

**CRIMINAL PROTOCOL - MISDEMEANOR RECEPTION COURT - ATTORNEYS –**  
**9/3/21<sup>1</sup>**

**I. General Information**

1. All cases transferred from the District Court upon demand for a jury trial and appeals<sup>2</sup> from the District Court are scheduled in Misdemeanor Reception Court (MRC) - Part 47.
2. **All Misdemeanor Reception Court cases are scheduled for 9:30 a.m.** Depending on the rate of jury trial prayers and appeals and the number of postponed cases, the MRC dockets can vary from between ten (10) and thirty (30) cases per day.
3. Effective July 6, 2021, Reception Court will be conducted remotely via Zoom for Government (Zfg). Judge Melissa Copeland will preside.
  - a. The Zfg link for the Part 47 Reception Court is:  
<https://mdcourts.zoomgov.com/j/1600270997?pwd=cEh2cE1hMUFOK2Eza1hNd3dJeFBrdz09>  
Meeting ID: 160 027 0997  
Passcode: 30135913
4. Effective September 1, 2021, all incarcerated defendants will appear remotely via Zfg at 9:30 a.m.
5. Effective September 7, 2021, non-incarcerated defendants with Part 47 misdemeanor cases will be sent to trial.
6. Plea sheets must be submitted in advance directly to Judge Copeland's Administrative Assistant Cheryl Manning at [Cheryl.Manning@mdcourts.gov](mailto:Cheryl.Manning@mdcourts.gov) the day before the scheduled trial date. If Judge Copeland is not presiding, plea sheets should be sent to the presiding Judge.
7. The oldest cases on the docket will be called first. Nolle prosequis and stets may be taken in advance on any day. Counsel does not need to provide advance notice. The prosecutor must notify defense counsel in advance if a conditional stet will be offered so that the defendant is present to accept the stet.
8. If counsel has a sensitive matter to discuss with the Court, counsel must send an email prior to the trial date entailing the nature of the sensitive matter. If the issue does not arise until the trial date, counsel must write a note to the judge entailing the nature of the sensitive matter.

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<sup>1</sup>Pursuant to Rule 1-102, this Protocol is advisory only and is superseded by any contrary statutes and Court rules.

<sup>2</sup>On District Court appeals, the Clerk's Office sets the trial date and the Sheriff is required to serve the defendants with a summons. A copy of the return should be filed with the Clerk's Office.

9. Attorneys and all defendants must be present remotely. Counsel may place witnesses on call but must be telephoned immediately upon the case being sent to trial and available to arrive within 45 minutes.
- 10. Absent unusual circumstances, felony cases will always take precedence over misdemeanor cases for trial.**
11. Misdemeanor cases prayed as a jury trial or on appeal will not be specially set absent exceptional circumstances.

## **II. Postponements/Re-scheduling**

1. **Misdemeanor cases shall only be postponed for the most serious and exigent circumstances.**<sup>4</sup> Otherwise, the MRC dockets will quickly become unmanageable.
2. If no trial court is available, the case should be held until the next day. If no trial court is available the next day or two days after the initial trial date, the case will then be continued for 5 days. Thereafter, any continuance is a postponement and a form must be submitted. All postponements must be rescheduled within the month.
3. Upon the agreement of counsel, the case may be continued for two days.
4. Postponements are permitted in the following circumstances:
  - i. To set the case in Mental Health Court (Part 87); or
  - ii. To set the case on a collateral date in which the defendant presently has a pending VOP - provided that the misdemeanor case is triggering the VOP.
5. **If a case has to be postponed, the case should be reset as soon as possible within the month.** For instance, if the case has to be postponed because counsel is in trial, the case should be reset on a date immediately after the date on which counsel is projected to complete the pending trial.
6. Misdemeanor requests for advance postponements **shall not** be accepted.
  - i. When possible, counsel should communicate conflicts with each other and contact Criminal Assignment to schedule a different appeal date.

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<sup>4</sup>Rule 4-271(a) has been suspended by Administrative Order for cases transferred to the Circuit Court from the District Court upon demand for a jury trial. Consequently, any Judge has the authority to postpone such cases.

- ii. Postponement requests for misdemeanor appeals due to the unavailability of witnesses on the scheduled trial date will be addressed on the trial date.

cc: Criminal Manual  
Criminal Trial Manual  
Pretrial Release Services  
Clerk's Office  
Criminal Assignment  
Sheriff's Office  
State's Attorney's Office  
Office of the Attorney General  
Office of the Public Defender  
Private Defense Bar