
CIRCUIT COURT FOR BALTIMORE CITY
FAMILY DIVISION

Differentiated Case Management Plan

Approved April 17, 2024

Family Differentiated Case Management Plan¹

This Family Differentiated Court Management (DCM) Plan is instituted in accordance with Maryland Rule 16-302(b), which requires the County Administrative Judge to develop and, upon approval by the Chief Justice of the Supreme Court of Maryland, implement and monitor a Differentiated Case Management Plan (DCM) plan for the prompt and efficient scheduling and disposition of actions in the Circuit Court.

STATEMENT OF PURPOSE

The purpose of this DCM Plan to provide an effective case management system which will assure compliance with the Performance Standards and Measures for Maryland Family Divisions with the Circuit Courts in Maryland, to wit:

1. Access to the Family Division, regardless of whether a party is represented by counsel;
2. Adjudication/resolution of Family Division cases without undue delay;
3. Equal treatment of all litigants;
4. Fairness and integrity in all court processes, including adjudication;
5. Public trust and confidence in the Family Division as an institution within the Judiciary.

Consistent with the case time standards adopted by the Judicial Council, constitutional requirements and applicable Maryland Rules, it is the goal of this DCM plan to ensure that ninety eight percent (98%) of family cases are concluded within 12 months (365 days) of the filing date. A concluded disposition is defined as conclusion by final judgment or dismissal. In order to achieve this goal, the Circuit Court is committed to concluding its many categories of family cases within a regular and predictable time frame warranted by the needs of those cases.

CASE MANAGEMENT

General Overview

The policies and procedures outlined in this plan shall be implemented by the Judge-in-Charge of the Family Division (JICF) with assistance from Division Administrative Staff, Clerk's Office, Assignment Office, Baltimore City Office of Child Support Services (BCOCSS), Office of the Attorney General – Office of Special Counsel (OSC), and any other necessary parties.

Judges and Magistrates

The JICF reports to the Administrative Judge who is ultimately responsible for all aspects of case management in the Circuit Court for Baltimore City. With respect to the Family Division, the

¹ At the time of approval of this DCM plan, an Electronic Filing and Case Management system has not yet been implemented in the Circuit Court for Baltimore City. The Court will revise this DCM plan upon implementation of "MDEC" in Baltimore City, with implementation expected to occur in May 2024.

Administrative Judge will designate Judges to hear family cases and make final decisions about special assignment of cases to particular Judges.

The JICF will designate courtroom and docket rotations for all Judges assigned to the Family Division. The JICF will also oversee the composition of family Magistrates' dockets. From time-to-time, the JICF, with the assistance of the Family Division Associate Administrator, will examine workloads and time standard compliance associated with particular dockets and will adjust dockets accordingly.

All Family Judges and Magistrates will be responsible for compliance with the Family Division DCM Plan. Individual Judges and Magistrates are responsible for the efficient and effective management of the cases assigned to them, including, but not limited to, timely disposition of cases, timely production of necessary orders/decisions, reports and recommendations as well as timely decisions on motions filed with the Family Clerk's Office.

In addition to the matters to be referred to Family Magistrates as a matter of course pursuant to [Md. Rule 9-208\(a\)\(1\)](#), the Court may also assign the following matters to Family Magistrates for a hearing:

- Initial Temporary Protective Order hearings
- Hearings upon the filing of a request for an emergency evaluation
- Hearings associated with request for emergency or ex-parte relief
- Default custody hearings
- Default divorce hearings
- Establishment of Child Support and/or Paternity (BCOCSS/OSC cases only)

Clerk of the Court

The Clerk of the Court will designate assistant clerks to be assigned to the Family Division Clerk's Office (FCO). The employees of the FCO will oversee the processing of new cases, pleadings, motions, and orders as well as requests for hearings and postponements associated with cases falling within the purview of the Family Division.

The FCO currently uses the following numbering conventions for Family Division cases:²

- Each case is assigned a jurisdictional number ("24" for all cases file in or transferred to the Circuit Court for Baltimore City – Family Division).
- Each case is then assigned a letter identifying the nature of the case:
 - Child support and paternity actions filed by BCOCSS, through OSC and child support and paternity actions not filed by the BCOCSS are assigned a "P" designation.
 - Child support and paternity cases filed by the BCOCSS, through OSC pursuant to the Maryland Uniform Interstate Family Support Act (UIFSA) are assigned a "U" designation.
 - All guardianship petitions, whether for adults or minors and regardless of whether a petition for a minor is filed in conjunction with a petition for Special Immigrant Juvenile Status findings are assigned a "T" designation.

² The Family Division's numbering convention will change upon implementation of MDEC within the Circuit Court for Baltimore City.

- All adoption petitions are assigned an “A” designation.
- All other Family Division cases are assigned a “D” designation. Cases with a D designation include, but are not necessarily limited to, the following actions:
 - Custody actions – including custody actions filed in conjunction with a petition for Special Immigrant Juvenile Status findings.
 - Divorce actions – contested and uncontested.
 - Name change petitions (adults and minors).
 - Petitions for protective orders including temporary protective order transfers from District Courts pursuant to Rule 3-326(c), protective order appeals from District Courts pursuant to FL Section 4-507, and original filings in the Circuit Court.
 - Registration of out-of-state custody orders pursuant to FL Section 9.5-305.
- Each case is then assigned a number identifying the year in which the action was filed; and
- Each case is assigned a case number identifying the number associated with the initial filing (i.e., case number 24-D-23-000351 would represent the 351st “D” case filed with the FCO in 2023).

The FCO is responsible for the following tasks:

- Timely processing and docketing of all pleadings associated with Family Division cases.
- Establishment, maintenance, and overseeing of a “tickle” system that effectively tracks mandated timelines, including, but not limited to, dismissals under Maryland Rule 2-507(b) and (c).
- Timely creation and transmittal of mandated notices.
- Effective tracking of case files.
- Effective, responsible, and service-oriented communication with all members of the public and employees of the court.
- Oversight of compliance with caseflow standards.
- Direct scheduling of certain matters that do not require case management review.

