

Justice Matters

A publication from the Maryland Judiciary

Vol. 6, Issue 4 March 2003

Special Appeals Celebrates 35 Years



Judge Charles E. Moylan
photo by Ron White

When Charles Moylan talks about the good old days, the unavoidable comparison is “M*A*S*H,” with its brash young surgeons ready to take on the world, especially the stuffy establishment. Substitute judges for doctors and you have an image of the Court of Special Appeals 35 years ago. The image is burnished by tales of a court employee who, in the best military tradition, scrounged much needed supplies, including the Attorney General’s carpet, and reports—possibly apocryphal—of testy exchanges between Special Appeals judges and judges on the Court of Appeals on the elevator they share.

Judges from both courts got together in November to celebrate the 35th anniversary of the Court of Special Appeals (CSA), to reminisce and to talk about the contribution the court has made in its first three-and-a-half decades. The celebration capped a day in which two three-judge panels sat in Baltimore for the first time, hearing cases at the University of Maryland (Baltimore) and University of Baltimore law schools, then meeting with law students to talk about the court.

Moylan—Judge Charles E. Moylan, Jr., who retired in 2000 after 30 years on CSA but remains its “informal historian”—presented a keynote address that combined history and anecdote. The court was created because the Court of Appeals’ caseload was growing rapidly, quadrupling in just a few years. The reason, Moylan said, was the “thermonuclear explosion in criminal cases” that resulted from 10 years of U.S. Supreme Court decisions by the Warren Court, starting with *Mapp v. Ohio* in 1961 and ending with *Coolidge v. New Hampshire* in 1971, that expanded defendants rights and required court-appointed counsel.

continued on p. 5

inside

IT project management	3
Judge Glynn takes charge	4
Judge’s “emperor’s clothes”	6
Employee profile	7
Retired judge preserves history	8
Educational assistance	9
Law Library turns 175	10

From Judge Bell –

The State of Maryland is experiencing a budget crisis that requires all agencies and branches of government to reduce expenditures. When this issue of *Justice Matters* went to press, Governor Ehrlich and the General Assembly were still working on the Fiscal 2004 budget and it is not possible to report the full impact of cuts on the Judiciary. However, I can report that the Judiciary’s current budget has been reduced in excess of \$6 million, in part by reducing our operating budget by more than four percent.

We have attempted to minimize the impact on programs by spreading the cuts across the spectrum of Judiciary operations, and I remain committed to protecting our ability to serve the citizens of Maryland by continuing to provide timely and efficient justice and to decisions that make it unnecessary to impose layoffs or furloughs on Judiciary employees.

editorial board

Judge Dennis M. Sweeney
Chairman, Howard County
Circuit Court

Judge William H. Adkins, III
Talbot County District Court

Judge Ralph M. Burnett
Garrett County District Court

Judge William O. Carr
Harford County Circuit Court

Judge Alice P. Clark
Howard County District Court

Sandra Dalton, Clerk
Frederick County Circuit Court

Valerie Dawson, Court Reporter
Wicomico County Circuit Court

Judge Marcella A. Holland
Baltimore City Circuit Court

Michael Miller, Director
Maryland State Law Library

Judge Albert W. Northrop
Prince George's County
Orphans' Court

Diane Pawlowicz, Asst. Chief Clerk,
District Court

Judge Emory A. Plitt
Harford County Circuit Court

Sally W. Rankin
Court Information Officer

Judge Russell Sadler, Howard County
District Court, Retired

staff

Mary Brighthaupt, designer
Jack Fino, Ron White, photographers
F Todd Silver, writer
Jeffrey Welsh, editor

Justice Matters is published quarterly.
We welcome your comments.

Contact us at:

Court Information Office
361 Rowe Boulevard
Annapolis, Maryland 21401
Tel: 410.260.1488

Judicial Conference Cancelled

The 2003 Maryland Judicial Conference, scheduled for May, has been cancelled. Chief Judge Bell cancelled it as part of the effort to reduce Judiciary expenditures. District Court judges will meet for an educational conference on May 9; their contributions will offset the cost.

Congratulations to:

Chief Judge Robert M. Bell who will be recognized for his contributions to the field of dispute resolution later this year when he receives the American Bar Association's D'Alemberte/Raven Award, given annually to a person who contributes significantly to the field of dispute resolution.

In the few years since it was created by Judge Bell in 1998, the Maryland Mediation and Conflict Resolution Office (MACRO) has received national and international recognition for its leadership in the field. Judge Bell will receive the award in March, when the ABA Section of Dispute Resolution holds its annual meeting in San Antonio.

