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MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 877
Queen Anne's County – Circuit Court Judgeships
DATE: February 13, 2025
(2/18)
POSITION: Explanation of Non-Support

The Maryland Judiciary appreciates the Committee's consideration of all requests for new judgeships. Although the Judiciary will continue to review and assess the needs of an additional judgeship in Queen Anne's County, the methodology long used by the Judiciary to justify requests for new judgeships does not reflect a certified need for a judgeship in Queen Anne's County at this time.

The Judiciary uses a standard methodology to determine what locations have a certified need for a judgeship. The underlying model for establishing judicial officer need that is currently in use comes from the National Center for State Courts (NCSC). The model in use now was last fully updated in 2017, with a subsequent partial update in 2022, *State of Maryland Limited Scope Workload Adjustment for District and Circuit Court Judicial Officers*. As recommended by the NCSC, this model relies predominately on new case filings in the three most recent fiscal years unaffected by the COVID-19 pandemic; Fiscal Years 2019, 2023, and 2024. As reflected in the Judiciary's submission this year, the model identified a certified need for four additional judgeships. Due to a variety of reasons including space limitations and fiscal considerations, the Judiciary is not requesting any of those new judgeships.

While the model relies on case weights, the NCSC recognizes that other qualitative factors can be considered as well, including local court practices and variations in policies among the State's Attorneys. Four circuit court jurisdictions in which the model did not identify a certified need requested additional judgeships. One of those is St. Mary's County. For reasons more fully explained in our submission and in testimony before this Committee, the Judiciary requested a new judgeship in St. Mary's County based on factors relevant to workload in that jurisdiction that are not accounted for in the model.

The Judiciary has not requested a new judgeship in the three other counties, including Queen Anne's County. Although each has made a good case for needing additional resources, the Judiciary has not identified sufficient factors relevant to workload in those jurisdictions that are not accounted for in the model. As a result, consistent with past practice and representations to the General Assembly, the Judiciary is not requesting additional judgeships in those jurisdictions and did not include additional PINs or funding for those counties in its budget submission.

Nonetheless, the Judiciary recognizes limitations of the current model and is currently developing an RFP to engage a vendor to update the model by incorporating changes in legislation, court practices, and filing trends that have occurred since the last full-model update in 2017. It is expected that the results of the full model update will be available and incorporated into the FY 2028 Analysis of Need for Additional Judgeships in the Judicial Branch report.

The Judiciary will continue to review and assess the need for judgeships across all jurisdictions.

cc. Hon. Stephen Hershey, Jr.
Judicial Council
Legislative Committee
Kelley O'Connor