



CIRCUIT COURT FOR BALTIMORE COUNTY



MDEC - Maryland Electronic Courts Attorney Tips

This document is intended to provide helpful tips for Attorneys on the following:

- General MDEC Matters and File & Serve
- MDEC Processes for:
 - Civil
 - Domestic
 - Domestic Violence / Emergency Evaluation
 - Criminal
 - Juvenile
 - Settlement Court

Additionally, the Maryland Judiciary has E-filing and General FAQs for Attorneys that can be found at <https://mdcourts.gov/mdec/faq-attorneys>.

Maryland Rules can be found at <https://www.lawlib.state.md.us/researchtools/sourcesmdlaw.html>.

IMPORTANT TELEPHONE NUMBERS

Clerk's Office Numbers

Civil – (410) 887-2622

Criminal – (410) 887-2625 / 2627

Family – (410) 887-2614

Juvenile – (410) 887-3836

General Assignment – (410) 887-2660 / 2694

Judicial Records – (410) 887-3494

Courtroom Clerks – (410) 887-3413

Court Contacts

Central Assignment – (410) 887-3497

Family Support Services – (410) 887-8614

Family & Civil Law – (410) 887-6575

DCM Office – (410) 887-3233

Family Recovery Court – (410) 887-6159

Family Mediation – (410) 887-6570

Settlement Court – (410) 887-2920

Juvenile Drug Court (410) 887-2199

General MDEC Matters and File & Serve

a. Entries of Appearance of Counsel

- Counsel are required to enter their appearance through File and Serve, as required by Maryland Rule 20-106. If an attorney enters an appearance in open court, but has not yet filed an entry of appearance through File and Serve, the Court will accept the entry, subject to the requirement that the attorney file the entry of appearance by the end of the business day. Maryland Rule 20-106(e)(2)(B).

b. Case Correspondence

- Case correspondence with the Court by any registered MDEC user must be submitted through File and Serve. If a communication concerns an urgent matter, counsel should contact the appropriate department in the Clerk's Office, provide them the envelope number, and indicate the need for expedited processing.
- Case correspondence from self-represented individuals will be scanned and processed in the ordinary course.

c. Emergency Filings

- If a filing needs to be handled on an expedited or emergency basis, file the appropriate pleading in File and Serve and identify the matter as urgent. Counsel should call the appropriate department in the Clerk's Office to inform them of the filing and the envelope number. Counsel must give notice to the opposing counsel or party of the request for emergency review in a manner consistent with the requirements under the Maryland Rules. The Clerk's Office will process the pleading on an expedited basis and forward it to the appropriate judge for ruling. The Clerk's Office will advise counsel of the judge to whom the matter will be tasked. Counsel should contact the assigned judge's chambers for further direction on whether to appear or be available for hearing or consultation.

d. Multiple Submissions

- In any one case multiple submissions (including proposed orders) must be submitted in the same envelope as separate PDF files. Maryland Rule 20-201(e).

e. Proposed Orders

- A proposed order must be submitted as a separate document. The document must be identified as a proposed order, and must be identified as relating to the motion or other request for court action to which the order pertains. Maryland Rule 20-201(k).

f. Trial Exhibits

- Trial exhibits must be scanned into the record. Pursuant to Maryland Rule 20-106(e), exhibits offered into evidence in open court shall be offered in paper form. As soon as practical, the Court Clerk shall scan the document into MDEC and return the original to the

party who offered it at the conclusion of the court proceeding, unless ordered otherwise by the presiding judge. Pursuant to Maryland Rule 20-106(c)(2)(B), oversized documents, or other types of documents that cannot be filed electronically because of their physical characteristics, shall be maintained separately.

