

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**



FISCAL YEAR 2018 ANNUAL REPORT

**THE JUDICIAL BUSINESS OF THE
DISTRICT OF MARYLAND**

DISTRICT JUDGES

(One Vacancy)

Active Judges

Richard D. Bennett
Catherine C. Blake
James K. Bredar, Chief
Theodore D. Chuang
Paul W. Grimm
George Jarrod Hazel
Ellen L. Hollander
George L. Russell, III
Paula Xinis

Senior Judges

Deborah K. Chasanow
Marvin J. Garbis
Peter J. Messitte
J. Frederick Motz
Roger W. Titus

MAGISTRATE JUDGES

(No Vacancies)

Full-Time

A. David Copperthite
J. Mark Coulson
Charles B. Day
Thomas M. DiGirolamo
Stephanie A. Gallagher
Beth P. Gesner, Chief
Gina L. Simms
Timothy J. Sullivan

Part-Time

C. Bruce Anderson

Recalled

Susan K. Gauvey
Jillyn K. Schulze

BANKRUPTCY JUDGES

(No Vacancies)

Active Judges

Nancy V. Alquist, Chief
Thomas J. Catliota
Robert A. Gordon
Michelle M. Harner
Wendelin Lipp
David E. Rice
Lori S. Simpson

Recalled Judges

E. Stephen Derby
Duncan W. Keir
James F. Schneider

COURT UNIT EXECUTIVES

Felicia C. Cannon, Clerk, U.S. District Court
Mark A. Neal, Clerk, U.S. Bankruptcy Court
William Henry, Chief, U.S. Probation and Pretrial Services

COURTHOUSES AND FACILITIES OF THE DISTRICT OF MARYLAND



**Northern Division Courthouse
Baltimore, Maryland**



**Southern Division Courthouse
Greenbelt, Maryland**



**Courtroom, M.R. Toulson Federal Building
Salisbury, Maryland**

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MILESTONES

The United States District Court for the District of Maryland passed numerous milestones during the 2018 fiscal year. On October 1, 2017, due to the retirement of Chief Magistrate Judge William Connelly in September 2017, Magistrate Judge Beth P. Gesner assumed the responsibilities of Chief Magistrate Judge. On October 6, 2017 the court held a joint ceremony to unveil the portrait of District Judge Catherine C. Blake and to celebrate the appointment of District Judge James K. Bredar as Chief Judge for the District of Maryland.

In October 2017, the District of Maryland mourned the sudden passing of Robert (Bob) Karaska, Courtroom Services Supervisor in Baltimore. Bob had been with the judiciary for more than twenty-seven years and with our district for eleven years. Bob left behind his wife Christine and son Patrick. On October 21, 2017, a celebration of Bob's life was held at the River Watch in Essex, MD. Judge Blake spoke on behalf of the court.

On October 24, 2017, the district held a breakfast for District Judge William M. Nickerson, his law clerk Richard Ames-Ledbetter and Judicial Assistant Barbara Fox. Judge Nickerson retired on September 30, 2017 after more than twenty-seven years of dedicated service to the court; Richard Ames-Ledbetter retired on September 29, 2017 after twenty-five years of service to the court; and Barbara Fox retired on January 20, 2017 after seven years of service to the court.

On December 4, 2017, the Honorable Alexander Harvey II passed away at the age of 94. Born and raised in Baltimore, Judge Harvey was in the United States Army during World War II, from 1943 to 1946. He received a Bachelor of Arts degree from Yale University in 1947, and a Bachelor of Laws from Columbia Law School in 1950. He was in private practice of law in Baltimore from 1950 to 1966, and he was an assistant state attorney general of Maryland from 1955 to 1957. On September 9, 1966, President Lyndon B. Johnson nominated Judge Harvey to a seat on the United States District Court for the District of Maryland vacated by Judge Harrison Lee Winter. Judge Harvey was confirmed by the United States Senate on September 22, 1966 and received his commission the same day. He served as Chief Judge from 1986 to 1991. He assumed senior status on March 8, 1991 and took inactive status on January 30, 2004.

On December 8, 2017, the court held an investiture ceremony for newly appointed Magistrate Judge Gina L. Simms. Judge Simms, who was sworn in at an informal ceremony on November 20, 2017 was appointed to replace Chief Magistrate Judge William Connelly.

On March 2, 2018, the district held a retirement celebration for Barbara Childs, former Judicial Assistant to Judge Blake. Barbara retired on February 22, 2018 after more than thirty years of service to the District of Maryland.

On May 18, 2018, the district and magistrate judges sat *en banc* for the investiture ceremony for newly appointed U.S. Attorney for the District of Maryland, Robert Hur. U.S. Attorney Hur, who was sworn in at an informal ceremony on April 9, 2018, was appointed to replace former U.S. Attorney for the District of Maryland, Rod Rosenstein.

On September 25, 2018, the district held a retirement luncheon for Courtroom Deputy, Howard Goldsmith. Howard retired on September 17, 2018 after more than thirty-seven years of service to the District of Maryland.

COURT ORGANIZATION AND GOVERNANCE

The federal bench in Maryland has a long history of collegiality in conducting the business of the district. The district judges in both divisions maintain regular contact through weekly video-conferenced bench meetings. On the first Wednesday of each month, magistrate and bankruptcy judges, court unit executives, representatives of the United States Attorney's Office, the Federal Public Defender's Office, the United States Marshal Service, GSA, pro se staff attorneys, the Federal Bureau of Prisons, court reporters, and CJA Coordinating Attorney join the district judges in a consolidated bench meeting.

The court strives to focus on continuous communication and coordination of operations between its different divisions and court units. It relies on a strong committee system that actively involves judges, clerk's office personnel and members of the local bar. Frequent meetings, including those among the unit executives, are an essential part of the court's administration. The court units – the District Court, the Bankruptcy Court, and the consolidated Probation and Pretrial Services office – work closely together to manage the resources of the district. The unit executives meet formally and informally with the chief judge and each other to discuss budget and case management issues affecting the district.

Amendments to Local Bankruptcy Rules 3012-1, 3012-2, 3015-1, 3015-2, 3015-4, 4001-3, and 4003-2; Local Forms H, L, M (Chapter 13 Plan), M-1, and M-2; and Appendix F to the Local Bankruptcy Rules were drafted by the Bankruptcy Court, published for public comment and implemented with an effective date of December 1, 2017.

BENCH/BAR RELATIONSHIPS

Cooperative efforts among the bench and bar continue with regular committee meetings, including the Attorney Admissions Fund Committee, the Bench-Bar Liaison Committee, and the Bankruptcy Bar Association/District Court Liaison Committee. At these meetings, committee members address court business, review local rules and procedures, and plan educational programs throughout the year in which the district's judges actively participate. The court holds a biennial Bench-Bar Conference, which includes the presentation of an award recognizing an attorney, law firm, or group of attorneys for outstanding service to the court.

On October 20, 2018, the biennial Bench-Bar Conference was held in the Greenbelt Courthouse. Attorney Gregory K. Wells, Attorney Harmon (Monty) L. Cooper, Attorney Elizabeth M. Hewlett, Attorney Timothy F. Maloney, Attorney Joseph M. Sellers, Attorney Linda Hitt Thatcher and Attorney Gail M. Thomas were presented with the Bench-Bar Exceptional Service Award.

COMMUNITY AND INTERNATIONAL OUTREACH

Community

Several of the district's judges serve on committees governing the administration of the federal courts. Chief Bankruptcy Judge Nancy V. Alquist completed her service as the Fourth Circuit Representative Member of the Board of Governors for the National Conference of Bankruptcy Judges in October 2017, while Bankruptcy Judge Thomas J. Catliota continues to serve as the Chair and the Fourth Circuit Representative on the Bankruptcy Judges Advisory Group.

In the fall of fiscal year 2018, Bankruptcy Judge Wendelin Lipp, Bankruptcy Judge Robert A. Gordon, Bankruptcy Judge Michelle M. Harner and Judge Catliota participated in the Consumer Bankruptcy Training and Pro Bono/Debtor Assistance Project (DAP) Seminar sponsored by the Maryland Bankruptcy Bar Association. By invitation of the Maryland Attorney General's Office, Judge Gordon made a two-hour presentation on Bankruptcy Best Practices. Also, during the fall of fiscal year 2018, District Judge Marvin J. Garbis and Attorney Paul M. Sandler hosted a Legal Aid Advocacy Program in the Baltimore Courthouse.

