



Conference of Circuit Court Clerks

Amy Craig, Clerk
Circuit Court for Dorchester County
Chair
(410) 228-0481

Maryland Judicial Center
580 Taylor Ave.
Annapolis, Maryland 21401

Timothy W. Miller, Clerk
Circuit Court for Garrett County
Vice-Chair
(301) 334-1937

MINUTES

A meeting of the Conference of Circuit Court Clerks was held November 20, 2018, at the Judicial College Education and Conference Center in Annapolis, Maryland beginning at 12:10 p.m.

Members Present

Hon. Amy J. Craig, Chair
Clerk of Court, Circuit Court for Dorchester County

Matthew Barrett, Court Administrator, Circuit Court for Cecil County
Marilyn Bentley, Acting Clerk of Court, Circuit Court for Baltimore City
Hon. Mark Bowen, Clerk of Court, Circuit Court for Wicomico County
Hon. Susan Braniecki, Clerk of Court, Circuit Court for Worcester County
Hon. Sandra Dalton, Clerk of Court, Circuit Court for Charles County
Hon. Julie Ensor, Clerk of Court, Circuit Court for Baltimore County
Markisha Gross, Administrative Clerk, District Court in Montgomery County
Hon. Sharon Hancock, Clerk of Court, Circuit Court for Charles County
Pamela Harris, State Court Administrator
Hon. Charles Horner, Clerk of Court, Circuit Court for Somerset County
Hon. Dawne Lindsey, Clerk of Court, Circuit Court for Allegany County
Hon. Scott MacGlashan, Clerk of Court, Circuit Court for Queen Anne's County
Hon. Barbara Meiklejohn, Clerk of Court, Circuit Court for Montgomery County
Hon. Timothy Miller, Clerk of Court, Circuit Court for Garrett County
Hon. F. Dale Minner, Clerk of Court, Circuit Court for Caroline County
Hon. Mark Mumford, Clerk of Court, Circuit Court for Kent County
Hon. Charlene Notarcola, Clerk of Court, Circuit Court for Cecil County
Hon. Wayne Robey, Clerk of Court, Clerk of Court, Circuit Court for Howard County
Hon. Donald Sealing, Clerk of Court, Circuit Court for Carroll County
Hon. Mary Ann Shortall, Clerk of Court, Circuit Court for Talbot County
Hon. Kathy Smith, Clerk of Court, Circuit Court for Calvert County
Kevin Tucker, Acting Clerk of Court, Circuit Court for Washington County

Also Present:

Jennifer Boswell
Cathy Boyer
Karen Bushell
Penny Custis
Heather DeWees
Kathleen Duvall
Karen Fary
Katherine Hager
Sherry Harrington
Sherise Kennard
Gloria Lewis

Diana Liebno
Terry Lord
Ruth Martin
Catherine Maynard
Bo McAllister
Carol Miller
Eliana Pangelinan
Wendy Restein
Lee Robinson
Jamie Walter
Susanne Wells

1. BEST PRACTICES FOR DEFICIENCIES AND STRIKINGS

Pam Harris discussed best practices for deficiencies and striking in MDEC, noting that there needs to be a consistent process throughout the state. Some clerk's offices are scanning self-represented litigant (SRL) filings while others are informing the SRL that the filing is deficient at the filing counter. Pursuant to Maryland Rule 20-103(b)(1), the State Court Administrator has the authority to "adopt policies and procedures for the efficient implementation of the MDEC System... [including examples] of deficiencies in submissions that the State Court Administrator has determined constitute a material violation of [...] an applicable policy or procedure and justify the issuance of a deficiency notice under" the rule. Ms. Harris gave examples of deficient filings and situations where a pleading can be stricken. Ms. Harris will contact the members of the Conference with information regarding service in other jurisdictions, and to whom to send the deficiency notice (all parties of the case or only the filer).

She also mentioned that clerks are not required to be individually bonded when taking office. She will contact the members of the Conference with information regarding if this is due to being covered under a blanket bond. A system delay was brought to her attention, to which she asked the Conference members to contact her office when the system is slow.