Family Division Services

The Family Division offers the following services to those involved in a Family Division case. Supervision/management of these services is conducted by the Family Division Associate Administrator in conjunction with the JICF:

- **Pro Se Assistance Office:** Through the Self-Represented Litigant Project, the Court maintains an office staffed by attorneys who assist self-represented individuals seeking to file or defend any action filed within the Family Division. The attorneys provide basic legal advice and assist with completion of form pleadings to be filed at the FCO. The unit is located in Room 114 of the Cummings Courthouse. The attorneys meet with litigants each workday from 9:00 a.m. – 1:00 and from 2:00 – 4:00. At this time, the Pro Se Office does not provide advice by telephone, email or other remote means. Appointments are made on the day of service **only**, except for individuals requiring an interpreter whereby appointments will be made based upon the availability of one’s particular language needs. Those interested in the assistance of the Pro Se Assistance Office shall use the sign-up sheet at the Sheriff’s station in front of the Family courtrooms. Sign-up begins at 8:30 a.m. for the morning session and at 1:00 p.m. for the afternoon session. The last sign-in time is at 3:30 p.m. (or at the time the afternoon session is full).

- **Parenting Education:** Parenting education is offered through an online parenting course. Orders requiring participation will be issued and information mailed to the parties. When a party logs in, a fee of \$25.00 will be collected. If a party is unable to pay the fee, he/she may file a petition for a fee waiver. If granted, a special code will be provided to the party that is valid for a limited time. Once a party completes the parenting education course, he/she shall print the certificate of completion and file it with the FCO.
- **Mediation:** In many custody and visitation cases, the Court will mandate that the parties participate in mediation to be conducted by a team of mediators contracted by the Court.³ At this time, all mediation sessions occur remotely, however the Court reserves the right to have parties participate in person with the assigned mediator(s) if necessary. The cost of mediation sessions is currently covered by the Family grant.
- **Custody and visitation related assessment (including home studies):** Pursuant to [Md. Rule 9-205.3](#), the Court, on its own initiative or at the request of a party, may request that a custody evaluation be performed in any custody action. Unless otherwise ordered, those evaluations, along with optional elements as described in Rule 9-205.3(f)(2) and specific issue evaluations described in [Md. Rule 9-205.3\(f\)\(3\)](#) shall be performed by the staff of the Circuit Court's Medical Services Division.⁴
- **Substance Abuse Evaluation/Random Drug Testing:** The Court, upon recommendation of a Family Magistrate, the Family Associate Administrator, or on its own initiative, may recommend an order for parties in a family action to participate in a substance abuse evaluation and substance abuse testing. Assessment shall be conducted by the Court's Addictions Assessment Unit located in the Mitchell Courthouse. Testing will be conducted by private vendors chosen by the parties. All evaluations and testing orders will be monitored by the Family Division's Family Services Coordinator.
- **Supervised Visitation/Monitored Exchange (domestic violence cases):** The Baltimore City Visitation Center (BCVC) offers supervised visitation and monitored exchanges for families who have experienced intimate partner violence or cases involving child sexual abuse. The violence need not be documented in a protective order. The Court may refer parties for supervised visitation or monitored exchange upon hearing testimony about the violence or abuse and will issue an order explaining in detail the alleged history of the violence or abuse. This order, along with a completed referral form, will be sent to BCVC and the parties will be contacted to set up a visitation/monitored exchange schedule. There is no limit to the number of visitation sessions or the number of monitored exchanges that may occur.

³ Generally, the Court will not order mediation in cases where there has been a history of intimate partner violence.

⁴ Currently, the Court Medical Division fee for a custody evaluation is \$770 per party (including children) and \$275 for a home study per residence. Cost for home studies and evaluations for both parties is \$1540. There may be a fee assessed if a party does not keep an appointment. Fees must be paid before a report will be issued. The Court may apportion fees between the parties as it deems appropriate. Parties may seek a fee waiver through proper motion filed with the Court. The Court reserves the right to change its fee schedule without amendment to this DCM plan. Currently fees for services rendered by outside contractual evaluators may be covered under the Family grant.

- **Children’s Waiting Room:** Families who bring children to the courthouse for a Family Division hearing may use the Children’s Waiting Room (CWR) located in Room 108 of the Cummings Courthouse, inside the Family Division Administration suite. The CWR is open during court hours (8:30-12:30 and 1:30 – 4:30) and is supervised by Family Administration staff. Caretakers must fill out a short form with information indicating who is permitted to pick up the child. The CWR is also used as a safe place if there is a hearing resulting in a contentious change in custody. Details regarding this service can be obtained from the Family Division Administration Office. There is no fee for this service.
- **Other Services:** The Family Services Coordinator provides parties with information and referrals to various services of value to Family Division litigants including services involving domestic violence intervention, anger management, substance abuse and addiction, and mental health to name a few. While the Court does not offer these services “in-house” it strives to make information about such services available to those in need who have a pending case with the Family Division.

TRACK DESIGNATIONS/TIME STANDARDS

Definitions

Tracks define expected case processing events, the timing of events, assignment, and the expectations for case duration. The caseflow time standard for Circuit Court family cases is 12 months (365 days) for 98% of cases, but expected duration is based on needed time to reach resolution, which may be less than the time standard.

A Family case may follow one of four (4) potential tracks to resolution. Tracks are defined at filing, at time of review by case manager or at scheduling conference, depending on type of case, issues, and status.

- **Track 1: Expedited cases/requests (Expected adjudication – 60 days or less):**
 - **Protective Order Petitions filed in the Circuit Court:** All petitions for protective orders originally filed in the Circuit Court pursuant to [Family Law Article Title 4, Subtitle 5](#) shall have a Temporary Protective Order (TPO) hearing conducted on the day of filing. If a TPO is granted, the Court shall schedule the initial Final Protective Order (FPO) hearing within seven days. FPO hearings are typically scheduled for 9:00 a.m. Subsequent extensions of TPOs due to a failure to serve the respondent, or for other good cause may be scheduled at intervals to be determined by the Court.

Those seeking to file a petition for protection will meet with the Court’s Family Services Coordinator who will assist the petitioner in completing necessary paperwork, obtain a Family Division case number, initiate case number and enter information about the parties into the court’s case management system, and arrange for a TPO hearing before a Judge or Family Magistrate. The Family Services Coordinator will also assist petitioners in filing waivers of appearance and signing up for VINE notifications of service upon the Respondent.