District Court Judge Hassan Ali El-Amin who was honored by Muslim organizations in the Washington area when he was invited to speak during services to mark the end of Ramadan in December. Judge El-Amin delivered a traditional *Eid-ul-Fitr* lecture before an estimated 5,000 people in the Washington Convention Center. *Eid-ul-Fitr* is the festival that follows the end of Ramadan, the month in which Muslims fast during daylight hours.

Judge Gerard Wittstadt, retired from Baltimore County District Court, was recently awarded the distinguished service cross from the German government, the highest award the government can give to a civilian. Judge Wittstadt was awarded the honor for the years of effort he has devoted to making the good deeds of German Americans known and indirectly fostering a positive attitude toward Germany.

News from the Bench

Patrick Cavanaugh was elected to the Circuit Court for Baltimore County. Judge Cavanaugh, who was in private practice, replaces Judge Alexander Wright, Jr.

Sue-Ellen Hantman was appointed to the District Court for Howard County. She fills the vacancy created by the death of Judge C. James Sfekas. She has been an assistant state's attorney since 1985.

Albert W. Northrop was appointed to the District Court for Prince George's County. A judge of the Orphan's Court in Prince George's since 1986, Judge Northrop replaces Judge Frank M. Kravotil, who retired.

Edward "Ted" Malloy, Jr. was appointed to the District Court of Maryland for Allegany County. He fills the vacancy created by the elevation of Judge W. Timothy Finan to the Circuit Court for Allegany County. He has been in private practice since 1994; he was an assistant state's attorney from 1987 to 1994.

District Court Judge **Thurman H. Rhodes** was appointed Administrative Judge in Prince George's County. He replaced Judge Frank M. Kravotil, who retired.

Project Management Office Brings New Tools to IT



Raj Leyl

photo by Jack Fino

The Court Information Office serves as the clearinghouse for data requests that come to the Maryland Judiciary. Tracking the growing volume of requests by hand is time-consuming and inefficient, so the CIO asked Judicial Information Systems if the process could be computerized.

The answer was, “maybe,” but first a very important question: Is this really something that should be computerized? And so began the painstaking process of project management, in which the essential first step is to think through exactly what the client needs and how technology can help.

Raj Leyl, whose title is enterprise project manager, came to JIS from the world of corporate IT about a year ago to establish the Project Management Office (PMO). If the role of the Technology Oversight Board is to impose order on how we handle requests for information and programming and set priorities, the role of the PMO is to ensure consistency and the use of cutting-edge management tools and processes in individual projects.

The idea of a project management office is fairly new in the world of information technology management, Leyl said. Its purpose, ultimately, is to reduce risks, risks that include allowing the scope of a project to run out of control,

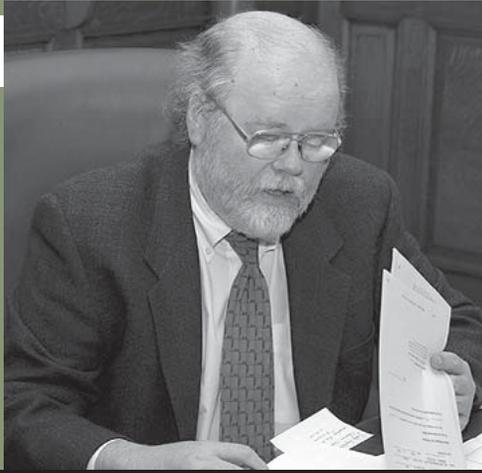
missing deadlines, and spending more money than the project was supposed to cost. National studies have shown that many IT projects fail to live up to expectations when good project management techniques are not used. To understand IT project management, it helps to think about building a house. Ideally, on the day the contractor starts work, there is a detailed plan for the structure, from foundation to chimney. The customer and the builder have agreed on everything from the number of electrical outlets in the playroom to the color of the sink in the powder room. Nothing is left to chance, so that the project is done on time, at the agreed-upon price, and in the form that the customer wants.

What is IT project management? First of all, it is the discipline of applying proven project management processes and tools to effectively plan, execute and track projects, Leyl said. It requires consistency from project to project—and project manager to project manager—so that each project is thoroughly documented and there is a shared “toolbox” of processes and best practices. Second, it is a remarkably detailed process for analyzing and planning technology projects. It begins with a painstaking assessment of what the customer wants. If, for example, a judge wants to track cases, the judge and technical analysts sit down and define precisely what the judge wants to know and how the data will be presented. No detail is omitted.