2. OFS FILE AND SERVE

Jamie Walter informed the Conference about an informational report that will be released on November 21, 2018 to the Clerks and Chief Deputy Clerks of Court in jurisdictions where MDEC is implemented. The report will include information on the number and age of envelopes in their queue. A clerk's manual workgroup will be formed and tasked with drafting a statewide best practices manual to document the business practices of the clerk's offices. Ms. Walter is seeking recommendations for workgroup members. Please send her the names of employees from your office who are interested in joining the workgroup.

3. DBM ONLINE BENEFITS GO-LIVE

Lee Robinson, Jennifer Boswell, and Karen Fary briefed the Conference on the new online benefits system. The new system will require employees to enroll for benefits online. Since the online benefits system pulls information from CONNECT – name, position changes, life event changes, etc. – it is important that employee information is kept up-to-date. Each court has a benefits coordinator who has had training on the new system. Information regarding the new system will be sent November 30.

The benefits coordinator will assist newly hired employees with access to the system. For the first two weeks of employment, new employees will not have access to the system until he or she received his or her employee ID number. During the two-week period, the employee will have benefits. Other changes include: spousal healthcare – spouses will be covered under the regular plan until the age of 65 while the retiree will be covered under Medicaid; the prescription plan will be managed by legislature; and the Policy on Parental leave is being drafted.

4. APPROVAL OF THE CLERKS' UNIFORM PROCEDURES FOR REAL PROPERTY RECORDINGS/SECRETARY OF STATE'S ADDRESS CONFIDENTIALITY PROGRAM

Susan Braniecki briefed the Conference on the Secretary of State's Address Confidentiality Program deed indexing process. The process, drafted by the Task Force to Study Recording Deeds for Victims of Domestic Violence, outlines the different steps that must be completed prior to the documents for recording are presented to a Land Records office. A motion was made and unanimously approved to forward the indexing process to Pam Harris.

5. ADOPTION OF BACK SCANNING POLICY

Ms. Braniecki updated the Conference on the protocols on converting paper files to an electronic format. The protocols state that within six to nine months after the implementation of MDEC, all paper files must be scanned into Odyssey once there is new activity in a case. For files that are both paper and electronic, the paper file must be scanned into Odyssey. However, this may be easily applicable to smaller jurisdictions, but not for the larger jurisdictions. The Conference recommends the protocols be revised to “a year after the final roll out of MDEC, subject to revision from the larger jurisdiction. As soon as practical, we will make a final recommendation.”

Committee Updates:

- ❖ Judicial Council
 - The next Judicial Council meeting is scheduled for November 28, 2019.
- ❖ Court Access and Community Relations Committee
 - Sharon Hancock emailed the Conference the minutes of the last meeting.
- ❖ Court Operations Committee

- The Magistrates Conference was discussed at the Court Operations Committee's last meeting, as well as the Standard on Court Reporters.
- ❖ Education Committee
 - The Committee is working on a civil rules training webinar to be available April 2019.
- ❖ Court Technology Committee
 - Mainframe will be sunsetted. However, it is recommended that a decision should not be made until the Non-case Record Technology Subcommittee meets.
- ❖ Conference of Circuit Court Administrators
 - Melissa Batie will be the Court Administrator representative to the Conference for the 2019 term.
- ❖ Conference of Circuit Judges
 - The Conference of Circuit Judges would like a Magistrate Subcommittee created.
 - There will be a hearing at the Court of Appeals on December 3 regarding the proposed rules change to guardianship and emergency hearings.
 - At a past Conference of Circuit Judges meeting, there was a discussion on true test copies. Sovereign citizens have been filing writs as correspondence, then coming back to have it true test copied. The Conference of Circuit Judges decided that there must be a rule change in order to deny the true test copy request.
- ❖ Rules Committee
 - No update.

There being no further business before the Conference, Ms. Craig adjourned the meeting at 2:01 p.m. The next meeting will be held January 22, 2019.

Respectfully Submitted,

Eliana Pangelinan, Staff