDICIARY 2006-2007 Highlights

Building on a Tradition of Justice

The history of the courts in Maryland stretches back to the earliest days of our nation.

During the early years of the settlement of Maryland, the General Assembly sat as a court of law as well as a legislature. When the Assembly divided into two houses in 1650, the upper house, or governor and council, became the Court of Appeals.

The Court of Appeals is the state's highest tribunal (commonly called the Supreme Court in other states and at the federal level). The Court of Appeals was formally created by Article 56 of the Maryland Constitution of 1776. The Court was to be "composed of persons of integrity and sound judgment in the law, whose judgment shall be final and conclusive in all cases of appeal, from the general court, court of chancery, and court of admiralty . . . "

Through three centuries, the number of judges, the Court of Appeals' jurisdiction, selection and appointment of judges and their terms of service have changed. Since 1960, the Court has consisted of seven judges appointed by the governor, who hold office until the next general election when the voters decide whether or not to retain them. The governor designates the chief judge.

Source: Edward C. Papenfuse, et al., *The Archives of Maryland, new series, An Historical List of Public Officials of Maryland, Vol. I.* (Annapolis, MD: Maryland State Archives, 1990).

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Historic images and photos of courthouses courtesy of the Maryland State Archives. Other images by Media Services and Court Information Office. Front and back cover: Clarence M. Mitchell, Jr., Courthouse, Baltimore, by Dan Clark, Media Services.

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A Message from Robert M. Bell
Chief Judge, Maryland Court of Appeals

Dear Fellow Marylanders,

Maryland can take pride in a long history of justice that predates even the beginning of our nation.

We rely upon, and build upon, this honorable tradition of the Rule of Law. As we move into the future, facing new challenges and striving to meet them, the Judiciary's guiding principles remain the same:

- Fuller access to justice;
- Improved case expedition and timeliness;
- Equity, fairness, and integrity in the judicial process; and
- Branch independence and accountability.

These principles have guided and will continue to guide all that we do.

This annual report focuses on just a few of the Maryland Judiciary's initiatives and ongoing efforts. We continue our efforts to make our courts more user-friendly and accessible by improving services and technology. We are addressing the specific needs of a public that chooses more and more to represent themselves in court and navigate the judicial system. We are helping our judges hone their skills and abilities to preside over cases involving increasingly complex science and technology issues. We are looking to the successful model of drug courts as we pursue other novel approaches to addressing criminal behavior.

Each year the Maryland Judiciary handles more than two million cases with quiet efficiency and skill, and in a customer-friendly and sensitive manner that an ever-increasing number of citizens have come to expect. As we look toward the future, the Judiciary is embracing change and challenge with new initiatives, as well as cultivating and growing our most successful programs and functions.

And, each day in our courthouses, Maryland's courts will continue to reflect, by their action, our commitment to provide full and fair access to justice for all citizens.

Very truly yours,

Robert M. Bell

Access for self-represented litigants

How can the courts serve citizens who represent themselves? What is legal information and what is legal advice? How can we help when those who need guidance don't have law degrees?

When our mission is to provide fuller access to justice for all the citizens of Maryland, these are questions that need to be considered and answered. This has been the challenge for the Maryland Judiciary Work Group on Self-Representation in the Maryland Courts. The work group, appointed by Chief Judge Robert M. Bell in 2006 and chaired by Judge Clayton Greene, Jr., of the Court of Appeals, issued its final report in the summer of 2007. "Clearing the Path to Justice," includes several recommendations to help improve access for self-represented litigants, which, the work group argues, will improve access to justice for all litigants in Maryland's courts.

"We hope these recommendations will provide an integrated approach that will help all who interact with Maryland's justice system," said Judge Greene. "When the self-represented can move seamlessly through the justice system, and understand and appreciate what's expected of them and what is going on around them, opposing parties, counsel, court staff, and judges can perform their jobs more effectively and with better results."