This is the basis for a plan that breaks the project down into precise tasks and deadlines—thousands of tasks in a large project—with responsibility for each task assigned to a specific person. The cost of implementing the program is calculated and, before work begins, everyone agrees that the project is worth the money and that the money is available. If the judge decides that additional data is required, the plan is revised to reflect the changes and their effect on completion date and project cost. Communication is an essential part of the process, from creating a means for people to raise issues quickly to keeping everyone involved in the project in the loop at all times. The customer never has to ask how things are going.

What will this mean for the Maryland Judiciary? Despite the work that goes into the initial analysis and planning, Leyl said, project management does not delay projects; it actually helps get them done on-time. It will mean improved productivity and reduced project costs in IT. One of the reasons: the cost of a project increases exponentially when modifications come late in the project. The process will give the Technology Oversight Board a valuable tool for setting priorities. And it promises to give customers within the Judiciary programs that meet their expectations.





Judge John M. Glynn

photo by Jack Fino

Kit Sfekas Scholarship Created

A scholarship fund for graduating female athletes has been established at Mount Hebron High School in memory of Judge C. James "Kit" Sfekas, who died last year at the age of 49. Judge Sfekas coached his daughter's soccer, lacrosse and basketball teams with the Howard County Youth Program and the Soccer Association of Columbia. He coached his wife's adult soccer league until a month before he died, his wife, Lauren Sfekas, said.

The fund was initiated by the Soccer Association of Columbia and the Howard County Bar Association. Donations may be sent to the Kit Sfekas Memorial Scholarship Fund, 2321 Mount Hebron Drive, Ellicott City, MD 21042.

Glynn Takes on Baltimore City Criminal Docket

In fiscal 2001, Baltimore City courts handled more than a third of the entire state's original and reopened criminal cases, and nearly a third of the total criminal cases that were terminated. The rate of criminal cases filed per 1,000 residents in Charm City is almost three times the state average.

These statistics* are certainly not new to Baltimore City Circuit Court Judge John M. Glynn. The native Baltimorean, who was appointed to Baltimore City Circuit Court in 2001, handled civil and criminal dockets as a District Court judge for seven years. In January, Judge Glynn took over as the judge-in-charge of Baltimore City's criminal docket. He is well aware of the almost overwhelming number of criminal cases that judges preside over in the Eighth Circuit.

"I don't expect in a situation as difficult as this to have any revolutionary success," he said, "but to just keep moving forward one step at a time."

Judge Glynn is tasked with the assignment to build on the successful steps taken by his predecessors, Judge Stuart R. Berger and Judge David B. Mitchell. A Vietnam veteran, Judge Glynn's main goal is to place emphasis on fair, just, and fast resolutions for the most violent cases.

"I think what my [predecessors] have done successfully is focus on the most critical problems and prove that we can get something concrete done with those problems," said Judge Glynn. "By identifying a very focused collection of issues, we can now deal with those issues and after some time try to objectively measure what we've accomplished."

Applies Combat Triage Approach to Set Priorities

Judge Glynn said that he will draw on his experiences in Vietnam while overseeing the criminal docket. He plans on implementing a philosophy similar to triage—the sorting and allocation of treatment to patients according to a system of priorities designed to maximize the number of survivors. Instead of exerting time equally on all case types, a significant amount of time and energy will be allocated to the most severe cases.

Judge Glynn applauds the 'team' approach that Baltimore City Administrative Judge Ellen M. Heller has instituted for the criminal docket. To assist with the docket, Judge Heller has designated three judges to oversee specific aspects of the docket. Judge John P. Miller will oversee the misdemeanor trial court, Judge Thomas E. Noel will coordinate drug treatment court and substance abuse programs, and Judge Lynn K. Stewart will oversee the processing of miscellaneous matters, including juvenile waivers and not-criminally-responsible waivers. The 'team' concept will enable the judges to focus on certain aspects of the criminal docket, rather than one judge having to juggle the many different types of criminal cases.

"A strong, cooperative relationship among all the constituents of the justice system is essential as our caseload continues to grow," Judge Glynn said.

* Maryland Judiciary Annual Report: Statistical Abstract 2000-2001.



photo by F Todd Silver

In Early Years, Court of Special Appeals “Forged Criminal Law” (cont. from p. 1)



As it happened, the judges on the Court of Appeals at the time had little interest in criminal law, which was considered an “intellectual backwater” before the Warren court’s decade of criminal-law decisions. Moreover, the judges who sat on the Court of Appeals didn’t know criminal law, Moylan said, which meant that in its first five years of existence the Court of Special Appeals, under judges Robert C. Murphy, its Chief Judge, and Charles E. Orth “forged the criminal law . . . of the state of Maryland.” Only when Judge Murphy became Chief Judge of the Court of Appeals did that court exercise its prerogative in the field of criminal law.