The court hosted educational programs for several schools, university visitors and legal professionals throughout the year. In November 2017, Magistrate Judge Stephanie A. Gallagher hosted the annual Open Doors program in Baltimore. The program, which was organized and hosted by Magistrate Judge Susan K. Gauvey for over a decade, introduces students from various local high schools to the federal judiciary system, and includes mock trials and discussions with unit executives and judges. Judge Gordon was again the welcome speaker and a host for the Open Doors program. Additionally, District Judge Peter J. Messitte hosted visitors from American University Washington College of Law in the Greenbelt Courthouse in the spring of fiscal year 2018.

In December 2017, holiday open houses and staff holiday luncheons were held in the Baltimore and Greenbelt Courthouses to thank staff members of all court units and members of the bar for their commitment and dedication to the court throughout the year. The District Court also held the annual Employee Recognition Luncheon in both divisions in December 2017.

The Bankruptcy Clerk's Office, led by Director of Operations Kelly Grant, and the Chapter 13 Trustees conducted training sessions in Baltimore and Greenbelt on the December 1, 2017 amendments to the Bankruptcy Rules, Local Bankruptcy Rules, and Chapter 13 Form Plan, as well as the new and revised CM/ECF entries relating to the amendments. More than 250 individuals attended one of the five training sessions.

In December 2017, Judge Catliota participated in a Federal Judiciary Diversity Symposium sponsored by the Committee on the Administration of the Bankruptcy System of the Judicial Conference in Washington, DC. He also traveled to San Diego, California in the spring of 2018 to participate in this symposium.

On February 24, 2018, Bankruptcy Judge Lori S. Simpson and her chambers staff volunteered at the Pathfinders for Autism Night at the National Aquarium, in lieu of a chambers holiday party. Judge Simpson and her staff handed out maps and helped direct families with children on the autism spectrum through the aquarium, in an event that provides use of the entire National Aquarium in Baltimore and is free for all families who register.

On April 13, 2018, the Maryland Chapter of Federal Bar Association hosted a luncheon at the Hyatt Regency in Baltimore honoring Judge Bredar's appointment to Chief Judge, Judge Blake's completion of her tenure as Chief Judge, and the appointment of Bankruptcy Judge Michelle M. Harner and Magistrate Judge Simms to the bench. Judge Bennett served as master of ceremonies. William C. Brennan, Esquire received the Peter A. DiRito award in recognition of his distinguished career and selfless dedication, especially in defense of individuals facing the death penalty. Additionally, on April 20, 2018, the Maryland Chapter of the Federal Bar Association hosted the Introduction to Federal Practice program in the Baltimore Courthouse.

The bankruptcy judges had a very active spring and summer in fiscal year 2018. In May 2018, Judge Simpson and her chambers participated in Career Day at Riverdale Elementary School and spoke to 6-8th graders about the law and the various roles in chambers. In June 2018, Judge Gordon attended the Turnaround Management Associates Mid-Atlantic Regional Symposium in Philadelphia, PA, and participated on the judge's reorganization "hot topics" panel with judges from Newark, NJ, Wilmington, Delaware and Philadelphia, PA. In August 2018, Chief Judge Alquist and Bankruptcy Judge David E. Rice participated in the American Bankruptcy Institute's 13th Annual Mid-Atlantic Bankruptcy Workshop held in Hershey, Pennsylvania. On August 23, 2018, Judge Catliota appeared on the Eye on Bankruptcy series sponsored by the Rochelle News and the American Bankruptcy Institute.

The Bankruptcy Court continued to provide support to the University of Maryland Francis King Carey School of Law's clinical program, Consumer Bankruptcy: Legal Theory and Practice, which entered its third year in fiscal year 2018. This clinical law program assists low income individual debtors in various aspects of the bankruptcy process, including the preparation and filing of Chapter 7 and Chapter 13 bankruptcy petitions and the resolution of issues that arise in those cases. The program further enables students to learn substantive law and represent debtors, under the supervision of licensed attorneys. On August 22, 2018, Judge Harner and the Bankruptcy Clerk of Court Mark Neal presented a bankruptcy law primer to students participating in the clinical law program, and on August 27 staff from the Clerk's Office, including Director of Operations Kelly Grant, provided the students with training and a demonstration on the court's CM/ECF system. Chief Judge Alquist, Judge Catliota, Judge Rice, and Judge Harner also made special presentations to the clinical students as part of the students' core curricula.

The District Court Clerk's Office continued to arrange for federal agencies to use courtrooms for events and trainings in fiscal year 2018. The Baltimore Courthouse hosted the Maryland Commission on Civil Rights meeting, which concluded with a tour of the Civil Rights exhibit led by Attorney Linda Hitt Thatcher. Magistrate Judge David A. Copperthite hosted a Bureau of Prisons (BOP) Leadership Conference in April 2018. The district also hosted the U.S. Attorney's Office training day and U.S. Attorney's awards ceremony in the Baltimore Courthouse. Federal Public Defender Jim Wyda and CJA Attorney Maureen Essex continue to host annual CJA

Panel Trainings in the Baltimore and Greenbelt courthouses.

In fiscal year 2018, the District of Maryland continued its practice of inviting the arts into the courthouses in both divisions. District Judge Ellen L. Hollander hosted a violin performance by her former intern Eddie Skolnick. Mr. Skolnick was accompanied by soprano, Tara Ohrtman. The Greenbelt Courthouse hosted several arts related events including the reception for featured photographer Ben Barber, the reception for the Annapolis Quilt Guild art exhibit, the reception for the University of Maryland University College art reception and the art exhibition for artist Diane Tuckerman. Since its inception in 1996, the District Court's art program at the Greenbelt Courthouse has contributed greatly to our region's cultural environment. The original purpose of the program was to feature works by Maryland artists, but over the years, it has expanded to include international art as well.

During fiscal year 2018, the District Court continued its commitment to providing law clerks and summer interns with the tools they need to assist judges, foster close relationships with the bench and its clerks, and to show its appreciation for the vital services the law clerks provide. The annual judges, law clerks, and interns summer softball game took place in June at Centennial Field in Ellicott City. In the same month, Judge Hollander, District Judge Richard D. Bennett, District Judge Paul W. Grimm, Magistrate Judge J. Mark Coulson and Judge Copperthite hosted brown bag luncheon training sessions for their summer interns. Additionally, Judge Grimm hosted an Employment Law Seminar followed by an active shooter training presented by the U.S. Marshal service for the law clerks, summer interns, and chambers staff in the Greenbelt Courthouse.

In June 2018, the Greenbelt Courthouse hosted the law clerk ceremony as a thank you to the service of the exiting law clerks. The new law clerk year began in September 2018. The annual Hargrove Breakfast for incoming law clerks was held on September 17, 2018. This annual tradition is hosted by the bench in memory of District Judge John R. Hargrove, Sr. who worked tirelessly to support the collegiality of the bench and the enrichment of the lives of law clerks who served this court. The breakfast was followed by both an educational program on discovery conducted by Judge Grimm and an active shooter training presented by the U.S. Marshal Service for all incoming law clerks.

International Outreach

On October 12, 2017, Bankruptcy Judge Catliota and the Clerk's Office staff hosted a delegation of Chinese judges at the Greenbelt courthouse. The delegation was sponsored by the U.S. Embassy and made up of representatives from China's Supreme People's Court (SPC), primarily bankruptcy judges. According to embassy officials, this was a senior delegation that included the head of the SPC division overseeing bankruptcy, as well leading bankruptcy judges from provinces at the forefront of China's bankruptcy reform. Judge Catliota provided an overview of bankruptcy, focusing primarily on the Chapter 11 process. Members of the Clerk's Executive Management Team, including the Clerk Mark Neal, Chief Deputy Clerk Thomas Kearns, then Director of Operations Betty Giddings, then Division Manager Kelly Grant, and Division Manager Evangeline Alexandris provided the delegation with selected bankruptcy statistics, an overview of the Clerk's Office operations, and a synopsis of our CM/ECF system.

