

THE MARYLAND COURT SYSTEM

[GENERIC – Version: 2 May 2011]

Text:
THE MARYLAND COURT SYSTEM

Shot of two narrators standing in front of a courthouse.

Narrator One:
WHAT IS THE DIFFERENCE BETWEEN THE VARIOUS COURTS IN MARYLAND? THIS VIDEO WILL HELP YOU UNDERSTAND THE LEVELS OF THE MARYLAND STATE COURTS AND WHAT THOSE COURTS DO.

Narrator Two:
THIS VIDEO IS DIVIDED INTO THREE PARTS.

Photograph of a trial court courtroom (empty).

Narrator One:
IN PART ONE, YOU WILL LEARN ABOUT THE MARYLAND TRIAL COURTS.

Photograph of the Robert C. Murphy Courts of Appeal Building.

Narrator Two:
IN PART TWO, YOU WILL LEARN ABOUT THE MARYLAND APPELLATE COURTS.

Photo montage of federal court building, Office of Administrative Hearings, and Orphans Court.

Narrator One:
AND IN PART THREE, YOU WILL HEAR ABOUT SEVERAL OTHER JUDICIAL BODIES IN OUR STATE.

Text:
THE MARYLAND COURTS

Shot of two narrators in front of court building.

Narrator Two:
THERE ARE FOUR LEVELS OR TYPES OF COURTS IN THE MARYLAND COURT SYSTEM: TWO TRIAL COURTS AND TWO APPELLATE COURTS. TRIAL COURTS CONSIDER EVIDENCE PRESENTED IN A CASE AND MAKE DECISIONS, CALLED "JUDGMENTS," BASED ON THE FACTS AND THE LAW.

Narrator One:
APPELLATE COURTS REVIEW THE TRIAL COURT'S ACTIONS AND DECISIONS, AND DECIDE WHETHER THE TRIAL JUDGE PROPERLY FOLLOWED THE LAW. WHEN REVIEWING JURY TRIALS, THE APPELLATE

COURT MAY HAVE TO DECIDE WHETHER THE JURY'S DECISION WAS PROPER, GIVEN THE FACTS PRESENTED AND THE APPLICABLE LAW. WE WILL TALK MORE ABOUT THE WORK OF APPELLATE COURTS A LITTLE LATER IN THIS VIDEO.

Photo montage of trial court buildings.

Text:

THE DISTRICT COURT OF MARYLAND

Narrator Two:

AS WE SAID, THERE ARE TWO TRIAL COURTS IN MARYLAND.

Map of District Court locations. Click on a location and zoom to a shot of that courthouse.

Narrator Two:

THE DISTRICT COURT OF MARYLAND HAS 34 COURT LOCATIONS AROUND THE STATE.

Shot of a District Court building and people entering a courtroom.

Narrator Two:

THE DISTRICT COURT HEARS THE MOST CASES OF ANY OF THE COURTS IN MARYLAND. MOST MARYLANDERS WHO HAVE HAD TO GO TO COURT IN MARYLAND HAVE BEEN TO DISTRICT COURT.

Photograph of a car, traffic stop, and/or traffic ticket.

Narrator One:

THE DISTRICT COURT HEARS SOME CRIMINAL MATTERS INCLUDING TRAFFIC VIOLATIONS.

Shot of attorney and client standing at counsel table.

Narrator One:

MISDEMEANORS, OR CRIMES WITH LOWER PENALTIES. AND SOME LIMITED FELONIES, OR MORE SERIOUS CRIMES.

Shot of a judge hearing a case from the bench.

Narrator One:

THERE ARE NO JURY TRIALS IN DISTRICT COURT. CRIMINAL DEFENDANTS WHO WANT A JURY TRIAL HAVE THEIR CASES TRANSFERRED TO CIRCUIT COURT.

Narrator Two:
THE DISTRICT COURT ALSO HEARS CIVIL, OR NON-CRIMINAL MATTERS.
THESE ARE CIVIL CASES WITH CLAIMS OF \$30,000 OR LESS.

Shot of a police car driving up to a family home and officers getting out of the car.