- In cases with extensive exhibits that have been specially assigned, counsel is encouraged to discuss the exhibit protocol with the assigned judge to determine whether proposed exhibits can be marked and pre-filed to avoid scanning burdens during trial. A paper version of the exhibits will still be required for use by jurors in a jury trial.
- Counsel will be notified by the Clerk to pick up the original paper exhibits, once they are scanned into MDEC. If counsel does not arrange to pick up these exhibits within three (3) business days, or confirm other arrangements with the Judicial Records Department in the Clerk's Office, the exhibits will be shredded. Oversized documents or other exhibits that cannot be filed electronically will be maintained in family and civil cases until the expiration of any appeals. Once the appeal is resolved, or the time period to note an appeal has passed, counsel will be notified to pick up these other exhibits, or they will be destroyed. Tangible exhibits in criminal cases will either be returned to the custody of law enforcement with documentation to reflect the chain of custody, or maintained by the Clerk's Office pursuant to the criminal case retention policy.

g. Gold Seal or Certified Copies of Court Judgments and Order

- Gold Seal copies of final judgments are not issued automatically. A "true test" copy of a final judgment or order will be sent to parties of record, or their counsel. If a party or counsel wishes to obtain a certified or "gold seal" copy of the final judgment or order, that must be requested through the Judicial Records Department of the Clerk's Office. A \$5.00 fee, along with \$0.50 per page, is assessed for the certification.

h. Closed / Inactive Cases

- Cases that are closed/inactive will not be electronically scanned into Odyssey. These files will remain available to the public for review in the Judicial Records Department. Only open/active and reopened/active cases will be electronically scanned and made available through the Attorney Portal.

i. File and Serve Codes

- When submitting pleadings in File and Serve, please employ the filing code that best describes your document. The generic "Motion" filing code should only be used when a more specific pleading description does not exist. For example, if you are filing a Motion for Discovery, please use the specific code for discovery motions.

j. MDEC Signature Style

- Any attorney submission through File and Serve must include the following under the attorney signature line: e-mail address, mailing address, phone number, and client protection number. Failure to include all elements will result in a deficient filing. Maryland Rule 20-107(a).

k. Interpreter Requests

- To request an interpreter in any case, an attorney must file an interpreter request through File and Serve. The request will be processed through the appropriate department and an interpreter will be scheduled. Please use the statewide "Request for Spoken Language Interpreter" form (CC-DC-041) available on the Maryland Judiciary website. Questions concerning interpreter services should be directed to the Court Administrator's Office at 410-887-2687.

l. Requests for ADA Accommodations

- Accommodation procedures for public users of the Court while doing business with the Judiciary are pursuant to Maryland Rule 1-322, "Notification of Need for Accommodation". ADA Accommodation requests are not public documents and should not be filed through File and Serve. Requests for accommodation should be submitted to the court not less than thirty (30) days before the proceeding for which the accommodation is requested. Please use the statewide form "Request for Accommodation for Person with Disability" form (CC-DC49) available on the Maryland Judiciary website. The nature of the accommodation requested must be clearly described. Questions concerning special accommodation requests should be directed to the Court Administrator's Office at 410-887-2687.

m. Voir Dire, Jury Instructions, Verdict Sheets and Motions in Limine

- Voir dire, jury instructions, proposed verdict sheets, and any motions in limine should be filed in advance of the trial, consistent with the requirements set forth in the Scheduling Order for the case. These documents must be submitted through File and Serve to be docketed in the case and preserved for any appellate record. It is a prudent practice to bring a working copy for the judge to use on the first day of trial. However, this working copy will not be scanned into Odyssey or docketed.

Civil Case MDEC Processes

- a. *Requests to Reschedule Complex Case Scheduling Conferences*
 - Requests to change the date of a scheduling conference in a complex civil matter, or to change from an in-person conference to a telephone scheduling conference, may be made by telephone or email directed to the Differentiated Case Management (“DCM”) Office when the request for change is not contested. The party making the request will be provided with new dates and asked to coordinate an agreed date with the other counsel or party. The policy is to allow the matter to be rescheduled within thirty (30) days from the original date. If the request is contested, it must be submitted in writing through File and Serve. Contested requests to reschedule Scheduling Conferences are tasked to the Lead Civil Judge for ruling.

- b. *Requests for Special Assignment or for Track Change*
 - Requests for special assignment or for a change in the track designation should be submitted in writing through File and Serve. These requests will be tasked to the Lead Civil Judge for ruling.

- c. *Requests for Change Date for Status Conference*
 - Requests to change the date of a status conference may be made by telephone or email directed to the DCM Office. The requesting party or counsel will be instructed to contact the other party or counsel and attempt to arrange a new date. The DCM office will issue a notice of any change to the Status Conference date.