During fiscal year 2018, Judge Bennett hosted a delegation from the Republic of Georgia and visitors from Serbia in the Baltimore Courthouse. Judge Messitte hosted visiting federal judges from Brazil and prosecutors from Myanmar in the Greenbelt Courthouse. The Greenbelt Courthouse also welcomed a group of visiting criminal justice officials in support of an American Bar Association (ABA) sponsored event.

Chief Judge Alquist traveled to Casablanca, Morocco in September 2018 to participate in a program providing multilateral training with MENA region judges from countries with newly enacted or soon to be enacted insolvency laws, including Saudi Arabia, Tunisia, Morocco, Bahrain, and Kuwait.

DISTRICT COURT

General Case Statistics

During the fiscal year ending September 30, 2018, 3,949 civil cases were filed as compared to 3,731 civil case filings in fiscal year 2017. Our criminal cases remained consistent, with 539 filings (involving 764 defendants) at the end of September 2018, compared to 529 criminal cases (involving 781 defendants) filed in fiscal year 2017. The judges also closed 3,681 civil and 521 criminal cases during this fiscal year. As of September 30, 2018, our district weighted case filing per judgeship was 478 as compared to 446 at the end of September 2017.

Multidistrict Litigation

The District of Maryland has one pending multidistrict litigation (MDL) case, In Re Smith & Nephew Birmingham Hip Resurfacing (BHR) Hip Implant Products Liability Litigation (MDL 2775), which was certified and transferred to our district on April 5, 2017. The case is assigned to Judge Blake and currently has over 500 pending cases.

Intercircuit Assignments

Our district judges continued our district's longtime practice of assisting other courts by offering to serve on intercircuit assignments throughout the year. In November 2017, Judge Titus sat with the U.S. Court of Appeals for the Eleventh Circuit and anticipates accepting future intercircuit assignments. In May 2018, Judge Garbis served as a visiting appellate judge on the U.S. Court of Appeals for the Ninth Circuit in Portland, OR.

Civil Justice Reform Act Reporting

The District Court, which consistently performs well in managing its pending caseload, reported 29 pending motions for six months or longer on the March 31, 2018 report and four pending motions on the September 30, 2018 report. The bench also reported 49 cases pending three years or more on the March 31, 2018 report and 37 cases pending three years or more on the September 30, 2018 report.

Death Penalty Litigation

With the exception of the case *United States v. Lighty* (PJM-03-0457), the following cases were pending a determination by the Department of Justice regarding pursuit of the death penalty. For *United States v. Lighty*, a motion to vacate under 28 U.S.C. § 2255 is pending.

(1) *United States v. Lighty* (PJM-03-0457)

Judge Peter J. Messitte

Counsel: Seth Rosenthal and Julie Brain

(2) *United States v. Taylor* (CCB-16-0597)

Judge Catherine C. Blake

Counsel: unassigned – Mr. Taylor has not been apprehended

(3) *United States v. Flores-Ventura* (JKB-18-0070)

Judge James K. Bredar

Counsel: Lawrence Woodward

(4) *United States v. Argueta-Bermudez* (JKB-18-0070)

Judge James K. Bredar

Counsel: Edward Ungvarsky and Jenifer Wicks

(5) *United States v. Lovos-Ayala* (JKB-18-0070)

Judge James K. Bredar

Counsel: Joseph Flood and Eugene Gorokhov

(6) *United States v. Jonathan Edges* (JKB-18-0326)

Judge: James K. Bredar

Counsel: William Purpura and Christopher Purpura

Patent Pilot Project

The District Court continued its seventh year of participation in a ten-year national pilot program for studying patent cases. In fiscal year 2018, seven new patent cases were filed in the district, three of which (or approximately 43%) were either initially assigned or randomly reassigned to one of our three patent pilot judges: Judge Garbis, Judge Titus and District Judge George J. Hazel. The following chart shows the District Court's patent case statistics for the year ending on September 30, 2018, as well as the statistics for the two prior fiscal years.

	2016	2017	2018
Patent Cases (NOS: 830)	17*	10*	7*
Patent Cases Assigned or Reassigned to Patent Judges	9	5	3
Percent of Patent Cases with Patent Judges	53%	50%	43%

***Excluding multidistrict litigation assignments**

Magistrate Judge Statistics*

Various federal arresting agencies issued 20,745 new misdemeanor and petty offense citations in fiscal year 2018, and 10,083 of these were referred to our court. The magistrate judges presided over 3,259 mandatory appearances, and 6,824 collateral appearances. Dispositions were reached as to 25,963 citations. Of the fines issued by magistrate judges, \$1,934,782.04 has been collected.

***NOTE** - *The above Central Violations Bureau (CVB) totals are based on the date/time the reports are run. If any transmission, updates, payments received, payments moved, or corrections are done during the day (back dated, it will affect the totals. In addition, CVB does data entry all day of new violations and many of those violations could be from a past issue date as old as May, June (possibly older.) For FY 2017, the reports were run on 3/19/18, much later after the close of the 2017 fiscal year – this is probably why FY 2017 numbers are higher than this year’s numbers.*

United States Magistrate Judge Statistics Preliminary Felony Matters FY 2018

	Initial Appearances	Detention Hearings	Arraignments	Arrest Warrants	Search & Seizure Warrants	Criminal Complaints
Northern Division	773	301	389	731	1,404	116
Southern Division	412	229	251	578	657	161
TOTAL	1,185	530	640	1,309	2,061	277

The magistrate judges play an integral role in management of the civil docket of the District Court. With the consent of the parties, the magistrate judges may conduct all proceedings, including jury trials in all types of civil cases. During the past year, consents were filed in 759 cases (452 of which were Social Security Administration appeals). Magistrate judges also handled 69 referrals for discovery motions, 117 referrals for post-judgment matters, and 689 referrals for other reasons (primarily settlement conferences).

One of the primary responsibilities of magistrate judges is holding settlement conferences. In fiscal year 2018, the magistrate judges conducted 671 Settlement/Mediation conferences. This program has been very successful because the magistrate judges devote the time necessary to master the record and explore settlement in depth with the parties and counsel. The court frequently receives letters from counsel expressing gratitude for the assistance of magistrate judges in resolving seemingly intractable cases.

Interpreter Statistics

Language	Event(s)	Cost
American Sign Language	8	\$3,415
Amharic	3	\$1,020
Arabic	1	\$291
Fante	22	\$13,939
French	3	\$678
Hebrew	1	\$226
Korean	2	\$758
Mandarin	4	\$1,295
Nepali/Nepalese	8	\$4,100
Nigerian/Yoruba	1	\$340
Portuguese	1	\$487
Punjabi	1	\$520
Romanian	7	\$3,283
Spanish	417	\$128,230
Swahili	2	\$644
Thai	4	\$1,286
Turkish	3	\$751
Urdu	15	\$8,110
Vietnamese	6	\$2,910
TOTAL	509	\$172,282

Clerk's Office

Finance

The finance office managed the deposit fund of \$8,890,708.37 and registry funds with a balance of \$3,928,441.93 as of September 30, 2018. The District Court continued to maintain a non-appropriated attorney admissions fund and the balance on this account was \$295,920.63 as of the end of September 2018.

Finance has been busy this year with a number of projects. We started off the year working with the USAO to update expired cases in the Civil/Criminal Accounting Module (CCAM). Now both agencies agree on which cases are closed. Our next project was to work on streamlining Prison Litigation Reform Act (PLRA) cases. We are in the process of cleaning up prison information in CM/ECF with using Rest Assured as a streamlining tool to process PLRA cases more efficiently. Our last project (which is still in progress) is to have an online web tool for victims that are owed restitution. Victims will eventually be able to locate money that is being held in our district.

Human Resources

Community Outreach

The Human Resources department of the Clerk's Office coordinated and processed the paperwork for the annual Combined Federal Charities campaign, which provides staff the opportunity to donate to their favorite charities through payroll deduction. To help support the Combined Federal Charities Campaign even further, the Human Resources department held a sports memorabilia silent auction to raise funds for The Ronald McDonald House.

Staffing

In fiscal year 2018, the District Court Clerk's Office was allotted 110 positions, including court reporters and pro se staff attorneys. This year's budget allowed the Clerk's Office to continue to fill additional vacancies and the Clerk's Office increased on-board staffing from 94 positions in fiscal year 2017 to 96 positions in fiscal year 2018. The Clerk's Office continued to examine job responsibilities and workflows prior to making any hiring decisions.