Narrator Two:
THE DISTRICT COURT ALSO HEARS DOMESTIC VIOLENCE CASES. . .

Shot of an apartment building.

Narrator Two:
LANDLORD/TENANT MATTERS. . .

Shot of a two self-represented litigants standing at counsel table, while one of them is talking to the judge on the bench.

Narrator Two:
REPLEVIN – CASES WHERE SOMEONE IS SEEKING THE RETURN OF GOODS
THEY CLAIM WERE WRONGFULLY TAKEN OR HELD – AND SMALL CLAIMS
MATTERS – CASES INVOLVING A CLAIM FOR \$5000 OR LESS.

Shot of a judge handing a court order to a courtroom clerk while the parties and counsel look on.

Narrator Two:
REMEMBER, THERE ARE NO JURY TRIALS IN DISTRICT COURT SO IF A
PERSON IS IN COURT FOR ONE OF THESE MATTERS, AND CANNOT REACH
AN AGREEMENT WITH THE OTHER SIDE, THE DECISION WILL BE MADE BY
A DISTRICT COURT JUDGE.

Photo montage of Circuit Court building.

Text:
MARYLAND CIRCUIT COURTS

Narrator One:
LET'S LOOK AT WHAT THE CIRCUIT COURTS DO.

Map of Circuit Court Locations. Click on a county and zoom to shot of that Courthouse.

Narrator One:
THERE IS ONE MARYLAND CIRCUIT COURT IN EACH OF THE STATE'S 23
COUNTIES, AS WELL AS ONE IN BALTIMORE CITY.

Shot of a jury hearing a case.

Narrator One:

ALL CASES INVOLVING JURY TRIALS ARE HEARD IN THE CIRCUIT COURTS,
ALTHOUGH NOT ALL CIRCUIT COURT CASES INVOLVE JURIES.

Shot of a judge handing a court order to a courtroom clerk while the parties and counsel look on.

Narrator One:

IN THOSE CASES, THE JUDGE WILL MAKE THE DECISION IF THE PARTIES
DO NOT COME TO SOME KIND OF AGREEMENT.

Photograph of handcuffs lying on a table.

Narrator Two:

CIRCUIT COURTS GENERALLY HEAR MORE SERIOUS CRIMINAL MATTERS. .

Photograph of graffiti on a wall.

Narrator Two:

ALONG WITH JUVENILE CASES. . .

Photograph of a beat up teddy bear.

Narrator Two:

CHILD PROTECTION CASES. . .

Photograph of several family photos together in frames.

Narrator Two:

FAMILY MATTERS SUCH AS DIVORCE, CUSTODY OR CHILD ACCESS AND
CHILD SUPPORT. . .

Photograph of a court case file lying on a clerk's office counter.

Narrator Two:

AND MOST APPEALS FROM THE DISTRICT COURT.

Shot of jury hearing a case.

Narrator Two:

AS WE MENTIONED BEFORE, THE CIRCUIT COURT ALSO HEARS ANY CIVIL
OR CRIMINAL MATTER FROM THE DISTRICT COURT WHERE ONE OF THE
PARTIES ASKS FOR A JURY TRIAL.

Shot of police officers arriving at a family home.

Narrator Two:
CIRCUIT COURTS CAN ALSO HEAR DOMESTIC VIOLENCE MATTERS.

Text:
THE MARYLAND APPELLATE COURTS

Shot of two narrators standing in front of the Robert C. Murphy Courts of Appeal Building.

Narrator One:
TWO OTHER COURTS IN MARYLAND HEAR APPEALS FROM THE TRIAL COURTS.

Narrator Two:
A PERSON WHO HAS BEEN INVOLVED AS A PARTY IN A CASE HAS A RIGHT TO APPEAL TO A HIGHER COURT IF THE PERSON FEELS THE TRIAL COURT REACHED AN IMPROPER DECISION IN THE CASE. THE INDIVIDUAL MAY APPEAL A DECISION OF THE DISTRICT COURT BY ASKING THAT THE CASE BE REVIEWED BY THE CIRCUIT COURT. BUT IF SOMEONE IS UNHAPPY WITH A CIRCUIT COURT DECISION, WHERE CAN THAT PERSON GO? MARYLANDERS MAY, AS A MATTER OF RIGHT, ASK THAT THEIR CIRCUIT COURT CASE BE REVIEWED BY THE COURT OF SPECIAL APPEALS.

