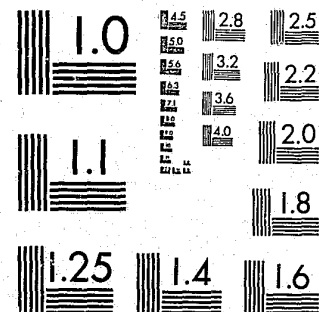


National Criminal Justice Reference Service



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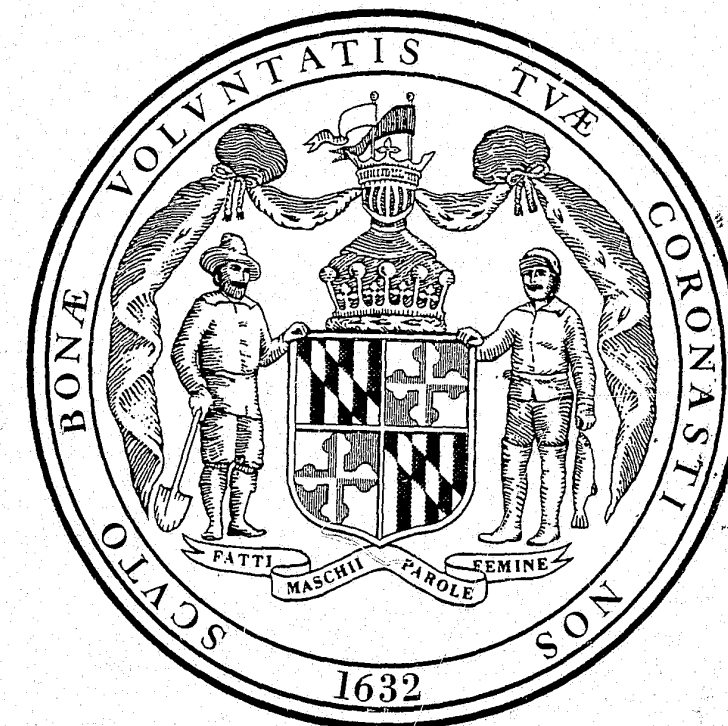
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State of Maryland Court Clerks' Association



Procedural Manual for Court Clerks

NCJRS

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ACQUISITIONS

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ACKNOWLEDGEMENTS

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JAMES H. NORRIS, JR.
Chairman
Procedural Manual Committee

INTRODUCTION

This manual is designed as a procedural guide for Maryland's Court Clerks and support staff. It is a composite of procedures which are most frequently used by clerks. The manual may be used for reference and as a training aid for new personnel.

The manual is comprised of eight (8) major sections (see Table of Contents). Each section presents a Description of Procedure in a format which can be easily followed. General background and explanatory information are provided in the "Comments" column. A sample and explanation of this format appear on the following page. A sampling of forms is also presented in each section.

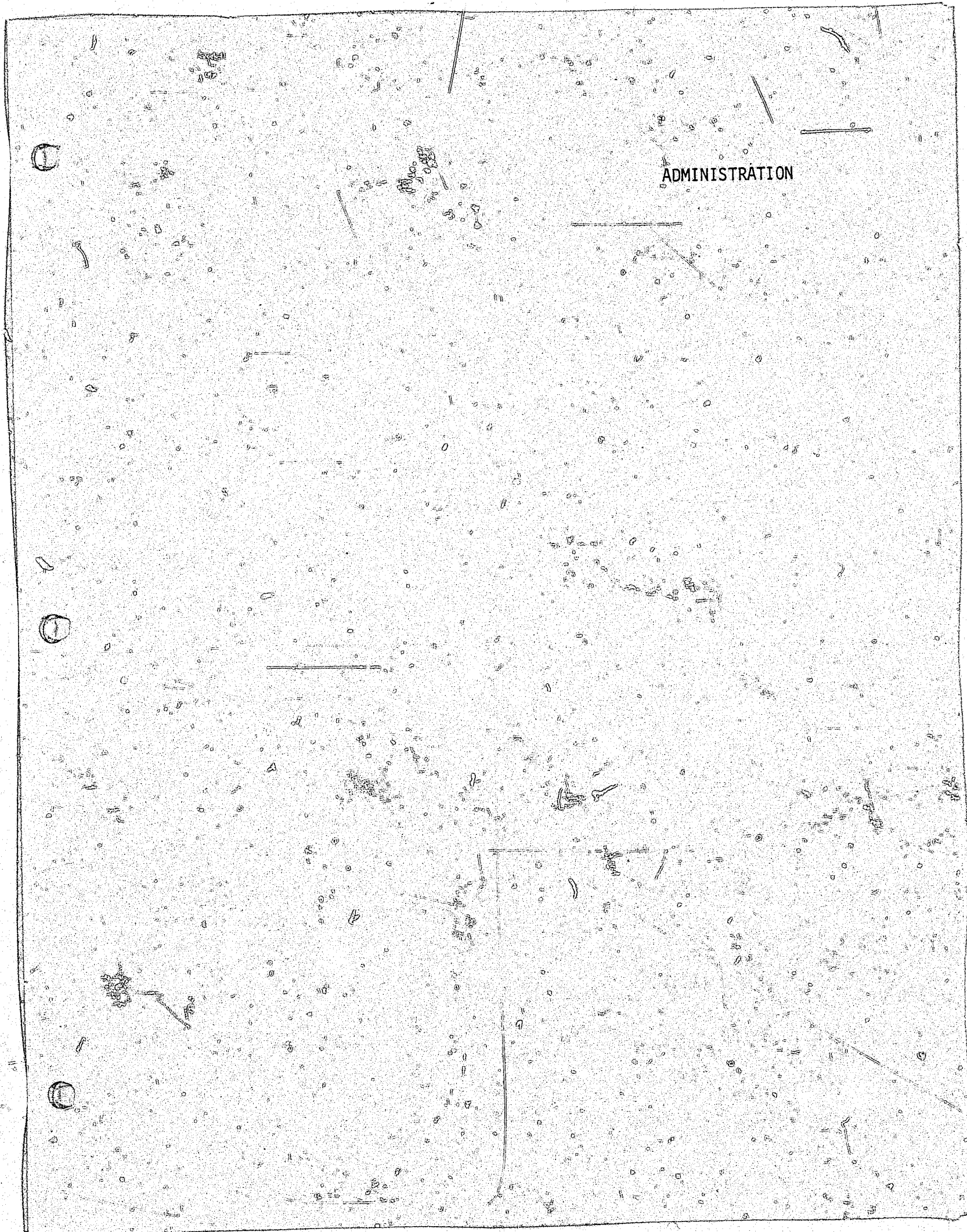
DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>(A description of each step is provided)</p> <p>(The form column is used to denote the existence of a sample form and the number assigned to it.)</p> <p>(This column gives the page of the manual on which the form can be found.)</p>			<p>Relevant statutes or rules are referenced for steps in the procedure. All rule citations are to the Maryland Rules of Court and are indicated by "MR ."</p> <p>Statutory citations are to the Maryland Code.</p>	<p>(This column provided a detailed description of the procedure to be followed in completing each step of the process.)</p>	<p>(Relevant statements are included to more fully explain the procedure or process or to provide helpful background information.)</p> <p>*An asterisk in the Comments section indicates a reference to a Cost or Fee Schedule in the section.</p>

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ADMINISTRATION



ADMINISTRATIVE CHAPTER

Forms List

ADMINISTRATION

- 1 Law Header Record
- 2 Law Master Record
- 3 Equity Header Record
- 4 Equity Master Record
- 5 Juvenile Header Record
- 6 Juvenile Master Record
- 7 Criminal Header Record
- 8 Criminal Master Record
- 9 Appointment Form Letter
- 10 Request to Stop Payment Form Letter
- 11 Transmittal Letter (Unpresented Checks)
- 12 Transmittal Letter (No Unpresented Checks)
- 13 Annual Report of Property Presumed Abandoned (Form APD-1 Summary)
- 14 Abandoned Property Detail Sheet (Form APD-2)
- 15 Detail of Items Removed (Form APD-5)

Forms List Continued

16. Petition to Pay Funds in Accordance with Annotated Code of Maryland
17. Remittance Advice for Property Presumed Abandoned (Form APD-4)
Commercial Law Title 17
18. Request for Appointees Qualification List (EX320)
19. List of Appointee Qualifications
20. GAD Form CW-10
21. Report of Fixed Assets (GAD Form CW-3)
22. Annual Report (to Comptroller of the Treasury) (GAD Form C-1)
23. GAD Form C-2--Monthly Cash Activity Report
24. GAD Form C-19--Monthly Receipts and Disbursements
25. GAD Form CW-2--Monthly Report of Cash or Deposit in Various Banks
26. Quarterly Reports--Social Security and Federal Tax (Form no. 26-26c)
27. Annual Report of Federal Tax (with W-2 Form) (Form no. 27-27a)
28. Monthly Report of State Tax
29. Monthly or Bi-Weekly Report to Pension Fund (Form no. 29-29a)

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Maryland Automated Courts Status Report- ing System</u></p>					<p>NOTE: The Maryland Automated Courts Status Reporting System is a computer based docket accounting system designed to provide the judicial community of the State of Maryland with current, accurate management information to assist in the efficient administration of the courts. It is presently restricted to the circuit court level. Although the information is compiled by the Administrative Office of the Courts, under the direction of the Chief Judge of the Court of Appeals, all managers within the circuit courts are expected to use its contents in a manner appropriate to their function.</p> <p>There are two basic collection forms for each of the four areas of interest; law, equity, juvenile, and criminal. These forms are color coded as follows:</p> <ol style="list-style-type: none"> 1. Law -- White 2. Equity -- Yellow 3. Juvenile -- Green 4. Criminal -- Pink <p>All forms are provided to the clerks of court on an as required basis free of charge. They are to be ordered for a</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>six-month period each time from the Administrative Office. Forms may be filled out in ink or pencil; typing is not required or encouraged.</p> <p>All forms completed during a normal work week, Monday through Friday, will be placed in a single envelope, regardless of category (law, equity, juvenile, and criminal), uncollated and mailed to the Administrative Office of the Courts at the conclusion of business on Friday. If Friday is a holiday, then they should be mailed on the last working day prior to Friday. The objective is to have the last week's work at the Administrative Office at the start of the new business week. For purposes of our monthly reports, which are generated from these weekly envelopes, the last day of the month is the last Friday of the month.</p> <p>All automated system supported courts, present and future, will submit their detail monthly on magnetic tape in accordance with arrangements made with the Assistant Administrator for Information Systems.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Header Records	1,3 5,7			<ul style="list-style-type: none"> a) Fill in Header Records completely at the time a case is filed. b) Place Header Records in envelope for weekly mailing to Administrative Office. c) Mail envelope containing Header Records to Administrative Office. d) Make proper entries on docket and case folder. 	Collection forms are of two types, Header Records and Master Records.
Master Records	2,4 6,8			<ul style="list-style-type: none"> a) Complete identification elements of Master Record when a case is filed. b) Place Master Record at back of case folder until final disposition. c) When case is disposed of, complete master in accordance with the definition for each case-type category (law, equity, juvenile, and criminal). d) Mail completed Master Records weekly with Header Records to Administrative Office. 	c) See below for definitions of case-type category dispositions.

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Proceedings Reheard or Reopened</p>				<p>e) Make proper entries on docket and case folder.</p> <p>Prepare new Header and Master Records.</p>	<p>NOTE: The intent of this system is to gain a more precise measurement of the pending and completed workload of the courts. There are many proceedings which are subject to rehearing or reopening after the original disposition of them. Examples include:</p> <ul style="list-style-type: none"> - matters placed on the Stet docket - inactivated cases - confessed judgments which are stricken - many equity proceedings, etc. <p>In effect, each of these rehearings, reopenings, etc., constitutes a new transaction, a new unit of work. The same docket number used on the original header and master may be reused as many times as may be necessary.</p>
<p>Codes</p>					<p>NOTE: Codes have been developed for all courts and judges in the system:</p> <p>Exhibit A - Circuit Courts - Never to change.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Common Entries					<p>Exhibit B-5 - Appellate judges - To be changed as necessary.</p> <p>Exhibit C-1 - Circuit court judges - To be changed as necessary.</p> <p>Exhibit C-2 - District court judges - To be changed as necessary.</p> <p>Exhibit B-4 - Events - To be changed as necessary.</p> <p>The Circuit Court codes are permanent and are to be entered on the appropriate (second) line of every form for the court submitting the report.</p> <p>All Masters, regardless of location, are given the code designation 888.</p> <p>Judges retain their code number until they change courts (e.g., a District Court judge is appointed to a circuit court). New pages will be published as required.</p> <p>NOTE: There are several entries on the records that are common. These common entries include:</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS																								
#1 Docket Number					<p>#1 Docket Number #2 Date #3 Judge's Code #4 Master's Code</p> <p>Eight spaces have been allocated for each docket number. These can be a combination of numbers and letters or numbers only, according to the reporting clerk's office policy. The small blocks have been added to allow an optical scanner to read the data without human intervention.</p> <p>Examples:</p> <table border="1" data-bbox="1889 1191 2336 1238"> <tr> <td></td><td></td><td></td><td></td><td>1</td><td>1</td><td>1</td><td>2</td> </tr> </table> Docket #1112 <table border="1" data-bbox="1889 1258 2387 1305"> <tr> <td>1</td><td>7</td><td>8</td><td>5</td><td>7</td><td>6</td><td>9</td><td>8</td> </tr> </table> Docket #17857698 <table border="1" data-bbox="1889 1324 2355 1372"> <tr> <td></td><td></td><td></td><td>5</td><td>4</td><td>4</td><td>8</td><td>B</td> </tr> </table> Docket #5448B These examples should include all known docket numbering systems in the State.					1	1	1	2	1	7	8	5	7	6	9	8				5	4	4	8	B
				1	1	1	2																						
1	7	8	5	7	6	9	8																						
			5	4	4	8	B																						

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#2 Dates					<p>All dates will be filled out in the traditional numeric fashion:</p> <p>Examples: 11-22-75 November 22, 1975 02-04-76 February 4, 1976</p> <p>Filing Date is the day on which a matter is filed with the Clerk of Court.</p>
#3 Judge's Code					<p>A judge's code will be recorded for all matters in which he was directly responsible for the event.</p>
#4 Master's Code					<p>Masters, used as hearing officers in equity and juvenile matters, will be recorded by code 888 in all cases in which they have performed the substantive duties of conducting hearings. In these cases, the judge's role is usually proforma since he merely indicates endorsement of the Master's findings and recommendation by affixing his signature. Enter 888 in the Judge Code spaces. If the Master's findings are not accepted and a judge assumes the burden of hearing, record the judge's code.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Case-Type Codes</p> <p>Law</p>				<p>A-8</p>	<p>Law headers and masters are identical through Item D. The Court Code, Docket Number, and Date Filed blocks were explained above. Item C, Category, should be completed by the number corresponding to the nature of the matter. These are explained as follows:</p> <p style="text-align: center;"><u>TORTS</u></p> <p>01 Motor Torts:</p> <ul style="list-style-type: none"> - Personal injury and property damage cases arising out of Motor Torts other than consent cases. - Removed cases arising out of Motor Torts. - Attachments arising out of Motor Torts. <p>02 Other Torts (other than consent cases):</p> <p>Personal injury and property damage cases arising out of Other Torts such as:</p> <ul style="list-style-type: none"> - Assault and battery - Libel and slander

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<ul style="list-style-type: none"> - False imprisonment - Malicious prosecution - Persons injured on land or premises (tenant and landlord, business and social invitees, licensees, trespassers) - Miscellaneous - Removed cases arising out of Other Torts - Attachments <p>03 Consent Cases:</p> <p>All Friendly Suits filed on behalf of infants by parent, guardian or next friend for injuries sustained arising out of any type of Tort.</p> <p>04 Contracts (all except Confessed Judgments):</p> <ul style="list-style-type: none"> - All actions for breach of contract whether under verbal or written contracts. - All contract actions in which a claim for Summary Judgment is made. - Attachments arising out of contracts. - Removed cases arising out of contracts. - Landlord-tenant District Court appeals.