This fiscal year, the District Court welcomed Judge Simms; P. Olivia Ziegler and Stephanie James as Judicial Assistants; Hilda Espino-Palma, Sade Parker, Kadeem Moore, and Daniel Santos as Generalist/Case Administrators; Shaneik Downs, Tahshia Singletary and Dianne Solomon as Courtroom Deputy Clerks; Court Reporter Patricia Mitchell; Byung Kim as Court Technology Specialist; Brett Ginski, Azzi Riad and Youssef Zaki as IT Technicians; Sherron Bullock and Kristzian Mazo as Procurement Technicians; and Human Resources and Finance Technician Vangelis Alexandris.

The District Court prides itself on promoting from within whenever there are qualified internal applicants. During the 2018 fiscal year, Theresa Derro was promoted from Case Administrator to Courtroom Deputy Clerk; Camille Powell was promoted from Courtroom Deputy Clerk to Courtroom Services Supervisor; and Katie Nader was promoted from Acting Case Administration Supervisor to Case Administration Supervisor.

During the 2018 fiscal year, the District Court bade farewell to several judges and staff members. In Baltimore, Judge Garbis retired on June 25, 2018. Additionally, Barbara Childs and Mary Ellen Claypoole, Judicial Assistants, Sandra Berenson, Pro Se Staff Attorney, Jacqueline Sovich, Court Reporter and Courtroom Deputy Clerk Howard Goldsmith also retired. In the Clerk's Office, Sherron Bullock, Procurement Technician; Michael Garces, Courtroom Technology Specialist; Brett Ginski, IT Technician; Jacob Harner, Executive Assistant; Brandon Mottley, Courtroom Deputy Clerk; Amanda Otto, Case Administrator and Nigel Roberts, IT Technician left the court to pursue other opportunities.

Additionally, the Clerk's Office is responsible for the entrance and exit of all term law clerks for the District Court, as well as the law clerks for the Fourth Circuit judges based in Maryland. In fiscal year 2018, human resources staff prepared exit paperwork and conducted individual exit interviews for 32 law clerks leaving the court. During the same period, entrance paperwork, form processing, orientations, and individual meetings were prepared and conducted for 32 incoming District Court law clerks and 10 Fourth Circuit law clerks.

Policies and Procedures

In October 2017, the Human Resources department prepared for the implementation of HRMIS Leave Tracking by pulling data from our aging ELMO leave tracking program and creating a variety of training materials. After further review, it was decided to delay the implementation of HRMIS Leave Tracking until the next fiscal year.

Throughout fiscal year 2018, the Human Resources department continued its collaborative cyclical review of the court's employee policies and procedures. Several of these policies were posted for employee comment before the proposed changes were approved and finalized.

Training

On June 29, 2018, Clerk's Office staff traveled to Savage Mill to participate in an all-day training event. Dan Morton, Maryland U.S. Marshal's Office, presented the morning session entitled, Civilian Response to Active Shooter Events. The lesson was thought provoking and allowed employees to reflect on how they might and should respond in an active shooter situation both in the office and in their regular lives. The afternoon session was on Adaptive Leadership and was delivered by Michele S. Jones. The training included breakfast and lunch and afforded staff from both divisions to meet, mingle and work together during the group exercises.

In addition to the office-wide training sessions, the human resources staff continued to take opportunities to stay current on HR and benefits issues that affect staff. During fiscal year 2018, David Ciambuschini, Legal Advisor and Tina Stavrou, Human Resources Administrator, along with other members of the Clerk's Office attended the Federal Court Clerks Association (FCCA) conference in Philadelphia, PA where a variety of topics were presented. HR staff has also participated in various WebEx programs on a vast array of human resources topics and policies throughout the fiscal year.

Information Technology

During fiscal year 2018, the District of Maryland continued to improve technology services within the courtrooms. The court technology specialist upgraded the courtroom audio to digital in six courtrooms. The new installation of Baltimore courtrooms 7B and 7C were completed. In addition, the Salisbury courtroom technology was upgraded. The court technology specialist began a multi-year upgrade of the control panel – annotation system, as well as, the installation of USB audio extenders which enables the removal of outdated FTR mixers. All courtroom Biamp units were upgraded to the most recent firmware version. The court technology specialist and programmer analyst collaborated to develop a courtroom control system status webpage, which is available on our intranet, Embark, for monitoring purposes.

The programmer/analyst enhanced the Courthouse Services Management System, CSMS. Version 2.0 was released with general enhancements and a new parking management module. To assist with the movement of prisoners, the programmer/analyst developed several automated calendar reports that are delivered daily to the U.S. Marshals. The locally developed purchase request system was shared with five additional court districts. The multiyear project to move the court information kiosk to a stable updated platform was completed. Other enhancements were

completed for locally used software, such as Elmo and event registration management.

The District Court IT help desk continued to provide day-to-day support to meet the mission of the court, implemented new equipment and supported multiple user relocations due to construction projects. The IT help desk and programmer/analyst assisted the NSS team with the MD domain consolidation project. The IT help desk continues to provide courtroom audio and video to overflow locations to support high-profile court hearings. The IT help desk provided custom support on a monthly and quarterly basis for a high-profile case. The Bankruptcy and District courts began the multiyear UNIFY project that will move the district to Microsoft Office 365 and then to Outlook. The IT team continues to provide support for investitures, various ceremonies, and FBA events.

Jury

Petit Jury

Trial jurors for our district are typically summoned to serve for a one-month or one trial term of service. During fiscal year 2018, 8,650 jurors were summoned for jury service. A total of 3,486 trial jurors reported to the court for participation in 74 jury trials. There were 46 jury trials held in criminal cases, and 28 in civil cases. Below is a comparison of the last three years.

FY 2016	FY 2017	FY 2018
3,408 jurors reported 73 jury trials (45 cr/28 cv) 10,849 jurors summoned	2,425 jurors reported 57 jury trials (26 cr/31 cv) 12,000 jurors summoned	3,486 jurors reported 74 jury trials (46 cr/28 cv) 8,650 jurors summoned

Grand Jury

The District of Maryland has five active grand juries, two convening in Greenbelt and three sitting in Baltimore. During the fiscal year, 4,254 grand jurors spent 1,134 hours in session. The grand juries convened for a total of 215 days. Below is a comparison of the last three years.

FY 2016	FY 2017	FY 2018
4,003 grand jurors convened on 196 days, spending 1,123 hours in session	4,196 grand jurors convened on 206 days, spending 1,209 hours in session	4,254 grand jurors convened on 215 days, spending 1,134 hours in session

Five new grand juries were selected during FY 2018, three in Greenbelt and two in Baltimore. The five departing grand juries were given an appreciation luncheon and certificates of appreciation.

Naturalization

Naturalization ceremonies are held in both Baltimore and Greenbelt Courthouses. In general, the ceremonies are scheduled twice monthly in Baltimore, and once a month in Greenbelt. Thirty ceremonies were held in FY 2018. In Baltimore, there were 972 applicants for citizenship. Greenbelt received 395 applicants. All were sworn in as new citizens, totaling 1,367 citizens naturalized for the year, below is a three-year comparison.

FY 2016	FY 2017	FY 2018
1,405 citizens naturalized 31 ceremonies	1,476 citizens naturalized 31 ceremonies	1,367 citizens naturalized 30 ceremonies

On March 8, 2018, Chief Magistrate Judge Gesner presided over a special ceremony in the Baltimore Courthouse. The fourth-grade class of Severn School participated. The students researched the countries represented and their own heritage and delivered speeches on the importance of the day.

Students from Gilman School visited our court to participate in the naturalization ceremony on April 12, 2018. Students from Garrison Forest School participated on May 3, 2018. Judge Gallagher presided over both ceremonies.

The League of Women Voters of Maryland and the Daughters of the American Revolution continue to participate with a post ceremony reception and assisting new citizens with registering to vote.

Procurement

In fiscal year 2018, the Procurement department prepared approximately 1,005 obligations totaling more than \$10 million.