The work group included judges, clerks, court administrators, and the state court administrator. The group's recommendations include the following:

1. Develop a Web-enabled document assembly interface for court forms that uses technology to ask questions of users and provide prompts to help users complete forms.
2. Provide more resources and services for self-represented litigants in languages others than English.
3. Develop Live Chat technology to improve Web support services for forms and information.
4. Evaluate a self-help pilot hosted through the Eastern Shore Regional Library to determine if the program can be expanded elsewhere in the state.
5. Investigate the need and feasibility of developing District Court self-help centers.
6. Consider expanding the Circuit Courts' Family Law Self-Help Centers to serve a broader range of litigants and case types.
7. Develop videos or a video library that can be shown to people appearing on their own in Maryland courts.

The work group also recommended that the Judiciary adopt a policy to help non-judicial court staff distinguish between legal advice, which cannot be given, and information that should be provided by law. It has prepared a detailed training document that court staff can use to educate the public about what they can and cannot do to assist them.




"Court staff have significantly more daily interaction with the public and self-represented litigants in particular than judges," said Judge Greene. "Litigants who have a positive experience dealing with clerks' office staff, file room clerks, assignment clerks, custody evaluators, and judicial secretaries are more likely to feel that the process they are engaged in is accessible and fair," he added. "Public trust and confidence in the judicial system depend upon these impressions."

The report also includes recommendations to enhance judicial response to self-represented litigants, as well as a call to support improvements in the legal services delivery system. "Regardless of resources, programs, and aid, there will still be some cases and persons for whom there is no good substitute for representation," Judge Greene said.

Overall, to support ongoing efforts to improve services to self-represented litigants, the work group recommended that the Judiciary establish an Access to Justice Commission to implement the recommendations in the report and to coordinate the Judiciary's efforts to improve access for the self-represented and those of limited means.

To see the report and supporting materials, go to **mdcourts.gov/publications.html#reports** and click on "Clearing a Path to Justice."

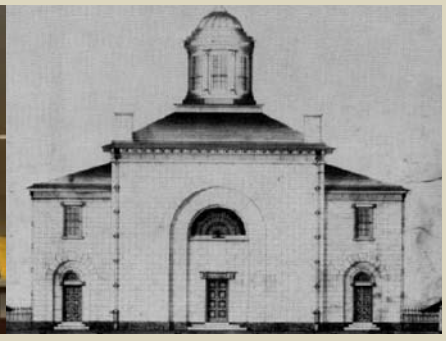
A history of helping

The Work Group on Self-Representation focused on building on the efforts already in place throughout the Judiciary to help the self-represented. Justice in Maryland, and the rest of the country, may be edging toward a "self-serve" approach. Circuit Court family divisions and family services programs report that, statewide, 70 percent of all domestic cases include at least one self-represented litigant at the time the answer is filed in the case. The District Court hears huge numbers of cases where litigants are rarely represented—traffic, small claims, and landlord-tenant cases.

Maryland courts have responded to the growing number of self-represented litigants in a variety of ways. The District Court provides a variety of forms litigants can use to file petitions and move their cases forward. The Department of Family Administration maintains forms for family cases.

The Judiciary developed a Web site that provides basic information about the court system. Circuit Courts run Family Law Self-Help Centers to provide self-represented citizens with walk-in assistance from an attorney or paralegal. Some Circuit Courts provide orientation courses, written materials, and videos so self-represented litigants can learn what to expect and how to proceed. The Judiciary also supports many other programs to increase access to legal representation and other legal assistance.





Problem-solving courts create new course

In 2006-2007, Maryland's problem-solving courts continued to grow and expand. There are 39 adult and juvenile drug courts, driving under the influence (DUI) courts, and family dependency courts in throughout the state, with plans to establish more. There are two mental health courts—in Baltimore City and Harford County. And, since 2005, a pilot program of four truancy courts in the First Circuit (Dorchester, Somerset, Wicomico, and Worcester counties) has been operating under the jurisdiction of Administrative Judge Daniel M. Long.