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>05 Confessed Judgments: Complete a header and master including disposition at time of filing and submit in weekly envelope. Stricken Judgments are new filings as stated in the General section of these instructions.</p> <p>06 Condemnation: All Condemnation cases.</p> <p>07 Other Law: All Other Law actions such as:</p> <ul style="list-style-type: none"> - Detinue - Replevin - Ejectment - Issues from Orphans' Court - Mandamus - Conversion - Trespass

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p style="text-align: center;">HABEAS CORPUS</p> <p>08 Writs by Prisoners: All petitions or applications for the writ filed by prisoners.</p> <p>09 Other: All other petitions for the writ such as:</p> <ul style="list-style-type: none"> - Petitions for sanity hearings - Petitions for immediate bail - Bail set after hearing - Petitions for custody in infant cases <p>Note: Do not report number of Habeas Corpus "Ad Testificandum" or "Prosequendum" filed since it is simply the issuance of a summons for a witness to be brought in to testify and is not an action or a case filed.</p> <p>10 Defective Delinquents: All Defective Delinquent cases filed.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>Item D (Appeals) is defined as:</p> <ol style="list-style-type: none"> 1. Record - Matter is to be tried by a judge's review of a written or electronic recording of the proceedings in the District Court. 2. De Novo - Matter is to be tried on the merits as an original proceeding even though initially tried at District Court level. 3. Administrative Agencies - Matters arising from appeal of decisions from administrative agencies such as: <ul style="list-style-type: none"> - Workmen's Compensation Commission - Zoning Appeals - Liquor License Commissioners - Department of Taxation and Assessments - Motion Picture Censors - Supervisors of Elections - State Comptroller (Sales Tax, etc.) - Funeral Director - Physical Therapy - Employment Security

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Law Trial Definition					<ul style="list-style-type: none"> - County Commissioner - State Motor Vehicle Authority - All other administrative bodies <p><u>Item E</u> - Total Claimed (header only)</p> <p>This category was requested by House Joint Resolution No. 74 of February 28, 1974. It pertains to <u>Motor Tort Cases Only</u>. Do not fill in anything if the total amount claimed in a single docket matter is zero or less than \$2,500. Choose the appropriate bracket for matters falling within the specified dollar limits.</p> <p><u>Trial</u>--For statistical purposes, a trial in cases at law, whether an original action or an appeal "de novo," is defined as (1) a <u>contested</u> hearing on the essential facts of the cause of action alleged for; (2) the intended purpose of making final disposition of the case; (3) in the absence of waiver, both parties must be present or represented; and (4) contesting the action, and the proceedings must advance to the point where (5a) <u>the jury is sworn</u>, or if a nonjury case, (5b) <u>at least one witness has been placed under oath</u>. A case</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Equity				A-14	<p>presented to the court on stipulated facts for a final disposition as a resolution of the law in the case is also classified as a "trial."</p> <p>Items Court Code through Date Filed were covered in the Common Entries section.</p> <p>Item C on both header and master is filled in as follows:</p> <ol style="list-style-type: none"> 1. Regular adoption--regular adoption proceedings. 2. Petitions for Guardianship--Report separately all Petitions for Guardianship Preceding Adoption pursuant to Md. Code Art. 16, § 72(a) and (b). This includes both guardianship with the right to adoption and guardianship with the right to consent to long term care short of adoption. 3. Divorce, Nullity, or Maintenance (self explanatory.)

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>4. Paternity (self explanatory).</p> <p>5. Foreclosure (self explanatory).</p> <p>6. Other--if not one of the above listed</p> <p>TRIAL: For statistical purposes, an equity "trial" is defined as (1) a hearing on the facts upon which relief is sought for; (2) the intended purpose of making a final disposition of the case; (3) both parties need not be present or represented but the proceedings must advance to the point where at least one witness has been placed under oath. A case presented to the court on stipulated facts for a final disposition as to a resolution of the equitable principles or remedies which are applied in the case is also classified as a "trial." This includes proceedings before a Master if these conditions are met. If proceedings are before a master and the criteria for trial are met, the code number for a Master rather than a judge should be entered. This same procedure should be followed if a master/examiner is involved. If the proceedings are before an examiner and the criteria for trial are otherwise met, the code number for the appropriate judge should be entered.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Juvenile				A-16	<p>DISPOSITION (DATE): All masters must have this entry prior to submission. Disposition date is defined as that date on which: a judgment is entered of trial or entry of a consent judgment; settlements, where an order of "Agreed and Settled" is filed on the Docket; dismissals occur (voluntary or involuntary).</p> <p>Court Code and Items A and B of both header and master were previously defined.</p> <p><u>Item C - Category</u></p> <p>Indicate appropriate number which best describes the proceeding in accordance with Section 3-801, Courts Article.</p> <ol style="list-style-type: none"> 1. Delinquency--Proceeding involving a delinquent act. This is an act which would be a crime if committed by an adult. 2. Dependency and Neglect: <u>This is an obsolete category. Do not use this number. Forms will be changed when present supplies are exhausted.</u>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>3. Adult: Adult means a person who is 18 years old or older.</p> <p>4. Child in Need of Assistance: A child who needs the assistance of the court because:</p> <ul style="list-style-type: none"> a. He is mentally handicapped or is not receiving ordinary and proper care and attention, and b. His parents, guardians, or custodian are unable or unwilling to give proper care and attention to the child and his problems provided, however, a child shall not be deemed to be in need of assistance for the sole reason he is being furnished nonmedical remedial care and treatment recognized by State law. <p>5. Mentally Handicapped Child: A child who is or may be mentally retarded or mentally ill.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>6. Child in Need of Supervision: A child who requires guidance, treatment, or rehabilitation because:</p> <ul style="list-style-type: none"> a. He is required by law to attend school and who is habitually truant from school; b. He is habitually disobedient, ungovernable, and beyond control of the person having custody of him without substantial fault on the part of that person; c. He departs himself so as to injure or endanger himself or others; or d. He has committed an offense applicable only to children. <p>NOTE: Due to the future requirements of the Maryland State Police, Department of Corrections, Department of Parole and Probation, and Federal Agencies including the FBI, it is recommended that all courts adopt a single indictment number per defendant per charge policy as soon as practicable. Most of our courts have already done this or are in the planning stages of doing so. Maryland like virtually all other progressive states is in the developmental phase of an integrated criminal justice information system project to serve all of the</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>agencies involved. These systems ultimately will be fully integrated nationwide through the FBI's NCIC. This will operate in a manner similar to the Bell System with local, state, and regional interfaces.</p> <p>Those jurisdictions within the State of Maryland presently using a single indictment number for a number of charges against a single defendant or a number of co-defendants in combinations of charges and defendants may continue to do so until problems are resolved at the local level between State's Attorney and Clerk of Court Offices. It is requested that each defendant in a matter having only one docket number be identified by a letter character. For instance, if defendants Jones, Smith, and Green are charged with armed robbery, assault, and possession of a deadly weapon under indictment number 7125, three separate headers and masters should be prepared as follows:</p> <p>7125A - Jones (all charges) 7125B - Smith (all charges) 7125C - Green (all charges)</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>The same procedure will be used in single defendant, multiple charge cases. This example will be referred to in instructions to follow. Annex E contains more information on co-defendant reporting as well.</p> <p>Court Code and Items A and B (See Common Entries section).</p> <p>Item C requires the entry of the appropriate numerical code for the charging document:</p> <ul style="list-style-type: none"> 1 Nonsupport 2 Indictment 3 Motor Vehicle Appeals from District Court 4 All Other Appeals 5 Post Conviction 6 Criminal Information 7 Jury Trial Prayed at District Court--no prior trial held <p>Item D - Plea</p> <p>In most proceedings this will be simple, particularly in those jurisdictions using the single docket number per charge per defendant method. In House Joint</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>Resolution No. 74, the State Court Administrator is requested to report on the effect of plea bargaining in criminal cases. In order to comply statistically with this Resolution, the following is requested:</p> <ol style="list-style-type: none"> 1. Jurisdictions using the single charge/defendant/docket number procedure fill in the appropriate number; 1 = Guilty, 2 = Not Guilty. 2. Jurisdictions not having the single charge/defendant/docket number procedure will apply the following criteria using the Jones, Smith, Green example cited previously. <ol style="list-style-type: none"> a. If a defendant pleads guilty to all charges or not guilty to all charges, so indicate with a 1 or 2 as appropriate. b. If a defendant pleads guilty to one or more charges but not guilty to one of the charges covered by a single docket number, statistically for this system, he is regarded as a NOT GUILTY plea. For instance,

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>if Jones pleads not guilty to assault but guilty to armed robbery and the deadly weapon charge, enter NO. 2 in Item D for Docket Number 7125A.</p> <p>c. Occasionally Nolo Contendere pleas are entered in criminal proceedings. These statistically will be regarded as GUILTY, enter No. 1 in Item D.</p> <p><u>Item E - Dispositions</u></p> <p>Dispositions will be handled in the same manner as D in single charge/defendant/docket number courts. All others will:</p> <ol style="list-style-type: none"> 1. Stet - Matters in which all charges against a defendant are stëtted. 2. Nolle Prose - Matters in which <u>all</u> charges against a defendant are Nolle Prossed. 3. Not Guilty - Matters in which a defendant is found not guilty of <u>all</u> charges.

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Criminal Definitions					<p>4. Guilty - Matters in which a defendant is found guilty of <u>any</u> of his charges.</p> <p>5. Probation - Matters adjudged as such. (Classification of this item expected from 1976 General Assembly.)</p> <p>6. Dismissed - <u>This disposition choice will be added to all new forms as soon as stocks are exhausted. The computer has been programmed to accept it now.</u></p> <p><u>TRIAL:</u> For statistical purposes a trial in criminal cases, whether an original action or an appeal de novo, is defined as (1) a contested hearing on the essential facts of the specific offense as alleged for; (2) the maintained purpose of making final disposition of the case; (3) both parties must be present or represented; and (4) contesting the action and the proceedings must advance to the point where (5a) the jury is sworn, or if a nonjury case (5b) at least <u>one witness</u> has been placed under oath. Guilty and nolo contendere pleas entered prior to the occurrence of the events described in 5a or 5b above are not trials for purposes of this definition.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>No trial code will be entered if all matters on a single docket number are given a stet or nolle prosee.</p> <p><u>Disposition (date):</u> In criminal cases, this will be the date of pronouncement of a Not Guilty verdict, Probation, Stet, or Nolle Prosee. If the verdict is guilty on any of the charges on a given docket number, the disposition date is the date of sentencing. Please see Annex E for further classifications.</p> <p>Jurisdictions having an automated system will use the "Closed Status" parameter as a pointer for their disposition record program.</p> <p><u>NOTE:</u> These regulations, like all administrative procedures, will necessarily undergo periodic revision. The format design is such that when a change is made, this Office will republish the entire page affected so that the out-dated one can be replaced by the current version. For instance, if a definition on a page is changed, all offices will be sent a new page to post in the procedures manual; discard the old page. All changes will be dated and marked to insure a smooth update.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Personnel Policies</u>					<p>NOTE: To instill an incentive in the employees, fair methods must be set up as to appointments, promotions, uniform annual and sick leave policies, adequate working conditions, and above all, respect for the performance of the individual's duties from the immediate supervisor to the head of the office.</p>
Appointment of Deputy Clerks	9	A-58	Constitution Art. IV, Sec. 26	<p>a) Prepare Appointment Request Letter.</p> <p>b) Forward letter to judges of the city/county for confirmation.</p> <p>c) File letter in individual's personnel file.</p> <p>d) Notify Comptroller.</p> <p>e) Prepare and forward MSRS Forms 1 and 4.</p> <p style="text-align: center;">A-25</p>	<p>NOTE: Those offices under the Merit System follow the rules and regulations promulgated by the Secretary of Personnel</p> <p>a) Appointments are made on the basis of an individual's ability, without regard to race, color, creed, sex or national origin</p> <p>e) Send forms to Maryland State Retirement Systems, 301 West Preston Street, Baltimore, Maryland 21201.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Termination of Deputy Clerks				a) Prepare Termination Request Letter. b) Forward letter to Comptroller. c) File letter in individual's personnel file.	
Weekly Work Hours			MR 1215		NOTE: Deputy Clerks and other employees are expected to work a normal minimum work week consisting of the number of hours prescribed by judges of each respective court or for classified employees of this State.
Employee Leave Policies					NOTE: Employee leave policies cover the following three areas: #1 Annual Leave #2 Personal Leave #3 Sick Leave
#1 Annual Leave					NOTE: Each full-time, salaried employee of the Clerk's Office is entitled to annual leave as follows: 1. Upon completion of six (6) months of service--five (5) days.

