

AMENDMENT TO CIVIL (NON-FAMILY) DCM PLAN ESTABLISHING THE
BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM

In order to effectuate the provisions of recently adopted Rule 16-205, it is this
2002 day of November, 2002, ORDERED that, effective January 1, 2003, the
date on which Maryland Rule 16-205 is effective, the following language and forms are added to
the Civil (Non-Family) Differentiated Case Management Plan of the Circuit Court for
Somerset County, Maryland:

A. CASE INFORMATION SHEET

As in all civil cases, pursuant to Md. Rule 2-111, the plaintiff must file with the
complaint an Information Report. If a party wishes to have the case assigned to the Business and
Technology Case Management Program ("BTCMP"), it shall be designated at the bottom of the
front of the Civil (Non-Family) Case Information Report in use in the Circuit Courts throughout
Maryland (form attached). A duplicate Complaint must be filed with such designation for review
by the Circuit Administrative Judge, or his/her designee, in making a determination as to whether
assignment to the BTCMP is appropriate. The information on the Case Information Report will
be used by the assigned judge to designate an appropriate track within the BTCMP for the case.

B. TRACK ASSIGNMENTS

When the case is specially assigned to a particular BTCMP judge, he or she will make a
determination of the appropriate track at the initial Scheduling Conference. There will be two (2)
tracks, which will have the following characteristics:

1. Expedited

Cases on this track will be tried within seven (7) months from the date of the
filing of the first defendant's responsive pleading.

2. Standard

Cases on this track will be tried in not more than eighteen (18) months from the date of filing of the first defendant's responsive pleading.

3. Emergency Relief

In cases where emergency relief is requested, the parties must comply with the provisions of Md. Rules 15-501 through 15-505. Consistent with the provisions of these rules, the court shall schedule a hearing as soon as practicable.

C. ASSIGNMENT DISPUTE

The Circuit Administrative Judge, or his/her designee, shall assign appropriate cases to the BTCMP.

Within ten (10) days of notice of the decision on the assignment of a case the BTCMP, an objecting party shall file a written motion with the Clerk of the Court setting forth in detail the basis of the objection. Any response shall be filed with the Clerk within five (5 days after being served with the motion).

The Circuit Administrative Judge, or his/her designee, shall determine in each case whether a hearing shall be conducted on the motion.

The Circuit Administrative Judge's, or his/her designee's, ruling on the motion shall be final.

D. SPECIAL ASSIGNMENT TO BTCMP JUDGE

Cases designated for the BTCMP shall be assigned to a judge who shall handle all further proceedings in the case pursuant to Maryland Rule 16-205.

E. SCHEDULING CONFERENCE/ORDER

Consistent with Md. Rules 2-504.1 and 2-504, the judge specially assigned to a BTCMP case shall conduct an initial Scheduling Conference no later than thirty (30) days after an answer

or other responsive pleading is filed by any defendant in the case. An appropriate Scheduling Order shall be issued promptly after conclusion of the conference.

The Scheduling Order shall address the deadlines required by Md. Rule 2-504(b) or be in the form of the sample Scheduling Order attached to his plan.

F. ALTERNATIVE DISPUTE RESOLUTION

Alternative Dispute Resolution ("ADR") is a vital component of an effective BTCMP. An appropriate mechanism for Alternative Dispute Resolution shall be discussed by the court and counsel at the initial Scheduling Conference. In cases where ADR is appropriate, the court shall order the parties and/or counsel to a specific ADR process, to be concluded either by a court assigned or an agreed upon facilitator and shall establish a deadline for its completion. Limited discovery may be ordered to facilitate the ADR process.

Date December 2, 2002

Administrative Judge for

Smiles

County, Maryland