The judges of the fledgling court had a reputation, Judge Moylan said, for being rebellious, a “rogue court.” But that attitude was learned at the feet of Murphy and Orth, he said, adding, “I hope that reputation never fully diminishes.” Joseph F. Murphy, Jr., the current Chief Judge of CSA, reinforced Judge Moylan’s assessment of the impact of the first judges of the new court, with their “roguish, picturesque personalities.”

Chief Judge Bell, who sat on the Court of Special Appeals from 1984 to 1991 before being named to the Court of Appeals, was asked about the chief difference between the two courts. One is more contemplative, he said, and the other is “a lot faster.” Despite the volume of cases heard by CSA judges, he said, “(w)hen you’re on the Court of Special Appeals, you still get the opportunity – and you take that opportunity when you get the case – to make an intellectual, well-reasoned opinion.”

What did he like about his years on Special Appeals? The challenging workload and the opportunity to “find that case that would capture your attention and give you the intellectual stimulation that you wanted.” And, Judge Bell, added, a sense of camaraderie unlike anything he had before encountered.

Judge Wilner, who like Judge Bell sat on Special Appeals before being elevated to the Court of Appeals, described CSA as a “treasure,” and possibly the only appellate court in the country that routinely issues opinions within 30-60 days of hearing arguments. “The ability to do that,” he said, plus “the camaraderie, the culture on that court, and judges not only genuinely liking each other, but affirmatively going out of their way to assist each other.”

That camaraderie was not always to be found on the Court of Appeals, Judge Wilner said, but the many judges who have moved from one appeals court to the other brought the tradition with them. “The Court of Appeals is a much better court because of it. I think we brought a culture to the Court of Appeals that really wasn’t there before.”

Speakers Wanted

The Maryland Judiciary Speakers Bureau (MJSB) is recruiting judges who are willing to speak to civic groups, schools, and other organizations about the courts and related issues. Part of the Court Information Office, the Speakers Bureau often receives requests for judges and court officials to speak at various events.

The Court Information Office will provide a speaker’s packet containing speeches, outlines, and topic ideas. Please contact F Todd Silver at 410/260-1488 to request a MJSB member enrollment form.

Generous Judge Funds Service

District Court Judge Hassan Ali El-Amin, Prince George’s County, was recognized by the J. Franklyn Bourne Bar Association for his \$5,000 donation to establish a lawyer referral service program for low-income residents. The Bourne Bar Association is composed primarily of black attorneys in Montgomery and Prince George’s counties, and provides community service to local individuals and organizations.

Judge's

The Emperor's [^]New Clothes



The day I was sworn in as a judge of the District Court, the administering judge spoke eloquently of the responsibilities I was undertaking and the comportment expected of a jurist. I took note, and have, in the decade since—to the best of my limited ability—attempted to conduct myself with the deliberation, tolerance, integrity and accorded respect demanded of all judges.

If that judge added, “By the way, your life just changed beyond recognition,” I missed it. It didn’t take long, however, to realize what I was giving up—privacy, social engagement, bar discussions (both kinds), indecisiveness, cut-off shorts . . . to name a few things. These changes in my life were significant but not onerous; clearly, they are a fair trade-off and a necessary part of the judicial environment.

But there is a dark side to the restraint with which judges and the rest of the population treat each other. Take, for example, the matter of attire. But I have discovered over my years as a judge that the “emperor’s clothes” syndrome is a constant, at least in the District Court. I could be wearing my tie around my neck, and not inside my turned-down collar, or put my robe on inside out and ascend the bench, without anyone remarking on my apparent stupidity (except for the 8-year-old in the back row of the courtroom).

Instant Infallibility

By further extension, this same seeming infallibility means if I miss the trash basket by inches with my best imitation of a hook shot with a wadded missive, it will lie on the carpet next to “file 13” until I pick it up and put it in the trash—the assumption, as best I can tell, being that the wad of paper is there because I want it there. A newspaper identified as being mine will sit for days in a communal lunch table and no one will read the *judge’s* paper, move it or throw it away, until I finally “can” it.

