

Circuit Court for Frederick County Remote Hearing Procedures

CIVIL, NON-DOMESTIC CASES

PRE-TRIAL SETTLEMENT CONFERENCES:

- Remote pre-trial settlement conferences will proceed as scheduled in all civil, non-domestic cases until further notice. The court requests that a memo be filed in each case prior to the hearing. Each memo must provide the court with the e-mail addresses of the parties that will attend the hearing remotely.
- Civil, non-domestic trials that are scheduled for more than one (1) day may receive notice to participate in an additional, follow-up pre-trial settlement conference. The court requests that a memo be filed in each case prior to the hearing. Each memo must provide the court with the e-mail addresses of the parties that will attend the hearing remotely.
- If extenuating circumstances prevent counsel or a party from participating in the scheduled hearing, it will be necessary to file a motion to postpone in the ordinary course.

TRIALS:

- All civil, non-domestic non-jury trials that are scheduled for more than one (1) day during the period of restricted court operations will be rescheduled to a date after August 31, 2020.
- As indicated above, civil, non-domestic trials that are scheduled for more than one (1) day may receive notice to participate in an additional, follow-up pre-trial settlement conference. If extenuating circumstances prevent counsel or a party from participating in the follow up pre-trial settlement conference, it will be necessary to file a motion to postpone in the ordinary course.

ALL OTHER CIVIL, NON-DOMESTIC HEARINGS:

- For all other civil hearings approved by the court to go forward during the period of restricted court operations, these hearings will occur remotely whenever possible. The court requests that a memo be filed in each case prior to the hearing. Each memo must provide the court with the e-mail addresses of the parties that will attend the hearing remotely.

FAMILY CASES

SCHEDULING CONFERENCES:

- The court will hold scheduling conferences. Participation will occur remotely. The court requests that a memo be filed in each case prior to the hearing. Each memo must provide the court with the e-mail addresses of the parties that will attend the hearing remotely.

- If extenuating circumstances prevent counsel or a party from participating in the scheduled hearing, and counsel and all unrepresented parties cannot agree to reset the scheduling conference, it will be necessary to file a motion to postpone in the ordinary course.

PRE-TRIAL SETTLEMENT CONFERENCES:

- By consent, a pre-trial settlement conference can be requested in a family case during restricted court operations by filing a “Joint Request for Family Pre-Trial Settlement Conference.” Indicate the date and time of the currently scheduled pre-trial, if that same date is requested. If a different date is required, please contact the Assignment Office at (301) 600-2018. The new date and time should be included in the request. The court requests that a memo be filed in each case prior to the hearing. Each memo must provide the court with the e-mail addresses of the parties that will attend the hearing remotely.
- All other pre-trial settlement conferences in family cases will be reset to a date after the court resumes normal operations.

CONSENT HEARINGS:

- By agreement, a consent hearing can be requested in a family case during restricted court operations by filing a “Joint Request for Family Law Consent Hearing.” Please contact the Assignment Office at (301) 600-2018 to clear a date before submitting your request. The date and time should be included in the request. The hearing will be conducted remotely. If granted, the court requests that a memo be filed in each case prior to the hearing. Each memo must provide the court with the e-mail addresses of the parties that will attend the hearing remotely.

MERITS:

- All family merits hearings longer than one (1) day and are scheduled during the period of restricted court operations will be rescheduled to a date after the court resumes normal operations.

GUARDIANSHIPS:

- The court will continue to hear emergency issues in guardianship matters. In addition, the court will hear uncontested guardianships set for 30 minutes or less. All hearings will be held remotely. The court requests that a memo be filed in each case prior to the hearing. Each memo needs to provide the court with the e-mail addresses of the parties that will attend the hearing remotely.

ALL OTHER FAMILY HEARINGS:

- For all other family hearings approved by the court to go forward during the period of restricted court operations, these hearings will occur remotely whenever possible. The court requests that a memo be filed in each case prior to the hearing. Each memo must provide the court with the e-mail addresses of the parties that will attend the hearing remotely.

CRIMINAL CASES AND HABEAS CORPUS

BAIL REVIEWS/HABEAS CORPUS (CIVIL):

- Counsel will participate remotely until the court resumes normal operations. Counsel has or will be provided notice via email prior to the hearing that details the process and how to participate remotely.
- The defendant will participate via video if the defendant is at the Frederick County Adult Detention Center. If the defendant is at any other facility, the defendant may participate telephonically.

INITIAL APPEARANCES:

- The court asks the attorneys to participate remotely until the court resumes normal operations. Counsel will continue to be notified by email of how to participate remotely.
- The defendant will participate via video if the defendant is at the Frederick County Adult Detention Center. If the defendant is at any other facility, the defendant may participate telephonically.
- Defendants released on bond may appear in person, following all mandated COVID precautions.

GUILTY PLEAS / VIOLATIONS OF PROBATION (ADMISSIONS):

- In cases in which the State and Defense agree to recommend that the active portion of a sentence is to be time served for an incarcerated individual, counsel shall jointly contact judge's chambers, or file the appropriate line and or motion to schedule a hearing.
- Counsel will participate remotely until the court resumes normal operations. The court requests that a memo be filed in each case prior to the hearing. Each memo must provide the court with the e-mail addresses of the parties that will attend the hearing remotely. Counsel will be provided notice via email prior to the hearing that details the process and how to participate remotely.
- The defendant will participate via video if the defendant is at the Frederick County Adult Detention Center. If the defendant is at any other facility, the defendant may participate telephonically.

ALL OTHER CRIMINAL HEARINGS:

- For all other criminal hearings approved by the court to go forward during the period of restricted court operations, these hearings will occur remotely whenever possible. The court requests that a memo be filed in each case prior to the hearing. Each memo must provide the court with the e-mail addresses of the parties that will attend the hearing remotely.

JUVENILE CASES (CHILD IN NEED OF ASSISTANCE AND DELINQUENCY)

- For all juvenile hearings that are going forward during the period of restricted court operations, these hearings will occur remotely whenever possible. Counsel and unrepresented parties will be contacted with further direction on how to participate.
- If the juvenile is detained/committed, the juvenile will participate via video.