

STATE OF MARYLAND

COMMISSION ON JUDICIAL DISABILITIES

IN THE MATTER OF: * **CJD 2024-033, CJD 2024-034,**
* **CJD 2024-035, CJD 2024-040,**
JUDGE MARC KNAPP * **CJD 2024-046, CJD 2024-047,**
* **CJD 2024-052, CJD 2024-068**
*

RESPONSE OF JUDGE KNAPP

The Honorable Marc Knapp (“Judge Knapp”) through his undersigned counsel, William C. Brennan, Jr., and Brennan, McKenna & Lawlor, Chtd., and pursuant to Maryland. Rule 18-431(d) says in response to the Charges filed in this matter in the above cases on February 24, 2025, the following:

General Response

- Judge Knapp denies that he committed sanctionable conduct as defined in Maryland Rule 18-402(m)(1).
- Judge Knapp denies that he violated the Maryland Code of Judicial Conduct as promulgated in Maryland Rule 18-100.1 *et seq.*
- Judge Knapp respectfully requests that the Commission dismiss the charges filed by Investigative Counsel and terminate the proceeding.

Specific Response to Paragraphs in the Charges

1. Judge Knapp admits that he has been a judge of the Orphans’ Court for Anne Arundel County since December of 2022, and continues to so serve.
2. Judge Knapp admits the Commission’s Investigative Counsel opened an investigation regarding Judge Kanpp’s conduct.
3. Judge Knapp denies:

- a. That he engaged in a persistent course of unprofessional conduct unbecoming of a judicial officer arising out of his interpersonal conflict with a fellow Judge of the Orphans' Court ("Judicial Officer A");"
- b. That he engaged in public conduct and statements that have undermined public confidence in the judiciary;
- c. That he interfered with the operations of the Orphans' Court and the independence of its judicial officers; and
- d. That he disregarded the confidentiality provisions concerning matters before the Commission.
- e. Judge Knapp further denies:
- f. That he failed to exhibit proper decorum and demeanor in his dealings with Judicial Officer A, another fellow Judge of the Orphans' Court ("Judicial Officer B"), and court staff in the course of his official duties both on and off the bench to the extent that such conduct was sanctionable conduct in violation of the Maryland Code of Judicial Conduct. Judge Knapp admits that his relationship with his fellow judges was occasionally adversarial and at time contentious. But such personal interactions did not violate the Maryland Code of Judicial Conduct.
- g. Judge Knapp further denies:
- h. That there was any *material* specific occasion or need to acknowledge his conduct or to express remorse for his conduct at the time it occurred (But see, ¶15, *infra.*);
- i. That he failed to comply with the law;
- j. That he made comments and exhibited demeanor that demonstrated impermissible bias on the basis of race, gender, and/or national origin; and

- k. That he otherwise engaged in behavior unbecoming a judicial officer and in direct contravention of his responsibility to promote confidence in the judiciary and to maintain the dignity of judicial office.
 - l. Judge Knapp further denies the remaining factual allegations of paragraph 3 of the charges.
4. Judge Knapp denies that his conduct was in violation of the Maryland Rules of Judicial Conduct as cited in this paragraph.
5. Judge Knapp generally denies the factual allegations of this paragraph in as much as many of the recited incidents are taken out of context, misconstrued or otherwise false. Judge Knapp fully admits that he attempted to improve the operations of the Orphans' Court for Anne Arundel County by focusing on the manner of its legal deliberations and by enhancing the quality and quantity of its written opinions. For that effort Judge Knapp met resistance which, as stated above, was occasionally adversarial and at time contentious. However, it was not Judge Knapp who escalated these appropriate legal disagreements and "judicial dissents" into otherwise unprofessional conduct. Judge Knapp, to the extent that he allowed himself to participate in these rancorous discussions, expresses his sincere remorse. (See, ¶ 3.h. *supra.*) As a lawyer and as a judge, Judge Knapp realizes that parties will often honestly disagree with one another – sometime vehemently so. But those disagreements should always be civil and not negatively impact the efficient workings of the court system.
6. Judge Knapp denies that his behavior provides evidence that he engaged in conduct prejudicial to the proper administration of justice in Maryland Courts, pursuant to the Maryland Constitution, Article IV, Section 4B(b)(1).

Date: May 12, 2025,

Respectfully submitted,

[REDACTED]
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of May 2025, a copy of the foregoing Response of Judge Knapp was delivered by electronic mail pursuant to Md. Rule 18-404(b) to:

Investigative Counsel

Tanya C. Bernstein, Esq. [REDACTED]

Derek A. Bayne, Esq. [REDACTED]

Tamara S. Dowd, Esq. [REDACTED]

Commission on Judicial Disabilities

[REDACTED]

[REDACTED]