No one explained that my new persona would assume qualities akin to the monarch marching in the street procession without his clothes (a horrid sight to imagine, let alone contemplate). That in effect, people would start to ignore some of my daily failings and separate me from activities that preoccupy average, normal people. Sometimes I wistfully recall the time when my shortcomings would be revealed to me in short pithy statements like, “Don’t be a jerk” or “Who do you think you are, anyway?”

What’s more, no one told me that I would become a humorist of the first order, a golfer of Tiger-like skills or a pillar of the community. But these things happened. Jokes that bombed in my former life now bring uproarious laughter and occasional remarks about their cleverness. Golf matches I once regularly lost I now seem to win consistently, even with the same players. Ladies walking to church on Sundays now stop to talk and treat me as a social and moral paragon (something I know is not true).

I have learned to disguise my profession when I’m out of town, so that I can, if only briefly, enjoy a normal existence. I don’t lie. I tell people I’m an attorney. Not that I am not proud to be a judge, but when that five-letter noun is injected into a social situation, the parameters of social intercourse and interaction change. A cold cloud comes over the conversation and people start asking for war stories or begin talking about recently acquired traffic citations. I am no longer me; at least in the eyes of others, I have become someone else.

But when I gaze reflectively at what I have become, I also remember from whence I came. Do I really want to be practicing law again? And then I come to my senses.

Judge Ralph M. Burnett, Garrett County

On the Web

The Court Pester E-lert—a twice-weekly free email summary of articles from newspapers and periodicals for articles and commentary related to judicial independence issues (broadly defined).

This service is distributed by the Brennan Center for Justice at New York University’s School of Law. The center litigates cases across the nation, files amicus briefs, drafts legislation, counsels reform groups, produces books, monographs, and articles, and educates the public about issues of profound national importance. The Brennan Center also distributes the Legal Services E-lert on free and low-cost civil legal aid.

www.brennancenter.org

Employee Profile:

Accountability Brings Success, Says New Drug Court Director

In real estate, it's location, location, location. In the judiciary's effort to help people break their addiction to drugs and alcohol, it's accountability, accountability, accountability.

"That's what drug courts are about," said Gray Barton, who joined the AOC as executive director of the Drug Treatment Court Commission in November, after spending six years running drug courts in Ohio. Not just accountability on the part of the defendant, but everyone involved in the case—lawyers, probations officers and treatment providers. Each has a role and, at regular intervals, all come before the judge and take responsibility for what the defendant has accomplished or has not accomplished.

Barton, who is a native of Alexandria, VA, began his professional career in Western Maryland as a counselor in a wilderness program for troubled youths. That was followed by a stint as a drug and alcohol abuse counselor at the Maryland Department of Juvenile Justice before a former boss recruited him to come to Ohio.

In Ohio, as in Maryland, the problem that judges see

almost daily is a succession of familiar faces; men and women who are in trouble repeatedly because of addiction. Not just drug offenses, but other crimes and legal problems that have their roots in addiction.

"Judges for years have tried everything in their power" to help these people, Barton said, "but there has never been the accountability of everyone coming before the judge." No more "staff splitting," where defendants talk their way out of treatment because probation officer and treatment specialist aren't in touch. No more letting a defendant slip through the cracks because of an overwhelming caseload. Everyone knows the judge will be asking hard questions in a week or a month, Barton said, and that provides a powerful incentive.

Drug courts work because judges want them to work, and each judge brings his or her unique approach to the program. For that reason, Barton's role is one of facilitator, working with individual jurisdictions to tailor their drug courts to their own needs and to the expectations of individual judges. The role of the Drug Treatment Court Commission is to coordinate, collect data, educate and advocate.

In Ohio, as in Maryland and other states, the original model for the drug court program was the initiative begun in Dade County, FL, in 1989. Today there are almost 1,000 courts nationwide and nearly 450 in the planning stages. Maryland has eight in operation and several more on the drawing board. Barton describes the state's efforts as "impressive."

Barton, whose two-person office is at the Judicial Training Center in Annapolis, said he would like to see courts appear in every jurisdiction, something that has a good chance of happening given Chief Judge Bell's support for the program and the emphasis the new administration is placing on drug treatment. In the next year, his focus will be on providing information to counties that are thinking of starting drug courts, developing a best practices manual and organizing training and conferences so Maryland's drug court pioneers can share their experiences.



Gray Barton

photo by Jack Fino



Less than a week after Prince George's District Court Judge Frank M. Kratovil (Prince George's County) retired (on January 1, 2003), he had the honor of administering the oath of office to his son, Frank M. Kratovil, Jr., who was elected State's Attorney in Queen Anne's County.