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#2 Personal Leave					<p>2. Seven (7) months through fifth year, ten (10) days--earned at the rate of .83 days per month</p> <p>3. 6th year through 10th year, fifteen (15) days--earned at the rate of 1.25 per month</p> <p>4. 11th year through 20th year, twenty (20) days--earned at the rate of 1.66 days per month</p> <p>5. 21st year and over, twenty-five (25) days--earned at the rate of 2.08 days per month</p> <p>NOTE: Annual leave may be accumulated to a maximum of thirty-five days and carried into a new calendar year. This leave should be available to each employee for vacation at any time upon request, with the approval of the Clerk.</p> <p>Employees are entitled to personal leave, with pay, up to and including three (3) days in any calendar year.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#3 Sick Leave					<p>NOTE: Personal leave may not be accumulated; any unused personal leave at the end of a calendar year is forfeited. Personal leave may be used for religious holidays or any other purpose provided permission is obtained from the Clerk.</p> <p>Persons who are employed on a temporary or emergency basis do not earn, and are not eligible to receive, any paid leave as provided for above. However, if they are appointed to a permanent position, the starting date for any annual and sick leave is retroactive to the beginning of their temporary or emergency employment status.</p> <p>NOTE: Employees earn sick leave at a rate of 1-1/4 days for each full month of credited service, starting with the first month of service (or a total of fifteen (15) working days per year).</p> <p>NOTE: There is no limit on Sick Leave accumulation. Unused Sick Leave is credited at the time of retirement at the rate of 22 days, equaling one month's retirement.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>In case of sickness sufficiently severe to keep an employee from his work sick leave shall be available to the extent earned. For any illness of three (3) or more consecutive working days, an employee must submit a certificate, signed by a licensed physician, which authenticates the period of illness.</p>
Use of Office Equipment and Facilities					<p>The personnel, equipment, and facilities of each clerk's office may not be used for personal purposes. No personal or private business shall be conducted in or from the clerk's office.</p>
Travel Regulations					<p>NOTE: See Exhibit I, Comptroller's Office Directive.</p>
Secretary of Personnel Regulations					<p>NOTE: These regulations cover the following personnel areas:</p> <ol style="list-style-type: none"> 1. Time-keeping procedures for employees. 2. Employee Leave Benefits.
Pay Schedules					<p>NOTE: See Exhibit J.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Payroll Increments				<p>Prepare promotion request letter; forward to State Comptroller for approval.</p>	<p>NOTE: Employees are permitted payroll increments on July 1 of each year according to the Pay Schedule of the State Comptroller's Office. Merit system employees are permitted payroll increments on January 1 and July 1.</p> <p>The Clerk can promote employees if a vacancy exists and if he/she has the approval of the Comptroller.</p> <p>NOTE: The State Comptroller notifies the Clerk of the decision regarding the request.</p> <p>An annual affidavit of salary received per employee is submitted to the Comptroller at the end of the fiscal year.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Accounting Procedures</u>					<p>NOTE: The Clerk is responsible for the collection of large sums of money for the State and local subdivisions. It is important for the Clerk's staff to contain well-trained and qualified personnel with knowledge of accounting procedures. This may be done by on-the-job training or by employing personnel with a background in accounting. In larger courts, it is desirable to set up a system of internal controls, whereby an "in-house" audit can be conducted. In the event that funds cannot be accounted for, the Clerk may be personally liable.</p> <p>The following checklist will aid the accounting staff (Legal References--Annotated Code of Maryland):</p> <ol style="list-style-type: none"> 1. Article 17--Clerks of Court 2. Article 26--Courts 3. Article 36--Fees of Office (see also Courts & Jud. Proc. 7-201-207) 4. Article 56--Licenses 5. Article 62--Marriage Licenses 6. Article 81--Revenue and Taxes 7. Courts and Judicial Proceedings 8. Real Property 9. Commercial Law

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>General Elements of an Accounting System</p> <p>Maintenance of distinct accounts</p>				<p>NOTE: A variety of receipts, such as fines and costs and fees are processed by the Clerk of Court. Each category of receipts should be maintained in a separate account. Separate accounts permit closer monitoring of receipts and disbursements for each classification of funds, reduces the difficulty in preparing monthly financial reports, and allows parallel bank accounting to verify the accuracy of each account.</p>	<p>NOTE: Standardization of accounting procedures may not be feasible due to the requirements of individual localities; however, the Clerk should be familiar with certain basic accounting techniques for efficient and effective financial management. The following section outlines the accounting requirements of the Clerk's Office.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Uniform Disbursement Procedure for All Accounts				NOTE: When disbursements are made a check should be issued. The clerk should never disburse cash.	NOTE: Disbursing cash presents problems of storage, security and auditing. The use of checks provides a "hard copy" record of the transaction. For auditing purposes the transaction can be reviewed by tracing the check.
Cash Receipts				NOTE: Anyone depositing monies with the clerk should be given a receipt. The receipt may include the date, docket number, name of the individual and the signature of the individual. There should be a carbon in insure that a copy of the transaction is retained.	
Development of Standardized Ledger Notations				NOTE: Standard ledger entries should be maintained to document individual transactions.	
Frequency and Format of Deposits				NOTE: A uniform policy regarding the frequency and format of deposits should be developed to minimize the amount of cash in the clerk's office and to increase the documentation and cross-reference potential between receipts and deposits.	

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Regular Audit Review				NOTE: A schedule for regular audit review of each category of funds should be developed to maintain financial accountability and to continuously update accounting procedures.	
Processing Receipts Receipt Issued				a) When a payment is made to the Clerk's Office, complete a receipt; retain a carbon copy of the receipt.	a) Included on the receipt may be the following information: 1. Docket number 2. Date 3. Type of account 4. Name of individual or case caption The receipt should be signed by the person accepting the payment.
Cash Receipt					NOTE: See Exhibit D, NCR 41 Accounting Machine Operating Suggestions and Reminders.
Deposits				b) Deposits should be made on a regular basis to minimize the amount of cash being retained in the clerk's office.	b) See Exhibit E, F, and G for letters from Comptroller's Office re making deposits. Also see Exhibit F for collateral pledged to secure bank deposits. A Bond for Money and Securities Coverage On/Off Premises is in effect to protect the Clerk's Office from robbery.

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Docketing				c) Make appropriate entries, if applicable, on docket and case folder.	
Posting				d) Post the required information in the appropriate account ledger. e) Prepare operating reports.	e) See Exhibit H for a Schedule of Operating Reports.
Unpresented and Undelivered Checks (General Accounts Only)			Article 95, Sec. 7A	a) Review checking account to ascertain what checks are outstanding for a period of two (2) years as of June 30 each year.	NOTE: The Treasurer of the State, at the end of each fiscal year, determines the checks issued against the funds of the State which have not been presented for payment within the two years prior to the dates of determination. The Treasurer certifies to the Comptroller of the Treasury the date of issue, check number, bank drawn against, payee and amount of such checks and requests the Comptroller to warrant the amount and account for same in an account entitled "Unpresented Checks Fund."

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Unclaimed Property	10	A-59	Commercial Law, Title 17	b) Notify bank to stop payment on these checks giving the bank the date of issue, check number, Payee and amount.	NOTE: The Clerk is required to report to the State Comptroller before November 1 of each year as of June 30 next preceding any funds or other property, tangible or intangible, presumed abandoned. These forms are available from the Abandoned Property Unit, 301 W. Preston Street., Baltimore, Maryland 21201. Usually the funds that the clerk will report are those in the litigant accounts where money has been deposited pending the
	11	A-60		c) Notify the State Treasurer of the funds being forward to him along with the 1) date of issue of each check, 2) check number, 3) bank drawn against, 4) name of payee, and 5) amount.	
	12	A-61		d) If there are no outstanding checks, file a negative report. e) Maintain a file on funds reported under Article 95, Section 7A.	

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
	13, 14	A-62 A-63		<p>a) Review all monies deposited in litigant accounts to ascertain if still on deposit.</p> <p>b) Review case to determine if it has been terminated either by judgment, dismissal, or settlement.</p> <p>c) If case has been terminated, check to see if seven (7) years have elapsed since final determination.</p> <p>d) If money has remained unclaimed by owner(s) for more than seven (7) years as of June 30, fill out forms #APD-1 and APD-2.</p> <p>e) Forward forms APD-1 and APD-2 to Abandoned Property Unit prior to November 1.</p> <p style="text-align: center;">A-37</p>	<p>final outcome of a case such as Rule Security for costs, deposits by the State, County or Baltimore City in condemnation cases, and in cases when the court orders payment into court.</p> <p>d) Form APD-2 must be filled out for each account unless the amount on deposit is less than \$25.00.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
	15	A-64		<p>The Clerk upon receipt of this notice should proceed as follows:</p> <p>f) Check to ascertain whether any funds reported were paid to the owner(s). If so, prepare form APD-5--Detail of Items Removed.</p> <p>g) Determine the balance of funds reported; if funds are in an interest-drawing account, notify bank to determine the amount of interest due on each account.</p>	<p>NOTE: The Abandoned Property Unit, upon receipt of forms APD-1 and APD-2, have certain duties to perform which are set out in Section 17-115. Upon completion of these requirements the clerk will receive a notice to forward the reported funds, less any amount claimed by the owner(s), to the Comptroller of the Treasury.</p>
	16	A-65		<p>h) Prepare Petition and Order of Court directing clerk to pay funds reported with interest to the Comptroller of the Treasury less open court costs where appropriate.</p> <p style="text-align: center;">A-38</p>	

CONTINUED

1 OF 9

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Purchasing Regula- tions Court Expenses	17	A-67		i) Prepare form APD-4. j) Write check and forward with forms APD-4 and APD-5, if applicable, to Abandoned Property Unit. k) Make necessary entries on docket and file jacket. l) Review litigant account and other funds held in office that may be reportable for the coming year. m) Maintain a file on all reports and money paid under Title 17, Commercial Law of the Annotated Code of Maryland.	NOTE: See Exhibit K for regulations governing purchasing procedures. NOTE: See Exhibit L.

A-39

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Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Miscellaneous Duties</u></p> <p>Administering Oaths</p>					<p>NOTE: Among his other duties, the Clerk is responsible for the swearing-in of all personnel set forth in the State Constitution, such as Judges, Register of Wills, Sheriff and his deputies, Notaries Public (Article 61), personnel of the Police Department, Special Police (Article 41), Deputy Clerks, and many others too numerous to name.</p> <p>The Clerk is responsible for fostering a positive, dignified image of the Courts in dealing with appointees of every rank.</p> <p>There are three (3) types of Commissions for which the Clerk is responsible:</p> <ol style="list-style-type: none"> 1. Large Commissions--Judges, Sheriffs, Register of Wills, etc., elected or appointed by the Governor. 2. Notary and Special Police Commissions appointed by the Governor.

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>a) Upon receipt of a commission, review the commission for the following:</p> <ol style="list-style-type: none"> 1. That the Commission belongs in his/her jurisdiction; 2. That the Commission is signed by the Governor, Secretary of State, and the Secretary who is the appointing authority; 3. That the position of appointee and term of expiration date are noted on Commission; 4. That, when required, the appointee presents a Court-approved bond for the faithful performance of his duty. <p>b) Record the commission in the appropriate docket.</p> <p>c) When the appointee appears in the Clerk's Office to be sworn in on a Commission, check to see if the Commission has been received.</p> <p style="text-align: center;">A-41</p>	<p>3. Special Police appointed by the Police Commissioner or Chief of Police.</p> <p>a) Commissions are forwarded to the appropriate Court by the Governor or the Secretary of State.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				d) Administer the appropriate oath.	<p>Oath to Judges of Circuit Court, Supreme Bench of Baltimore City and District Court Judges. (Constitution of Maryland- Article I, Section 6)</p> <p>"I, DO SWEAR (OR AFFIRM, AS THE CASE MAY BE) THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES; AND THAT I WILL BE FAITHFUL AND BEAR TRUE ALLEGIANCE TO THE STATE OF MARYLAND, AND SUPPORT THE CONSTITUTION AND LAWS THEREOF; AND THAT I WILL, TO THE BEST OF MY SKILL AND JUDGMENT, DILIGENTLY AND FAITHFULLY, WITHOUT PARTIALITY OR PREJUDICE, EXECUTE THE OFFICE OF, ACCORDING TO THE CONSTITUTION AND LAWS OF THIS STATE, THAT I WILL NOT DIRECTLY OR INDIRECTLY, RECEIVE THE PROFITS OR ANY PART OF THE PROFITS OF ANY OTHER OFFICE DURING THE TERM OF MY ACTING AS"</p> <p>Oath to Clerk, Sheriff, Register of Wills, Orphans' Court Judges, Notary Public, Police, Special Police, and those appointed by the Governor to Commissions, Boards, etc. (Constitution of Maryland- Article XV, Section 10)</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>"I,, DO SWEAR (OR AFFIRM, AS THE CASE MAY BE) THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES; AND THAT I WILL BE FAITHFUL AND BEAR TRUE ALLEGIANCE TO THE STATE OF MARYLAND, AND SUPPORT THE CONSTITUTION AND LAWS THEREOF; AND THAT I WILL, TO THE BEST OF MY SKILL AND JUDGMENT, DILIGENTLY AND FAITHFULLY, WITHOUT PARTIALITY OR PREJUDICE, EXECUTE THE OFFICE OF, ACCORDING TO THE CONSTITUTION AND LAWS OF THIS STATE."</p> <p>Oath to Deputy Auditor, Clerk, Sheriff, etc. (Annotated Code, Courts and Judicial Proceeding, Sec. 2-104)</p> <p>"I,, DO SWEAR (OR AFFIRM, AS THE CASE MAY BE) THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES; AND THAT I WILL BE FAITHFUL AND BEAR TRUE ALLEGIANCE TO THE STATE OF MARYLAND, AND SUPPORT THE CONSTITUTION AND LAWS THEREOF; AND THAT I WILL, TO THE BEST OF MY SKILL AND JUDGMENT, DILIGENTLY AND FAITHFULLY, WITHOUT PARTIALITY OR PREJUDICE, EXECUTE THE OFFICE OF, ACCORDING TO THE CONSTITUTION AND LAWS OF THIS STATE."</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>STATE, THAT I WILL NOT FOR LUCRE OR MALICE DELAY ANY PERSON APPLYING TO ME FOR ANY BUSINESS BELONGING TO THE OFFICE I OFFICIATE IN, AND THAT I WILL NOT DIRECTLY OR INDIRECTLY ASK, TAKE, EXACT, DEMAND OR RECEIVE FROM OR CHARGE TO ANY SUCH PERSON TO MY OWN USE ANY FEE OR REWARD WHATSOEVER FOR ANY SERVICES I MAY DO AS DEPUTY OF THE SAID OFFICE AND THAT IN MAKING OUT THE OFFICE FEES I WILL NOT WITTINGLY OR WILLINGLY CHARGE OTHER OR HIGHER FEES THAN ARE ALLOWED BY LAW."</p> <p>Oath to Attorney by Clerks (Article 10, Section 10).</p> <p>"I, DO SOLEMNLY SWEAR (OR AFFIRM) THAT I WILL AT ALL TIMES DEMEAN MYSELF FAIRLY AND HONORABLY AS AN ATTORNEY AND PRACTITIONER AT LAW; THAT I WILL BEAR TRUE ALLEGIANCE TO THE STATE OF MARYLAND, AND SUPPORT THE LAWS AND CONSTITUTION THEREOF AND THAT I WILL BEAR TRUE ALLEGIANCE TO THE UNITED STATES, AND THAT I WILL SUPPORT, PROTECT, AND DEFEND THE CONSTITUTION, LAWS AND GOVERNMENT THEREOF AS THE SUPREME LAW OF THE LAND; ANY LAW OR ORDINANCE OF THIS OR ANY STATE TO THE CONTRARY NOTWITHSTANDING."</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
	18, 19	A-68 A-69		<p>e) Have appointee sign and date the test book.</p> <p>f) Collect Clerk's fee; return receipt to appointee.</p> <p>g) Give Commission to appointee, retaining lower portion of Commission if it is for a Notary Public or Special Police appointed by the Governor.</p> <p>h) Enter on list supplied by Secretary of State (Large Commissions only) the 1) name, 2) title, and 3) date of qualification of appointee.</p> <p style="text-align: center;">A-45</p>	f) *Assess proper fee.