In December 2006, Chief Judge Robert M. Bell of the Court of Appeals established the Standing Committee on Problem-Solving Courts. Under the chairmanship of Baltimore City District Judge Jamey H. Weitzman, the committee is the statewide superintendent for these courts. The committee includes two oversight committees: the Drug Court Oversight Committee, chaired by Baltimore County Circuit Judge Kathleen Gallogly Cox; and the Mental Health Court Oversight Committee, chaired by Baltimore City District Judge Charlotte M. Cooksey. The administrative order is online at **mdcourts.gov/adminorders/index. html**. This committee reviews all requests to set up problem-solving courts, creates programs to evaluate their performance, and recommends operational practices and standards.

The Judiciary has been responding to the many challenges of operating problem-solving courts, from staffing, space, and budgets, to the interdisciplinary challenge of coordinating the efforts of diverse agencies to try to tackle complex issues. It is also a new role for judges, trained as neutral arbiters of law, who can find themselves as active participants in a rehabilitative process.

"We need to be more expansive in our views of the roles of the courts and judges," said Judge Weitzman. "Who says that we have to keep doing things the way we've always done them?

"It's not enough to just treat the addiction, one has to treat the contributing factors, such as homelessness or lack of job skills, and education. We provide wrap-around services to address underlying issues," Judge Weitzman said.

The proactive role of the team is a major component of problem-solving courts. Mental health courts in Maryland work to direct eligible offenders with serious mental illness away from incarceration and into appropriate community services. Close monitoring is essential, as is close cooperation among the members of an interdisciplinary team.

"The team, with the judge as leader, decides how best to handle each case, whether it should be kept pretrial, whether a plea should be taken, *et cetera*," Judge Cooksey said. Judge Cooksey presides over Maryland's first mental health court, which she set up five years ago. District Judge Mimi Cooper established Maryland's other mental health court in Harford County in 2004.

Another challenge is finding court resources, including establishing time on dockets. "It takes creative management," Judge Weitzman said. "If



the docket is small enough, some judges are handling cases at lunch, or at night. In other jurisdictions, those cases are heard after the regular docket. Some caseloads need more significant time and need to be scheduled accordingly, but the key factor is to believe that these courts are necessary and helpful enough to find the resources."

New protocols are needed, and judges have become authors of procedures manuals, which they revise to fit their particular needs. "A procedures manual containing the mission, goals and objectives, criteria for admission, and protocols is essential to the effective operation of a problem-solving court," said Judge Cooksey. "They should include procedures for referrals, assessment, and scheduling as well as any forms and orders. It's important to give partner agencies the opportunity to review drafts and provide input since everyone connected with the problem-solving court will use the manual. The hope is that these are orders that then can be adapted and used by District and Circuit Court." Judge Cooksey added that while creating a manual is intensive work—she spent more than a year on the manual for Baltimore's mental health court—it is crucial because "there are so many people involved in the process that need to be on the same page. I can now say, 'Look in the manual.'"

Problem-solving courts do not merely react to the crime, but use an interdisciplinary approach to respond to the underlying problems that bring defendants into court. Drug courts handle drug and alcohol-related cases through judicial intervention, intensive supervision, and immediate and consistent substance abuse treatment. Mental health courts direct eligible offenders with serious mental illness away from incarceration and into appropriate community treatment.



Judges and journalists meet

> "There is no question that the average citizen's knowledge and sense of the judiciary are influenced greatly by the media, both by what it covers and, yes, by what it does not cover. Because it is misunderstood, the judicial branch's role and decisions are frequently misrepresented, and, all too frequently, court decisions are harshly criticized. Helping citizens understand the judiciary's role in our government is essential, especially at a time when criticism of courts, and the judicial system, is so intense, when the role of the courts in upholding the law is misunderstood, and when—thanks to our world's current 24-hour news cycle—high-profile court decisions are monitored closely by citizens throughout the country—and abroad."
>
> —Chief Judge Robert M. Bell of the Court of Appeals

Fair and impartial news reporting is an essential component of maintaining the public's trust in the Judiciary. However, while they share a common goal to serve the public, the media and the courts have a relationship that has been and continues to be, at times, contentious. The public would benefit if judges and journalists could learn about each other's perspectives and concerns, but how to make that happen?