These obligations included several furniture procurements including the purchase of new courtroom furniture for the newly renovated Baltimore courtrooms 7B and 7C. Contract awards for I.T. related initiatives were also issued including purchase orders for equipment needed as part of the Jury Evidence Recording System (JERS) pilot program as well as contracts for several courtroom technology upgrades.

Additionally, the department also oversaw the solicitation, negotiation and award of several unique and new contracts. These procurements included a contract for parking services for the new employee parking program as well as a purchase order for court reporting services for Central Violations Bureau (CVB) dockets held at the Wicomico County Circuit Courthouse in Salisbury, Maryland.

Space & Facilities

In fiscal year 2018, the Space and Facilities managed a list of projects for the Greenbelt Courthouse that were funded in fiscal year 2017. The projects consisted of the reconfiguration of the 2nd floor Clerk's Office, the cyclical maintenance/kitchen renovation of two district judges'

and one magistrate judge's chambers. We also committed to several new projects for Greenbelt in 2018. These projects include the renovation of one magistrate judge's chamber and cyclical maintenance of all six jury deliberation areas.

In the Baltimore Courthouse, Space and Facilities managed a considerable list of projects that were funded in prior fiscal years. The list began with the construction management of two district courtroom projects that were completely demoed back to the concrete shell and three district judges' chambers renovations. New Baltimore projects consist of updating the existing judges' elevator control system, cyclical maintenance of all twelve jury deliberation areas, renovation of the Chief Judge's chambers, and cyclical maintenance of existing fourth floor server room.

BANKRUPTCY COURT

The Bankruptcy Court is staffed by seven active judges and three recalled judges as of the end of fiscal year 2018.

On April 3, 2018, by Multi-District Designation from the U.S. Court of Appeals for the Fourth Circuit and the U.S. Court of Appeals for the District of Columbia Circuit, Judge Lipp was assigned and designated to hold Bankruptcy Court in the District of Columbia as needed when The Honorable S. Martin Teel, United States Bankruptcy Judge for the District of Columbia is unavailable to adjudicate matters.

On April 10, 2018, Chief Deputy Clerk Thomas Kearns, Director of Operations Kelly Grant and Division Manager Evangeline Alexandris participated in Chapter 7 trustee training organized and hosted by the Baltimore Office of the United States Trustee. Mr. Kearns, Ms. Grant and Ms. Alexandris made presentations on filing statistics, unclaimed funds procedures, processing of fee applications and final reports, the new Chapter 13 form plan, and the December 1, 2018 Bankruptcy Rule changes.

Throughout fiscal year 2018, the judges of the court as well as the Clerk actively participated in events sponsored by the Bankruptcy Bar Association for the District of Maryland (BBA). The judges and the Clerk participated at the BBA's annual Spring Break continuing legal education seminar held in Annapolis in May. In September, Chief Judge Alquist and the Clerk addressed the BBA's Baltimore chapter about the state of the court. Judge Catliota, Judge Simpson and the Clerk made a similar presentation in September to the BBA's Greenbelt chapter. In June, Judge Rice and the Clerk attended the Maryland State Bar Association Consumer Bankruptcy Section's Spring Banquet where the Clerk provided bar members an update on the Clerk's Office and Chapter 13 procedures.

Judge Gordon and Judge Simpson are members of the ad hoc Pro Se Committee, chaired by Dr. Elizabeth Wiggins of the Administrative Office for the U.S. Courts (AOUSC). The Committee is analyzing issues relating to pro se filings and pro se assistance. Among other things, the committee facilitated the AOUSC's first ever survey of Maryland pro se debtors, asking a range of survey questions focused upon the whys and hows behind their choice not to retain an

attorney.

The Bankruptcy Court continues to enjoy a collegial relationship with the District Court. The Bankruptcy Court collaborates with the District Court on matters of mutual interest through a number of committees that meet regularly throughout the year, including Budget, Attorney Admission Fund, Bankruptcy Bar Association/U.S. District Court Liaison, Disciplinary & Admissions, IT, Security and Related Facilities.

Bankruptcy Case Statistics

Bankruptcy case filings in the district continued to be strong in fiscal year 2018, with 17,288 new bankruptcy cases and 513 new adversary proceedings filed. That number consists of 11,518 Chapter 7 liquidation filings; 5,625 Chapter 13 individual reorganization filings; 142 Chapter 11 business individual complex reorganization filings; and 3 Chapter 12 family farmer filings. In contrast to nationwide case filings, which dipped slightly in fiscal year 2018, the district experienced a two percent increase in total filings over fiscal year 2017. The overall increase in new case filings in the district from fiscal year 2017 to 2018 provides some evidence that the multi-year downward trend in new filings may be over in Maryland and nearly over nationwide.

One of the most significant burdens on the Court and Clerk's Office continues to be the extremely high number of bankruptcy cases filed without the assistance of counsel. For the year ending September 30, 2018, just over 20% of all bankruptcy cases were filed in the district pro se. The overall rate of self-represented filings in the district in Chapter 7 and Chapter 13 cases has risen sharply since 2011 and has been over 20% for four consecutive years. The district continues to rank as one of the top pro se filing districts nationwide.

Bankruptcy Clerk's Office

The court held its seventh annual Community Service Day on May 4, 2018. Numerous staff members volunteered at the following organizations: SS John W. Brown, Ronald McDonald House, Maryland Food Bank, and Manna Food Center.

The Court's Strategic Training Committee provided staff members with numerous opportunities to enhance professional development throughout the year. This year the committee developed a class focused on customer service. In addition, the committee celebrated Diversity Month by hosting weekly events such as a diversity round table discussion and book discussion.

Led by Director of Operations Kelly Grant and Division Managers Evangeline Alexandris and Amber Sauria, the Clerk's Office implemented the "R3 Initiative", which stands for renew, revive, and restore. The goals of the initiative were to improve work procedures, to increase access to resources, to enhance critical thinking skills, and to build relationships through effective communication. The initiative also encouraged collaboration and innovation. Some results of the initiative include job aids to clarify work procedures, information sessions to share best practices, and increased quality review.

Staff members participated in a variety of training and professional development opportunities at the National Conference of Bankruptcy Clerks' (NCBC) annual conference held

in New York City in August 2018. Also, at the 2018 NCBC Conference Clerk Mark Neal and Chief Deputy Clerk Thomas Kearns presented a segment titled, “A Motion to What? Bankruptcy Law Made Easy...Or You’re Money Back,” a bankruptcy law and process presentation aimed at case administrators and other non-legally trained court personnel.

Several court personnel attended the Operations Forum presented by the AOUSC in Minneapolis, MN in May 2018. Also, in April 2018 the Clerk and Chief Deputy Clerk attended the Fourth, Fifth, and DC Circuits Clerk’s Conference in Asheville, NC. In August 2018 Director of Administrative Services Diane Hydovitz attended the Human Resources Academy, presented by the AOUSC, in Washington DC. The Chief Deputy Clerk also attended the JDAO Bankruptcy Court Data Conference in San Antonio in September 2018.

In June 2018, the Bankruptcy Court recognized the hard work and dedication of its staff members at its Annual Employee Recognition Ceremony held in Baltimore, Maryland. At the event, employees were presented with various awards, including length of service, team of the year, and employee of the year. Special recognition awards were presented to staff that performed exceptional service to chambers and the public.

A reorganization of the Clerk’s Office 8th floor operations space in Baltimore continued in fiscal year 2018. The reorganization focused on redesigning parts of the space to maximize efficiency and work flow, along with procurement of new furnishings for the area, replacing the current aging systems furniture in place and improving collaboration, sound attenuation, and lighting.

For the Bankruptcy Court’s Executive Management Team (EMT), fiscal year 2018 included the retirement of Director of Operations Betty Giddings in December 2017, after 25 years of service to the Court. Baltimore Division Manager Kelly Grant was promoted from Division Manager to Director of Operations, and Amber Sauria, Esq. was recruited to serve as the new Baltimore Division Manager.

The Clerk’s Office also saw staffing changes with the departure of several Case Administrators, including Stephanie James to be the Judicial Assistant to Judge Blake, the retirement of Assistant Director for Information Technology Dalu Li, the hiring of Systems Administrator Pawan Oli and Case Administrator II Natalie Guerra in Greenbelt, and the promotion of Kizzy Fraser from Case Administrator I to Case Administrator II in Baltimore. Case Administrators II Laurie Arter (Greenbelt) and Chris Adams (Baltimore) were selected as the new Case Administrator Specialists, and while in their new positions they will remain on their case administrator teams, they will also be assigned more complex tasks such as managing appeals or large chapter 11 cases and will perform procurement duties up to 25% time as Level Three Contracting Officers. Case Administrator I Shari Hunt-Caldwell was selected as the first ever Lead Intake Clerk.