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Passport Processing				<p>i) If the Commission is a Notary, give the appointee a <u>Manual for Notaries Public of Maryland</u>.</p> <p>a) Collect the following from the passport applicant:</p> <ol style="list-style-type: none"> 1. Passport Application. 2. A <u>certified copy</u> of birth. 3. Two (2) photographs of the applicant. 4. Clerk's fee. 5. Check in the proper amount payable to <u>Passport Office</u>. <p>b) Check applicant for positive identification.</p> <p>c) Collect Clerk's fee; return receipt to applicant.</p> <p style="text-align: center;">A-46</p>	<p>NOTE: Not all Circuit Court Clerks have responsibility for processing passports.</p> <ol style="list-style-type: none"> 1. This application must be completed and signed by <u>the applicant</u>. 3. These photographs must be 2-1/2 inches by 2-1/2 inches; they may be polaroid color or black and white. <p>c) *Assess proper fee.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>d) Seal the following items in an envelope:</p> <ol style="list-style-type: none"> 1. Passport Application 2. Both photographs 3. Check payable to Passport Office 4. Certified copy of birth 5. Cover letter <p>e) Mail envelope to:</p> <p>Passport Office 1425 K Street, N.W. Washington, D.C. 20524</p>	<p>d) If the applicant has a previous passport, also seal the passport in the envelope; each applicant's papers are separately sealed.</p> <p>d) If the applicant desires to obtain the passport before the usual four-to six-week processing interval, give him/her the sealed envelope for personal delivery to the Passport Office.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>NOTE: The Clerk must constantly evaluate the operation of the office as to the qualifications of personnel, the updating of equipment and records, and the introduction of new procedures. As new laws and rules of court are made, the Clerk must determine whether or not a change or amendment to his present operating procedure is necessary. Before any change in procedure is instituted, the Clerk must discuss this matter with his judge(s) and acquire the approval of the court.</p> <p>Personnel must be given the opportunity to advance themselves in the office.</p> <p>A new employee usually learns by "on-the-job training" method. Every effort should be made to encourage employees to attend classes of instruction as set up by the Court Clerk's Association.</p> <p>Employees should be encouraged to continue their education by attending courses of instruction given locally, and attending the Court Management Institute of the University of Maryland.</p>

Administrative Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Report Preparation					NOTE: The Clerk is responsible for preparation and submission of several reports dealing with administrative functions. Ten such reports are:
	20	A-70	C.J.2-205		1. GAD Form CW-10
	21	A-71			2. Report of Fixed Assets (GS 72041)
	22	A-72			3. Annual Report
	23	A-73			4. GAD Form C-2--Monthly Cash Activity Report
	24	A-74			5. GAD Form C-19--Monthly Receipts and Disbursements
	25	A-75			6. GAD Form CW-2--Monthly Report of Cash or Deposit in Various Banks
	26	A-76			7. Quarterly Reports--Social Security and Federal Tax
	26a	A-77			
	26b	A-78			
	26c	A-79			
	27	A-80			8. Annual Report of Federal Tax (with W-2 Form)
	27a	A-81			9. Monthly Report of State Tax
	28	A-82			10. Monthly or Bi-Weekly Report to Pension Fund
	29	A-83			
	29a	A-84			

4 1 LAW HEADER

COURT CODE

A. DOCKET NUMBER

B. DATE FILED (Month/Day/Year)

C. CATEGORIES

- Torts:
- 01—Motor
 - 02—Other
 - 03—Consent
 - 04—Contract
 - 05—Confessed Judgment
 - 06—Condemnation
 - 07—Other Law
- Habeas Corpus:
- 08—Prisoner
 - 09—Other
 - 10—Defective Delinquent

D. APPEALS:

- 1—Record
- 2—De Novo
- 3—Admin. Agency

E. TOTAL CLAIMED:

- 1—\$2,501 to 5,000
- 2—\$5,001 to 10,000
- 3—\$10,001 to 25,000
- 4—\$25,001 to 50,000
- 5—Above \$50,000

4 2 LAW MASTER

COURT CODE

A. DOCKET NUMBER

B. DATE FILED (Month/Day/Year)

C. CATEGORIES

- Torts:
- 01—Motor
 - 02—Other
 - 03—Consent
 - 04—Contract
 - 05—Confessed Judgment
 - 06—Condemnation
 - 07—Other Law
- Habeas Corpus:
- 08—Prisoner
 - 09—Other
 - 10—Defective Delinquent

D. APPEALS:

- 1—Record
- 2—De Novo
- 3—Admin. Agency

CHRONOLOGY

Event	Date	Hours	Judge
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2 1 EQUITY HEADER

COURT CODE

A. DOCKET NUMBER

B. DATE FILED
(Month/Day/Year)

C. PROCEEDING

- Adoption
- 1—Regular
- 2—Guardianship
- 3—Divorce, Nullity or Maintenance
- 4—Paternity
- 5—Foreclosure
- 6—Other

2 2 EQUITY MASTER

COURT CODE

A. DOCKET NUMBER

B. DATE FILED
(Month/Day/Year)

C. PROCEEDING

- Adoption
- 1—Regular
- 2—Guardianship
- 3—Divorce, Nullity or Maintenance
- 4—Paternity
- 5—Foreclosure
- 6—Other

CHRONOLOGY

Event	Date	Hours	Judge

JUVENILE HEADER

COURT CODE

A. DOCKET NUMBER

B. DATE FILED
(Month/Day/Year)

C. CATEGORY:

- 1—Delinquency
- 2—Dependency & Neglect
- 3—Adult
- 4—Child in Need of Supervision
- 5—Mentally Handicapped
- 6—Child in Need of Assistance

JUVENILE MASTER

COURT CODE

A. DOCKET NUMBER

B. DATE FILED
(Month/Day/Year)

C. CATEGORY:

- 1—Delinquency
- 2—Dependency & Neglect
- 3—Adult
- 4—Child in Need of Supervision
- 5—Mentally Handicapped
- 6—Child in Need of Assistance

CHRONOLOGY

D. DISPOSITION

- 1—Jurisdiction Waived
- 2—Charge Sustained
Dismissed
- 3—Charge Sustained
Probation
- 4—Charge Sustained Insti-
tutional Commitment
- 5—Charge Not Sustained
- 6—Other Conclusion or
Disposition

Event	Date	Hours	Judge
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1 1 CRIMINAL HEADER

COURT CODE

A. DOCKET NUMBER

B. DATE FILED (Month/Day/Year)

C. CHARGING DOCUMENT

- 1—Nonsupport
- 2—Indictment
- 3—Motor Appeals
- 4—Other Appeals
- 5—Post Conviction
- 6—Criminal Information
- 7—Jury Trial Prayed District Court

1 2 CRIMINAL MASTER

COURT CODE

A. DOCKET NUMBER

B. DATE FILED (Month/Day/Year)

C. CHARGING DOCUMENT

- 1—Nonsupport
- 2—Indictment
- 3—Motor Appeals
- 4—Other Appeals
- 5—Post Conviction
- 6—Criminal Information
- 7—Jury Trial Prayed District Court

D. PLEA

- 1—Guilty
- 2—Not Guilty

E. DISPOSITION

- 1—Stet
- 2—Nolle Prosse
- 3—Not Guilty
- 4—Guilty
- 5—Probation
- 6—Dismissed

CHRONOLOGY

Event	Date	Hours	Judge

Court House
, Maryland

Honorable Judges:

I respectfully request the approval of the appointment
of _____ to fill the vacancy created by the retire-
ment of _____ on _____

_____ is _____ years of age, single, and
resides at _____, Maryland
He is a graduate of _____ and has conducted
a _____ business for the past _____ years. He will
be assigned to the Record Office as a general clerk and will per-
form general clerical duties such as typing, indexing and filing.

_____ informed me that he has no criminal record
and I have verified the same with the Police Department of _____

Yours truly,

Clerk

Bank
Street
, Maryland

Attention:
Gentlemen:

The checks listed below in Account No. _____ have
been outstanding for over two years and it is requested that payment
be stopped on same.

<u>Date of Issue</u>	<u>Check No.</u>	<u>Payee</u>	<u>Amount</u>
5-12-70			\$ 15.00
6-7-72			15.00
1-5-73			15.00
2-14-73			15.00
2-14-73			15.00
3-15-73			15.00
3-16-73			15.00
			<u>\$105.00</u>

I remain Thanking you for your help in this and all matters,

Yours very truly,

, Clerk

Per _____

, Chief Accountant

Hon.
State Treasury Building

Dear Mr. :

Re: Article 95 Section 7A - Annotated Code
of Maryland - 1969 Replacement Volume

Enclosed find check in the amount of \$30.00, representing
checks issued against the funds of the
which have not been presented for payment within the two
years prior to date of determination.

<u>Date of Issue</u>	<u>Check No.</u>	<u>Bank Drawn Against</u>	<u>Payee</u>	<u>Amount</u>
5-12-70				\$ 15.00
6-7-72				\$ 15.00
				\$ 30.00

I remain,

Yours truly,

Clerk,

Enclosure

Hon.
Treasurer, State of Maryland
State Treasury Building
Annapolis, Maryland 21404

Dear Mr.

Re: Article 95 Section 7A - Annotated Code
of Maryland - 1969 Replacement Volume

There are no outstanding checks in the
Court which have not been presented for payment within two
years prior to the date of determination.

I remain,

Yours truly,

Clerk,

STATE OF MARYLAND
COMPTROLLER OF THE TREASURY
MISCELLANEOUS REVENUE DIVISION
ABANDONED PROPERTY
301 W. PRESTON STREET
BALTIMORE, MARYLAND 21201

Form #13

ANNUAL REPORT OF PROPERTY PRESUMED ABANDONED
(See Reverse Side for Instructions)

For The Year Ended _____
(For Insurance Companies - December 31 - For All Others - June 30)

1. Name of Holder _____ Circuit Court For _____ County _____ Date _____

2. _____
Street Address _____ City _____ State _____ Zip Code _____

3. In compliance with Chapter No. 611 Acts of 1966, titled "Uniform Disposition of Unclaimed Property Act," the above holder hereby reports the following unclaimed property subject to the Act:

- (a) All money held and owing by any holder thereof doing business in this State which shall have remained unclaimed and unpaid and presumed abandoned as provided in the above Act, as reported in detail on the attached _____ sheets, and amounting to _____ \$ _____
- (b) All stock or other certificates of ownership and all other property, not in the form of money, held or owing, as defined in the Act, and as reported in detail on the attached _____ sheets the estimated value of which is _____ \$ _____

DO NOT SEND MONEY OR PROPERTY WITH THIS REPORT

4. You are a successor to a previous holder of the property reported above, or if you have changed your name, please list such prior name below:

Name _____ Address _____
Name _____ Address _____
Name _____ Address _____

AFFIDAVIT

5. State of _____ ss.

County/City of _____

I, _____ Clerk _____ of the
(Type in name of officer, partner, etc.) (Type in title of person signing)
company or holder, for which this report is made, being duly sworn (or affirmed) according to law do depose and say that this report is true and contains all facts required by law to be reported.

Signature _____

Subscribed and sworn to (or affirmed) before me this _____ day of _____ 19 _____

Notary Public _____

STATE OF MARYLAND
COMPTROLLER OF THE TREASURY
ABANDONED PROPERTY

Form #14

DETAIL SHEET

(See Reverse Side for Instructions)

Do Not Use This Space		Name and Last Known Address of Owner, Insured, Beneficiary or Annuitant List Alphabetically - Surname First DOUBLE SPACE BETWEEN ACCOUNTS (3)	Holders Identifying Number (4)	Date Property Became Payable Demandable or Returnable (5)	Date of Last Transaction (6)	Amount or Estimated Value (7)
County Code (1)	Account Number (2)					
		(List only owners, Insured, Beneficiary etc. who are named in this case if the amount is over \$25.00. Separate sheet (Form APD-2) for each case over \$25.00)				

Report as of _____ Date _____ Circuit Court For _____ County _____ Name and Address of Holder _____ Sheet No. _____
PREPARE IN DUPLICATE - FILE ORIGINAL WITH MISCELLANEOUS REVENUE DIVISION - RETAIN DUPLICATE
A-63

STATE OF MARYLAND
COMPTROLLER OF THE TREASURY
MISCELLANEOUS REVENUE DIVISION
ABANDONED PROPERTY
301 W. PRESTON STREET
BALTIMORE, MARYLAND 21201

DETAIL OF ITEMS REMOVED

Do Not Use This Space		Name and Last Known Address of Owner, Insured, Beneficiary or Annuitant exactly as originally reported. Give statement of reason for removal.	Use Same Holder's Identifying Number Shown on Original Report (4)	Amount or Value Removed from Original Report (5)
County Code (1)	Account Number (2)			
		<p>Name of Owner, etc Address</p> <p>Example giving statement of reason for removal:</p> <p>On November 1, 19__, the above named petitioned the Court to pay money to him. Money was paid into court as a result of an attachment laid in the hands of a Garnishee who deposited same into court. Court approved petition.</p>	File No.	

Report as of _____ Clerk, Circuit Court For _____ County
Name and Address of Holder

Sheet No. _____

INSTRUCTIONS

This report must accompany the Remittance Advice (Form APD-4) if the amount remitted differs from the amount originally reported. Sufficient explanation of reasons why each of the items listed above was removed from the original report.

PREPARE IN DUPLICATE - FILE ORIGINAL WITH MISCELLANEOUS REVENUE DIVISION - RETAIN DUPLICATE

IN THE COURT OF
PETITION TO PAY FUNDS IN ACCORDANCE WITH
ANNOTATED CODE OF MARYLAND, COMMERCIAL LAW TITLE 17

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of _____, Clerk of the _____ Court of _____ respectfully represents:

1. That there is on deposit in the Court Account of the Court in the _____ Bank of _____ the sum of _____ credited to the causes as set forth in paragraph two below.

- 2. _____ vs. _____, File \$ 100.00
- _____ vs. _____ 1.00
- _____ vs. _____, File 1.00
- _____ vs. _____, file 1.00
- _____ vs. _____, File .46
- _____ vs. _____, File .01

3. The above funds have remained unclaimed for more than seven (7) years and your Petitioner does not know and has been unable to ascertain to whom said funds are payable, and whether the person or persons so entitled are still alive, and if so, where they reside, or if dead, the names of their legal representatives; or if known have failed to file a proper claim in accordance with Commercial Code Law, Title 17 of the Annotated Code of Maryland, after proper notice.

4. In accordance with Title 17 section 17-114, I, as Clerk of the _____ Court notified the Comptroller of the State of Maryland (Administrator) of the unclaimed funds on August 1, 1972.

5. The Comptroller of the State of Maryland, acting in his capacity as Administrator, gave notice in accordance with section 17-115 and no one has claimed the above mentioned funds.

6. On July 5, 1973, this office received a letter from the Comptroller of the Treasury requesting said funds be paid to the Comptroller of the Treasury.

WHEREFORE your Petitioner prays that the amount of _____ be paid to the Comptroller of the State of Maryland in accordance with Title 17 of the Annotated Code of Maryland subsection 17-116.

_____, Clerk.

ORDER OF COURT

ORDERED this _____ day of _____ 19____, by the _____ COURT OF _____ that _____, Clerk of the _____ Court be and _____ is hereby authorized and directed to pay from the said Court Account the sum of _____ and interest thereon to the Comptroller of the Treasury of the State of Maryland, in accordance with Title 17 section 17-116 of the Annotated Code of Maryland (1974 Volume).