- **Protective Order Appeals and Protective Order Transfers from the District Court:** If a District Court issues a TPO or FPO and subsequently transfers the case to the Circuit Court pursuant to [Md. Rule 3-326\(c\)](#), the initial FPO in Circuit Court will typically be scheduled within seven days of the last District Court TPO. Those hearings are scheduled for 9:00 a.m. Subsequent extensions of TPOs due to a failure to serve the respondent or for other good cause may be scheduled at intervals to be determined by the Court.

Appeals from the grant/denial of a TPO or FPO at the District Court level will be scheduled for trial within forty-five days of the date the notice of appeal is issued by the FCO.

- **Protective Order Motions:** Motions to terminate or modify an existing FPO will be scheduled in due course, but no later than 45 days from the date of filing. If a protective order will expire before a hearing can be scheduled, the Court will issue an interim order to bridge the gap between the expiration and hearing date. Motions to extend protective orders will be scheduled in the same manner with due consideration to the requirements of [Family Law §4-507\(a\)\(4\)](#).
- **Requests for Emergency/Expedited Relief:** Motions for emergency relief must be filed in writing. No temporary order for emergency will be granted unless a pleading for permanent relief has been filed at the same time, or prior to, the emergency motion. The Court will require proper service of the motion upon opposing parties, at least 24 hours prior to the filing of the motion. Such motions will not be considered on an expedited basis unless coupled with a request to shorten time pursuant to [Md. Rule 1-204](#). Upon receipt of such a motion, the FCO shall promptly deliver the motion and file to a Family Magistrate for review. The Family Magistrate will recommend to the Court whether the request should be granted or denied on the papers or whether a hearing of the requested relief should be conducted. Such hearings will be scheduled as soon as practicable in accordance with Judge availability. In determining whether a request for emergency relief will be granted, the Court will determine if there is a sufficient showing that there is an imminent risk of substantial and immediate harm to a party or a minor or that there are circumstances which the Court finds require immediate intervention.
- **Requests for Ex Parte Relief:** Motions for ex parte relief must be filed in accordance with [Md. Rule 1-351](#). Although the Rule does not specify a time limit, the Court requires the opposing parties be provided with 24 hours advance notice of motions for ex parte relief. As with other requests for emergency relief, the FCO shall promptly deliver the motion and file to a Family Magistrate for review. The Family Magistrate will promptly recommend to the Court whether the request should be granted or denied on the papers or whether a hearing of the requested relief should be conducted. Such hearings will be scheduled as soon as practicable in accordance with Judge availability. In determining whether a request for emergency relief will be granted, the Court will determine if there is a sufficient showing that there is an imminent risk of substantial and immediate harm to a party or a minor or that there are circumstances which the Court finds require immediate intervention.
- **SIJS Motions filed within 6 months of the minor's 21st birthday:** Counsel who file custody actions or guardianship petitions in conjunction with a motion for SIJS findings shall immediately contact the Family Division Administrator (410-396-3648) and inform of such a filing if the filing

is made within six months of the child's 21st birthday. Despite the fact that these SIJS motion will be on an expedited track, counsel must abide by all procedural rules for service and notice. The Court will entertain motions for alternative service only if properly filed with the FCO. Should all service and notice be accomplished, the Court will schedule a hearing before the minor's 21st birthday.

- **Exceptions filed pursuant to [Md. Rule 9-208\(f\)](#):** Exception petitions shall be promptly referred to the Family Division Administration office for review for compliance with [Md. Rules 9-208\(f\)](#) and (g). Should the excepting party fail to comply with these rules, the Court will promptly dismiss/deny the exceptions. Should the moving party comply with these rules, the Family Division Administration office will request the FCO to schedule an exceptions hearing before a Judge within 60 days of the filing. See [Md. Rule 9-208\(i\)\(2\)](#).
- **Immediate Orders Pursuant to [Md. Rule 9-208\(h\)\(2\)](#):** After conducting a hearing, should a Magistrate find that extraordinary circumstances exist, the Magistrate may recommend that a Judge issue an immediate order upon a Magistrate's report and recommendation. Before doing so, the Court will schedule a hearing to afford the parties an opportunity for oral argument. Such hearings shall be scheduled as soon as practicable.
- **Adult Guardianship Hearings:** All petitions for adult guardianships (property, person or both) are reviewed by the Court's guardianship attorney for compliance with [Title 10 of the Maryland Rules](#). No hearings will be scheduled in such cases unless compliance with the rules has occurred. Assuming there is compliance with Title 10, hearings associated with the filing of a petition **that includes a request for appointment of a guardian of person** of an adult will be conducted on an expedited basis ONLY upon the request of the petitioner by written motion. Such requests will be considered in connection with the need for immediate medical treatment, regarding discharge from a medical facility, or if some other exigent circumstances allegedly exist. A hearing will be conducted as soon as practicable, but no later than three weeks after review. Should a petition be deemed non-exigent, a hearing will generally be conducted within 6 to 7 weeks of review. Adult guardianship hearings are scheduled on the Court's "fast track" docket and will be conducted by a Judge assigned to that docket on any given week (i.e., not a Judge assigned full time to the Family Division).
- **Guardianship of property (only) of a minor:** If a petition for guardianship of the property of a minor is filed without a request for a guardianship of the person, those petitions will be processed and adjudicated in a similar fashion to adult guardianship. Petitions for guardianship of the person and property of a minor will be considered a "short track" matter (see below).
- **Petitions to shield family case files from public inspection:** Shielding petitions must comply with [Md. Rule 16-934](#). The FCO shall grant temporary relief in accordance with [Md. Rule 16-934\(c\)](#) and shall promptly submit the petition and file to a Family Division Judge for review. The Court may grant temporary relief without a hearing. Should temporary relief be granted, it shall remain effective within the time standards set forth in [Md. Rule 15-504\(c\)](#). The Court will schedule a final hearing within the time set forth in [Md. Rule 15-504\(c\)](#). A final hearing will be conducted in accordance with [Md. Rule 16-934\(e\)](#). Should temporary relief be denied, the Court will schedule a final hearing within 30 days of the date of denial.

