

CRIMINAL PROTOCOL - MISDEMEANOR RECEPTION COURT - ATTORNEYS –

5/6/22¹

I. General Information

1. Upon the proper demand for a jury trial pursuant to MD. CODE ANN., CTS. & JUD. PROC. § 4-302, or the notice of an appeal filed from the District Court pursuant to MD. CODE ANN., CTS. & JUD. PROC. § 12-401, the District Court Clerk's Office will forward the case information and transmittal sheet to the Circuit Court Clerk's Office.
2. The Circuit Court Clerk's Office will prepare the Circuit Court case file and enter the case information into mainframe, including the name of defense counsel who prayed the jury trial or the name of defense counsel who re-entered their appearance after filing a notice of appeal from the District Court.²
3. A list of all cases prayed from the District Court will also be provided to the Criminal Assignment Office.
4. The Clerk's Office will email to the Office of the State's Attorney a list of all cases prayed from the District Court on a daily basis. The email should be sent to ASA Twila Driggins, David Owens, Noelle Newman, and Jennifer McAllister:
TDriggins@stattorney.org,
DOwens@stattorney.org,
NWinder@stattorney.org, and
JMcAllister@stattorney.org.
5. The Assistant State's Attorneys assigned to handle these cases will enter their appearance within 24 hours of the receipt of the list.
6. Assistant State's Attorneys should not have more than five assigned cases per day.
7. Defense Counsel³ and the State will confer on proposed dates, and the ASA will email a completely filled out "Misdemeanor Criminal Trial Schedule Form" (See attached form) to Criminal Assignment Staff. The email will be sent to:

¹Pursuant to Rule 1-102, this Protocol is advisory only and is superseded by any contrary statutes and Court rules.

² Pursuant to Rule 4-214(a), an appearance entered in the District Court will automatically be entered in the Circuit Court when a case is transferred to the Circuit Court because of a demand for jury trial. In any other circumstance, counsel who intends to continue representation in the Circuit Court after appearing in the District Court must re-enter an appearance in the Circuit Court.

³ **Defense counsel shall contact the MJT unit of the State's Attorney's Office by email to select a trial date with the assigned ASA within 24 hours of requesting a demand for jury trial. An email shall be sent to ASA Twila Driggins, TDriggins@stattorney.org, David Owens, DOwens@stattorney.org, Noelle Winder, NWinder@stattorney.org, and Jennifer McAllister, JMcAllister@stattorney.org.**

Yvonne.Heard@mdcourts.gov,
Sean.Hiken@mdcourts.gov,
Vanessa.Coffield@mdcourts.gov,
Shanelle.Bethea@mdcourts.gov, and
Rosalind.Cokley@mdcourts.gov

8. Defense counsel shall also submit a date stamped copy of the entry of appearance form if an appeal from the District Court has been filed to Criminal Assignment Staff.
9. Counsel shall select three proposed trial dates within 21-24 days of the demand for jury trial, or within 30 days of the filing of an appeal. Counsel who are unable to select a trial date within this time frame because of witness unavailability shall contact the Judge in Charge of Criminal to schedule a date outside of 21-24 days.
10. Criminal Assignment will set the trial date in the Part 47 Misdemeanor Reception Court for 9:30 a.m. The daily docket will be capped at 10 cases.
11. Reception Court will be conducted remotely via Zoom for Government (Zfg) unless specially set before a judge.
 - a. The Zfg link is:
<https://mdcourts.zoomgov.com/j/1601160942?pwd=clpETlozYU1qU0ZFTEFEa0Z4R3VmZz09>
 - i. Meeting ID: 160 116 0942
 - ii. Passcode: 83971650
12. All incarcerated defendants will appear remotely via Zfg at 8:45 a.m. except for Wednesdays, when Reception Court will begin at 9:30 a.m.
13. Non-incarcerated defendants who are not accepting a plea must appear in person at 9:30 a.m. and counsel must appear by 9:30 a.m. in courtroom 540C to be sent to trial.
14. Plea sheets must be submitted via email directly to the Judge In Charge of Criminal.
15. 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.
16. 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.

III. Postponements/Re-scheduling

1. Misdemeanor cases shall only be postponed for the most serious and exigent circumstances.
2. Misdemeanor requests for advance postponements **shall not** be accepted.

cc: Criminal Manual
Criminal Trial Manual
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