/s/ _____
Judge

APD-4
Remittance
Advice
10/75

STATE OF MARYLAND
COMPTROLLER OF THE TREASURY
MISCELLANEOUS REVENUE DIVISION
ABANDONED PROPERTY
301 W. PRESTON STREET
BALTIMORE, MARYLAND 21201

REMITTANCE ADVICE FOR PROPERTY PRESUMED ABANDONED

1. FROM _____
(Name of Holder)

(Mailing Address)

2. TOTAL amount of abandoned property reported to Comptroller on Form APD-1 as of _____, 19____ \$ _____
LESS - Total removed from the above report, as detailed on the attached list, Form APD-5 _____ \$ _____
REMITTANCE ENCLOSED
(Make remittance payable to Comptroller of the Treasury Abandoned Property Section) \$ _____

3. TOTAL Estimated Value of Property (not in the form of money) reported to Comptroller on Form APD-1 as of _____, 19____ \$ _____
LESS - Total estimated value removed from the above report as detailed on the attached list, Form APD-5 _____ \$ _____
NET VALUE OF ITEMS ENCLOSED \$ _____

DATE _____, 19____ (SIGNED) _____
(Authorized Officer)

(Title of Officer)

INSTRUCTIONS

If the amount remitted is less than the total originally reported, please attach to this Remittance Advice; our Form APD-5, listing each name removed from the original report, with a statement of reason for deletion.

THE STATE OF MARYLAND
Office of the Secretary of State

Annapolis, _____, 19 _____

To the Clerk of the _____ Court for _____, Md.:

Sir: I beg to call your attention to the provisions of Article 17, Section 72, and Article 70, Section 12, of the Code of Public General Laws, and request that you will return to this office a certificate under the seal of your Court, setting forth the name of appointee, Title of Office, Post Office Address, and date of the qualification of Officer commissioned by the Governor, whose commissions were received by you since your last report. Please use the accompanying form in making your return.

Please return to this office all commissions which have remained in your office unclaimed for thirty days or longer, from date of their receipt.

Very truly yours,

Secretary of State.

NAME OF APPOINTEE	TITLE OF OFFICE	P.O. ADDRESS	DATE OF QUALIFICATION
-------------------	-----------------	--------------	-----------------------

Member State Board of
Examining Engineers

Member, Commission on
Judicial Disabilities

Member, Fair Campaign
Financing Commission

Member, Commission on
Judicial Disabilities

I, _____, Clerk of the _____ Court for _____, Maryland, do hereby certify, that the above is a complete list of all officers who since my last report have taken and subscribed the oath of office before me, upon the dates respectively as above given.

WITNESS my hand and the seal of the said Court, this _____ day of _____, 19 _____

(Affix Seal)

s/
Clerk of the _____ Court for _____

STATE OF MARYLAND
COMPTROLLER OF THE TREASURY
REPORT OF FIXED ASSETS BY CLERKS AND REGISTERS
AS OF _____

AGENCY _____
ADDRESS _____

DESCRIPTION	VALUE
Furniture, Fixtures and Equipment	\$ _____
Other (Specify nature)	_____
_____	\$ _____
TOTAL	\$ _____

(Signed) _____
(Title) _____

To be prepared in quadruplicate; forward original and two (2) copies to Comptroller of the Treasury, General Department,
P. O. Box 466, Annapolis, Maryland.

_____ for _____
Clerk of Court or Register of Wills City or County

I Do Solemnly Swear and Affirm that the services indicated below have been performed, the full sums charged to my use and benefit have been received, that I have not deposited or assigned, nor contracted to pay, deposit or assign, any part of such compensation to the use of any person, nor in any way directly or indirectly paid, or given, or contracted to pay or give any reward or compensation for my office or employment, or the emoluments thereof.

(Name of Employee)	(Classification)	(Period)	(Salary)	(Signature)
_____	_____	_____	\$ _____	_____

Subscribed and sworn to before me, a Notary Public of the State of Maryland in and for _____
on this _____ day of _____ 19 ____.

(Seal)
A-70

Annual Report of _____ Clerk of the _____ for _____
(Court) (City or County)

for the period from _____ 19____ to _____ 19____.

- A - Commissions Collected Account of State of Maryland \$ _____
- B - Fees, Clerk Casts, etc. \$ _____
- C - Total Collected During Period \$ _____
- D - Less - Operating Expenses:
 - 1. Salaries - See Affidavits Attached:
 - a. Salary of Clerk \$ _____
 - b. Salaries of Regular Employees _____ \$ _____
 - c. Extra Help _____ \$ _____
 - 2. Office Expense - Supplies, Printing, Equip., etc. _____ \$ _____
- E - Net Excess Fees For Current Period, or (Deficiency) \$ _____
- F - Deficiency Payments Received During Period \$ _____
- G - Cash Received From Predecessor - If Applicable \$ _____
- H - Funds Retained - On Hand At Beginning of Period:
 - 1. Working Fund \$ _____
 - 2. For Indexing _____
 - 3. For Equipment _____
 - 4. _____ \$ _____
- I - Cash To Be Accounted For \$ _____ (1)

CASH RECONCILIATION

- J - Disbursement of Funds Retained From Prior Period:
 - 1. For Indexing \$ _____
 - 2. For Equipment _____
 - 3. _____ \$ _____
- K - Funds Retained At End of Current Period:
 - 1. Working Fund, Authorization Dated _____ \$ _____
 - 2. For Indexing, Authorization Dated _____
 - 3. For Equipment, Authorization Dated _____
 - 4. From Prior Periods _____
 - 5. _____ \$ _____
- L - Cash Turned Over To Successor \$ _____
- M - Funds Remitted To State:
 - 1. Deposited With State Treasurer During Period \$ _____
 - 2. Working Fund Repayment _____
 - 3. Deficiency Payments, Remitted Herewith _____
 - 4. Excess Fees Remitted Herewith _____
 - 5. Prior Year's Retentions Not Needed _____ \$ _____
- N - Final (Deficiency) Payment Due \$ _____
- O - Cash Accounted For \$ _____ (1)

(1) These Two Totals Must Agree
Parenthesis () Indicates Red Figure

SALARIES PAID TO EMPLOYEES AND EXTRA HELP

AFFIDAVITS OF _____ EMPLOYEES SUBMITTED HEREWITH TOTALING \$ _____
Number

Show on reverse side names and salaries paid to employees from whom no affidavits have been obtained. Explain

I hereby certify that the foregoing report is true as set forth.

_____ 19____ Signed _____
(Clerk of Court)

Date _____ 19____ Signed _____

Subscribed and sworn to before me, a Notary Public of the State of Maryland in and for _____
(City or County)

on this _____ day of _____ 19____. _____ (Seal)

COMPTROLLER'S REFERENCE

Excess Fees of Office \$ _____ Date _____ Warrant No. _____
A-72

Clerk of the _____ 19____
for _____
(City or County)

I hereby certify that this report shows all Cash Activity in the General Account of my office and its status as of the end of the month for which the report is submitted:

(Clerk of Court) (Date)

- A - Cash Balance at Beginning of Month:
 - 1. Advance From General Fund of State
For Working Fund - Including Petty Cash. \$ _____
 - 2. Deposits Held By State Treasurer _____
 - 3. Excess Fees Retained From Prior Years:
 - a. For Working Fund - Including Petty Cash. \$ _____
 - b. For Indexing _____
 - c. For Purchase of Equipment _____
 - 4. Excess Fees For Current Year (or Deficiency) _____
 - 5. Amounts Due Others:
 - a. State of Maryland \$ _____
 - b. County _____
 - c. Inc. Towns and Cities _____
 - d. Game and Inland Fish _____
 - e. Attorneys, Sheriffs, etc. _____
 - f. Other - If Any _____
 - Total Cash Balance - Beginning of Month \$ _____
- B - Total Cash Receipts - Current Month - Per Cash Book \$ _____
- C - Total Cash Available \$ _____
- D - Total Cash Disbursements - Current Month - Per Cash Book \$ _____
- E - Cash Balance At End of Month:
 - 1. Advance From General Fund of State
For Working Fund - Including Petty Cash \$ _____
 - 2. Deposits Held by State Treasurer _____
 - 3. Excess Fees Retained From Prior Years:
 - a. For Working Fund - Including Petty Cash \$ _____
 - b. For Indexing _____
 - c. For Purchase of Equipment _____
 - 4. Excess Fees For Current Year (or Deficiency) _____
 - 5. Amounts Due Others:
 - a. State of Maryland \$ _____
 - b. County _____
 - c. Inc. Towns and Cities _____
 - d. Game and Inland Fish _____
 - e. Attorneys, Sheriffs, etc. _____
 - f. Other - If Any _____
- F - Cash Balance on Hand and On Deposit \$ _____

() Denotes Red Figure

STATE OF MARYLAND
 Report of Receipts and Disbursements and
 Deficiency in fees and Emoluments, Clerks of Court

Clerk of the _____ for _____
 (Court) (City/County)

Receipts and Disbursements for Month of _____

COURT RELATED RECEIPTS:		Current Month	Year-to-Date
_____	New Civil Cases @ \$40.00 each	\$ _____	\$ _____
_____	New Equity Cases @ \$40.00 each	_____	_____
_____	Docket Entries from County/City	_____	_____
_____	Additional Costs in Civil Cases	_____	_____
_____	Additional Costs in Equity Cases	_____	_____
_____	Costs Collected in Criminal Court	_____	_____
_____	Commissions on Appearance/Library Fees	_____	_____
_____	Commissions on Sheriff's Fees	_____	_____
_____	Commissions on Notary Fees	_____	_____
_____	Others (Explain)	_____	_____
_____		_____	_____
	TOTAL	\$ _____	\$ _____
COURT RELATED DISBURSEMENTS:			
_____	Salaries	\$ _____	\$ _____
_____	Supplies	_____	_____
_____	Equipment	_____	_____
_____	Janitorial Services	_____	_____
_____	Others (Explain)	_____	_____
_____		_____	_____
	TOTAL	\$ _____	\$ _____
	Gain (Loss)	\$ _____	\$ _____
NON COURT RELATED RECEIPTS:			
_____	Commissions on Licenses	\$ _____	\$ _____
_____	Commissions on Recordation Tax	_____	_____
_____	Commissions on State Transfer Tax	_____	_____
_____	Recordation Fees	_____	_____
_____	Others (Explain)	_____	_____
_____		_____	_____
	TOTAL	\$ _____	\$ _____
NON COURT RELATED DISBURSEMENTS:			
_____	Salaries	\$ _____	\$ _____
_____	Supplies	_____	_____
_____	Equipment	_____	_____
_____	Janitorial Services	_____	_____
_____	Others (Explain)	_____	_____
_____		_____	_____
	TOTAL	\$ _____	\$ _____
	Gain (Loss)	\$ _____	\$ _____
	TOTAL GAIN (LOSS)	\$ _____	\$ _____
TOTAL DEFICIENCIES RECEIVED			\$ _____
TOTAL DEFICIENCIES RETURNED			\$ _____

Signature _____ Date _____

GAD Form CW - 2

STATE OF MARYLAND
MONTHLY REPORT OF CASH ON DEPOSIT IN VARIOUS BANKS

From _____ for _____
(Clerk of Court or Register) (City or County)

Name of Bank	Title of Account	Date of Last Reconciliation	Balance per Bank Statement	FOR STATE COMPTROLLER'S USE			
				Collateral Posted	Average Bank Balance		

Use additional forms if necessary.
(1) Attach Photostatic Copy of Bank Statements
(2) List only those accounts that are titled in the name of the Clerk or Register

Signature Date

Title

STATE'S QUARTERLY REPORT OF WAGES PAID
(BY REPORTING ENTITY)

See instructions on back of this page.

Do not send this form to Internal Revenue Service.

1. Reporting entity's identifying number, name, and address

CIRCUIT COURT
CLERK

2. Date Quarter Ended

SSA Use Only

F 2 U E
S 1 L T
X 0 V A

3. If all pages of this report including this page and any continuation pages.

4. Total number of employees listed

5. Number of persons employed during period containing March 12th.

IF YOU HAVE NO EMPLOYEES TO REPORT, ENTER "NO COVERED WAGES PAID" BELOW

(6) EMPLOYEE'S SOCIAL SECURITY NUMBER	(7) NAME OF EMPLOYEE (Please type or print exactly as shown on the employee's Social Security Card)	(8) COVERED WAGES Paid to Employee During Quarter (Before deductions) (Full Dollars Cents)	(8A) Dollars Cents
		1776.90	
		2252.40	
		2556.42	
		3072.84	
		2659.98	
		2732.48	
		3310.08	
		1939.80	
		2165.82	
		2319.60	
		3310.08	
		2103.00	
		2484.12	
		2659.98	
		2009.10	
		2607.72	
		2659.98	
		2484.12	
		2556.42	
Total wages reported in column 8 for this page		47,660.84	

If more space is needed for listing employees, use forms OAR-53a (continuation sheets).

1977 RATE 11.7% - MAXIMUM \$16,500

9. Total covered wages paid during quarter

\$ 246,389.90

10. Contributions—Multiply the total wages entered in item 9 by

\$ 28,027.62

11. Adjustment for overpayment or underpayment of contributions

\$

12. Contributions as adjusted by Item 11

\$

CONTINUATION SHEET OF
STATE'S QUARTERLY REPORT OF WAGES PAID

Reporting entity's identifying number, name, and address as shown on Form OAR-53

Date Quarter Ended

Page No.

IMPORTANT

If this form is used, the first page of a reporting entity's report must be prepared on Form OAR-53. Follow instructions on back of Form OAR-53.

EMPLOYEE'S SOCIAL SECURITY NUMBER
000 00 0000

NAME OF EMPLOYEE
(Please type or print exactly as shown on the employee's Social Security Card)

COVERED WAGES Paid to Employee During Quarter (before deductions)
Dollars and Cents

Total wages reported on this page \$

Reconciliation of Reports to Quarterly Reports CAR-03

Period ending _____

Name of Covered Entity Virginia Dept for
 Coverage Number _____ Unit No. _____
 Address Courthouse
 Covered Wages \$ _____ rate _____ Total Contributions _____

Payments transmitted to State Administrator relating to reporting quarter

Date	Amount	Please Complete, if Applicable
_____	_____	Total Contributions remitted to Div. of S/S \$ _____
_____	_____	Balance - State Share \$ _____
_____	_____	
_____	_____	
_____	_____	
_____	_____	
_____	_____	
Total		

NOTE:

- 1- Prepare a separate reconciliation for each reporting unit.
- 2- Contributions are rounded. Anything 5 mils or over is carried to the next cent and any amount below dropped. i.e. .5652-.57 and .5649-.56

Form **941E**

(Rev. April 1977)
 Department of the Treasury
 Internal Revenue Service

Quarterly Return of Withheld Federal Income Tax

1. Total wages and tips subject to withholding plus other compensation	→	290,995	61
2. Income tax withheld from wages, tips, annuities, gambling, etc. (See instructions)		40,845	55
3. Adjustment for preceding quarters of calendar year			
4. Adjusted total of income tax withheld	→	40,845	55

Record of Federal Tax Deposits (See instructions for deposits on page 4.)