On a Saturday in October 2007, judges from Maryland met face-to-face with the reporters who cover them. They took part in a unique workshop that brought these sometimes adversarial camps together to share their viewpoints and concerns. The workshop for Maryland and District of Columbia jurists and journalists was sponsored by the Reynolds National Center for Courts and Media in Reno, Nevada, through a grant from the Donald W. Reynolds Foundation.

The 70 judges and 70 journalists who took part in the interactive workshop shared a unique opportunity to voice and hear opinions on any issues they had with each other. The workshop focused on access and news coverage issues created by First and Sixth Amendment conflicts in previous trials.

It is through taking part in efforts like this workshop that the Judiciary will help keep open a vital line of communication to the public and help ensure impartial and informed coverage of the courts.



Working with families in conflict

Like other courts throughout the state, the Circuit Court of Baltimore County presides over an increasing number of domestic cases with a high degree of conflict between parents. Many of these high-conflict cases include allegations of drug and/or alcohol abuse or domestic violence against a party or a child. There is a potential for the children caught up in these disputes to suffer a great deal of harm.

The Baltimore County Circuit Court has developed a new process to address family issues, decrease the level of conflict between the parties, reduce the need for judicial sanctions, and, most important, protect the children, who are most vulnerable in these disputes.

"Our goal is to ensure the safety and psychological well-being of children, reduce the number of modification and contempt filings by creating long-lasting agreements, and reduce the time judges are required to spend on these high-conflict cases," said Baltimore County Circuit Judge John O. Hennegan.

Following the underlying theory that all child access disputes should not be treated alike, a court subcommittee crafted a plan to:

- Identify, very early on, domestic cases with high-conflict/domestic abuse issues;
- Target the most appropriate and least intrusive services to meet the needs of these families and, thereby, conserve judicial resources;
- Encourage the parties to be self-determining with regard to how they parent their children;
- Reduce the likelihood that families will appear before multiple judges and receive conflicting rulings;
- Protect vulnerable members of the family, especially children, from being psychologically, emotionally, and physically harmed; and
- Provide long-lasting resolutions to these disputes.

The high-conflict process for child access cases requires that a family division master and a professional, clinically licensed social worker screen cases at the time of the settlement/scheduling conference. When high-conflict cases are identified, the social worker/screener develops individualized plans to ensure that the least intrusive services will be utilized in the most expeditious and timely manner possible.

For example, traditional visitation may not work when parents cannot cooperate with one another. "As a result, children are likely to be thrust into the middle of bitter arguments, and possibly into physical or emotional danger," Judge Hennegan said. "Reducing conflict must be the primary goal in any visitation plan between parents who remain engaged in a bitter struggle with each other. It's paramount that the courts work to place the decision-making process regarding visitation and custody in the parents' hands when at all possible."



Electronic citations program launched

Traffic tickets are not a thing of the past—they are here to stay. In fact, the District Court processes more than 1.3 million traffic cases each year. But the District Court has helped create a new way of generating, processing, and managing what would otherwise be a paper mountain of citations.

Electronic citations, or eCitations, will increase efficiency, prevent data-entry errors, save the public time and money, and improve police officer safety. The District Court's involvement in the effort began in 2003, and in 2006, the General Assembly made needed legislative changes to make it possible to implement the program. The Judiciary has been collaborating on this effort with the Maryland State Police, Maryland Transportation Authority, Maryland Department of Transportation, Maryland Defense Council, Maryland Trial Lawyers Association, Office of the Public Defender, Maryland State's Attorneys' Association, Motor Vehicle Administration, and the Maryland State Bar Association.

What are the advantages of eCitations? Because officers give citizens electronic citations generated on laptops in their cruisers, the dangerous time spent outside cruisers is reduced by 80 percent. The data is electronically transferred to police agencies and then to the courts, reducing both law enforcement and court data entry errors.