- **Notice of Intent to Relocate:** Pursuant to [Family Law Article 9-106](#), a petitioner filing a petition for intent to relocate will be held on an expedited basis.
- **Track 2: Short Track Cases (Expected adjudication: 61 to 150 days)**
 - **Uncontested Divorce Proceedings:** The FCO shall promptly present such filings to the Family Division Administrator for review at such time as an answer has been filed. Should the Family Division Administrator deem the case is ripe for adjudication, such cases shall be scheduled for a hearing before a Family Magistrate to occur within 60 days of review.⁵
 - **Default Divorce Proceedings without request for alimony or property disposition:** Consistent with [Md. Rule 2-613\(b\)](#), upon the granting of an order of default, the issuance of a notice, the failure of defendant to file timely motion to vacate, or the denial of such a motion, the FCO shall promptly present default divorce matters to the Family Division Administrator for review. Should it be deemed that such cases are ripe for adjudication, such cases shall be scheduled for a hearing before a Family Magistrate within 60 days of review.
 - **Child Support/Paternity Establishment Actions filed by BCOCSS/OSC:** The FCO will schedule an initial trial date in these cases to occur within 90 days of the filing of the complaint. This shall include all establishment actions filed pursuant to UIFSA. Such matters may be assigned to either a Family Judge or Magistrate for adjudication. Cases may be continued for purposes of effectuating service upon the defendant.
 - **Child Support/Paternity Establishment (private parties):** Parties who pursue child support action (absent a request for custody) or paternity actions and do so without the assistance of BCOCSS/OSC will be responsible for filing fees and service of process upon the defendant. Such cases will be set for hearing before a Judge after service and the filing of an answer. If service is effectuated, but no answer is filed, plaintiff will be responsible for seeking an order of default in order to have the matter scheduled for a hearing.
 - **Child Support Modification Petitions:** Petitions to modify child support filed by BCOCSS/OSC will be scheduled for trial approximately 90 days after filing. Hearings may be continued until such time that service is effectuated upon the opposing party.

Parties who pursue child support modifications without the assistance of BCOCSS/OSC will be responsible for filing fees and service of process upon the defendant. Such cases will be set for hearing before a Family Magistrate after service and the filing of an answer. If service is effectuated, but no answer is filed, the moving party will be responsible for seeking an order of default in order to have the matter scheduled for a hearing.

⁵ It is the expectation of the Court that such files shall be reviewed by the Family Division Administrator's Office within two weeks of receipt from the Family Clerk's Office.

- **Child Support Contempt Proceedings Filed by BCOCSS/OSC:** The FCO will schedule an initial trial date for child support contempt proceedings within 90 days of the filing of a contempt petition, regardless of whether service of a show cause order has been effectuated. Most often, such matters will initially be heard by a Family Magistrate pursuant to [Md. Rule 9-208](#) but may be referred to a Judge for a de novo hearing pursuant to [Md. Rule 9-208\(d\)](#).
- **Name Change Petitions:** Name change petitions filed on behalf of minors shall be promptly reviewed by the Family Administrator or a Family Division Judge or Magistrate. Should a name change petition fail to comply with [Md. Rule 15-901](#), the Court will issue an order pointing out the deficiencies in the petition and requiring the petitioner to file an amended petition. Failure to comply with the Court's deficiency order in a timely manner may result in the dismissal of the petition. Should a name change petition comply with [Md. Rule 15-901](#), absent all necessary consents, the FCO will issue a notice to be served upon the minor's non-consenting parent(s)/guardian(s) or custodian(s). After proper service and proof thereof, once all consents are filed – or the time to do has expired -- the Court may issue an order granting the petition without the need for a hearing. Should a name change petition fully comply with [Md. Rule 15-901](#) at the time of filing, (i.e., all necessary consents and paperwork are filed), the Court may issue an order granting the petition without a hearing. Should the Court deem a hearing be necessary, the FCO shall schedule a hearing to occur within 90 days of review by the Court.

Adult name change petitions will be promptly reviewed by a general equity Magistrate for compliance with [Md. Rule 15-901](#) and will be handled in a manner similar to name changes for minors, save the need for consents. Should the petition comply with [Md. Rule 15-901](#), the Court may issue an order granting the petition without a hearing, or alternatively grant/deny the petition after a hearing.

- **Gender Declaration Petitions:** Such petitions will generally be reviewed/adjudicated in a manner consistent with name change petitions. Gender declaration petitions must comply with [Md. Rule 15-902](#) before adjudication can occur. If a gender declaration petition (adult or minor) fails to comply with [Md. Rule 15-902](#), the Court most often will issue an order pointing out the deficiencies and provide the petitioner 45 days to file an amended petition. Failure to comply with the Court's deficiency order in a timely manner may result in the dismissal of the petition. Petitions filed on behalf of minors must be served upon the minor's parent(s) guardian(s) or custodian(s) before the Court can rule on a petition. Hearings will generally be conducted in cases filed on behalf of minors where a parent, guardian, or custodian has filed properly executed objection to the proposed name change. See [Md. Rule 15-902\(d\)](#). Should the Court deem a hearing to be necessary, the FCO will schedule the hearing to occur within 90 days of review by the Court.
- **Pendente Lite Petitions:** Pendente lite petitions are typically set in for a hearing after a Family Magistrate conducts a scheduling conference and determines that there is a need for a pendente lite hearing. Pendente lite hearings are generally set to occur within 90 days after the Scheduling Conference to consider temporary relief until the trial on the merits will be heard.
- **Contempt Proceedings other than those filed by BCOCSS/OSC:** Contempt petitions filed by a party will be promptly forwarded by the FCO to a Family Magistrate for review. Should the Family Magistrate determine that the petition is not frivolous on its face, the Court shall issue a pre-hearing conference order at which both parties shall participate. After the pre-hearing

conference, the Family Magistrate will recommend whether the Court shall issue a Show Cause Order for service upon the alleged contemnor. If this occurs, a contempt hearing will be scheduled before a Family Magistrate approximately 45 days after the issuance of the show cause order.