Text: THE COURT OF SPECIAL APPEALS

Shot of a Court of Special Appeals courtroom (empty).

Photograph of a brief, with cover page legible.

Narrator One:
MARYLAND APPELLATE COURTS DO NOT HOLD TRIALS, TAKE EVIDENCE OR HEAR TESTIMONY. WHEN A PERSON APPEALS TO ONE OF THESE COURTS, THAT PERSON AND THE OTHER SIDE WILL BOTH BE REQUIRED TO FILE A BRIEF, A DOCUMENT DETAILING WHY THEY THINK THE TRIAL COURT DECISION WAS INCORRECT OR, IF THEY OPPOSE THE CHANGE, WHY IT WAS CORRECT.

Shot of two parties with counsel, one of whom is standing at the podium before a 3-judge panel in the Court of Special Appeals.

Narrator One:
BOTH INDIVIDUALS OR PARTIES WILL USUALLY BE INVITED TO APPEAR BEFORE THE COURT WHERE EACH INDIVIDUAL OR EACH PERSON'S LAWYER WILL GIVE A SHORT ORAL ARGUMENT ABOUT WHY THE COURT SHOULD RULE IN HIS OR HER FAVOR.

Shot of the full Court of Special Appeals

Narrator Two:

THERE ARE THIRTEEN JUDGES ON THE MARYLAND COURT OF SPECIAL APPEALS.

Shot of a 3-judge panel, interacting with the person at the podium.

Narrator Two:

THEY USUALLY HANDLE CASES IN PANELS OF THREE, SO WHEN A PERSON APPEARS BEFORE THE COURT, HE OR SHE WILL USUALLY SEE THREE JUDGES SITTING ON THE BENCH. THE JUDGES MAY ASK QUESTIONS DURING THE ORAL ARGUMENT.

Shot of judges in conference and in chambers, working with a law clerk, reviewing a statute book.

Narrator One:

THE DECISION IS NORMALLY NOT MADE ON THE DAY THE PARTIES APPEAR FOR ORAL ARGUMENT. RATHER, THE JUDGES WILL TAKE TIME TO REVIEW THE ARGUMENTS AND THE FACTS, IN LIGHT OF MARYLAND LAW.

Photograph of a court order, with the text legible.

Narrator One:

THEY NORMALLY ISSUE A WRITTEN OPINION WHICH THE PARTIES OR THEIR LAWYERS WILL RECEIVE BY MAIL SOME TIME AFTER THE ARGUMENT.

Text:

THE MARYLAND COURT OF APPEALS

Shot of the Court of Appeals courtroom (empty).

Narrator Two:

THE MARYLAND COURT OF APPEALS, THE STATE'S HIGHEST COURT, OPERATES IN A SIMILAR MANNER. HOWEVER, INDIVIDUALS DO NOT HAVE A RIGHT TO HAVE YOUR CASE HEARD BY THIS COURT. IF AN INDIVIDUAL IS UNHAPPY WITH THE DECISION OF THE COURT OF SPECIAL APPEALS, HE OR SHE MAY APPEAL TO THE COURT OF APPEALS AND ASK THAT THEY REVIEW THE CASE.

Shot of the full Court of Appeals.

Narrator Two:

THE COURT OF APPEALS JUDGES REVIEW THESE REQUESTS AND SELECT CASES THEY *CHOOSE* TO HEAR – USUALLY CASES THEY FEEL WILL HAVE LEGAL SIGNIFICANCE FOR OUR STATE. THERE ARE A FEW CASE TYPES THEY ARE REQUIRED TO HEAR, INCLUDING THOSE INVOLVING THE DEATH PENALTY.

Shot of an attorney making an argument before the full Court of Appeals.

Narrator One:

ALL SEVEN JUDGES ON THE COURT OF APPEALS WILL NORMALLY HEAR ORAL ARGUMENTS IN A CASE.