- d. *Requests for Postponement of Trial or Hearing Dates or Modification of Scheduling Orders*
 - Requests to postpone a trial or modify a scheduling order must be submitted through File and Serve. If the trial date or a relevant scheduling deadline is imminent, the filing should be noted as urgent and counsel should notify the appropriate department of the Clerk’s Office, with the case name and MDEC envelope number, to expedite processing. If the case is specially assigned, that information should also be communicated to the Clerk’s Office so that any expedited request is directed to the appropriate chambers.

Domestic Case MDEC Processes

- a. *Requests to Reschedule Domestic Scheduling Conferences*
 - Requests to change the date of a scheduling conference in a domestic case, or to change from an in-person conference to a telephone scheduling conference, may be made by telephone or email directed to the Differentiated Case Management (“DCM”) Office when the request for change is not contested. The party making the request will be provided with new dates and asked to coordinate an agreed date with the other counsel or party. The policy is to allow the matter to be rescheduled within thirty (30) days from the original date. If the request is contested, it must be submitted in writing through File and Serve. Contested requests to reschedule Domestic Scheduling Conferences are tasked to the Lead Family Judge for ruling.

- b. *Child Access and Other Evaluations – Maintenance and Review of Background Documentation*
 - Materials obtained by the Office of Family Support Services (“FSS”) as part of a child access or other family law evaluation will be maintained in a confidential electronic record by the FSS. These materials are not attached to the evaluation report that is filed with the Court unless the evaluator determines it is necessary to attach some item(s) received. The underlying materials are available for inspection and review by counsel or unrepresented parties upon request. The underlying materials may not be copied by counsel or unrepresented parties without authorization by a judge or magistrate. Review of the underlying materials may be arranged by contacting OFSS, and will occur at a location in their office, or in a private carrel in the Court Law Library.

Domestic Violence / Emergency Evaluation Case MDEC Processes

- a. If an attorney wants to submit a filled-out DV petition they must bring the petition to the Clerk’s Office Family Law window to be submitted and scanned into Odyssey. Attorneys may not use File and Serve for DV Petitions because the DV Office does not communicate with File and Serve.

- b. A reminder that Orders not generated out of DV Office/Courtroom will not provide protection. All DV Orders must be generated out of DV Courtroom.

- c. If an attorney wants to file a completed Emergency Evaluation request, the Petition must be submitted through File and Serve.

- d. Any question concerning a new Domestic Violence or Emergency Evaluation petition should be directed to the Courtroom Clerks Department of the Clerk’s Office. Questions concerning Domestic Violence cases being appealed to the Circuit Court should be directed to the Family Law Department.

Criminal Case MDEC Processes

a. Next Day Prayers for Jury Trial

- Motions, voir dire and jury instructions for “next day” PJTs must be submitted through File and Serve. Given the time limitations, counsel should have a paper copy of any document that is filed to provide to opposing counsel. Counsel should contact the Criminal Department and provide the case name and envelope number so the pleadings can be processed and available electronically for trial.

b. Postponement Requests for Next day PJTs

- An attorney seeking to postpone a “next day” PJT must call the Criminal Department to initiate the postponement request. The Criminal Department will create a Circuit Court case file based upon the information provided by the attorney and available through access to the District Court case file. The attorney will be given the Circuit Court case number and instructed to file the postponement request through File and Serve and will notify the Criminal Department of the envelope number for the postponement request.
- Criminal Assignment will advise defense counsel of the ruling, and will also notify the State’s Attorney’s Office at 410-887-6610, if the matter is postponed so witnesses can be advised.

c. Arraignments on the Criminal Administrative Docket

- Defendants who are not yet represented by counsel when arraigned on the Criminal Administrative Docket will be set for re-arraignment on the Criminal Administrative Docket in approximately three weeks, and will be served with a summons to appear at that time. The State’s Attorney may make an oral motion to extend the time to provide discovery in the case to the new re-arraignment date. The Court Clerk will reflect the oral motion and any extension of the time to provide discovery in the minutes of the Court session. The defendant will be advised of the re-arraignment date and served with a Summons to appear.
- If an attorney enters an appearance in advance of the re-arraignment date, the re-arraignment hearing will be canceled. If an attorney has entered an appearance that has not been docketed before the re-arraignment hearing, contact the Criminal Department with the case name and envelope number of the notice of an appearance so they can expedite processing and vacate the re-arraignment hearing. If the defendant still does not have counsel at the time of the re-arraignment hearing, the State will serve the defendant with discovery, either by delivering a copy in open Court or noting that a copy will be sent to the defendant at his or her place of confinement. A trial date will be set at the time of the re-arraignment hearing.