Deposit period ending:	I. Tax liability for period	II. Date of deposit	III. Amount deposited
Overpayment from previous quarter			
First month of quarter	1st through 7th day	4/5/77	5,798.95
	8th through 15th day		
	16th through 22d day	4/19/77	5,798.95
	23d through last day		
A. First month total	A		11,597.90
Second month of quarter	1st through 7th day	5/3/77	5,805.75
	8th through 15th day		
	16th through 22d day	5/17/77	5,808.50
	23d through last day		
B. Second month total	B		11,614.25
Third month of quarter	1st through 7th day	6/1/77	5,840.75
	8th through 15th day	6/15/77	5,247.55
	16th through 22d day		
	23d through last day	6/28/77	5,945.10
C. Third month total	C		17,633.40
D. Total for quarter (total of items A, B, and C)			40,845.55
E. Final deposit made for quarter. (Enter zero if the final deposit made for the quarter is included in item D)			0

5. Total deposits for quarter (including final deposit made for quarter) and overpayment from previous quarter. (See instructions on page 4) **40,845 55**

Note: If undeposited taxes at the end of the quarter are \$200 or more, the full amount must be deposited with an authorized commercial bank or a Federal Reserve bank in accordance with instructions on the reverse of the Federal Tax Deposit Form. This deposit must be entered in the Record of Federal Tax Deposits and included in item 5.

6. Undeposited taxes due (Item 4 less Item 5—this should be less than \$200). Pay to Internal Revenue Service and enter here →

7. If Item 5 is more than Item 4, enter excess here ▶ \$ _____ and check if to be: Applied to next return, or Refunded.

8. If not liable for returns in the future, write "FINAL". (See instructions) ▶ _____ Date final wages paid ▶ _____

7/12/77

Chief Deputy Cler

YOUR COPY

Forms W-2 to their 4th quarter Form 942 and file by January 31, 1977. See General Instruction E for rules on when Form W-2 must be issued to recipients.

C. Calendar Year Basis.—All amounts on Forms W-2, W-2P, and 1099R must be based on a calendar year.

D. Identifying Numbers.—The Service associates and verifies payments to income recipients with corresponding amounts on tax returns, principally through taxpayer identifying numbers. It is particularly important that correct social security or employer identification numbers for recipients be provided on the forms, magnetic tape, or disk pack sent to the Service. For those engaged in a trade or business (including employee trusts, retirement systems, etc.) the taxpayer identifying number is the employer identification number (00-0000000). For individuals, it is the social security number (000-00-0000). When listing an identifying number, please separate the nine digits as shown, to distinguish the type of number being reported. See Form 3435, Payer's Request for Identifying Number, for further information.

Sole proprietors who are payers should show their employer identification number on the returns they prepare. However, payers should use the social security number of sole proprietors on returns for payments to them.

The full name, address, and taxpayer identifying number of the employer and the recipient must be shown in the sections provided on the return. When payments have been made to more than one

individual recipient, the name of the recipient whose identifying number is on the return must be shown as the ONLY name on the first line. The names of remaining individual recipients should be shown on the second line. If the recipient is NOT an individual and the name runs over the first line, you may continue the name on the second line, and if necessary, on following lines.

When you have not yet succeeded in obtaining recipients' taxpayer identifying numbers, separate the returns without numbers from those with numbers and transmit them under separate Forms W-3.

E. Statements to Income Recipients.—You may give statements to income recipients on Government-printed official forms or on privately printed substitute forms.

The Revenue Procedures on private printing of wage and tax statements and use of substitutes for information on the acceptable format of paper forms are available at any Internal Revenue Service Center or District office.

Although you are not required in all instances to provide employees and other income recipients with statements, the Service urges you to do so since it helps the recipients prepare their income tax returns. Generally, you should provide statements to recipients after December 31, 1976, and by January 31, 1977. Moreover, you must issue the statements within 30 days after the last payment of wages, retired pay, or annuity if the recipient's employment or annuity ends before December 31, 1976. However, for lump-sum distributions you are urged to provide recipients with the necessary tax information as soon as possible. (If you

deduct and withhold railroad retirement (RRTA) tax, you must also furnish recipients the information required under section 6051(e).)

F. Returns Filed with the Service or State and Local Tax Departments.—If you use paper forms for filing with the Service or with State or local tax departments, the returns must be on the official form or a substitute form reflecting the boxes in the same order and with the same box identifying number and title as the official form. You must also reproduce the scanning or heavy lines on the "A" copy you file with the Service. You may include additional data elements (such as deductions for health insurance, union dues, etc.) on a substitute form in any order or sequence in the open space on the form.

Although the Service does not require you to file a supporting reconciliation statement, you should reconcile the payments shown on these information returns with your books of account and Form 941, 941E, 942, or 943, to avoid unnecessary correspondence with the Service.

G. Corrected Returns.—Since a corrected information return completely replaces a return previously filed, it is very important to the Service and to the income recipient that you complete all required boxes and identify it as a corrected return. For returns filed on paper, enter an "X" in the box in the left margin and mark the corrected statements clearly as "CORRECTED RETURN." If a form is lost or destroyed, give your employee (or recipient) a substitute copy clearly marked "REISSUED RETURN."

(Continued on page 3)

Wage and Tax Statement 1976

For Official Use Only

Copy A For Internal Revenue Service Center

Type or print EMPLOYER'S name, address, ZIP code and Federal & State identifying numbers.

See instructions on Form W-3 and back of Copy D

21 <input type="checkbox"/>	Employee's social security number	1 Federal income tax withheld	2 Wages, tips, and other compensation	3 FICA employee tax withheld	4 Total FICA wages
Name ▶	5 Was employee covered by a qualified pension plan, etc.?		6 *	7 *	
Type or print Employee's name, address, and ZIP code above. (Name must align with arrow)		8 State tax withheld	9 State wages	10 State name	
		11 City tax withheld	12 City wages	13 City name	

Form W-2 APP IRS J 7 76 * See instructions on back of Copy D. 23-1253029 Department of the Treasury—Internal Revenue Service

EMPLOYER'S RETURN OF INCOME TAX WITHHELD
COMPTROLLER OF THE TREASURY STATE OF MARYLAND

INCOME TAX DIVISION
ANNAPOLIS, MARYLAND 21401
FORM MW 506 REV 7/76

506

IF BUSINESS HAS BEEN DISCONTINUED OR NAME, ADDRESS OR IDENTIFICATION NUMBER SHOWN IS INCORRECT PLACE AN "X" IN THIS BOX AND MAKE CORRECTIONS ON BACK.

Due: _____

Please return this form for period:

Instructions: Using #2 pencil, fill in Tax Withheld and any adjustments. Pay total adjusted amount plus any interest or penalty due. Sign Below.

CLERK OF COURT OF

REMITTANCE MUST ACCOMPANY REPORT
MAKE CHECK PAYABLE TO: COMPTROLLER OF TREASURY

PRINT YOUR NUMERALS LIKE THIS, PLEASE.
0123456789

I DECLARE UNDER THE PENALTIES OF PERJURY THAT THIS RETURN (INCLUDING ANY ACCOMPANYING SCHEDULES AND STATEMENTS) HAS BEEN EXAMINED BY ME AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS A TRUE, CORRECT AND COMPLETE REPORT.

SIGNED: _____ TITLE: _____ DATE: _____

STATE OF MARYLAND
DIVISION OF SOCIAL SECURITY
REMITTANCE IDENTIFICATION

The enclosed check (s) is (are) in payment of:

Contributions for Payroll ending
Employees Share
Employees Share
Adjustments
Interest
Administrative Cost

	001	002	003	004
Employees Share				
Employees Share				
Adjustments				
Interest				
Administrative Cost				
TOTAL				

Signature of Responsible Official

Coverage Group

Identification Number

Title

BOARD OF TRUSTEES - RETIREMENT SYSTEM OF THE STATE OF MARYLAND

CODE

68170000

LOCATION - CIRCUIT COURT FOR

PAYROLL DEDUCTION FOR THE MONTH OF _____

PAGE NO. _____

S/SNO.	NAME	RATE	AMOUNT DEDUCTED	DATE LEFT	CAUSE	ANNUAL SALARY

EXHIBITS

CIRCUIT COURTS

0141 Allegany
0251 Anne Arundel
0331 Baltimore County
0471 Calvert
0521 Caroline
0652 Carroll
0722 Cecil
0872 Charles
0911 Dorchester
1061 Frederick
1142 Garrett
1232 Harford
1353 Howard
1423 Kent
1562 Montgomery
1673 Prince George's
1724 Queen Anne's
1874 St. Mary's
1912 Somerset
2025 Talbot
2143 Washington
2213 Wicomico
2314 Worcester
2481 Baltimore City
2581 Superior Court of
Baltimore City
2681 Baltimore City Court
2781 Court of Common Pleas
2881 Circuit Court of
Baltimore City
2981 Circuit Court No. 2 of
Baltimore City

CHRONOLOGY

A major revision to this system is the deletion of the items peculiar to masters required during the first fifteen months of operation. Masters are printed on "No Carbon Required" paper with entries common to both header and master positioned to record data in one operation. This change was effected at the end of June, 1975.

Commencing with the final quarter of Fiscal Year 1976 on March 29, 1976, a new master form containing a section entitled "Chronology" will be implemented. This section is designed to capture the significant events in a case's progression, starting date of that event, the number of hours consumed by that event to the nearest half hour. (Note: The computer is programmed to accept time to the nearest tenth of an hour [six minutes]. If a given clerk can support this degree of accuracy, please feel free to do so. Otherwise, we are striving to measure time of event to the nearest half hour, 0.5.) The only exception to this half hour rule other than the note above will be Arraignment. By mutual agreement with a number of court clerks, State's Attorneys, and judges, arraignments will be pre-programmed with a value of one tenth of an hour or six minutes. All have agreed that this factor covers a full 99 percent of arraignments. The final element of the chronology is judge code.

Event codes are the significant steps in the process through which most cases pass. The codes enumerated below were created by an experienced group of court clerks, administrators, judges, etc. All are four letters or less. Most are self explanatory.

Worthy of special mention are the asterisked codes of CT, JT, CCT and CJT. One of the problems in the gathering of meaningful statistics with respect to number of court and jury trials has been the complication of co-defendants in criminal cases. The present system does isolate the number of defendants through the alpha character designation at the end of the docket number, (see Criminal Entries section). In order to more accurately determine the number of court and jury trials, two codes, CCT and CJT have been developed. CCT and CJT will be used to designate all co-defendants tried together in excess of the first defendant. They will enable the case to be printed out for reporting purposes, but not be considered in the jury or court trial statistics.

Returning to the Jones, Smith and Green example listed in the Criminal Section: All three are tried together at the same time in a jury trial. On the master for Jones (7125A), enter JT. On Smith (7125B) and Green (7125C) masters, indicate CJT. Jurisdictions using automated systems must adjust appropriate edit programs to accomplish this. The net effect is to list each defendant separately on the Case Analysis Report as being tried by jury trial, yet the statistic at the end of the report will reflect only one trial.

The events listed below are the only events to be reported at this time. Enough space has been allocated to record a full 95 percent of the caseload according to our review panel. In the event of a particular case requiring more than eight, a "judgment call" must be made by the clerk of court as to the truly significant ones to be reported.

Enter the code appropriate to the event in the spaces provided.

Dates are to be entered per the common entries instructions. Dates used are always the first day of a particular event.

Hours are to be entered in accordance with the instructions given at the beginning of this Annex.

Judge - Judge codes are used to give credit to the judge or Master who accomplishes the event. Judges are expected to enter their own CHAM (chambers) time and date. As soon as possible, new codes for individual Masters will be developed. Until that time enter 888.

The code DISP (Disposition) or INAC (Inactivation) will always be the last code in the Chronology. This is the only method available to indicate that a case has been disposed of or must be shelved temporarily for valid cause.

Inactivation is a status reserved for matters which cannot be moved through the judicial process, due to circumstances beyond the court's control. It is to be assigned by the clerk of court in matters involving failure to appear, bench warrant, confinement to mental institution, etc. The purpose of this category is to remove the matter statistically from the pending workload of the court reflected on the Case in Progress Report. These are still legally open matters in the full sense of the concept. Inactivation is purely a work measurement device. The process is as follows:

- A. Header and master are prepared and processed in the normal manner.
- B. A circumstance such as a bench warrant occurs precluding further action of the court.

- C. Clerk enters INAC, date, 00.1 time and no judge code unless a judge happens to direct a particular inactivation on the master.
- D. Clerk sends master to Annapolis in weekly envelope.
- E. Next Case In Progress Report reflects no entry of this matter.
- F. Statistical report will reflect an additional inactivation.
- G. When the case becomes "tryable," clerk submits a new master when disposed. A new header is not to be forwarded.
- H. Court gains credit for disposition.

March 1, 1976

EVENT CODES

ARRG	Arraignment.
CHAM	Chambers time. Includes all matters requiring a judge's off-the-bench time pertinent to a particular case.
*CT	Court Trial.
DISP	Disposition (date). That date on which a judgment is entered of trial or entry of a consent judgment; settlements, where an order of "Agreed and Settled" is filed on the docket; dismissals occur (voluntary or involuntary).
	Stets and Inactivations are dispositions in Law Cases. (See also INAC.)
	In criminal cases, disposition occurs on the date of pronouncement of a Not Guilty verdict, Probation, Stet, Nolle Prose. If the verdict is guilty on any of the charges on a given docket number, the disposition date is the date of sentencing.
INAC	Inactivation. (Includes all matters which cannot be disposed of for reasons of Failure to Appeal, Bench Warrant, Confinement to Mental Institution, etc.)
JH	Juvenile Hearing.
JRH	Juvenile Rehearing.
JSH	Juvenile Support Hearing
**JT	Jury Trial
MDLR	Motion to Dismiss under Local Rule.
MDMR	Motion to Dismiss under Maryland Rule.
MIST	Mistrial.
PMOT	Preliminary Motions. This includes demurrers, exceptions, motions to dismiss, severance, etc., formally presented in court prior to the conduct of a trial, equity hearing or juvenile hearing except for Motions to Dismiss under Local and Maryland Rules which have their own specific codes.
GPNW	Guilty Plea No Witness
*CCT	Co-defendant Court Trial.
**CJT	Co-defendant Jury Trial. (Used to designate two or more defendants tried at the same criminal trial.)