"As we move toward the implementation of eCitations, we are realizing many important goals achieved by many dedicated people over the past few years," said Chief Judge Ben C. Clyburn of the District Court. "This is not only an example of efficient, good government created through the effort of so many stakeholders—more importantly, it's a ground-breaking approach to improving officer safety," Judge Clyburn said. "This program is really going to change how a lot of people do business."

The Maryland State Police began issuing eWarnings last summer and is finalizing its eCitations system.

And, with the launch of the Judiciary's latest electronic service, ePayment, citizens can pay many citations online. "We were hearing from the public who were coming to District Court to pay their fines that it would be nice to be able to pay their citations from the comfort of their own home," said Judge Clyburn. "We listened, and the Judiciary is excited to be able to provide this new service to the public."

The secure online service is available from the homepage and other pages on the Judiciary's Web site, **mdcourts.gov**. When a person uses ePayment, his or her credit card payment is automatically recorded in the court's traffic processing system, eliminating the need for a clerk to manually process the ticket. A fee of five percent of the fine is added to the transaction by the vendor. The ePayment system records the payment, posts the citation information, and closes the traffic case the next business day. The user can print a receipt from their computer to document the payment.



Off-site records go online

The Judiciary has provided dial-up access to court records since 1989, but technology leapt ahead, and plans began in 2004 to move to Internet access. In 2006, the Judiciary launched Case Search, a Web source for free public access to information from, to date, approximately 12 million case records maintained by the Maryland Judiciary.

Case Search allows users to search for Circuit and District Court cases in Maryland and to see party and event information about those cases. It immediately became an invaluable resource for attorneys, researchers, and the public. Immensely popular; it now receives more than 200,000 hits each day, and continues to grow. Response has been overwhelmingly positive.

At its launch, Case Search provided summary data on all cases maintained by the Judiciary, but work continued through 2007 to increase the amount and timeliness of the data, especially, in most jurisdictions, to make criminal case information available as updates are entered into court systems. (Previously, criminal case information was current as of close of business the previous day.)

The data comes from many different sources (Circuit Court UCS, District Court and 8th Circuit Court IMS databases, and separate feeds from Prince George's and Montgomery counties).

The biggest challenge in launching Case Search was to balance openness with privacy requirements. The Judicial Information Systems department implemented the necessary security architecture to support various levels of secure access. Balancing openness with privacy requires a design that is more complex, and, going forward, will continue to require increased levels of support and oversight.

The testing process has begun to bring Prince George's County civil records into the Case Search system. Future plans include providing District Court traffic and civil data, as well as wider-ranging and program-specific court information, such as civil domestic violence orders. Additionally, Case Search staff are working to begin providing bulk data and a judgments and liens search, and are working with the Registers of Wills to add their data. Also in the future: working towards secure access so criminal justice agencies can obtain access to non-public information.

Judges prepare for cases involving tomorrow's technology

Last year, the Judiciary helped organize a seminar for judges from across the state and the country to learn about the latest in neuroscience and neurotechnology.

Why?

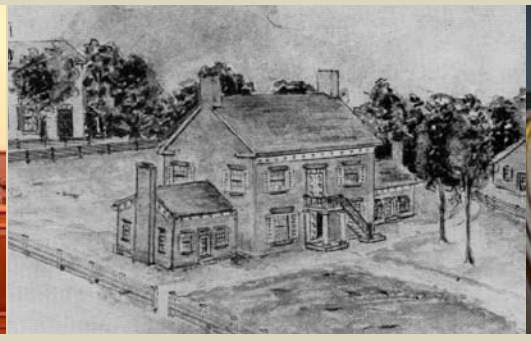
"Discoveries in the brain sciences have been spectacularly explosive in the last few years and new technologies are springing from them," said Chief Judge Robert M. Bell of the Court of Appeals. "New insights into criminal conduct are pouring in from the neurosciences. Better understanding of civil issues such as Alzheimer's, competence, and sources of autism are on our doorsteps," he explained. "Anticipating this, we wanted to gather the best and the brightest to sample the state of the science and set the stage for new discovery horizons that will soon come to courthouses across the country."