d. Entries of Appearance of Counsel Prior to Arraignment

- The Criminal Department is authorized to cancel arraignments scheduled on the Criminal Administrative Docket based upon the entry of an appearance of counsel through File and

Serve. If the appearance is entered less than one (1) business day prior to the scheduled arraignment, counsel should contact the Criminal Department with the case name and envelope number so the appearance can be processed and the case removed from the Criminal Administrative Docket.

- The Criminal Department is also authorized to cancel arraignments based upon written communication from the Office of the Public Defender that the defendant qualifies for representation and his or her case is in the process of being assigned to an attorney. If an entry of appearance is not submitted through File and Serve within five (5) business days of that written communication, the matter will be re-set for arraignment on the Criminal Administrative Docket.

e. Sentence Hearings – Documents Submitted in Mitigation

- Reports to be considered at sentencing should, whenever possible, be submitted in advance through File and Serve. If counsel is unable to submit these reports in advance, they should be submitted in paper form at the sentencing hearing, to be scanned and docketed by the Court Clerk, with the original then either returned or destroyed. Other informal documents submitted in mitigation at sentencing hearings, such as certificates of achievements and letters in support, will ordinarily be returned to counsel.
- If any counsel, the defendant or the assigned judge wish to have these materials preserved in the record, the Court Clerk shall be directed to mark the material as an exhibit. The exhibit will be scanned and docketed as an exhibit to the proceeding, with the original either returned to counsel or destroyed.

f. Juror Lists

- Juror profile lists are not part of the criminal record and are therefore not scanned into Odyssey. Maryland Rule 4-312(c)(3). If an issue concerning jury selection arises and the juror profile list may be relevant, counsel should request that it be marked as an exhibit and scanned as a confidential record.

Juvenile Case MDEC Processes

a. Entries of Appearance of Counsel Prior to Arraignment

- The Juvenile Department is authorized to cancel an arraignment before a magistrate based upon the entry of an appearance of counsel through File and Serve. If the appearance is entered shortly before the scheduled arraignment, counsel should contact the Juvenile Department with the case name and envelope number so the appearance can be processed and the case removed from the arraignment docket.
- The Juvenile Department is also authorized to cancel arraignments based upon written communication from the Office of the Public Defender that the defendant qualifies for representation and his or her case is in the process of being assigned to an attorney. If an entry of appearance is not submitted through File and Serve within five (5) business days of that written communication, the matter will be re-set for arraignment.

b. Requests to Review Confidential Juvenile Files by Parties Who Are Not Registered MDEC Users

- Parties who are not registered MDEC users who wish to review the record in a juvenile case in which they are a party may request access through the Juvenile Department. Upon presentation of photo identification confirming that they are a party in the case, the Juvenile Clerk will coordinate with the Law Library staff to arrange for the party to review the file on a computer workstation in the Law Library. A party is permitted to request copies of pleadings and reports from the juvenile file, and will be charged the standard copying fee for documents received.

c. Court Appointed Special Advocate (“CASA”) MDEC Procedures

- If a CASA is appointed to serve in a CINA proceeding, the CASA is permitted to review and obtain copies of pleadings and reports in the CINA file. If the CASA wishes to review the CINA file, the Juvenile Clerk will coordinate with the Law Library staff to arrange for the assigned CASA volunteer or supervisor to review the file on a computer workstation in the Law Library. The assigned CASA volunteer or supervisor may obtain copies of reports and pleadings from the CINA file without charge.
- Alternatively, upon appointment, the CASA may contact the Juvenile Clerk and request copies of certain pleadings and reports, which will be provided either in hard copy through the CASA interoffice bin, or by email to a CASA supervisor. CASA reports in CINA cases shall either be sent through File and Serve, if the CASA registers as a user, or by delivery to the Juvenile Clerk to be scanned into MDEC.