On June 14, 2018, several members of the Clerk's Executive Management Team hosted Judge Keitaro Takemi from the 51st Civil Division, Tokyo District Court in the Greenbelt Courthouse. Judge Takemi is currently a visiting scholar at the George Washington University Law School. Members of the EMT provided Judge Takemi with an explanation and demonstration of various electronic systems utilized by the court, such as CM/ECF, which Judge Takemi will include in an article he is currently writing for publication in Japan.

Director of Information Technology Peter Smolianski was selected as a recipient of the 2018 Director's Award for Court Operations -- Technology. This national award includes a ceremony, a high-profile announcement on the judiciary's internal JNET webpage, a cash award, and a personalized plaque. The Chief Judge and Clerk of Court nominated Mr. Smolianski because of the incredibly positive impact Mr. Smolianski has had on the Court's IT systems and operations since his arrival three years ago, and in recognition of his tireless effort and the outstanding results he has achieved to date.

Clerk Mark Neal was appointed to a two-year term on the Bankruptcy Clerks Advisory Group (BCAG) in February 2018. The BCAG provides advice to the AOUSC on issues affecting the administration of the bankruptcy system with respect to the bankruptcy clerk's offices, and among other things provides the opportunity for input into the development of policy recommendations.

Following five years of planning and a concerted four-month effort, The IT Department implemented the district's Active Directory consolidation project. Active Directory is the main system responsible for authenticating all court users, categorizing them into security groups, and then authorizing those groups to access different network resources. The new MD Active Directory consists of all former bankruptcy and district users, groups, computers, and networked devices. The work to migrate both bankruptcy court and district court resources took place over nights and weekends, with preparation and post go-live support taking place during normal business hours. Implementation of the new MD Active Directory also prepares the court for the upcoming move to the National Active Directory (NAD), and is a pre-requisite for future projects including CM/ECF NextGen and the Unify Project (Office 365).

The Greenbelt Courthouse attorney WiFi project was completed enabling WiFi service to attorneys throughout the courthouse. The IT Department oversaw the cabling, configuration, and implementation of two enterprise routers, seven Power over Ethernet (POE) switches, and over thirty Wireless Access Points (WAPs), in addition to setting up firewalls and content filtering features, registration and sign-in portals, authentication mechanisms, and monitoring routines. The Attorney WiFi service went live in Greenbelt at the end of December 2017.

Fiscal year 2018 was marked by a noticeable increase in cybersecurity activity and attacks. In one month alone, the court encountered and mitigated at least seven cybersecurity related incidents, including ransomware attempts and malicious software execution on end-user PCs. The IT Department provided information and training to end users during National Cybersecurity Awareness Month in October 2017, and throughout the year, and ran numerous phishing exercises to keep staff aware of potential cybersecurity incidents.

The audio recording and control system in each of the seven bankruptcy courtrooms was upgraded with new 10.1-inch touch panels, new conference call lines programmed into the panels and new audio servers with VoIP cards. A complete spare portable courtroom recording system was built at each courthouse to serve as a backup if the primary hardware fails. Additionally, the IT Department designed a pilot solution to improve exhibit demonstration in courtrooms. The solution allows for all parties to deposit exhibits in a common storage system, and then have them displayed in the courtroom from either of the counsel tables, while controlling all courtroom displays.

The IT Department is also leading the Baltimore shared serviced server room redesign effort. This effort includes cosmetic upgrades, such as new workbenches and fresh paint, as well as operational enhancements, such as a dry fire suppression system and static dissipative flooring. In addition, as a part of the remodel all electrical power in the server room and leading to server room panels will be readjusted as necessary in preparation for an upcoming sub-metering project.

As noted, the court continued its long-standing tradition of sharing administrative services where doing so will increase efficiencies and reduce costs for the judiciary. Toward that end, the Bankruptcy Court continued sharing agreements with the District Court for network support and shared server rooms as well as with the Probation and Pretrial Service Office for procurement services. The Bankruptcy Court also collaborated with several other bankruptcy courts extending services for support activities and various projects. Such activities included providing CM/ECF server and database support to the Bankruptcy Court for the Middle District of Pennsylvania and supporting numerous custom CM/ECF modules deployed in the judiciary. Finally, until his retirement in June 2017, a member of the Clerk's Office IT staff continued a work share agreement with the AO assisting with programming and analysis for the CM/ECF Next Gen.

PROBATION AND PRETRIAL SERVICES

Probation and pretrial services functions in the District of Maryland are consolidated under the leadership of William F. Henry. The office is organized into three departments: (i) the Pretrial Services Department, which has 15 employees; (ii) the Presentence Investigation Department, which has 20 employees; and (iii) the Supervision Department, which has 75 employees. Additionally, there are 40 employees that directly support the work of the officers in all departments. In FY 18, the office supervised approximately 3,114 individuals and conducted approximately 1,555 pretrial and presentence investigations.

Pretrial Investigators prepare reports for the court that thoroughly, yet succinctly, describe a defendant's background, identify risk factors, and recommend appropriate release conditions, or detention if warranted. Our detention rate continues to be well below the national average. Pretrial supervision officers enforce court ordered conditions, support positive change, and provide access to services that will help them be successful on supervision and beyond. The Presentence Investigation Department produces reports and responds to inquiries posed by the Court and our stakeholders in a timely and accurate fashion during the sentencing process. This is accomplished by maintaining a high level of expertise with the United States Sentencing Guidelines, and with the sentencing factors enumerated under 18 U.S.C. § 3553(a). In FY 18, the Presentence

Investigation Department experienced a 12% increase in guideline investigations completed. The Presentence Department continues to focus on increasing consistency and uniformity in writing presentence reports and conducting field work.

All officers in the Supervision Department participated in training on the Revised Violation Macro. This new version of the macro is more streamlined, and the violation behavior field populates in the petition, as well as in the memo. We obtained access to GangNet which is a cross jurisdictional gang intelligence sharing database. GangNet contains information regarding approximately 11,500 validated gang members and over 650 validated gangs within these jurisdictions. This database is useful when supervising defendants and offenders, as well as a resource for officers conducting pretrial and presentence investigations.

The Administrative Office awarded a contract to RemoteCom for computer monitoring. RemoteCom provides 24/7 active/real time monitoring of offenders' computers, monitors email, online chats, and conducts a daily analysis of defendants/offenders online and offline activities. The service is primarily used for sex offenders; however, may also be used for offenders that committed computer assisted offenses. When officers receive a report that a violation may have taken place, they log on to view and assess the contents. Prior to this contract, officers were solely responsible for monitoring offenders' computers.

In order to provide a more efficient way to collect drug test data and allow officers to view drug test results with more ease, we piloted the Administrative Office's drug test module. Based on the success of the pilot, we fully implemented the program. A Disaster Evacuation Policy was implemented for defendants and offenders. The policy provides guidance to defendants and offenders in the event a state of emergency is declared in our jurisdiction. The defendant/offender must contact their probation officer within 24 hours if she/he departed their residence and provide the address and telephone number of the location where she/he can be reached.

Officers participated in multiple training programs aimed at further developing and expanding their knowledge and skills. Much of the training attended by officers focused on substance abuse, and mental health, including the Tuerk Conference on Substance Abuse, the Harford County Drug Symposium, Cognitive Behavioral Interventions, and a national conference on Substance Abuse and Mental Health Treatment.

Other significant conferences and training programs included a National Sex Offender training program, the United States Sentencing Commission Sentencing Guidelines Conference, Computer Monitoring Training, a National Wellness Conference, Location Monitoring Training, a National Pretrial Conference, and Correctional Intelligence Training. All officers participated in mandatory safety training, and all staff participated in IT Security Awareness Training. Those attending the Annual Employee Recognition Awards Program participated in Phase II of a program presented by a renowned motivational speaker at last year's event. This year the focus of was on *self-care*, both physical and emotional. Sound practical advice was shared on ways to stay positive, healthy, and engaged.