Photo by Ron White

After Law, Bench Career, Tom Ward Devotes Energies to Baltimore Memorial for 19th Century Irish Immigrants

It seems as if Tom Ward cannot get enough of the court system. After spending 29 years practicing law as an attorney, and another 15 years presiding as a judge, he has spent the past five years facing the court as a public citizen.

“It’s an interesting story when you’ve been a judge, an attorney, and then try to get back to the real world,” said retired Judge Ward, who served on the Baltimore City Circuit Court bench from 1982 to 1997. “The hardest part is sitting and watching a case and not being able to comment or ask questions.”

Ironically, Judge Ward’s court battles as a citizen have been against the very city to which he served. Since his retirement, Judge Ward has fought to create an Irish Shrine and Railroad Workers Memorial in southwest Baltimore. A native Baltimorean whose family immigrated from Ireland during the Great Famine of 1845-50, Judge Ward helped start the Railroad Historical District Corporation (RHDC) after he was approached to help save five alley houses along Lemon Street, called the “Lemon Street Five.” “At first, our goal was to just save the row houses,” he notes. “Along the road, we became aware that the entire history of the area was centered around those houses.”

The famine killed an estimated million people in Ireland, and a like number immigrated. Many came to southwest Baltimore to live and they worked primarily on the B&O Railroad, located across from the “Lemon Street Five.”

Saving the “Lemon Street Five” was paramount for the group, but they also saw the need for a shrine in memory of the Irish immigrants who poured into Baltimore, who lived in these houses along Lemon Street, and who helped build the B&O Railroad. “This was no easy task,” Judge Ward recalls. “We had to raise money, recruit volunteers, and face the city and the zoning board.”

In addition to facing city hall, RHDC faced the difficult task of restoring dilapidated, 160-year-old buildings that hadn’t been touched in over 30 years. The houses were built without plumbing or electricity. The effects of age and neglect had left the very narrow staircases and entryways frail, the walls decrepit, and the windows deteriorated. Construction workers not only had to completely renovate the row houses, but also bring the structures up to 2002 building and safety codes. “Everything was difficult,” Judge Ward said. “It was a long, long battle, but a wonderful result.”

In 2002, renovation of the “Lemon Street Five” was complete. Three of the row houses will be sold to repay the loans taken for the renovations. The other two structures represent the Irish Shrine and Railroad Workers Memorial. The shrine was reconstructed to look as it did when it was occupied in the mid-1800s. Rare photographs and images of Irish immigrants residing in the row houses, working on the B&O Railroad, and living in Baltimore are exhibited throughout the houses. In the backyard, a large brick mural lists the names of Irish families. When Judge Ward looks at the mural and sees his name, it’s all the gratification he needs for the hard work and countless hours he dedicated to this cause.

“It’s an incredible feeling giving a tour to someone, and they see their name on one of those bricks,” he said. “They get this look in their eyes and start misting over the memories.”

The Irish Shrine and Railroad Workers Memorial is open from 10 a.m. to 2 p.m. on Saturdays. Judge Ward provides a walking tour and history of the shrine.



Judge Thomas Ward

photo by F Todd Silver

www.courts.state.md.us

District Court Employees Earn Degrees with Educational Assistance

The Judiciary's Educational Assistance program, which provides reimbursement of up to \$1,000 per fiscal year, has been a great incentive for employees who want to further their education. While many employees take advantage of the program for continuing education courses and seminars offered by outside organizations, a few have used the tuition assistance to go one step further—earning a degree.

Management Studies

Joan E. Baer, Administrative Services manager at District Court Headquarters pursued two degrees. In December 2000, she earned her associate of arts degree in business management from Anne Arundel Community College. She graduated from the University of Maryland University College (UMUC) in August, 2002, where she was on the Dean's list. Her bachelor's degree is in management studies. "When I started college, I had 22 years of experience with the Judiciary,"



Baer said. "Due to current trends in the workforce, I realized that for advancement, experience alone was not enough. The Judiciary is constantly changing and improving and needs its employees to do the same. Knowing about the tuition assistance program made college seem like a viable option, and the program helped by removing some of the financial burden."

Roberta Warnken, Administrative Services specialist at District Court Headquarters earned her associate degree, magna cum laude, from Anne Arundel Community College in December, 2002. She is now working on her bachelor's degree in management studies from the UMUC.