- **Guardianship of Minor (person) petitions:** Petitions for guardianship of a minor (person) will be promptly reviewed by the Family Administrator, or a Family Division Judge/Magistrate. Should the petition fail to comply with the requirements of [Md. Rule 10-111](#), the Court will issue an order pointing out the deficiencies in the petition and requiring the petitioner to file an amended petition. Failure to comply with the Court's deficiency order in a timely manner may result in the dismissal of the petition. Should the petition comply with [Md. Rule 10-111](#), the Court will issue an order setting for the hearing date and requiring the petitioner to serve show cause orders and notices to interested persons within the time proscribed in the order. Petitioners are required to file proof of service with the FCO. Failure to properly serve interested persons in a timely manner may result in a postponement of the guardianship hearing.
- **SIJS cases where child will reach age 21 more than 6 months from filing:** Custody or guardianship petitions, which include a request to establish Special Immigration Juvenile Status, will be processed in the normal course and forwarded to the Case Manager upon filing of original Answer or Consent from all defendants, or after expiration of time to bring a Motion to Vacate when a Default has been granted. The Case Manager will review all documents in file and verify that a birth certificate for the juvenile has been filed and verify the birth date of the juvenile in order to ascertain when the juvenile's 21st birthday will occur. Every attempt will be made to set the case for hearing in advance of a juvenile's 21st birthday.
- **UIFSA petitions:** UIFSA cases are instituted by the States Attorney Office and scheduled for hearing by the FCO after service of a show cause order on the defendant. UIFSA cases are designated Track 2 (Sub Track A or B) and retain that designation whether the pending case is an establishment or a modification.
- **Track 3: Standard Track Cases (Expected adjudication: 151 to 271 days (5 to 9 months))**
 - **Custody actions (establishment/modification with or without child support claims):** Custody establishment or modification hearings will be set in due course. Cases in which the opposing party has filed an answer and/or counter complaint will be reviewed by the Family Administrator to determine if the case is ripe for a hearing. Parties may be sent to mediation and/or parenting seminars if the parties are deemed to benefit from such services.
 - **Divorce actions that do not involve considerable alimony or property claims (with or without custody disputes).**
 - **Adoption Proceedings:** Files associated with adoption proceedings shall be kept confidential by the FCO. New petitions will be promptly reviewed by the Family Administrator or a Family Division Judge/Magistrate. Should the petition fail to comply with the requirements of [Md. Rule 9-101 et seq.](#), and [Family Law Article 5-3](#), [5-3A](#) and [5-3B](#), the Court will issue an order pointing out the deficiencies in the petition and requiring the petitioner to file an amended petition. Adoptions arising under [Family Law Article 5-3B-27](#) will be approved without a hearing, but may

be set for a hearing in the discretion of the assigned Judge. The Court will conduct all other adoption hearings in a prompt manner. Adequate hearing time will be allotted for contested adoptions.

- **Track 4: Complex Track Cases (Expected adjudication: less than 365 days)**
 - **Divorce cases involving alimony claims, considerable property, and/or business valuations (with or without custody disputes).**
 - **Any other matter to be determined in the discretion of the Court.**

Additional Case Track Information

Upon filing of an Answer or expiration of time to vacate an order of default (qualifying events), all D cases and modifications of child support in P cases filed by individuals, will be sent to the Family Division case manager. The case manager will review all filings for legal and procedural sufficiency and as appropriate, request that cases be assigned to a Magistrate for Scheduling Conference, or set before a IV-D Magistrate (P cases only). IV-D Magistrate (P cases only) will skip case manager review and are set in by FCO.

At the Scheduling Conference, Magistrates will request that cases be assigned to Track 2, 3 or 4, based on their observation of the complexity of the issues in the case, levels of conflict, and need for services.

Disputes Regarding Track Assignment

Attorneys or pro se litigants may request a different track designation. All such requests must be in writing, contain a detailed explanation of the necessity for reassignment, and must be filed, by motion, within fifteen (15) days of the initial track assignment or reassignment.

IMPORTANT POLICIES

Postponements and Rescheduling

General Policies

It is the general policy of the Family Division that cases will be heard as scheduled. However, due consideration will be given to requests to change a trial or hearing date.

- If the need for a postponement **arises more than 30 days** from the scheduled trial/hearing date, the moving party must file a postponement request with the FCO at least 30 days before the scheduled hearing. Such requests will be reviewed by the JICF or his/her designee and may be granted on the papers or may be set for a postponement hearing. Generally, postponements will be granted based upon whether the moving party has established good cause for a change in trial date.

- If the need for a postponement **arises within 30 days** of the scheduled trial/hearing date, the moving party shall contact the FCO assignment office (410-209-6366) to schedule a postponement hearing before a Family Division Judge. The FCO assignment office will provide the moving party with the date/time of the postponement hearing. **The moving party shall be responsible for contacting the other party (or counsel) with the date/time of postponement hearing.** Postponements sought within 30 days of a trial/hearing date will generally be considered in the event of “exigent circumstances” - an unforeseen development occurring within 30 days of the date for which postponement is sought.
- All postponement hearings shall be conducted on the record, via remote participation of the parties/counsel using a designated conference call number. Postponement hearings are generally conducted at 4:00 p.m. each weekday, unless logistics/schedules dictate otherwise. Postponement will be granted or denied in the discretion of the Postponement Judge, and in accordance with [Md. Rule 2-508](#) with due consideration of the timeline of the track to which the case has been assigned and good cause shown.

PROCEDURES SPECIFIC TO CASES FILED WITHIN THE FAMILY DIVISION

The following are major events for Family Division cases.

Case Filing

Each original complaint/petition must list a name and address for Plaintiff and Defendant and must be a signed original. Consistent with [Md. Rule 2-111](#), each new Complaint or Petition must be accompanied by a Domestic Case Information Report (CC-DCM-001). Case types exempt from filing the Information Report include:

- Contempt for failure to pay child support, when filed by a government agency,
- Requests for relief from Domestic Violence under [Family Law Article §4-501, et seq.](#),
- Guardianship,
- Paternity when filed by government agency.

Cases reopened for modification must retain the original listed plaintiff and defendant, regardless of who is filing the modification action. Updated addresses must be provided for each party.

Cases are filed at the Family Clerk’s Office in Room 109. All fees are due when paperwork is filed.