APPELLATE COURT JUDGES

Court of Appeals

001 Murphy
 002 Digges
 003 Eldridge
 004 Levine
 006 Singley
 007 Smith, M.
 008 Orth

Court of Special Appeals

052 Davidson
 053 Gilbert
 054 Lowe
 055 Mason
 056 Melvin
 057 Menchine
 058 Moore, J.P.
 059 Morton
 060 Moylan
 061 Powers, J.V.
 062 Thompson, C.A.
 063 Liss

July 14, 1976

CIRCUIT COURT JUDGES

103 Pollitt
 104 Prettyman
 105 Edmondson
 106 Simpkins

201 Mackey
 202 Clark
 203 Rasin
 204 Roney
 205 Turner, B.
 207 Evergam

302 Cicone, F.
 303 Close
 305 Haile
 306 Higinbotham
 308 MacDaniel
 309 Maguire
 310 Proctor
 311 Raine
 313 Land
 314 Brannan
 315 DeWaters
 316 Buchanan
 317 Cameron

401 Getty
 403 Naughton
 404 Ottinger
 646 Tutledge
 405 Thayer

501 Beardmore
 502 Childs
 503 Evans
 504 Macgill
 506 Turk
 508 Weant
 509 Wray
 510 Hopper
 511 Cicone, G.
 512 Williams

601 Barrick
 602 Cahoon
 603 Clapp
 604 Fairbanks
 605 Mathias, J.M.

606 McAuliffe
 607 Miller, H.
 608 Mitchell, J.
 609 Latham
 610 Shearin
 611 Shure
 612 Frosh

701 Bowen, P.
 702 Bowie
 703 Couch
 704 Loveless
 706 Mattingly
 707 McCullough
 708 Meloy
 712 Taylor, J.H.
 713 Levin, J.S.
 714 Blackwell
 715 Bowling
 716 Woods, R.J.
 717 Chasanow

801 Arabian
 802 Cardin
 803 Cole
 804 Dorf
 806 Grady
 807 Hammerman
 808 Hargrove
 810 Howard
 811 Jones, S.
 812 Karwacki
 813 Levin, M.A.
 815 Murphy, J.W.
 816 Perrott
 817 Ross
 818 Sklar
 819 Sodaro
 820 Thomas, B.
 821 Watts
 822 Greenfeld
 823 Allen
 824 Sullivan
 825 Kaplan, J.

888 Masters

January 6, 1977

DISTRICT COURT JUDGES

901	Sweeney	951	Nissel
902	Alpert	952	North
903	Bacharach	953	O'Neill
904	Baer	954	Rea
905	Baylor	955	Resnick
906	Bennett	956	Robinson
907	Borgerding	958	Ruben
908	Boublitz	959	Sanders
909	Bowen, M.	960	Schoeler
911	Brooks	961	Silver
913	Buck	963	Smith, D.M.
914	Bundy	966	Sterling
915	Buzzell	967	Stichel
916	Carter	968	Taylor, G.M.
917	Cave	969	Thieme
918	Curley	970	Thomas, E.O.
920	Dallas	971	Thompson, B.W.
923	Evans, W.	972	Tracey
924	Femia	973	Waldron
925	Fischer, R.	974	Waldrop
926	Friedman, D.	975	Welsh
927	Friedman, S.	976	Wilcox
928	Gerson	979	Woodward
929	Gerstung	980	Wright
930	Gould	981	Bell
931	Hardesty	982	Klavan
932	Harkness	983	Bates
933	Heise	984	Mason, R.H.
934	Hinkel	985	Yates
935	Hormes	986	Ciotola
937	Invernizzi	987	Clark, R.
939	Jones, L.	988	Woods, S.
940	Kardash	989	Brown, L.
941	Kelly	990	Horsey
942	Kircher	992	Wittstadt
943	Lamdin	993	Rellas
946	Lewis	994	Fisher, I.
947	Moore, D.H.	995	Becker
948	Munger	996	Caplan
949	Murphy, W.H.		
950	Neilson		

January 6, 1977

NCR 41 ACCOUNTING MACHINE

OPERATING SUGGESTIONS AND REMINDERS

1. Remember to set the date for each day of operation. The auditor's key is required; place it in the slide lock on the left side of the machine, pull the slide assembly all the way down to the Cons. No. Reset position. You can now adjust the date. This is also the position where the audit tape assembly may be removed. If the machine is low on tape, now is the best time to insert a new roll. After you have done any of the above, remember to push the slide lock into the Register position, lock it, and remove the Auditor's key. Head up a takeoff sheet at the beginning of each working day. Insert the takeoff form to the "Beginning Auditor's Reading" position. Depress the Read A key to print the beginning reading. It is also recommended that you write today's date on the takeoff form as well as on the audit tape in the machine.
2. The Audit Tape for this machine may be ordered by asking NCR for 41J Tape. It comes 20 rolls to the box. Keep a supply of it on hand.
3. Never leave the Auditor's key in the machine.
4. Periodically check the running Auditor's total (Read A key). When it gets around \$8,000,000.00 it should be reset. Contact NCR to have this done. If this total's capacity is exceeded, a red flag will appear in the window in the upper left hand corner of the machine and the machine will lockup. Once again, contact NCR.
5. Totals cannot be cleared from the machine without the Auditor's key. Each Clerk's office should designate one person with the authority for clearing the 41. Totals are cleared in the following manner:
 - a. Insert the Auditor's key in the lock next to the Clear B key and turn the key downward and to the left.
 - b. Insert the daily takeoff sheet in the leftmost printer.

*c. Depress consecutively each transaction key and the Clear B key.

d. After each of the nine keys has been cleared, simultaneously depress the Cashier's Total key and the Clear B key. The result is the gross sum total of all activity for Cashier B for the working day.

e. Repeat Steps c & d above for Cashier A using the Clear A key instead of Clear B.

*Clear the transactions from the bottom (Misc. C-L) to the top (Recording Fee). This assures that the totals are printed in the right order on the takeoff sheet. (Remember that any form inserted in the left printer spaces out towards you.) Consequently, printing occurs from the bottom of the form to the top.

f. Turn the takeoff form around and align it to the position that says "Ending Auditor's Reading." Depress the Read A key to get this reading. The difference between the beginning and ending auditor's reading, when adjusted by the sum total of any adjustments made during the day, should equal the net deposit total for all cashiers for the day.

6. Totals for any transaction key may be read (subtotaled) during the day simply by depressing the transaction key and either the Read A or Read B keys.

7. Make sure that all adjustments (error corrections) are notated on the adjustment sheet. Post the total of adjustments for each transaction group on the takeoff sheet to arrive at the net total for each transaction category. Also include the total of all adjustments on the appropriate line in the auditor's reading section of the takeoff form. The net auditor's total should agree to the net amount of the daily cash deposit.

November 26, 1973

TO: All Clerks of Courts

FROM: Louis L. Goldstein

At its meeting on October 30, 1973 the Joint Legislative Committee on the Management of Public Funds designated a Task Force to further study the matter of depositing of funds in the possession of Clerks of Courts and Registers of Wills in such manner as to draw interest rather than lie idle in commercial bank accounts.

On November 8, 1973 the Task Force met in the Comptroller's Office Conference Room at 301 W. Preston Street, Baltimore, Maryland. It consisted of the following: Representing the Court Clerks were W. Garrett Larrimore, Anne Arundel County; C. Merritt Pumphrey, Howard County; Earl H. Pinder, Kent County and Howard M. Smith, Montgomery County. Representing the Registers of Wills were Thomas M. Eichelberger, Frederick County; George Slack, Howard County and Winifred E. Scott, Montgomery County. Representing the Legislative Auditor's Office was Villey Kaustel; the Attorney General's Office, Francis X. Pugh; the Treasurer's Office, Charles Jones; the Joint Legislative Committee, Richard Pollhammer and the Comptroller's Office; Louis L. Goldstein, Bernard F. Nessel and J. Basil Wisner.

After considerable discussion, the following procedure for Clerks of Courts was agreed upon:

Land acquisition monies will be deposited by the Clerks into a savings account for each individual case. These deposits will be made in local banks. These accounts will be covered by collateral posted with the State Treasurer as is done at present where all of the monies are in one single account. Thus, the banks will calculate the interest earned which will be payable to the property owner upon withdrawal of principal.

The General Accounts of the Clerks, including fees and commissions, transfer taxes, recordation taxes and licenses should be deposited by the Clerk as is done at present in a commercial account with the provision that the bank invest all funds deposited in excess of a pre-determined amount which will be sufficient to service the account and to provide the Clerk with working funds.

The establishment of the pre-determined amount is up to each Clerk and will probably have to be determined as a result of trial and error. The Clerks may request advice from the State Treasurer's Office in carrying out this provision.

Concern was expressed as to the State getting all of the interest from the investment of the Clerk's general accounts since such accounts include large sums of money collected for the Counties and Municipalities. It was agreed that at the end of each fiscal year the interest earned through investments of funds in Clerk's general accounts would be distributed on the following basis:

The Clerk will determine the amount of money he has distributed to the State during the fiscal year and will add to that all of his fees and commissions. This will represent total monies distributed to the State. He will determine the monies distributed to the County and to each municipality and he will then distribute his interest earned from investing funds in the General Account to each of the above entities based on the proportion that the distribution to each bears to total distribution.

All other monies in the Clerks custody, such as cash bail, litigants funds, money received on appeals from the District Court, etc., may remain in commercial checking accounts.

Louis L. Goldstein

L.L.G./ch

COMPTROLLER OF THE TREASURY

October 1, 1977

ANNAPOLIS, MARYLAND

PROCEDURES GOVERNING DEPOSITS OF FUNDS BY THE CLERKS OF COURTS AND REGISTERS OF WILLS

1. No Clerk of Court or Register of Wills of Maryland shall deposit any official funds in any bank unless such bank has first placed collateral with the State Treasurer to secure the account of the Clerk or Register. Such collateral shall be placed in accordance with procedures specified by the State Treasurer.
2. The amount of money which any Clerk or Register may have on deposit in any bank at any time shall not exceed one hundred percent (100%) of the market value of the collateral given as security for deposits of State Monies. (Chapter 731 of the Acts of 1974).

The State Treasurer shall advise the respective Clerk or Register, and the State Comptroller, from time to time of the amount of collateral placed by the banks to secure the respective Clerks' and Registers' accounts.
4. Banks may substitute one item of collateral for another thru direct contact with the State Treasurer's Office. The State Treasurer need not notify either the Clerk or Register or Comptroller of such exchange unless the total amount of collateral is thereby increased or reduced.
5. Whenever the balance in a bank account approaches the limit established (100% of the collateral posted by the bank with the State Treasurer), or it is anticipated that the balance will in the near future approach such limit, the Clerk or Register must follow one of these procedures:

- (a) If time permits, the Clerk or Register may advise the bank of the increased deposits expected, and the bank may, if it desires, place additional collateral with the State Treasurer. If the bank so desires they should be instructed to advise the State Treasurer of their plans for pledging additional collateral and the Clerk or Register should also advise the State Treasurer. If time does not permit, or the bank does not desire to post additional collateral, the procedures listed under either 5(b) or 5(c) must be followed.
- (b) Draw a check on the bank account to reduce the balance and thus permit continued depositing. Such check should be payable to the State Treasurer and mailed to the State Comptroller for deposit in the Treasury.
- (c) Deposit an incoming check or checks directly into the State Treasury by endorsing them "Pay to the order of the Treasurer of Maryland" followed by the signature of the Clerk or Register, and forward such check or checks to the State Comptroller for deposit in the Treasury.

Exhibit F-2

1. The amounts deposited in accordance with 5(b) or 5(c) above will be held in escrow in a special account and will be returned to the Clerk or Register in whole or part if the funds are later needed by such office. If the funds are not needed they may remain in the Treasury until the end of the fiscal year, at which time the funds can be accounted for on the Clerk's or Register's annual report, with a request that the money be transferred from the escrow account to the general funds of the State.
7. These procedures will require a high degree of vigilance on the part of the Clerks and Registers. They must see that records involving all bank accounts are kept up to date and are promptly reconciled. They will find it desirable to anticipate increases in their collections either seasonally or otherwise, so that adequate arrangements can be made when required with the banks, the State Treasurer or the State Comptroller. It should be remembered that the purpose of these procedures is solely to protect the Clerks, the Registers and the State from possible loss.



STATE OF MARYLAND
COMPTROLLER OF THE TREASURY
STATE TREASURY BUILDING
P. O. BOX 400 - PHONE 267-5805
ANNAPOLIS, MARYLAND 21404

Exhibit G-1

LOUIS L. GOLDSTEIN
COMPTROLLER
J. BASIL WISNER
CHIEF DEPUTY COMPTROLLER
ROBERT L. SWANN
ASST. STATE COMPTROLLER

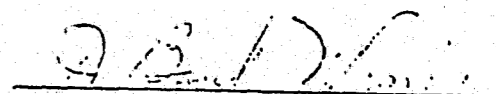
January 17, 1975

TO: ALL CLERKS OF COURT
FROM: J. BASIL WISNER, CHIEF DEPUTY COMPTROLLER

At the Annual Convention of the Court Clerks Association in Ocean City, there was some discussion regarding the procedures to be employed relative to reporting of interest earned on land acquisition funds in the custody of the Clerk. As a result of this discussion, the Legislative Auditor advised that he would assist in the development of procedures regarding the record keeping and reporting of interest earnings.

The procedures have been developed and reviewed with some of the Clerks of Courts offices and are now being forwarded to you for your guidance and direction.

A copy of the two procedures is attached and it is recommended that you be guided accordingly. If you have any questions regarding either of the procedures, please feel free to contact me or the Legislative Auditor.


Chief Deputy Comptroller

JBW/eh
Attach.
cc: Mr. Villey Kaustel

PROCEDURES REGARDING THE RECORD KEEPING AND REPORTING OF INTEREST EARNINGS ON LAND ACQUISITION FUNDS IN THE CUSTODY OF CLERKS OF COURTS.

PROCEDURE "A" - When all land acquisition funds are deposited into one savings account.

1. The Clerk will maintain a Control Account, and a detail account for each case. (It is suggested that the Control Account include an "unallocated interest" section. That section should be increased by the interest credited by the bank, and decreased by the interest withdrawn. The interest withdrawn should also be posted on the detail account as an increase to offset, together with the original deposit(s), the total amount of the check, which consists of principal plus interest).
2. The Clerk should make an effort to obtain litigants' identification numbers.
3. It is suggested that the Clerk also maintain a checking account, which would function strictly as a clearing account for withdrawal of funds from the savings account. It is increased by the funds withdrawn (transferred) from the savings account, and decreased by the checks issued to the litigants.
4. As a deposit is to be withdrawn, the Clerk should contact the bank for the amount of interest earnings thereon. The interest earnings should then be included in the total amount of withdrawal, for the current calendar year, and if \$10 or more a form 1099 should be prepared (covering the interest earnings for the current calendar year, only.)
5. IRS ~~also~~ advises that in the case of multiple ex-owners of property, where the ratio of ownership is not known, all the interest earnings can be reported as having been earned by the first payee on the check. That payee then can subsequently reallocate such interest earnings among the other payees by use of (and filing) Form 1087.

PROCEDURE "A"
PAGE 2

6. IRS further advises that in instances where the attempts to obtain identification numbers have been unsuccessful, the filing of Forms 1099 marked "identification number, or social security number, unknown" is acceptable. Of course, names, addresses, plus any other available pertinent information should be supplied.
7. IRS ^{also} advises that interest earnings of \$10 or more per litigant, whether or not deposits have been withdrawn during the year, have to be reported annually. For this purpose Forms 1099 "Miscellaneous", Block 5 (OTHER) have to be used. All Forms 1099 have to be mailed to the ex-owners of property by January 31 and copies of them to IRS by February 28, covering the preceding calendar year. Copies of Forms 1099 mailed to IRS have to be summarized on Form 1096. To ascertain (the litigants and) the amounts of interest earnings to be reported on the funds on deposit as of December ³¹, the Clerk will have to contact the bank.
8. Maryland Income Tax Division advises that no separate reporting of interest earnings to the State is required if interest earnings have been reported to IRS on Forms 1099. (NOTE - Photostatic copies of Forms 1099 are not required).