d. Youth with Multiple Open Delinquency and/or Juvenile Cases

- The juvenile Clerk will link open cases on the same juvenile. Whenever appropriate, all juvenile matters relating to an individual will be scheduled before the same magistrate. If a juvenile is co-committed to the Department of Juvenile Services and the Department of Social Services, the commitment order will designate the lead agency responsible for

placement and aftercare. Thereafter, review hearings will be held at the same time for both the CINA and delinquency matters, whenever possible, with notice to attorneys in both cases.

e. Youth with Violations of Probation in Multiple Open Delinquency Matters

- If a juvenile has multiple open delinquency matters, they should all be linked in MDEC. If a juvenile violates the terms of probation in multiple open probation matters, and is thereafter committed on the violation, the judge or magistrate handling the matters shall consider designating a lead case and issuing the commitment order in that matter only, and staying the other open delinquency matters pending discharge from commitment. If cases are stayed based upon a commitment in a single case, DJS should request that the stay be lifted when the commitment is rescinded. When the lead case is in a posture to be closed, disposition should be finalized in all other linked cases.

f. Juvenile Drug Treatment Court ("JDTC")

- To avoid filing and docketing each JDTC session in multiple cases, a "lead case" will be designated for youth with multiple open cases at the time of entry into JDTC. Active supervision in other cases will be stayed based upon participation in JDTC in the "lead case."

g. Emergency Filings – Shelters

- DSS is to file the original CINA Petition with Request for Shelter Care as soon as possible through File and Serve, and note as urgent. A proposed Order for Shelter Care is to be included as a separate document, in the same envelope as the original petition. Counsel for the Department of Social Services should call the Juvenile Department to inform them of the filing and the envelope number. The Clerk's Office will process the pleading on an expedited basis and schedule the case for a Shelter Care Hearing the same day before a juvenile family law magistrate or juvenile judge. The Clerk's Office will advise counsel of the presiding magistrate or judge and the time for the parties to appear.

h. Emergency Filings - Detentions

- For Delinquency Detentions, the local Department of Juvenile Services will continue to provide e-mail notification to a roster of "Detention List" participants, including the Juvenile Department, of any youth detained overnight/over the weekend on a new offense or open warrant. For new charges, the State's Attorney's office will file an original petition for each case as soon as possible. The case will be scheduled for a hearing the same day before a family law magistrate, or a judge. The Clerk's Office will send out an e-mail notification to the "Detention List" recipients to advise all parties of the location and time for the hearing.

Settlement Court MDEC Processes

a. Postponement Policy

- Requests to postpone a settlement conference by a registered MDEC user must be submitted through File and Serve. If the request to postpone is time sensitive, counsel should call the Assignment Office with the case name and MDEC envelope number so the matter can be expedited. The postponement request should be discussed in advance with the opposing counsel or party, and the request filed with the Court should include information concerning the position of all parties, whenever possible. Requests to postpone a settlement conference by a self-represented party shall be filed with the Clerk of the Court and scanned into MDEC.

- If the Settlement Conference is postponed or canceled because a case has been settled, counsel must file a final Order or Stipulation of Dismissal through File and Serve and pay the open court costs. If a settled case was specially assigned to a judge, counsel must also notify the assigned judge's chambers.

b. Pretrial Statement in Civil (Non-Domestic) Cases

- Pre-trial statements must be submitted through File and Serve in advance of the settlement conference consistent with the requirements set forth in the Scheduling Order. It is a prudent practice to bring a working copy for the judge to use on the day of the conference. However, this working copy will not be scanned into Odyssey or docketed.

c. Domestic Cases – Rule 9-207 Statements and Proposed Child Support Guidelines

- A proposed Maryland Rule 9-207 statement and child support guidelines worksheets should be filed in appropriate cases in advance of the settlement conference consistent with the requirements set forth in the Scheduling Order. These documents must be submitted through File and Serve. It is a prudent practice to bring a working copy for the judge to use on the day of the conference. However, this working copy will not be scanned into Odyssey or docketed.

d. Settlement Court Orders

- Following each settlement conference, a Settlement Court Order will be completed by the presiding settlement court judge on a form approved for Domestic or Civil cases. The form will document the outcome of the proceeding, including whether the case has been settled in whole or in part, and the next steps to occur. If the matter is to be scheduled for trial, or if a follow up settlement conference is scheduled, dates will be set while the parties are in Settlement Court and reflected in the Settlement Court Order.