



Calvert County News

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FOR IMMEDIATE RELEASE

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Calvert County Courthouse Implements Phase IV of Reopening *Restricted Access to Courthouse Extended Through Oct. 5, 2020*

PRINCE FREDERICK, Md. – Sept. 11, 2020 – The rapidly evolving health emergency regarding the spread of Coronavirus Disease 2019 (COVID-19) requires the Maryland court system to continually review and evaluate contingency planning efforts. The Calvert County Courthouse located at 175 Main St. in Prince Frederick will remain under restricted access, with new changes to operations and court proceedings effective immediately.

By order of Chief Judge Mary Ellen Barbera, Amended Administrative Order dated June 3, 2020, beginning at 5 p.m. on June 5, 2020 proclaims there shall be a progressive, phased return to full operations by the courts in the Maryland Judiciary, court offices, administrative offices, units of the Judiciary, the Offices of the Clerks of the Circuit Court and the clerks' offices of the District Court. Access continues to be restricted to emergency operations and closed to the public with limited exceptions, as outlined below, through Oct. 5, 2020, pending further order of the Chief Judge of the Court of Appeals.

There are five phases described in the Amended Administrative Order, each phase representing an increase in the level of operations by the courts in the Maryland Judiciary. The courts are currently in phase IV, which commenced on Aug. 31, 2020. Phases I through IV are detailed in this release as Phase V will be released prior to its commencement date. Phase V is scheduled to commence on Oct. 5, 2020. Access to the courts and each of the phases are subject to modification by the Administrative Judge for the Circuit Court for Calvert County.

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PHASE I: March 16, 2020 through 4:59 p.m., June 5, 2020

The following emergency and urgent matters shall be scheduled or heard, either in person or remotely. The court shall notify all participants necessary to the proceeding:

- Bail reviews/bench warrants
- Arraignments for detained defendants
- Juvenile detention hearings
- Juvenile shelter care hearings
- Peace order petitions (juvenile respondents)
- Emergency evaluation petitions
- Quarantine and isolation petitions
- Extradition cases
- Body attachments
- Extreme risk protective order appeals

For all other emergency matters including those listed below, the administrative judge or his or her designee will review the petition, determine whether it must be heard in person, or can be heard with remote electronic participation, or can be scheduled after the emergency period has ended, or can be resolved without a hearing, including, but not limited to:

- CINA matters, consistent with FCCIP Subcommittee of the Maryland Judicial Council recommendations of April 3, 2020
- Emergency delinquency hearings, including motions related to juveniles who are detained, committed pending placement, or committed, consistent with the Administrative Order guiding the response of the Circuit Courts sitting as juvenile courts to the COVID-19 emergency as it relates to those juveniles who are detained, committed pending placement, or in commitments, filed April 13, 2020
- Emergency habeas corpus petitions
- Emergency issues in guardianship matters
- Domestic violence protective orders

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- Appeals from peace orders
- Family law emergencies, including time urgent matters related to special juvenile immigrant status
- Temporary restraining orders
- Criminal competency matters
- Motions regarding:
 - Extreme risk protective orders
 - Domestic violence protective orders
 - Peace orders
- Contempt hearings related to peace or protective orders
- Matters involving locally incarcerated defendants, consistent with the Administrative Order Guiding the Response of the Trial Courts of Maryland to the COVID-19 Emergency as It Relates to Those Persons who are Incarcerated or Imprisoned, filed April 14, 2020.

PHASE II: 5 p.m., June 5, 2020, through July 19, 2020

Phase II represents an expansion of matters that can be heard by courts both remotely and on-site. Phase II shall include Phase I matters, as well as matters that must be prioritized pursuant to the June 3, 2020 Administrative Order issued by Chief Judge Mary Ellen Barbera. To the extent that Phase II matters may be handled remotely, courts are encouraged to do so. For any proceeding that will be held during Phase II, the court shall notify all participants necessary to the proceeding.

CIVIL:

- Emergency evaluation petitions
- Quarantine and isolation petitions
- Emergency Habeas Corpus petitions
- Body attachments
- Temporary restraining orders
- Scheduling conferences
- Status conferences

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- On the record appeals
- Matters that can be handled remotely or without testimony or both

CRIMINAL:

- Bail reviews, bail reconsiderations, and bench warrants including matters involving locally incarcerated defendants, consistent with the Administrative Order guiding the response of the Trial Courts of Maryland to the COVID-19 emergency as it relates to those persons who are incarcerated or imprisoned, filed April 14, 2020
- Arraignments for detained defendants
- Extradition cases
- Matters addressing competency; criminal responsibility issues not requiring witness testimony status; and discovery and Hicks issues
- Deferred sentencing – for non-incarcerated defendants
- Plea agreements without recommendations for sentences of incarceration; deferred sentence matters; and motions that can be handled remotely or without testimony or both

