

NOTICE TO COUNSEL REGARDING THE CRIMINAL
DOCKET IN THE CIRCUIT COURT FOR BALTIMORE COUNTY
(Notice 1.1; Generated 12-2-13; Eff. 1-2-14)

This Notice is intended to address scheduling and postponement of criminal actions pending in the Circuit Court for Baltimore County, effective January 2, 2014, as well as other procedures in criminal cases. It may be modified or supplemented from time-to-time in the future.

1. Motions to Strike Appearance: Ordinarily, Motions to Strike Appearance of defense counsel shall not be granted within the 14 day period before an assigned trial date unless accompanied by the entry of appearance of another attorney for the defendant. Counsel are reminded that, pursuant to Rule 4-214(d) the Court **“may refuse leave to withdraw an appearance if it would unduly delay the trial of the action, would be prejudicial to any of the parties, or otherwise would not be in the interest of justice.”**

2. Motions to Suppress/Motions In Limine: Defense counsel who intend to pursue suppression motions shall contact the Assistant State’s Attorney handling the matter at the earliest possible time to arrange a mutually agreeable motions hearing date. Defense counsel shall not seek a separate motions hearing date unless he or she believes in good faith that there are grounds to pursue that relief. Motions in limine may be heard on the day of trial, before jury selection.

3. Postponement Requests:

Non Specially Assigned Criminal Cases (Including prayed jury trials and appeals from the District Court): Ordinarily, day-of-trial postponements will not be granted, except for “good cause.” For examples of what does and does not generally constitute “good cause” for day of trial postponements, see ATTACHMENT A TO THIS NOTICE.

Specially Assigned Cases: If either party wishes to request a postponement of an action that has been specially assigned to a particular judge, that party will be responsible for clearing a new date with that judge and with the Central Assignment Office and all witnesses in advance of appearing before the postponement judge for approval.

4. Guilty Pleas Before Trial Date: Commencing January 2, 2014, Judges Cox, Cahill or Alexander will be available on an expedited basis, before the day of trial, to schedule guilty pleas in any case where the parties have reached an agreed plea. These will be known as “advanced plea hearings”. These advanced plea hearings will be set on Wednesday and Thursday afternoons after 2:00 p.m. The State’s Attorney handling the matter can contact Joanne Krebs at 410-887-2674 to schedule an advanced plea hearing which will be set before one of the above judges on an alternating basis. Advanced plea hearings will not be assigned during the week before the week of the scheduled trial date.

In appropriate cases, advanced plea hearing judges will approve **joint** requests to bind to a particular disposition, but such requests must be accompanied by a written record of the defendant's juvenile and adult criminal histories. The advanced plea hearing procedure will not apply to jury trial prayers from the District Court, or to appeals from the District Court.

5. Fines and court costs are to be paid by 4:30 p.m. on the day of trial or disposition in the Office of the Clerk, unless extended for good cause by the original trial judge.

Hon. Kathleen Gallogly Cox
Circuit and County Administrative Judge
Hon. Robert E. Cahill, Jr.
Criminal Case Coordinating Judge

ATTACHMENT A

"Good Cause" Criminal Postponement Policy

1. The following are examples that are usually considered "good cause" for postponement:
 - a. Trial date conflict: The first case set takes precedence (See Chief Judge Robert C. Murphy's Revised Administrative Order for Continuances for Conflicting Case Assignments or Legislative Duties effective May 15, 1995.) **Documentation establishing a trial date conflict must be provided;**
 - b. Serious illness of, or death in the family of, a party, counsel, or necessary witness;
 - c. Vacation(s) scheduled prior to any assigned trial date; Requests for postponement must be made within ten (10) calendar days of notification of scheduled event;
 - d. If counsel is scheduled for a matter before this court, but another trial in another court carries over to cause a conflict with the Baltimore County trial date.

2. The following are generally NOT "good cause" examples for postponement:
 - a. Vacations(s) scheduled after establishing a trial or motion date;
 - b. Consent of the State and the defense with no substantive basis;
 - c. No previous requests for postponement;
 - d. Any matter known or which should have been known when the trial date became firm;
 - e. Change of counsel;
 - f. Plea negotiations ongoing;
 - g. Law enforcement "officer training";
 - h. Discovery just provided;
 - i. Investigation ongoing;
 - j. Postponement requested to consolidate with a matter pending in the District Court as to which a jury trial may be prayed.