Judge Bell is chair of the board of directors of ASTAR, the Advanced Science and Technology Adjudication Resource project, a national program that seeks to better prepare state and federal judges to manage complex litigation involving cutting-edge science and technology evidence.

Last October, Maryland's Court of Appeals hosted an ASTAR neurosciences program at the Johns Hopkins University School of Medicine. During the three-day program, more than 225 judges from throughout the United States heard from an international faculty in the neurosciences and bio-behavioral technologies. Topics included brain development, neuro-imaging, antisocial personality, neuro-engineering, the insanity defense, dementias, and brain stem cells. Judges also took part in hands-on laboratory work with brain cells and tissues. It was the largest gathering of judges ever to focus on the brain sciences.

Among the participants were members of the cadre of 23 Maryland judges who have completed the first phase of ASTAR training. In May 2007, these judges visited the Lawrence Berkeley National Laboratory in Berkeley, Calif. The five-day conference hosted by the National Lab was the first training event of the project's Platform B, the advanced level of instruction contemplated by ASTAR. The judges heard addresses by Nobel Laureates Dr. Steven Chu (Applied Physics, 1997), the current director of the lab, and Dr. George Smoot (Physics, 2006), the discoverer of the "Big Bang" theory, and were instructed by resident scientists in the areas of nanotechnology, synthetic biology, and environmental bio-remediation.

The judges returned to Maryland with a greater understanding of cutting-edge scientific theory and the newest technologies associated with these theories. As a result, the judges further sharpened their skills and abilities to act as both trier of fact and of the law in cases presenting science and technology issues that may come before them.



Preserving history from yesterday, today and tomorrow

In 2006-2007, the Maryland State Law Library preserved Maryland's history while providing citizens with 21st Century services and taking steps to ensure that digital documents will be safely stored for the next century and beyond.

The restoration and conservation of Maryland's collection of John James Audubon's "Birds of America" prints was completed, and all prints were returned to the Law Library after traveling to Philadelphia's Conservation Center for Art and Historic Artifacts to undergo substantial restoration. The Library's new Special Collections Room, opened in 2006, contains more than just Audubon's extraordinary hand-colored prints. Many historic law texts, as well as primary materials from the Library's own history, are now being appropriately preserved in the specially constructed, climate-controlled room. For example, the lending records from the Library's beginning decades, with handwritten listings of each appellate judge's borrowed materials, give a compelling picture of the research that went into the cases decided by the state's highest court.

A redesign of the Law Library's online catalog provides results that are more comprehensive, easier on the eyes, and more user-friendly. Customers searching the Law Library's collection of journal titles can now see where their sought-for journal is—in print form, on Westlaw, or in other databases. Launched in the summer of 2006, the redesign provides one-stop journal shopping.

How does the state preserve material that is created and exists solely online? The State of Maryland publishes an increasing amount of material exclusively online. In 2006-2007, the Law Library began a pilot project to store the digital version of these materials for long-term use in a "digital archive." This unique online archive will allow continued worldwide access even if the materials are removed from the issuing agency's original Web site.

Webcasting Court of Appeals arguments

Maryland's courtrooms have always been open to the public, but now it's possible to hear arguments before the Court of Appeals with just a click of the mouse. In November 2006, the Judiciary began webcasting arguments heard before the state's highest court. When the courtroom was packed on December 4, 2006, for *Conaway v. Deane*, nearly 1,300 people watched the proceedings from their computers.

After the successful launch of the pilot, the Judiciary installed permanent cameras in the Court of Appeals courtroom in the Spring of 2007. Live and archived webcasts can be accessed from the Maryland Judiciary Web site by going to **mdcourts.gov/coappeals/webcast.html.**



Using research to move toward the future

The Judiciary created the Court Research and Development Department in 2006 to focus on program development and evaluation, conduct research designed to assist judicial leaders in making informed decisions regarding resource allocation and efficacy of programs, and promote strategic thinking about future directions for the Judiciary.

The department is responsible for managing a statewide research agenda; creating statistical and management reports; planning, developing and evaluating new programs and operating initiatives; and writing and managing grants. The department also provides consultation to other Judiciary departments as new programs are planned.