Shot of judges in conference and in chambers, working with a law clerk, reviewing a statute book.

Narrator One:

AND LIKE IN MARYLAND'S OTHER APPELLATE COURT, THE DECISION IS NORMALLY NOT MADE ON THE DAY THE PARTIES APPEAR FOR ORAL ARGUMENT. RATHER, THE JUDGES WILL TAKE TIME TO REVIEW THE ARGUMENTS AND THE FACTS, IN LIGHT OF MARYLAND LAW.

Photograph of a court order, with the text legible.

Narrator One:

THE COURT WILL ISSUE A WRITTEN OPINION WHICH THE PARTIES OR THEIR LAWYERS WILL RECEIVE BY MAIL SOME TIME AFTER THE ARGUMENT.

Shot of two narrators standing in front of a courthouse.

Text:

OTHER COURTS IN MARYLAND

Photo montage of Federal District Courthouse, Orphans Court sign and an ALJ holding a hearing.

Shot of two narrators standing in front of a courthouse.

Narrator One:

THERE ARE SEVERAL OTHER COURTS IN MARYLAND. REMEMBER, EACH COURT ONLY HAS THE POWER TO ACT ON ISSUES GIVEN TO IT BY THE CONSTITUTION OR LAWS OF THE UNITED STATES OR AN INDIVIDUAL STATE.

Narrator Two:

THERE IS ONE ADDITIONAL TYPE OF COURT THAT IS PART OF THE MARYLAND COURT SYSTEM.

Photograph of Orphans Court sign.

Narrator Two:

THE ORPHANS COURT IS THE COURT IN MARYLAND THAT HANDLES WILLS, ESTATES AND OTHER PROBATE MATTERS –

Photograph of a will. Fade to a cemetery.

Narrator Two:

MATTERS THAT INVOLVE THE BELONGINGS OR PROPERTY OF SOMEONE NOW DECEASED.

Shot of a woman speaking with an older person in a wheelchair, in a nursing home setting.

Narrator One:

THE ORPHANS COURT ALSO HAS AUTHORITY TO APPOINT GUARDIANS OF THE PERSON OR PROPERTY, WHEN THAT PERSON IS NOT ABLE TO MAKE DECISIONS ON THEIR OWN OR MANAGE THEIR OWN PROPERTY. . .

Shot of adults watching kids on a playground.

Narrator Two:

THE ORPHANS COURT CAN ALSO TAKE STEPS TO PROTECT THE ESTATES OF MINORS WHO REMAIN UNDER THEIR PARENTS' AUTHORITY.

Shot of two narrators standing in front of courthouse.

Photo of Office of Administrative Hearings.

Narrator One:

THE OFFICE OF ADMINISTRATIVE HEARINGS IS AN OTHER TYPE OF BODY IN MARYLAND THAT CONDUCTS HEARINGS.

Shot of an ALJ holding a hearing.

Narrator One:

INDIVIDUALS FROM THE OFFICE OF ADMINISTRATIVE HEARINGS WHO CONDUCT THESE PROCEEDINGS ARE CALLED “ADMINISTRATIVE LAW JUDGES.” WHEN A MARYLAND RESIDENT DISAGREES WITH AN ACTION TAKE BY A STATE AGENCY, THAT PERSON MAY APPEAR BEFORE AN ADMINISTRATIVE LAW JUDGE AND ASK THE JUDGE TO REVIEW THE AGENCY’S DECISION. THE ADMINISTRATIVE LAW JUDGE DOES NOT WORK FOR THAT AGENCY AND MUST PROVIDE AN IMPARTIAL REVIEW. ALTHOUGH THE OFFICE OF ADMINISTRATIVE HEARINGS IS BASED IN BALTIMORE, THEY HEAR CASES STATEWIDE.

Shot of the Federal District Courthouse.

Narrator Two:

FINALLY, THERE ARE FEDERAL COURTS IN MARYLAND.

Shot of the U.S. Capitol and US Code.

Narrator Two:

FEDERAL COURTS ARE AUTHORIZED BY THE U.S. CONSTITUTION TO DEAL WITH ISSUES INVOLVING LAWS PASSED BY CONGRESS.