ATTORNEY ADMISSIONS

As of the end of fiscal year 2018, the District Court bar had 12,089 active members. The court holds monthly admissions ceremonies in both courthouses and averages 39 new admitted bar members each month. On April 20, 2018, the court held a special admission ceremony as part of the Federal Bar Association’s Introduction to Federal Practice in the Greenbelt Courthouse. Below is a comparison of the last three years.

	2016	2017	2018
New Admissions	449	408	467
Renewed Members	1409	1331	1409
Reactivated and Reinstatement Members	182	173	179
Admissions Pro Hac Vice	1022	985	1127

CONTINUITY OF OPERATIONS PLAN (COOP) AND EMERGENCY PREPAREDNESS

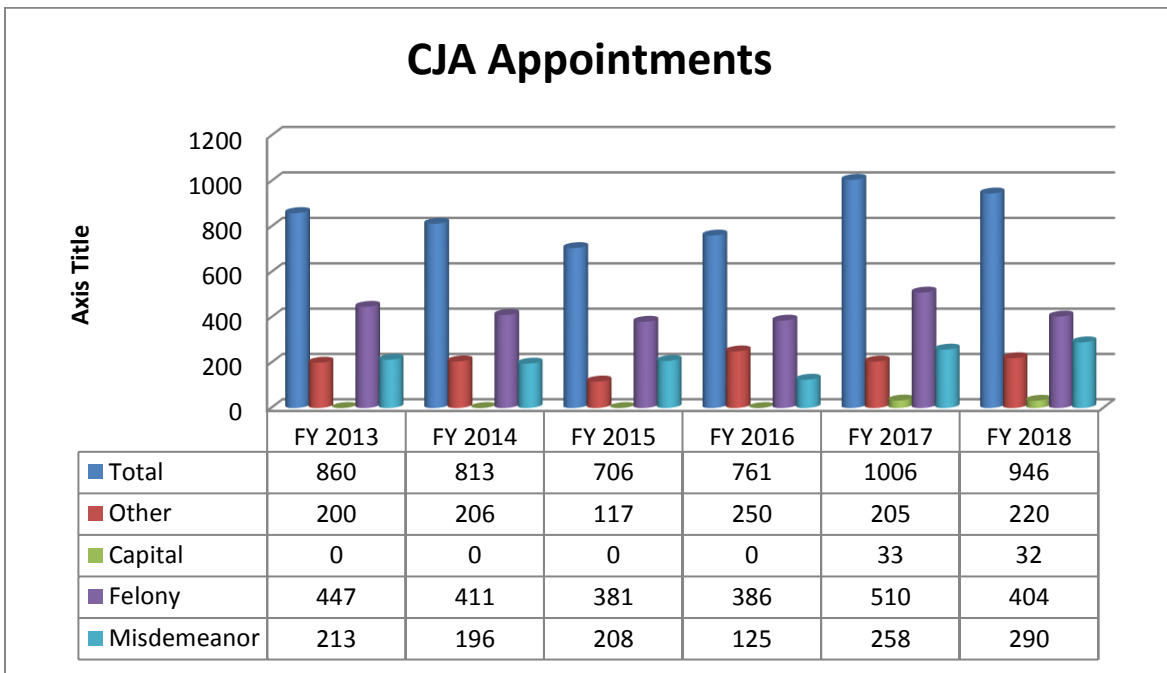
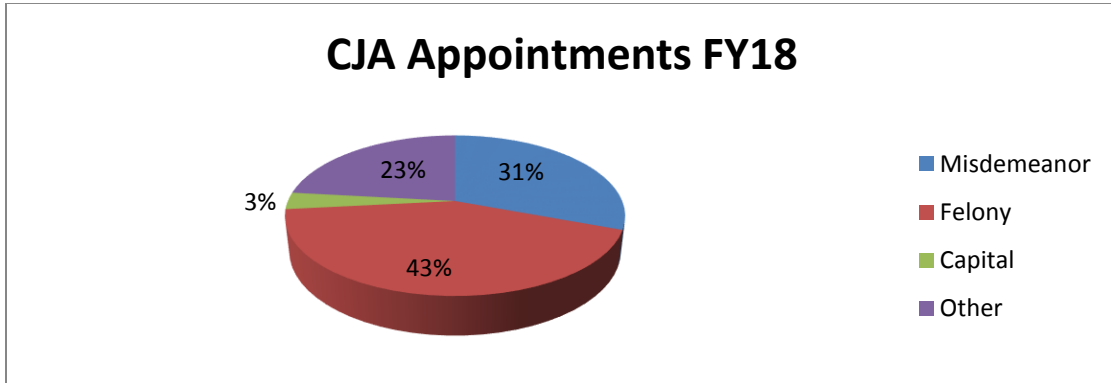
The district has become involved in the city and state emergency preparedness plans because the Northern Division courthouse is in a major downtown area. In the event of an attack requiring the dispensing of medicine, the federal building across the street from the Baltimore Courthouse will become a dispensing site and certain identified federal employees will serve as form reviewers and medicine dispensers. In consultation with the United States Marshals Service, the district continues to conduct annual training on building evacuations and other emergency responses.

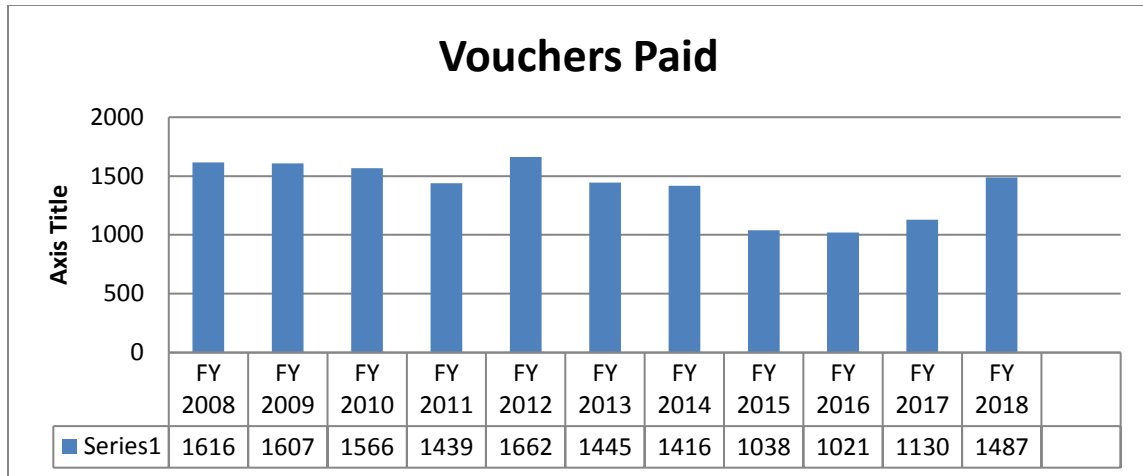
CRIMINAL JUSTICE ACT (CJA) COORDINATING ATTORNEY

CJA Coordinating Attorney, Maureen Essex, continues to act as a liaison between the court and the CJA felony and misdemeanor panel attorneys. Ms. Essex works closely with the United States Attorney’s Office and United States Pretrial Services Office to ensure that attorneys are appointed to represent defendants at the earliest stage of criminal proceedings. Her office coordinates appointments of counsel and maintains conflict lists in multiple defendant cases.

Ms. Essex is assisted by Kiara Snipes, CJA Technician, whose support is invaluable. Ms. Snipes carefully audits each voucher for mathematical accuracy and compliance with CJA Guidelines. Once a thorough review of the submitted vouchers has been completed, Ms. Snipes forwards them to Ms. Essex for a reasonableness review and approval if the voucher is below the case compensation maximum. If the voucher exceeds the case compensation maximum, Ms. Essex prepares a memorandum or letter as appropriate to support the claim for the presiding judicial officer.

In fiscal year 2018, Ms. Essex’s office made 946 CJA appointments, representing a slight decrease as compared to fiscal year 2017. Though none of the cases eligible for the death penalty were authorized by the Department of Justice, capital cases represented a cost factor this fiscal year as compared to prior fiscal years.