Paralegal Studies

Paralegal Studies

District 4 managing commissioner Eleanor P. Murphy, a dean's list student at UMUC, graduated in May 2001, with a bachelor of science degree in paralegal studies. "Obtaining my degree gave me a wonderful sense of accomplishment and made me eligible for promotion to Managing Commissioner in July 2001," she said. "The tuition reimbursement program was an extra incentive for me to finish something I had started long ago." Commissioner Murphy hopes to continue to

advance within the court system and has given thought to pursuing graduate studies.

Negotiation and Conflict Management

Shelia Thorpe, a clerk in Baltimore City, has already started her graduate studies after earning a degree in jurisprudence from the University of Baltimore. Shelia is now working toward a masters degree in negotiation and conflict management.

"I have found the principles I'm learning in my master's program to be very useful to me, especially as the court embraces alternative dispute resolution (ADR) opportunities," Thorpe said. "Because our efforts at mediation are still relatively new to our constituents, there is some uncertainty among the public. I am now better able to explain these options."

Public Administration

At least one employee has completed a graduate degree with the help of tuition assistance. Kellice Seymore, an operations resource specialist at District Court headquarters, received his master's in public administration from Bowie State University in May. "The public administration program really gave me a good look at the inner workings of government, and earning the degree offers me more opportunities in my career," Seymore said. "I appreciate the help that the tuition reimbursement program provided."

Congratulations to these students and others who have sought continuing or higher education through the tuition assistance program. If you would like more information about the program, consult your Employee Handbook or contact your clerk of court, administrative clerk or department head.

Shockley Rescues Neighbor

William D. Shockley, Chief Judge of the Orphan's Court in Worcester County, is being called a hero by neighbors in Synepuxent.

Shockley was driving home when he saw smoke coming from the house of neighbor and friend Ray Chandler. He called 911 to report the fire, then kicked in the locked back door, found Chandler in the smoke-filled house and led the man to safety. He then stayed with Chandler until the ambulance arrived to take him to the hospital.

Q & A with Mike Miller, State Law Library

Mike Miller has been with the Maryland State Library for over 25 years. A graduate of Duquesne University and the University of Pittsburgh, Miller was the library's first professional librarian. He spearheaded the library's monumental move from a manual processing system to an automated library integrated management system, including the creation of the library's website. In addition to managing the State Law Library, Miller teaches paralegal studies at Anne Arundel Community College.

The Maryland State Law Library has been in business for 175 years. How did it get started?

The first mention of a state library in old general assembly proceedings was in 1803, but interestingly there wasn't enough support to get that resolution passed. It wasn't until 1827 that the legislature enacted a law establishing the Maryland State Library. The library was originally located in a small room in the State House, adjacent to the Court of Appeals, with 500 books, one librarian, and a beginning annual budget of \$200.

It's interesting to note that the State Library was probably the first public library in the state, although it was intended to serve the reference and research needs of the three branches of government. As the Court of Appeals moved, from the State House, to the new State office building in 1904, to the Robert C. Murphy Courts of Appeal building in 1972, the library moved with it—mainly because it served the two appellate courts. In 1978, the Library Committee proposed to formalize the relationship that the library had with the court and place it organizationally under the judiciary. Shortly thereafter, a bill was passed to change the name to the Maryland State Law Library.

Today, the library has an operating budget of \$1.8 million, a staff of 12 dedicated and responsive employees, and a collection of resources exceeding 400,000 volumes—or shelving that would cover 10 miles. We also provide growing public access to law and law-related print and non-print information on the web.

What has been the biggest advancement in the library's 175 years?

The advent of information technology has had a very dramatic effect on libraries in general, but more specifi-

cally law libraries. Back in the day when law libraries were the center of the legal resource universe, everyone had to physically go there to do research. That scenario has changed noticeably since the advent of computer assisted legal research in the mid-1980s, and has picked up speed since the advent of the Internet and creation of informational websites such as ours:

www.lawlib.state.md.us.

The major function of our website is to provide customers with a detailed index to the library's resources in any format. It's not a virtual library, but it provides information about our history, materials, policies, contacts for reference or research assistance, and links to relevant Maryland specific law sites.

You recently headed a commission on the state of law libraries in Maryland. What was the reason for the commission, and what recommendations did the commission's final report propose?

The impetus behind the commission was a number of county law librarians and myself got together to talk about the problems they were having, which were mostly financial. The results of our meeting were communicated to Chief Judge Bell, who was very supportive of our desire to have a commission study some of the common problems being experienced by our county law libraries. The Commission began its work in 1999 and met for roughly a year, during which time it held a number of public hearings, visited law libraries and made final recommendations in February of 2001.