FAMILY:

- Scheduling conferences
- Status conferences
- Uncontested divorces and other uncontested family law matters
- Domestic violence protective orders
- Domestic violence, peace, and extreme risk protective order appeals
- Family law emergencies that have been determined to require an expedited hearing, including time urgent matters related to special juvenile immigrant status
- Emergency issues in guardianship matters
- Temporary restraining orders
- Default hearings
- Exceptions hearings not requiring witness testimony (uncontested or consented to or requiring legal argument only)
- Matters that can be handled remotely or without testimony or both

JUVENILE COURT:

CINA (DEPENDENCY):

With priority scheduling for those juveniles turning 21 within 90 days of the beginning of Phase II.

- Shelter care hearings
- CINA matters, including, if not contested and/or by proffer, adjudications, dispositions, permanency plan, and permanency plan reviews
- Termination of Parental Rights (TPR) by consent and/or by proffer
- Exceptions hearings (uncontested or consented to or requiring legal argument only)
- Family Treatment/Recovery Court review hearings
- Guardianships under juvenile causes
- Adoptions concerning CINA and TPR juveniles
- Matters that can be handled remotely or without testimony or both

JUVENILE (DELINQUENCY):

With priority scheduling for those juveniles: turning 21 within 90 days of the beginning of Phase II; returning from placement; with issues with permanency plans; closures of cases; and possible placement on the juvenile and/or adult sexual offender registries.

Juvenile detention hearings

- Peace order petitions (juvenile respondents only)
- Arraignments and first appearances
- Emergency delinquency hearings, including motions related to juveniles who are detained, committed pending placement, or committed, consistent with the Administrative Order guiding the response of the Circuit Courts sitting as Juvenile Courts to the COVID-19 emergency as it relates to those juveniles who are detained, committed pending placement, or in commitments, filed April 13, 2020
- Adjudication with agreed to-plea and/or by proffer
- Disposition with consent and/or by proffer

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- Disposition reviews
- Delinquency juvenile treatment plans and reviews
- Closure of probation and jurisdiction of Juvenile Court not requiring testimony
- Juvenile expungements not requiring testimony
- Juvenile permanency plans and reviews, if not contested or by proffer or both
- Juvenile waivers, if consented to and not requiring testimony
- Exceptions hearings not requiring witness testimony (uncontested or consented to or requiring legal argument only)
- Matters that can be handled remotely or without testimony or both

PROBLEM-SOLVING COURTS: Including drug, mental health, family/dependency recovery, DUI, veterans', juvenile drug and truancy courts.

Any other matters that can be scheduled, heard, or resolved in accordance with Section (i) of the Administrative Order on the progressive resumption of full function of judiciary operations previously restricted due to the COVID-19 Emergency, filed May 22, 2020, are encouraged to be taken up by the circuit courts during Phase II.

Phase III: July 20, 2020, through Aug. 30, 2020

In Phase III, courts will schedule and hold a broader range of matters, including certain criminal trials in the District Court, with limited in-person services to be offered as determined by the administrative judge and posted electronically and in the court facility. Phase III shall include Phase II matters and shall be, collectively, "Phase III matters." To the extent that Phase III matters may be handled remotely, courts are encouraged to do so. For any proceeding that will be held during Phase III, the court shall notify all participants necessary to the proceedings.

In addition to Phase II matters:

CIVIL:

- Motion requiring witness testimony
- Settlement hearings
- Attorney disciplinary proceedings

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CRIMINAL:

- Motions
- Expungements
- Violation of probation hearings
- Non-jury trials
- Jury prayer status hearings
- Sentencing previously deferred

FAMILY:

- Resume handling of temporary domestic violence protective order petitions during court hours
- Motions requiring witness testimony
- Pendent lite hearings
- Contempt proceedings
- Adoption
- Guardianship – non-emergency
- Child support matters – establishment
- Settlement hearings
- Court-ordered mediations

JUVENILE COURT:

CINA (DEPENDENCY):

- All matters and motions that are contested and/or requiring testimony
- CINA adjudications, dispositions, permanency plans, permanency plan reviews
- Exceptions hearings requiring witness testimony
- Contested TPR proceedings

JUVENILE (DELINQUENCY):

- All matters that are contested and/or requiring testimony
- Adjudication
- Disposition and disposition reviews
- Closure of probation and jurisdiction of Juvenile Court
- Motions

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- Juvenile expungements
- Juvenile permanency plan and permanency plan reviews
- Juvenile and adult sex offender registration matters
- Waiver hearings, including to and from Juvenile Court
- Exceptions hearings
- Be collectively, Phase IV matters. To the extent that Phase IV matters may be handled remotely, courts are encouraged to do so. For any proceeding that will be held during Phase IV, the court shall notify all participants necessary to the proceeding.