After a case is opened or reopened, the Family Clerk’s Office will issue a writ of summons. A Summons is notice to the non-filing party that there is a matter now pending before the court involving them.

Summons and Complaint/Petition must be served on the responding party or their attorney if they are represented. A Summons is valid for 60 days from the date it is issued.

Requests to reissue Summonses after expiration of 60 days must be submitted in writing at the Family Clerk's Office.

Failure to serve the other party within 120 days may result in dismissal of the case pursuant to Rule 2-507(b).

Parties who wish to have an opposing party served by the Sheriff's Office may do so and submit \$60.00 check or money order to the Family Clerk's Office.

(P) Paternity and (U) UIFSA cases are initiated by a governmental agency and are managed by specialized personnel within the Family Clerk's office.

Answer/Response

If a responding party wants the Court to consider their point of view, the party must file a response to the Complaint that has been served on them. Most often that response is called an Answer, and the deadlines for filing a response are:

- within 30 days if the defendant was served in Maryland,
- within 60 days if the defendant was served within the United States, but outside of Maryland, or
- within 90 days if the defendant was served in a foreign country.

The Answer must follow the requirements of [Md. Rule 2-323](#), including the necessity of filing a Case Information Sheet per [Md. Rule 2-323\(h\)](#).

If a Counter Complaint is filed. A responding party may also file a Counter Complaint at the same time an Answer is filed or within 30 days of the date the Answer is filed, if the responding party wants the court to address issues not presented by the initiating party. Counter Complaints must be accompanied by a Case Information Sheet and must contain a completed certificate of service.

When filing an Answer to Counter Complaint, the original initiating party does not need to file another Case Information Sheet.

Default

If a Complaint has been properly served, the appropriate amount of time has elapsed, and the responding party has not filed an Answer, the initiating party may file a Request for Default.

Requests for Default must include a Non-Military Affidavit. The Non-Military Affidavit must be signed by the initiating party (not an attorney) and must provide specifics regarding their personal knowledge of the responding parties' present status with respect to military service or provide a copy of a Status Report Pursuant to Servicemembers Civil Relief Act that reflects the party is not on active duty.

Requests for default are forwarded to the Family Division Administration office. After review for completeness, the case file is sent to the motions Judge for review to grant or deny the Request. Upon

granting of default, the FCO will immediately send out a Notice to the responding party that the responding party is in default and has 30 days to file a Motion to Vacate.

File Review by Case Manager

Upon the occurrence of a qualifying event, the FCO will transfer files to the Family Division Case Manager for review and assignment to a Track. Qualifying events include:

- The filing of an Answer to a Complaint or Petition, including Petitions to Modify in (P) cases;
- The filing of a responsive motion pursuant to [Md. Rule 2-322](#), or
- The entry of an Order of Default (30 days after Notice sent).

After reviewing a file, the case manager will assign the case to the appropriate Track, request a scheduling conference before a Magistrate, or request a hearing. The case manager shall, in turn, make those designations known to the Assignment Clerk. The Assignment Clerk will set hearings on the dockets of Judges or Magistrates, as appropriate, based on track assignment and referral from case manager.

The case manager will put a checklist in the file reflecting that the file has been reviewed, the status of the case, the track assignment, and indicating if parties sent to parenting education and/or mediation, if appropriate.

Referrals for Services (Before Scheduling Conference)

Per [Md. Rules 9-204](#) and [9-205](#) parties may be ordered to attend a parenting education seminar and custody/visitation mediation prior to the Scheduling Conference. Parties may attend the parenting seminar and engage in mediation at any time prior to trial on the merits, though parties are urged to comply immediately.

Mediation will not be ordered if a party represents that there exists a genuine issue of physical or sexual abuse of a party or child who is the subject of litigation, and that mediation would therefore be inappropriate.

Scheduling Conference

(D) cases determined to not be Track 1 shall be set for Scheduling Conference before a Family Magistrate and in accordance with [Md. Rule 2-504.1](#). At Scheduling Conference, the Magistrate will assist the parties with settlement negotiation if appropriate, assess the need for and order specific services, and designate the cases to the appropriate Track.

Based on the track designation, the Family Magistrate shall produce a Scheduling Order consistent with [Md. Rule 2-504](#), which will include deadlines for discovery, dates for major events, and/or hearing dates set within the parameters of the designated Track. If not previously addressed by the Court, the Family Magistrate may recommend the parties' participation in parenting education seminars and incorporate

such recommendation into the proposed Scheduling Order. Further, the Family Magistrate may make a recommendation to the court as to whether a custody evaluation and/or home study is warranted in a particular case. (See [Md. Rule 9-205.3](#))

A Scheduling Order will be forwarded to the JICF or his/her designee for review and approval. Milestones generally included within in a Scheduling Order include:

- Date of a Pendente Lite hearing (Track 2),
- Date of a settlement conference (some Track 2 cases, Track 3 and Track 4),
- Date of a pretrial conference (generally only in Track 4 cases),
- Date of trial (all tracks).

The Family Magistrate who conducts the Scheduling Conference may also refer parties for appropriate services. In addition to mediation and parenting education, the Family Magistrate may recommend and/or a Judge may order the appointment of counsel for a minor child, a custody evaluation, a home study, a substance abuse evaluation, a referral for random drug testing, a referral for counseling, a referral for supervised visitation or any other service or program dictated by the parties' circumstances. In addition to the Scheduling Order, orders for referral to specific services and programs along with completed referral sheets will be prepared as appropriate and forwarded to the individual providers of said services.

Pendente Lite Hearings

At Scheduling Conference, a Family Magistrate may set a Pendente Lite hearing if there are emergent issues that require resolution prior to trial on the merits. Examples of emergency issues include:

- Temporary child support,
- Temporary alimony,
- Temporary custody,
- Temporary use and possession of property.

Court Ordered Settlement Conferences

All Family Division cases scheduled for a full day of trial will be scheduled for a Settlement Conference to be conducted by a Family Magistrate and to occur 30 to 60 days before trial. Settlement Conferences will generally be conducted via remote participation with instructions to be provided by the assigned Family Magistrate.

