

**CRIMINAL PROTOCOL – INITIAL APPEARANCE – 7/2/24<sup>1</sup>**

**I. SETTING INITIAL APPEARANCES**

1. Upon filing of indictment/information, the State’s Attorney will provide the Clerk’s Office/Criminal Assignment with the following:
  - a. Name of the defendant; and
  - b. Proposed Track for case – The tracks for felonies and misdemeanors charged by indictment/information are as follows:
    - i. **Track B** – Regular- Non-violent cases – Track B cases are given trial dates between **60 and 90 days** from initial appearance date to comply with the 120 day time standard. Cases are scheduled outside of the felony Reception Court based upon dates provided on the Criminal Trial Scheduling form.
    - ii. **Track C** – Serious – Violent cases – Track C cases are assigned dates provided on the Criminal Trial Scheduling form to the felony Reception Court for a pretrial conference conducted by the Judge in Charge of Criminal (JICCR) within 75-90 days after the initial appearance date. Track C cases are then given trial dates between **120 to 135 days** from initial appearance date to comply with the 150 day time standard.
    - iii. **Track D** – Complex – Homicides, multi – victim, multi defendant cases – Track D cases are assigned dates provided on the Criminal Trial Scheduling form to the felony Reception Court for a pretrial conference conducted by the JICCR within 105-120 days after the initial appearance date. Track D cases are then given trial dates between **135 to 160 days** from initial appearance date to comply with the 180 day time standard.
2. The cases are scheduled equally by the Assignment Office from the Grand Jury Indictment lists for an Initial Appearance date in Part 46 after being docketed and assigned a case number by the Clerk’s Office. **Initial Appearances will be held daily at 9:30 AM. for unrepresented defendants only.**
3. **If the State wishes to Nolle Pros a case, the State should notify the Felony Reception Court via email the day before the Initial Appearance date to do so.**

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 Pursuant to Rule 1 – 102, this protocol is advisory only and is superseded by any contrary statutes or Court rules.

## II. REPRESENTED DEFENDANTS

4. **IF BY THE DAY BEFORE THE INITIAL APPEARANCE:**
- a. Defense Counsel electronically files with the Clerk's Office pursuant to MD Rule 20-201:
    - i. An entry of appearance, **AND**
    - ii. A written plea pursuant to Rule 4 – 242(b), **AND**
    - iii. Defense Counsel or the State electronically files a completely filled out Criminal Trial Scheduling Form and a date stamped copy of the entry of appearance form.
  - b. **Accordingly, defense counsel, the defendant and the State's Attorney will not appear on the Initial Appearance Date.**
  - c. The Initial Appearance Protocol and Criminal Trial Scheduling form are available under Resources for Attorneys on the Baltimore City Circuit Court webpage Criminal Division tab.

## III. NON - INCARCERATED DEFENDANTS

5. **IF BY THE DAY BEFORE THE INITIAL APPEARANCE, NO ENTRY OF APPEARANCE AND CRIMINAL TRIAL SCHEDULE FORM ARE FILED:**
- a. **Defendant must appear on the Initial Appearance date to be advised of right to counsel, charges, penalties and be assigned a trial date or pretrial conference date based upon the track.**

## IV. INCARCERATED DEFENDANTS

6. **IF BY THE DAY BEFORE THE INITIAL APPEARANCE, NO ENTRY OF APPEARANCE AND CRIMINAL TRIAL SCHEDULING FORM ARE FILED:**
- a. The Reception Court Judge will notify Central DPSCS transportation (Mitchell - 6-5128, 5129) (Cummings - 6-7375, 7376) by 3:00 P.M. the day before the hearing to transport defendant(s) by 9:30 A.M. the following day.
  - b. **Defendant must appear on the Initial Appearance date to be advised of right to counsel, charges, penalties and be assigned a trial date.**

cc: Criminal Manual  
Criminal Trial Manual  
Clerk's Office  
Assignment Office  
Central DPSCS Transportation  
State's Attorney's Office  
Office of the Attorney General  
Office of the Public Defender  
Private Defense Bar