In addition to Phase III matters:

CIVIL:

PROBLEM-SOLVING COURTS, including drug, mental health, family/dependency recovery, DUI, veterans', juvenile drug, and truancy courts.

Phase IV: Aug. 31, 2020, through Oct. 4, 2020

In Phase IV, courts will resume non-jury trials and contested hearings in civil, family and juvenile matters. Courts will schedule and hold a broader range of matters, with limited in-person services to be offered as determined by the administrative judge and posted electronically and in the courts facility. Phase IV shall include Phase III and shall be collectively, Phase IV matters, to the extent that Phase IV matters may be handled remotely, courts are encouraged to do so. For any proceeding that will be held during Phase IV, the court shall notify all participants necessary to the proceeding.

In addition to Phase III matters:

CIVIL:

- Non-jury trials and de novo appeals

CRIMINAL:

- Post-conviction hearings
- Three judge panel sentence reviews

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FAMILY:

- Hearings and trials
- Child support contempt hearings

JUVENILE COURT:

JUVENILE (DELINQUENCY): Fully operational

CINA (DEPENDENCY): Fully operational

PROBLEM-SOLVING COURTS: Fully operational

Phase V is scheduled to commence on Oct. 5, 2020. Prior to Oct. 5, 2020, an update relative to Phase V will be released to the public.

All matters are to be held in person, unless otherwise specifically scheduled for in-person, telephone and/or video hearings using remote technology when practicable by the Circuit Court for Calvert County.

Pursuant to the Amended Administrative issued by Chief Judge Barbera on June 3, 2020, the County Administrative Judge in each county possesses the discretion to implement policies and procedures regarding Courthouse operations and access to the Circuit Court Courthouse. Accordingly, The Honorable Mark S. Chandlee, Administrative Judge for the Circuit Court for Calvert County, issued an Administrative Order on July 17, 2020 implementing policies and procedures regarding Courthouse operations and access to the Courthouse to ensure the health and safety of all individuals visiting, conducting business, or employed at the Courthouse as the Maryland Judiciary entered Phase III of its phase-based plan for resuming normal operations. This order remains in full force and effect until otherwise ordered by the court.

Pursuant to Judge Chandlee's Administrative Order, individuals involved in a court case that is scheduled for a hearing in the Circuit Court Courthouse on or after July 20, 2020, including parties, attorneys, and witnesses, are authorized to enter the Courthouse and shall report to the Courthouse for the scheduled hearing, unless otherwise instructed or ordered by the Court or its authorized agent. Parties and/or attorneys involved in a case may request in writing to appear remotely for their scheduled hearing. For all other business not related to a scheduled court hearing to be conducted in the Courthouse, the Courthouse is open to the public **BY APPOINTMENT ONLY**. To make an appointment, please call **410-535-1600** and request to speak to the desired department to schedule an appointment.

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Under Judge Chandlee's Administrative Order, any individual seeking to enter the Circuit Courthouse shall undergo the Court's screening protocol, which includes a contactless thermal temperature check, screening questionnaire and any follow-up questions deemed appropriate. Additionally, all individuals entering or traveling through the Courthouse are required to wear a facemask or covering. Furthermore, all individuals are required to practice proper social distancing while in the Courthouse and follow instructions from the Calvert County Sheriff's Office and bailiffs of the Courthouse.

For further details regarding Judge Chandlee's Administrative Order and the policies and procedures of the Circuit Court, please visit the Circuit Court for Calvert County website at <http://circuitcourt.co.cal.md.us/>. The Amended Administrative Order of Chief Judge Barbera and the Administrative Order of Judge Chandlee shall be posted on the website as well as at the Courthouse.

Essential court personnel will be available to the public by telephone between the hours of 8:30 a.m. to 4:30 p.m. Maryland Electronic Court (MDEC) continues to be available for electronic filing and is required to be used for all MDEC counties. For pleadings not required to be filed electronically, filings will be received by mail and may be received via drop box installed in the rear parking lot of the courthouse.

Any questions or concerns relative to cases or proceedings should be directed to:

- Circuit Court: 410-535-1600
- District Court: 443-550-6700

Calvert County Government continues to take precautionary measures to slow the spread of COVID-19 and limit the number of people infected. Residents, employees and media are encouraged to monitor Calvert County's virtual resource center for updates and information resources: www.CalvertCountyMd.gov/Coronavirus.

Updates will continue to appear on the Calvert County Government website, www.CalvertCountyMd.gov, Facebook page at www.facebook.com/CalvertCountyMd and Comcast Channel 6.

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