To achieve these goals, the department has organized a statewide Research Consortium that comprises research units in Maryland's state universities. In its first year, the consortium is designing research plans for evaluating truancy courts, mental health courts, and selected family service programs. The consortium is also evaluating the Judiciary's electronic filing projects and other data management systems.

"In creating the Court Research and Development Department, the Judiciary confirmed its commitment to making decisions about current and future programs of the Judiciary on the basis of research and evidence-based practices," says Diane Pawlowicz, executive director.

During the past year, other studies and activities carried out by the department include:

- Analysis of results of the Access and Fairness Studies conducted in Montgomery and Howard Counties in the Circuit and District Courts.
- Preparation of reports for the state court administrator regarding evaluation of the electronic-filing project of landlord/tenant cases in Prince George's County District Court and civil cases in the Anne Arundel County Circuit Court.
- Assistance with oversight of studies performed by other Judiciary departments, such as drug court evaluations.
- Preparation of the Judiciary Statistical Report.
- Preparation of other reports including those addressing judgeship certification, wiretap usage, and reserved cases.

The position of Judiciary grants coordinator within the department complements the research and evaluation functions by helping to find funding for new initiatives, and assuring that grant money given to external entities to provide services is done with the same high standards for accountability and cost-effectiveness as Judiciary-run programs.

How Maryland's courts are structured

The Court of Appeals is at the top of Maryland's Judiciary. It hears cases almost exclusively by way of *certiorari*, a process that gives the court discretion to decide which cases to hear. The Court of Appeals is mandated by law to hear cases involving the death penalty, legislative redistricting, removal of certain officers, and certifications of questions of law. The seven judges, each representing an appellate judicial circuit, hear arguments together.

The Court of Special Appeals is Maryland's intermediate appellate court. It was created in 1966 in response to the rapidly growing caseload in the Court of Appeals. Though it originally could hear only criminal cases, the Court of Special Appeals' jurisdiction has expanded to now consider any reviewable judgment, decree, order, or other action of the circuit and orphans' courts, unless otherwise provided by law. Judges sitting on the Court of Special Appeals generally hear and decide cases in panels of three. In some instances, however, all 13 judges may listen to a case, known as an *en banc* hearing.

The Circuit Courts of Maryland, located in all 23 counties and Baltimore City, are the trial courts of general jurisdiction. Circuit Courts generally handle the state's major civil cases and more serious criminal matters, along with juvenile cases, family matters such as divorce, and most appeals from the District Court, Orphans' Courts and administrative agencies. The Circuit Courts also can hear cases from the District Court (civil or criminal) in which one of the parties has requested a jury trial, under certain circumstances. Unlike the District Court, which operates under a unified system, the Circuit Courts historically have had greater autonomy and have been funded by the county or city.

The District Court of Maryland celebrated its 35th anniversary in 2006. It has 34 locations in 12 districts statewide, with at least one judge presiding in each county and Baltimore City. There are no juries in the District Court; each case is heard and decided by a judge. The District Court hears both civil and criminal cases involving claims up to $30,000, and has exclusive jurisdiction over peace order cases and landlord/tenant, replevin (recovery of goods claimed to be wrongfully taken or detained), and other civil cases involving amounts at or less than $5,000. The District Court also handles motor vehicle/boating violations and other misdemeanors and limited felonies, although the Circuit Courts share jurisdiction if the penalties authorized are three years or more in prison, a fine of $2,500 or more, or both. Both trial courts can hear domestic violence cases.

Orphans' Courts handle wills, estates, and other probate matters. In addition, they have jurisdiction—along with the Circuit Courts—to appoint guardians of the persons, and to protect the estates, of unemancipated minors (minors who are subject to parental authority). An appeal from an Orphans' Court generally may be to a Circuit Court, where the matter is tried *de novo* or 'as new' before a judge or jury, or to the Court of Special Appeals, where the matter is heard 'as is' or on the record.

An overview of Maryland's courts is also available on the Maryland Judiciary Web site at mdcourts.gov/overview.html.