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Conference of Circuit Judges

MARYLAND JUDICIAL CENTER
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ANNAPOLIS, MD 21401

Meeting of the Conference of Circuit Judges

A meeting of the Conference of Circuit Judges was held Monday, May 19, 2025, via Zoom for Government, beginning at 9:30 a.m.

Members Present:

Hon. Fred S. Hecker, Chair
Hon. Yolanda L. Curtin, Vice-Chair
Matthew Barrett
Hon. James A. Bonifant
Hon. Audrey J.S. Carrión
Hon. DaNeeka V. Cotton
~~Hon. William W. Davis, Jr.~~
Hon. Heather S. DeWees
Hon. Wendy S. Epstein

Hon. Jeffrey S. Getty
~~Hon. Julia A. Martz-Fisher~~
Hon. Vicki M. Pauler
Hon. S. James Sarbanes
Hon. Brenda A. Sexton
Hon. Brian D. Shockley
Hon. Anthony F. Vittoria
Hon. Lara C. Weathersbee
Hon. ShaRon M. Garyson Kelsey

Also Present:

Robin Cummings
Nancy Faulkner (DSCA)
Hon. John P. Morrissey
Rebecca Riemer

Judy Rupp
Gillian Tonkin
William Vormelker
Unique Wright

1. Welcome – *Hon. Fred S. Hecker*

Judge Hecker opened the meeting by welcoming everyone and asking if there were any additions or corrections to the previous minutes. The minutes from the previous meeting were approved. He also welcomed the newly elected Seventh Circuit representative, Hon. ShaRon M. Grayson Kelsey of the Circuit Court for Prince George's County.

2. Discussion of "AI (Google) Glasses" in Courthouses – *Hon. John P. Morrissey*

Judge Hecker indicated that wearable technology is an area of concern for courts. Smart glasses, which resemble prescription eyewear but are capable of recording video and accessing online content, including identifying individuals in court, maybe become more prevalent. He noted the issue had recently arisen in the District Court and could potentially appear in circuit court proceedings. The primary concern is that these glasses are difficult to detect and could be mistaken for regular prescription eyewear. He asked whether other judges had encountered similar issues and whether such devices should be banned.

Judge Epstein asked how the device was initially identified. Judge Morrissey indicated that a bailiff had recognized it. Judge Weathersbee asked if current rules prohibiting video recording would apply to this situation. Judge Hecker confirmed that they would, but noted the challenge lies in detection of the smart glasses. Judge Hecker suggested making courtroom announcements that explicitly state recording devices, including smart glasses, are prohibited. Judge Curtin supported this idea and recommended updating administrative orders to reflect evolving technologies. She compared the issue to cell phones that can be discreetly activated in a pocket. Judge Hecker also referenced a University of Richmond law review article addressing the admissibility of recordings made by such devices and emphasized the need for courts to stay ahead of emerging technology. Judge Morrissey agreed and underscored the importance of ensuring administrative orders are up to date with current technological capabilities.

3. Media Request to Receive Emails of Daily Dockets – *Hon. Fred S. Hecker, Hon. John P. Morrissey, and Rebecca Riemer*

Judge Hecker introduced an agenda item brought forward by Judge Stanalonis regarding a media request to be added to a court's email distribution list for daily dockets. The request was to receive the docket directly via email. Judge Hecker noted that the Circuit Court for St. Mary's County did not have an online docket at the time of the ask, and he expressed concern that granting the request would set a precedent requiring the court to add all similar requestors to the distribution list. He stated that his response would be to direct the requester to the public link for the daily docket, if available.

Ms. Riemer clarified that most inquiries come from members of the public, rather than media outlets, and are typically denied due to the nature of the internal distribution. She added that once the docket is sent outside the Judiciary's internal system, it becomes a public record.

Ms. Rupp previously recommended providing the public link instead of adding individuals to

email lists, which would reduce the need to manage individual external requests. Judge Curtin shared that her jurisdiction posts the daily docket on the circuit court website. Ms. Riemer confirmed that the Judiciary recommends posting dockets on court websites to promote consistency statewide.

Judge Morrissey noted that during the COVID-19 pandemic, many jurisdictions began posting dockets through an automated process, which allows broad public access. Judge Hecker compared the request to those from individuals asking to use court facilities, observing that granting one request can create an obligation to accommodate all similar requests. He concluded that there appeared to be consensus that the Circuit Court for St. Mary's County should post its daily docket on the court website. Ms. Rupp confirmed that the Administrative Office of the Courts (AOC) is working with St. Mary's with this endeavor, and AOC also is continuing to assist other courts regarding posted dockets.

4. Standing Committee on Pro Bono Legal Service – Request for Continued Service of Senior Judge, Hon. Cathy Serrette – *Hon. Fred S. Hecker*

Judge Hecker presented a request from Justice Angela M. Eaves, the Supreme Court of Maryland's liaison to the Standing Committee on Pro Bono Legal Service. Justice Eaves requested that Judge Serrette, who has served on the committee since 2002, be allowed to continue her service. Judge Hecker asked whether anyone from the Conference wished to serve in her place or had another recommendation. No alternate nominations were made.

Judge Hecker called for a motion to approve Judge Serrette's continued service. The motion was seconded, and the Conference voted for Judge Serrette's continued service on the Standing Committee on Pro Bono Legal Service.

5. For the Good of the Order

Judge Curtin raised a concern regarding the lack of a provision in the Maryland Rules for appointing an acting circuit administrative judge when the presiding judge is unavailable. She suggested this may be worth exploring through a rule change, especially in instances of international travel or extended unavailability. Judge Hecker confirmed that the current rule governing circuit administrative judges does not authorize them to designate a temporary replacement. Judge Carrión agreed that circuit administrative judges should have that authority suggested bringing the issue before the Rules Committee. Judge Curtin proposed drafting a letter to the chair of the Rules Committee to formally raise the issue. Judge Hecker agreed to prepare the letter.

Judge Hecker referenced another issue previously submitted to the Rules Committee following the CrowdStrike outage, which affected the ability to record court proceedings in many locations. A procedure exists that permits proceedings to continue in District Court in the absence of recording if all parties consent, but a similar authority does not exist for circuit courts. Judge Morrissey noted that although such situations are rare, the ability to proceed should remain available when consent is obtained from all parties. Judge Hecker emphasized that administrative

judges have some discretion in emergency situations and could consider using alternative recording methods, such as Zoom, so long as the audio could later be integrated into the official recording system.

There were no further questions or topics raised. The meeting concluded at 10:03 a.m. Judge Hecker noted that the next meeting is in September.