Ms. Essex reviews all requests for expert funding. If the amount of funding requested is less than the statutory maximum and the requested funding is appropriate, she approves the request. If the requested funding level exceeds the statutory maximum of \$2,500.00, she reviews the request, makes a recommendation, and then prepares a draft confidential memorandum to the Fourth Circuit Court of Appeals Chief Judge Roger L. Gregory for the presiding judicial officer’s review. Ms. Essex maintains a directory of experts and often attempts to negotiate a reduction in the requested hourly rate.

Ms. Essex attends the court’s CJA Committee meetings. She reviews and makes recommendations on all applications for the felony panel to the CJA Committee. She also prepares the CJA Committee meeting agenda and minutes.

DEBTOR ASSISTANCE PROJECT

The Debtor Assistance Project (DAP), a collaborative effort between the court and its partner agencies, continued in fiscal year 2018 to provide services to individuals who filed bankruptcy petitions without an attorney, or were considering filing for bankruptcy and planned to be self-represented. The program, which is overseen and managed by Judge Gordon, provides the services and expertise of volunteer bankruptcy attorneys to these debtors or potential debtors and operates in the Baltimore and Greenbelt Courthouses, as well as on the Eastern Shore in Kent and Talbot Counties. Due primarily to scheduling and other administrative support from Maryland Volunteer Lawyers Services and Mid-Shore Pro Bono, two of the court's DAP partners, the DAP and its volunteers were able to provide 205 DAP consultations in fiscal year 2018.

PRO SE STAFF ATTORNEYS

For the 18th consecutive year, cases filed by self-represented prisoner¹ and non-prisoner² litigants accounted for more than one-fourth of all civil filings in the district of Maryland.

In Fiscal Year 2018, cases filed by self-represented prisoner litigants accounted for 22% of all civil filings in this district, consistent with prior years. Civil rights cases comprised 57% of all prisoner filings, while motions for return of property and habeas cases comprised 43%, a number which remains high but reflects a steady decline in *Johnson/Beckles/Welch* filings.³ Cases filed by self-represented non-prisoners comprised an additional 10% of the civil docket. Often, self-represented non-prisoner litigants seek removal of state court foreclosure actions or injunctions to halt state court foreclosure proceedings. While portions of the removed actions may be remanded to state court, these actions often also contain federal causes of action under the Truth in Lending Act (“TILA”), 15 U.S.C. §§ 1601 *et seq.*, the Real Estate Settlement Procedures Act (“RESPA”), 12 U.S.C. 2601 *et seq.*, and the Fair Debt Collections Practices Act, (“FDCPA”), 15 U.S.C. § 1692 *et seq.* Early dismissal is often inappropriate due to the federal claims raised. Further, several non-prisoner litigants have engaged in other vexatious filings unrelated to foreclosures, which, although dismissed on initial review, are time-consuming and sometimes result in the institution of separate actions for consideration of pre-filing injunctions with future monitoring by the staff attorneys of pleadings submitted by the litigants thereafter.

The court continues to see a steady number of motions filed in closed criminal cases, particularly motions filed under Fed. R. Civ. P. 60, Fed. R. Crim. P. 35, and 18 U.S.C. §3582. Often, these motions must be re-characterized as motions to vacate under 28 U.S.C. §2255. The staff attorneys continue to assist Clerk’s Office personnel in identifying and interpreting these motions and requests, while the staff attorneys’ administrative assistant responds to all other correspondence generated by inquiries from state and federal prisoners that merit a response.

Actions regarding allegations of assault at the hands of correctional personnel remain steady. Litigation directed at the state prison health care system, including mental health services reflects the often-urgent needs of a population that previously lacked such care and is on the rise,

¹ These filings include 510 civil rights actions, 132 motions to vacate, 122 state habeas corpus petitions, 100 “other” habeas proceedings, and 26 motions for return of property, a total of 890 cases. A typical prisoner case load ranges from 800 to 900 prisoner filings per Statistical Year. This year’s number, consistent with numbers in prior years, reflects a first-time inclusion of motions for return of property, which in this district are part of the pro se staff attorneys’ case load.

² In FY 2018, non-prisoner pro se litigants filed 411 cases.

³ See *Johnson v. United States*, ___ U.S. ___, 135 S.Ct. 2551 (June 26, 2015) (holding imposition of an increased sentence under the residual clause of the ACCA violates due process); *Beckles v. United States*, ___ US ___, 137 S.Ct. 886, 889 (2017) (sentencing guidelines are not subject to a “void for vagueness” challenge under the Fifth Amendment; and *Welch v. United States*, ___ U.S. ___, 136 S.Ct. 1257, 1268 (2016) (holding *Johnson* announced a substantive rule of law that has retroactive effect on collateral review).

fueled by the aging prison population. Filings alleging gang-related violence in the state prisons are high; requests for transfers and concerns for personal safety in light of gang violence continue to generate many civil rights challenges and frequently require emergency show cause responses. For the second consecutive year, the court has seen an uptick in failure-to-protect, mail delay, and medical cases arising from conditions at Eastern Correctional Institution, a prison that had seen little litigation activity for several years. Commitment challenges for those committed at Perkins Hospital Center, as well as access-to-courts and library deficiency claims in all correctional facilities, are on the rise. Appointment of counsel is needed with greater frequency as it becomes increasingly difficult to resolve these cases on summary judgment. Further, fewer habeas corpus cases are dismissed in the early stages on procedural grounds given recent changes in federal habeas law. Resolving substantive habeas issues on the merits is time-consuming, and appointment of counsel has occurred in these cases as well.⁴

For the first time in nearly two decades, one of the seasoned attorneys with the Pro Se Staff Attorneys office retired after 30 years of service. In addition, the office has hired two new attorneys who are learning the nuances of these specialized areas of the law. Despite these changes, the district has experienced no disruption in case administration and disposition, with time-sensitive motions and other urgent matters addressed in a timely fashion.

PRETRIAL DETENTION

In February 2011, the Maryland Correctional Adjustment Center – the state’s former “Super Max” facility – became solely dedicated to federal pretrial detainees through a new memorandum of understanding between the state and federal authorities. The facility is now known as the Chesapeake Detention Facility. While the procurement of one facility dedicated to federal pre-trial detainees was a significant achievement, there have been increasing problems in Fiscal Year 2018. The medical service provider did not meet federal standards and was ultimately replaced by another healthcare provider. There were staffing issues with existing vacancies throughout the year. The intercom system has been inoperable and out of date. There have been some assaults on detainees by other detainees and attorney visits have been interrupted.

Judge Bennett, as Co-Chair of the District Court’s Criminal Justice Act Committee, has continued to press state officials to improve conditions and meet federal standards. In addition to the problems at the Chesapeake Detention Facility in Baltimore, there have been increasing problems at the Washington D.C. Jail, with which the U.S. Marshal’s Service contracts.

The Court remains committed to working with the Marshal’s Service in providing a secure environment for federal prisoners with adequate medical care; an effective and efficient visitation system for counsel and family members; and educational, counseling, and recreational opportunities. Although some progress has been made in providing these services through the

⁴ There has been an increase in the number of prisoner plaintiffs filing requests for discovery pending summary judgment under Rule 56(d) which must be resolved before the merits of the claims may be resolved. *See Putney v. Likin*, Slip. Op. No. 14-6882(4th Cir. July 14, 2016) (directing this court to address plaintiff’s request for discovery pending summary judgment although not properly presented under Rule 56(d)).

contract with Chesapeake Detention Facility, no amount of effort or determination can overcome the obstacles presented by trying to convert a former super maximum prison into a functional pretrial detention facility.

In light of this problem, the U.S. Marshal's Service will be increasingly forced to rely on contract beds from local detention facilities.

CONCLUSION

The bench wishes to thank our visiting judges: Judge Liam O'Grady of the Eastern District of Virginia (Grimm v. First Advantage Background Services Corp et al and Grimm v. Experian Information Services, Inc.); Judge T.S. Ellis of the Eastern District of Virginia (Wikimedia Foundation et al v. National Security Agency/Central Security Service et al) and Judge Frederick P. Stamp of the Northern District of West Virginia (Macsherry v. Sparrows Point, LLC et al and Barber v. Montgomery County Government et al).

The bench would also like to thank the employees of the District and Bankruptcy Courts, Probation and Pretrial Services, and those of related agencies, for their continued hard work and dedication this year.