The Maryland Judicial Council endorsed the Commission's report and recommendations. Two concrete byproducts of the recommendations were a financial grant of \$15,000 to 12 of the most financially



Mike Miller

Books & Bytes (cont. from previous page)

unstable county law libraries in the state, and the hiring of an outreach services librarian to assist any county law library looking for help with collection development, technology, space planning, reference assistance, cataloging, etc.

What are the primary issues facing county law libraries in 2003?

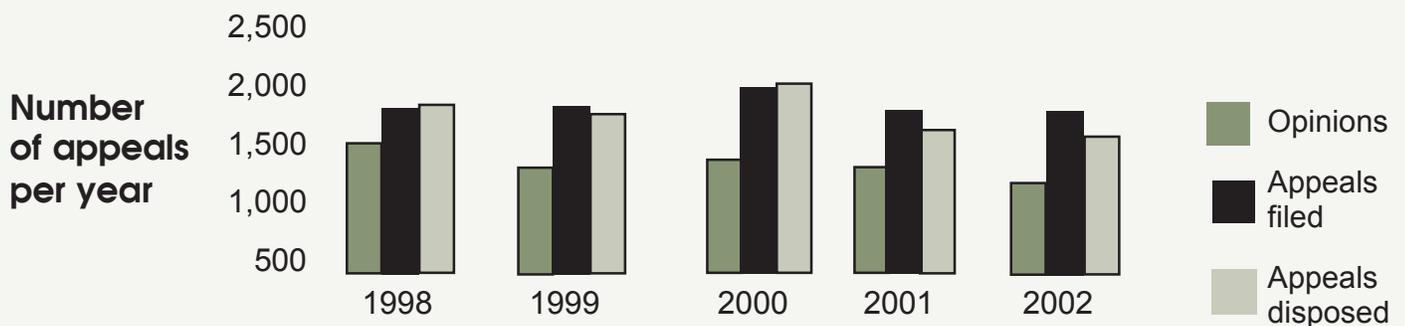
Lack of adequate and consistent funding remains, and is becoming more relevant. Meanwhile, county law libraries are having trouble keeping pace with the rising costs of law books, publications, and on-line materials and subscriptions. Libraries are faced with the challenge of transitioning to a new way of doing business in an increasingly electronic and computer-based environment. Another issue is the space crunch in many court-houses where these libraries are housed.

What are your main concerns regarding the Maryland State Law Library in 2003?

Many of the issues facing county law libraries are duplicated here. We must remain relevant for all customers, both remote and in-house, and stay focused on our mission and purpose as a comprehensive access point not only for current legal authority but also as a real research library for the courts and the public. With that in mind, the law library will continue to maintain and preserve print sources as well as those in digital format. Law libraries across the nation are discarding and giving up ownership of their print primary sources of legal authority in lieu of accessing this information from the commercial legal vendors on their websites. What happens when the network connection fails? Legal research as we know it will be brought to a stand still unless libraries like ours preserve and protect this traditional media. But we must have sufficient space to house the ever-expanding output of legal resources.

DATAFILE

Court of Special Appeals



Until 1966, Maryland had only one appeals court—the Court of Appeals. As the number of appeals increased and the backlog grew, the state created the Court of Special Appeals as an intermediate appellate court to handle part of the caseload. Today, the Court receives between 1,900 and 2,000 appeals annually and disposes of approximately the same number. In an average year, the time between oral arguments and decision by the court range is about three months. The 13 judges of the court issue over 100 opinions a month.

Court Information Office
361 Rowe Blvd.
Annapolis, MD 21401

Thanks to the following for their contributions to this issue of *Justice Matters*:

Judge Charles E. Moylan, Jr., Judge John M. Glynn,
Judge Tom Ward, Judge Ralph M. Burnett, Judge Hassan Ali El-Amin,
Gray Barton, Faye Gaskin, Raj Leyl, Mike Miller, Kathy White

Calendar

March

- 17 Conference of Circuit Court Judges
Conference of Circuit Court Administrators
- 18 Conference of Circuit Court Clerks

April

- 19 Conference of Circuit Court Judges
Conference of Circuit Court Administrators
- 20 Conference of Circuit Court Clerks
- 25 District Court Administrative Judges
Committee Meeting

May

- 9 District Court Judicial Education
Conference, Robert F. Sweeney District
Court Building, Annapolis.

Upcoming

- June 11-14 Maryland State Bar Association
Annual Meeting, Ocean City.