The conferences are generally allotted 1-1/2 hours on designated days before a Family Magistrate. In most cases, if a settlement is reached, the terms and conditions of the settlement will be placed on the record by the Family Magistrate, and parties may not be required to appear for any further hearings. For cases that do not settle at the conference, if the Family Magistrate deems it appropriate, the Family Magistrate may set the case for a second settlement conference.

Pre-Trial Conferences

Track 4 will be scheduled for a Pre-Trial Conference to be conducted in accordance with [Md. Rule 2-504.2](#). Pre-trial conferences will be scheduled approximately 30 days prior to trial before the Judge/Magistrate scheduled to conduct the trial. Based upon results of the conference, the Court will issue a pre-trial order pursuant to [Md. Rule 2-504.2\(c\)](#).

Trial on the Merits

At the Trial on the Merits, a Judge or Magistrate (depending on the nature of the case) will make a final decision about all issues in the case. Decisions by Family Magistrates are subject to filing of Exceptions per [Md. Rule 9-208\(f\)](#).

FILING FEES

The schedule of filing fees is as follows:

- Filing fee is \$165.00,
 - Attorney appearance fee is \$20.00,
 - Fee to reopen case is \$31.00,
 - Sheriff service fee is \$60.00.
-
- Pursuant to [Md. Rule 1-325\(d\)](#), the Clerk may waive the prepayment of costs if the filer is represented by an attorney retained through a pro bono or legal services program on a list submitted by the Maryland Legal Services Corporation. Counsel representing a litigant pro bono shall be responsible for filing a line.
 - Pursuant to [Md. Rule 1-325\(e\)](#), prepayment of court costs may be waived by the court due to indigency. To do so, a filer must **fully** complete Maryland Court form Request for Waiver of Prepaid Costs and submit same to the FCO. The Family Division Administration Office will review the submission and forward to a Family Division Judge for final determination (approval or denial).
 - Pursuant to [Md Rule 1-325\(f\)](#), the court waive final costs to either party, due to indigency. To do so, a filer must **fully** complete Maryland Court form Request for Final Waiver of Open Costs and submit same to the FCO. The Family Division Administration Office will review the submission and forward to a Family Division Judge for final determination (approval or denial).
-
- **NOTE: The Court does not have authority to waive the Sheriff's service fees.**

There are no fees to file a petition for protective order, a modification of an existing protective order, or a petition for contempt of a protective order.

FAMILY SERVICES FILING FEES

If a party is ordered to participate in any family services (i.e., custody evaluation, parenting education, etc.) and is unable to afford the fee(s), the party may file a Motion for Waiver of Family Services Fees and Supporting Affidavit, which will be reviewed by the Family Division Associate Administrator and forwarded to the motions Judge for final determination.

APPENDIX 1

PLAINTIFF * **IN THE CIRCUIT COURT**

Plaintiff/Counter-Defendant * **FOR BALTIMORE CITY**

vs. * (Family/Paternity Division)

DEFENDANT * Case Number: 24-D-

Defendant/Counter-Plaintiff * Hearing Date:

* * * * *

SCHEDULING ORDER

On _____ the parties in the above captioned matter appeared in the Circuit Court for Baltimore City before a Family Magistrate of this Court for purposes of conducting a Scheduling Conference pursuant to Maryland Rule 2-504.1. Both parties appeared (with/without counsel).

Among the matters at issue in the case is decision making authority for the parties' child/children ("legal custody") and/or the amount of time the child/children will spend with each parent ("physical custody"). Pursuant to Maryland Rule 9-204.1(b), the Family Magistrate has provided the parties with a paper copy of the Maryland Parenting Plan Instructions and Maryland Parenting Plan Tool. The purpose of providing the parties with the Maryland Parenting Plan Instructions and Maryland Parenting Plan Tool is to assist them in developing a Comprehensive Parenting Plan for their children.

The Family Magistrate has directed the parties to the electronic versions of these documents, and advised them that they may work separately, together or with a mediator to develop a comprehensive parenting plan they believe is in the best interest of their child/children

Pursuant to the information provided by the parties at the Scheduling Conference, and upon the recommendations of the Family Magistrate, pursuant to Maryland Rule 2-504, it is this _____ day of _____ 20xx, by the Circuit Court for Baltimore City, hereby

DISCOVERY/MOTION DEADLINES:

 X 1. ORDERED, that Plaintiff's Expert Reports and Md. Rule 2-402(g)(1)(A) Disclosures shall be filed by _____; and it is further

X 2. ORDERED, that Defendant's Expert Reports and Md. Rule 2-402(g)(1)(A) Disclosures shall be filed by _____; and it is further

 X 3. ORDERED, that all Discovery, except updates, shall be concluded no later than _____; and it is further

 X 4. ORDERED, that all Motions (excluding Motions in Limine) shall be filed no later than 15 days after the date by which all Discovery must be completed; and it is further

 X 5. ORDERED, that by _____ pursuant to Maryland Rule 2-504.3, notice shall be filed concerning computer-generated evidence; and it is further

 X 6. ORDERED, that by _____ any additional parties must be joined; and it is further

 X 7. ORDERED, that by _____ amendments to the pleadings are allowed as of right; and it is further

EDUCATIONAL SEMINARS:

 X 8. ORDERED, that the parties shall attend the Co-Parenting Education Seminar ("COPE") per administrative order / as previously ordered; and it is further

 X 9. ORDERED, that the child(ren) shall attend the Children's Group per administrative order /as previously ordered; and it is further

 X 10. ORDERED, that the parties shall attend the Shared Parenting Education Seminar ("SHAPE") per administrative order / as previously ordered; and it is further

ALTERNATIVE DISPUTE RESOLUTION:

 X 11. ORDERED, that the parties shall attend Mediation on the issues of custody and visitation pursuant to the (attached) Order for Mediation of Custody/Visitation Issues dated _____; and it is further

 X 12. ORDERED, that the parties and their attorneys, if they are represented, shall attend a Court-Ordered Settlement Conference on _____, 20xx at _____ a.m. Settlement Conference shall be held remotely via Zoom for Government. The information for Settlement Conference shall be sent via email or U.S. mail; and it is further

ADDITIONAL SERVICES:

 X 13. ORDERED, that an attorney is appointed to represent the child(ren) per the attached order;

X 14. ORDERED, that the parties are to undergo a custody and visitation related assessment to be performed by the Court's Medical Services Office (see attached order); and it is further