Photograph of Maryland Law books.

Narrator Two:

MARYLAND STATE COURTS, ON THE OTHER HAND HEAR CASES INVOLVING STATE LAWS.

Photograph of Federal District Court building.

Narrator One:

THE FEDERAL TRIAL COURT IS CALLED THE “FEDERAL DISTRICT COURT.” THIS COURT IS DIFFERENT FROM THE MARYLAND DISTRICT COURT WHICH WE DESCRIBED EARLIER.

Shot of checkbook and bank account statement.

Narrator One:

FEDERAL COURTS HEAR A RANGE OF MATTERS GOVERNED BY FEDERAL LAW INCLUDING BANKRUPTCY. . .

Shot of a trial proceeding in federal court.

Narrator One:

MATTERS INVOLVING PERSONS OR CORPORATIONS FROM DIFFERENT STATES, IMMIGRATION MATTERS AND LAWS BROUGHT UNDER THE FEDERAL CONSTITUTION.

Shot of the Supreme Court.

Narrator Two:

A PERSON CAN APPEAL A FEDERAL COURT DECISION BY FILING AN APPEAL WITH A FEDERAL APPEALS COURT. DECISIONS OF THOSE APPELLATE COURTS ARE APPEALABLE TO THE SUPREME COURT OF THE UNITED STATES. THE U.S. SUPREME COURT, LIKE THE MARYLAND COURT OF APPEALS, DECIDES WHICH CASES IT WILL TAKE AND NOT ALL MATTERS ARE ACCEPTED BY THE COURT FOR REVIEW. THE CASES THE JUSTICES CHOOSE TO HEAR ARE USUALLY THOSE THAT WILL HAVE IMPORTANT LEGAL SIGNIFICANCE FOR THE COUNTRY.

Shot of two narrators in front of a courthouse.

Narrator One:

LET'S REVIEW WHAT WE HAVE COVERED.

Graphic display of information.

Narrator Two:

THERE ARE FOUR COURTS IN MARYLAND – TWO TRIAL COURTS AND TWO APPELLATE. THE DISTRICT COURT OF MARYLAND HEARS TRAFFIC CASES, HOUSING, SMALL CLAIMS AND DOMESTIC VIOLENCE CASES, NON-JURY CRIMINAL TRIALS AND LAWSUITS INVOLVING CLAIMS UNDER \$30,000. THE CIRCUIT COURT HEARS JUVENILE AND FAMILY MATTERS, SERIOUS CRIMINAL MATTERS INCLUDING ALL CIVIL AND CRIMINAL CASES INVOLVING JURY TRIALS, AND CIVIL LAWSUITS WHERE THE CLAIM IS OVER \$30,000.

Graphic display of information.

Narrator One:

THERE ARE TWO APPELLATE COURTS – THE COURT OF SPECIAL APPEALS WHERE A PERSON CAN HAVE AN APPEAL FROM CIRCUIT COURT HEARD AS A MATTER OF RIGHT, AND THE COURT OF APPEALS WHICH CHOOSES SOME CASES EACH YEAR TO REVIEW.

Graphic display of information.

Narrator Two:

FINALLY THERE ARE SEVERAL ADDITIONAL COURTS YOU SHOULD KNOW ABOUT. THE ORPHANS COURT, WHICH IS PART OF THE MARYLAND

JUDICIARY, HEARS ESTATES, WILLS AND OTHER PROBATE MATTERS. THE OFFICE OF ADMINISTRATIVE HEARINGS PROVIDES REVIEW OF STATE AGENCY DECISIONS, AND THE FEDERAL COURT SYSTEM WHICH INCLUDES FEDERAL DISTRICT COURTS, FEDERAL APPEALS COURTS AND THE UNITED STATES SUPREME COURT.

Shot of two narrators.

Narrator One:

WE HOPE YOU HAVE FOUND THIS INFORMATION HELPFUL.

Narrator Two:

IT IS IMPORTANT TO UNDERSTAND HOW THE JUSTICE SYSTEM WORKS. REMEMBER THE LAWS AND THE COURTS OF MARYLAND BELONG TO ALL OF US.