 X 15. ORDERED, that _____ are referred to the Family Services Coordinator (see attached order); and it is further

 X 16. ORDERED, that _____ are referred to the following program (see attached order) regarding the children: Supervised Visitation;

MAGISTRATE'S MODIFICATION / PENDENTE LITE HEARING:

 X 17. ORDERED, that the issues of [modification of]:

 X a. Child Support;

 X b. Alimony;

 X c. Custody;

 X d. Visitation;

 X e. Use and Possession;

 X f. Initial Counsel Fees;

 X g. Contempt;

 X h. Genetic Test Results

 X i. Other: _____

shall be heard before this Court on _____ at _____ **a.m./p.m.. in Courtroom**
_____ before **Magistrate** _____. The hearing shall be limited in time to _____ **hours/days**;
and it is further

PRE-TRIAL CONFERENCE:

 X 18. ORDERED, that there shall be a Pre-trial Conference before this Court on _____,
20xx at _____ a.m./p.m. in Courtroom F-_____ before the Honorable _____. *The Pre-trial Conference shall be held before a Judge or other designated officer of the Court. Counsel and/or parties should be prepared to discuss all aspects of the case in anticipation of settlement. Failure to prepare the case for the Pre-trial Conference, or failure to comply with the deadlines delineated above could result in an order limiting evidence or testimony in the case, or imposing counsel fees;* and it is further

TRIAL ON MERITS:

 X 19. ORDERED, that there shall be a Trial on the Merits before this Court on _____,
20xx at _____ a.m./p.m. in Courtroom F-_____, Courthouse East, 111 N. Calvert Street,
before the Honorable _____ on the issue(s) of: _____. The hearing shall be
limited in time to **_____ hours/day**; and it is further

REQUIRED DOCUMENTS:

 X 20. ORDERED, that the parties shall comply with the following document requirements:

- X a. Rule 9-207 Joint Statement of Marital and Non-marital Property shall be filed at least 10 days prior to the Trial on the Merits;
- X b. Parties shall complete a Financial Statement pursuant to Maryland Rule 9-203;
- X c. Parties/counsel shall prepare a Child Support Guidelines Worksheet;
- X d. The parties shall each bring to the hearing documentation of current income from all sources, including the last four (4) paycheck stubs, and most recent federal and state income tax returns;
- X e. Prior to the Pre-trial Conference, parties/counsel shall exchange lists of all exhibits intended to be introduced at trial and of witnesses to be called at trial.
- X f. Parties will bring to the hearing proof of parentage, either in the form of a birth certificate for the minor child or an affidavit of parentage.

 X 21. ORDERED that if the parties have reached a Comprehensive Parenting Plan under Rule 9-204.1, they shall file it with the Clerk of the Court within five working days of reaching agreement on same; and it is further

ORDERED , that if the parties are unable to reach a Comprehensive Parenting Plan, they shall file with the Clerk of the Court a Joint Statement Concerning Decision Making Authority and Parenting Time (“Joint Parenting Statement”) as required by Maryland Rule 9-204.2. The Joint Parenting Statement shall be filed at least 10 days prior to the date of the settlement conference noted above. If no settlement conference has been scheduled pursuant to this Order, the Joint Parenting Statement shall be filed with Clerk of the Court at least 20 days before the trial date noted above. The Joint Parenting Statement shall be submitted in a format consistent with Court form DR-110. The parties are directed to Rule 9-204.2(c) with respect to their obligations to serve a proposed Joint Parenting Statement on the opposing party and finalize the Joint Parenting Statement for submission to the Court.

ADDITIONAL ORDERS:

 X 22. ORDERED, that _____; and it is further

 X 23. AGREEMENT REACHED-ORDER ATTACHED: The parties were able to reach an agreement on the following issues: --- and that agreement was placed on the record by the Court. The following Order(s) incorporating that agreement is./are attached: ----. Any additional issues will be dealt with in accordance with this Scheduling Order; and it is further

 X 24. AGREEMENT REACHED-COUNSEL TO PREPARE CONSENT ORDER. The parties were able to reach an agreement on the following issues: ---, and that agreement was placed on the record by the Court. Counsel for ---, --- will be submitting a consent Order to the court within --- days. Any remaining issues will be dealt with in accordance with this Scheduling Order; and it is further

X 25. ORDERED, that the Plaintiff/Defendant was referred to the Judicare program administered by the Maryland Volunteer Lawyers Service; and it is further

 X 26. ORDERED, that there shall be a child support audit conducted pursuant to the attached Order for Child Support Audit; and it is further

 X 27. ORDERED, that the Order for Mediation of Custody/Visitation Issues dated _____, 2023 shall be VACATED; and it is further

 X 28. ORDERED, that case numbers 24-____ and 24-____ shall be consolidated (see attached Consolidation Order); and it is further

 X 29. ORDERED, that the Plaintiff/Defendant _____ waived his/her request for _____ on the record; and it is further

 X 30. ORDERED, that the referral to the Co-Parenting Education Seminar shall be VACATED; and it is further

 X 31. ORDERED, that the [name of pleading] filed by the Plaintiff, [name], shall be DISMISSED due to the Plaintiff/Defendant's failure to appear at the Scheduling conference; and it is further

 X 32. ORDERED that all the foregoing shall be subject to the continuing jurisdiction and further Order of this Court.

NOTICE: IF YOU WOULD LIKE THE COURT TO REVIEW ANY EMAILS, TEXT MESSAGES, PHOTOGRAPHS, SOCIAL MEDIA POSTS OR OTHER EVIDENCE STORED ELECTRONICALLY, YOU MUST PRINT OUT COPIES. THE COURT WILL NOT READ DOCUMENTS STORED ON YOUR CELL PHONE, TABLET, OR LAPTOP COMPUTER.

Judge

THIS IS A PROPER ORDER TO
BE SIGNED IN THIS CASE.

Family Magistrate

NOTICE TO CLERK:

Kindly forward copies of this Order to:

1.

Baltimore, Maryland 21
(Counsel for) Plaintiff/Counter-Defendant

2.

Baltimore, Maryland 21
(Counsel for) Defendant/Counter-Plaintiff