PROCEDURE "B" - When land acquisition funds are deposited into a separate savings account for each case.

1. The Clerk will maintain a Control Account. The Control Account should be increased by deposits and interest credited, and decreased by withdrawals of principal and interest.
2. The Clerk should make an effort to obtain and supply the bank with litigants' identification numbers.
3. The bank in turn will be responsible for preparing Forms 1099, when the interest earnings are \$10 or more, and sending statements to the litigants and IRS.
4. Regarding funds held on deposit where the litigants do not have the right to withdraw the funds, or where there are multiple ex-owners of property who cannot reach an agreement as to the disposition of the funds, the IRS advises as follows: "The Clerk would provide the bank with the court's identification number. The bank, under Section 6049 of the Internal Revenue Code, is exempted from preparing Forms 1099 on interest paid and credited to the court's account. However, at the time the owners are determined and the money is made available to the litigants, the Clerk should prepare a Form 1099 for each litigant showing the proportionate amount of interest earned up to that point. This will involve obtaining identification numbers for these litigants."
5. IRS also advises that in the case of multiple ex-owners of property, where the ratio of ownership is not known, all the interest earnings can be reported as having been earned by the first payee on the check. That payee then can subsequently reallocate such interest earnings among the other payees by use of (and filing) Form 1087.
6. IRS further advises that in instances where the attempts to obtain identification numbers have been unsuccessful, the filing of Forms 1099 marked "identification number, or social security number, unknown" is acceptable. Of course, names, addresses, plus any other available pertinent information should be supplied.



STATE OF MARYLAND
COMPTROLLER OF THE TREASURY
STATE TREASURY BUILDING
P. O. BOX 466 — PHONE COLONIAL 8-3371
ANNAPOLIS, MARYLAND 21404

Exhibit H-1
LOUIS L. GOLDBERGER
COMPTROLLER
BERNARD F. NOSSEL
CHIEF DEPUTY
GENERAL ACCOUNTING DIVISION
MICHAEL J. POTTRAST
CHIEF

June 29, 1966

TO: ALL CLERKS OF COURTS

In order to insure uniformity in reporting and establish better management control over the cash activities in each office, all State Comptroller forms relating to operating reports have been renumbered, up-dated or revised, and two new reports added.

A complete cross reference list of the new and old form numbers is as follows:

	<u>New Form No.</u>	<u>Old Form No.</u>
1. Annual Report	GAD C-1	GAO-42C
2. Monthly Cash Activity Report (new report)	GAD C-2	None
3. Monthly Report of State Licenses	GAD C-3	GAO 42
4. Monthly Report of Local Licenses	GAD C-4	GAO 42 a
5. Monthly Report of Receipts and Sales of Recordation Stamps	GAD C-5	GAO 45C
6. Requisition for Recordation Stamps	GAD C-9	GAO 45a
7. Clerk's Receipt for Recordation Stamps Received	GAD C-10	GAO 45c
8. Recordation Stamp Certificate	GAD C-12	GAO 45b
9. Quarterly Report of Deficiencies in Fees and Emoluments	GAD CW-1	None
10. Monthly Report of Cash Balances (new report)	GAD CW-2	None
11. Report of Fixed Assets	GAD CW-3	GAO 16
12. Fixed Assets Inventory Record	GAD CW-4	GAO 17
13. Employees Affidavit of Annual Salary Received	GAD CW-10	(Formerly on Page 2 of : GAO 42c)
14. Claim for Refund-General	GAD X-4	GAO 20

Enclosed are revised forms for making monthly reports on the operations of your office to the Comptroller of the Treasury. By separate letter dated June 14, 1966, you were forwarded forms for making your annual report.

GAD Forms C-3, C-4, C-5, C-9 and C-10 are revisions of monthly reports which you have been filing with this office in prior years. The revisions made in these reports are, we believe, self-explanatory and consists primarily of a rearrangement of the information required.

GAD Form C-2 and CW-2 are new forms which you will be required to file on a monthly basis, beginning July 1, 1966.

To: All Clerks of Courts
Page 2

June 29, 1966
Exhibit H-2

Form C-2 is a monthly cash activity report, reflecting the operations of your office and we believe that the various items enumerated therein need no detailed explanation, since the description of the items are familiar to the personnel of your office. When filing Form C-2 please attach a copy of any invoices paid from prior years' funds retained for equipment and indexing (Item A-3, b and c).

Form CW-2 is a monthly report of cash on deposit in the various bank accounts maintained by you. This report should show the name of the bank and the title of the account for all funds under your jurisdiction at the end of each month. These funds, in addition to your general account fund, should include those special account funds such as Circuit Court Funds, Bar Library Funds, Condemnation Funds, etc.

Our purpose in requesting these two new reports is to supply the Comptroller with the necessary information to determine that the cash balances maintained by your office are covered by sufficient collateral in the respective banks wherein these funds are maintained, as indicated in our letter of June 13, 1966.

A sufficient supply of the regular monthly report forms to take care of the needs for the current fiscal year are enclosed herewith. However, should more forms be desired, please let us hear from you.

In order to enable the Comptroller to meet deadline dates for the submission of his monthly and annual reports, the following guidelines are established:

- A. All monthly reports together with supporting documents should be in the hands of the Comptroller no later than the 15th day of the month next succeeding the month for which the report is submitted. The annual report submitted as of June 30th of each fiscal year is included in this requirement.
- B. All cash received should be deposited daily and all the cash books should be posted and balanced monthly before reports are released.
- C. All bank statements should be reconciled as soon as they are received.
- D. Inventory item cards for fixed assets should be posted and filed in an open inventory file immediately upon receipt of furniture, fixtures, or equipment. Inventory of fixed assets reported annually should accurately reflect the balances on hand at the beginning of the year, plus acquisition during year, less disposals during the year.

Should any question arise concerning the procedure and submitting the revised forms and the new forms, please do not hesitate to communicate with this office.

Very truly yours,

Louis L. Goldstein, Comptroller

L. L. Goldstein
By
Chief Deputy Comptroller

BJN/J.J. Dantonu/bh

Enclosures

A-105

Exhibit I-1
REVISED AUGUST 10, 1973

REGULATIONS GOVERNING REIMBURSEMENT OF EXPENSES INCURRED
IN CONNECTION WITH ATTENDANCE AT MEETINGS OF THE COURT
CLERKS' ASSOCIATION AND THE REGISTERS' ASSOCIATION, AND
DULY APPOINTED COMMITTEES OF EACH

I. AUTHORIZED PERSONNEL.

A. Those authorized to receive reimbursement for expenses incurred at meetings of the Maryland Court Clerks' Association and the Maryland Register of Wills' Association are:

1. The Court Clerk and his or her Chief Deputy, and the Register of Wills and his or her Chief Deputy, as the case may be.
2. If the Clerk or Register, or his or her Chief Deputy, cannot attend, another employee may be authorized by the Clerk or Register to attend instead, and the expenses of such employee may be reimbursed.
3. Except as provided in Item 2 above, no reimbursement of expenses may be made to any other employee unless the Clerk or Register has obtained, in advance, written approval of the State Comptroller. Such approval shall be granted only to the large offices.

B. Only the expenses incurred by duly appointed committee members in attending committee meetings of either organization are reimbursable.

C. No reimbursement may be obtained for expenses incurred by wives or other members of the family or any unauthorized persons attending any meeting.

II. REIMBURSABLE EXPENSES:

The following expenses are reimbursable as set out in the items below:

A. Transportation

1. Transportation shall be by the most direct route, via train, bus or automobile.
2. When travel is by train reimbursement shall be made only at day coach rates.
3. When travel is by automobile reimbursement shall be at the rate of ^{twelve} ten cents (\$.10) per mile. Whenever possible two or more persons should travel in the same car to keep down expenses.

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II. REIMBURSABLE EXPENSES. (CONTINUED)B. Meals:

1. Rebursement for meals shall be limited to the actual cost of meals consumed by authorized personnel during the meeting and during such reasonable period of time required to travel to and from the meeting. Reasonable tip shall be included in the cost of the meal. No reimbursement may be had for the cost of alcoholic beverages.
2. No reimbursement shall be made for the cost of meals of members of the families who may accompany any of the authorized personnel set out above.
3. Reimbursement for meals shall be at such price levels as the authorized person might reasonably be expected to incur if there were no reimbursement.
4. Where two or more authorized persons from the same office are attending a meeting, it is permissible for one person to pay all of the costs and obtain reimbursement thereof provided he or she submits for each person an itemized account of the expenses for which he or she is seeking reimbursement. This procedure cannot be used to pay the costs for persons attending from the offices of other Clerks or Registers.

C. Hotel or Motel Accommodations:

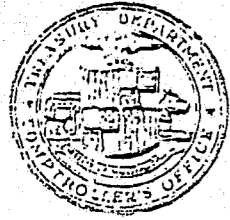
1. A hotel or motel bill shall be presented in support of reimbursement for the cost of such accommodations.
2. Where a person authorized to attend meetings is accompanied by his or her spouse, or family, reimbursement shall be at the single room rate for the room actually occupied by the authorized person.
3. No reimbursement may be made to an authorized person for any room other than the one which he or she occupies.
4. No reimbursement shall be made to any one for personal services, such as laundry, dry cleaning, etc.
5. Reasonable tips for bellhop services when checking in and out of a hotel are reimbursable.
6. Reimbursement for telephone or telegraph expenses shall be restricted to those calls incurred in connection with official business of the office or the person incurring such expense.

II. REIMBURSABLE EXPENSES: (CONTINUED)C. Hotel or Motel Accommodations:

7. No reimbursement may be had for expenditures for entertainment, alcoholic beverages, refreshments, etc.
8. Any expenditure for a hospitality suite and/or refreshments shall be the obligation of the respective associations, or their members individually, and shall not be reimbursed by the Clerks' or Registers' offices.
9. No reimbursement may be made in an amount greater than the single room rate at the hotel or motel in which the convention or meeting is held.
10. No reimbursement may be made for lodging for Saturday night following the annual convention. No exception may be made to this regulation without written approval of the Comptroller.

D. Expense Account:

Reimbursement for the expenses authorized above may be had only upon presentation of an expense account itemized on a daily basis. Each person entitled to reimbursement must submit his or her expense account. Expense accounts must be submitted on a form such as the attached sample or a form similar thereto. Such accounts must be retained for review by the State Auditor.



STATE OF MARYLAND
 COMPTROLLER OF THE TREASURY
 STATE TREASURY BUILDING
 P. O. BOX 466 PHONE 257-5803
 ANNAPOLIS, MARYLAND 21404

Exhibit I-4

LOUIS L. GOLOSTEIN
 COMPTROLLER
 BERNARD F. NOSSSEL
 CHIEF DEPUTY
 ROBERT L. SWANN
 ASSISTANT TO COMPTROLLER
 J. BASIL WISNER
 ASSISTANT TO CHIEF DEPUTY

September 9, 1974

TO: All Clerks of Courts and Registers of Wills
 FROM: Bernard F. Nossel, Chief Deputy Comptroller
 SUBJECT: Revision of Regulations Governing Reimbursement of Expenses Incurred in Connection With Attendance at Meetings of the Court Clerks' Association and the Registers' Association and Duly Appointed Committees of each. (Revised August 10, 1973)

Effective July 1, 1974 the State of Maryland raised the reimbursement for use of a personal automobile on official business from the previous existing rate of ten cents (\$.10) per mile to twelve cents (\$.12) per mile.

Accordingly, Item II, REIMBURSABLE EXPENSES, A. Transportation, Item 3, is revised to show twelve cents (\$.12) per mile instead of ten cents (\$.10) per mile.

This is effective for any official use of a personal car occurring on or after July 1, 1974.

BFN/eh



COMPTROLLER OF THE TREASURY
 STATE TREASURY BUILDING
 P. O. BOX 466 PHONE COLONIAL 8-3371
 ANNAPOLIS, MARYLAND 21404

BERNARD F. NOSSSEL
 CHIEF DEPUTY

Exhibit J
 June 21, 1966

MEMORANDUM

TO: ALL CLERKS OF COURT
 AND
 REGISTERS OF WILLS

There have been a number of questions concerning the methods of determining the weekly, bi-weekly, semi-monthly and monthly pays of employees of the offices of the Clerks of Court and Registers of Wills.

Effective July 1, 1966, the following procedures should be adopted to calculate the amounts to be paid for the various types of pay periods.

1. If you pay salaries on a weekly basis, the weekly salary should be calculated by dividing the amount of the annual salary by 365, and multiplying the quotient by 7. Thus, 7/365ths of the annual salary will be paid each week.

All adjustments for "leave without pay" shall be calculated on a working day basis, based upon your work week rather than on a calendar day basis.

2. If you pay salaries on a bi-weekly (every two weeks) basis, the bi-weekly salary should be calculated by dividing the amount of the annual salary by 365 and multiplying the quotient by 14. Thus, 14/365ths of the annual salary will be paid every two weeks.

All adjustments for "leave without pay" shall be calculated on a working day basis, based upon your work week rather than on a calendar day basis.

3. If you pay salaries on a semi-monthly (twice a month) basis, the semi-monthly salary should be calculated by dividing the amount of the annual salary by 24.

All adjustments for "leave without pay" shall be calculated on a calendar day basis.

4. If you pay salaries on a monthly basis, the salary should be calculated by dividing the amount of the annual salary by 12.

All adjustments for "leave without pay" shall be calculated on a calendar day basis.

If you are not already following the procedure outlined above, or the present State procedure for those on a bi-weekly basis, please adopt the above method with the first pay falling due on or after July 1, 1966.

B. F. Nossel
 Chief Deputy Comptroller

STATE OF MARYLAND
PURCHASING PROCEDURES

FOR

CLERKS OF THE COURTS AND REGISTERS OF WILLS

Procedure for Requisitioning Furniture and Equipment.

1. Must be requisitioned. Prepare Requisition Form 100-16, in quadruplicate. Forward all four copies to the Comptroller of the Treasury, P.O.Box 466, Annapolis, Maryland 21404, attention of the Chief Deputy Comptroller.

In Column headed "Quantity" indicate the number of items you desire to purchase.

In Column headed "Item, Description, Sizes, Numbers, Lengths, Package desired, etc." be sure to give complete description of each item, including model numbers, sizes, color and other pertinent information.

If you desire to match existing equipment so state in the same column.

If you want to have a local vendor included in the bidding you may so indicate on the requisition.

Should you have difficulty in describing the items you wish to purchase contact the Purchasing Bureau for further instructions. The telephone number is (Baltimore) 486-0206.

Do not enter on the requisition any prices which may have been quoted to you by a vendor. The Purchasing Bureau will obtain prices in accordance with State procedures. The Clerk or Register should sign the requisition in the space headed "Approved" in the lower right corner.

2. After prices have been obtained by the Purchasing Bureau an Award will be made by the Bureau to the low bidder. You will receive a copy of the Award and a copy of the requisition for your files. These should be available to the State Auditor at the time of his next examination of your accounts and records.

The Comptroller's approval of the expenditure of funds will be shown on your copy of the Award.

3. Each Clerk of Court and Register of Wills will provide a rubber stamp bearing the following legend:

ITEMS BILLED ON THIS INVOICE HAVE BEEN RECEIVED IN THE QUANTITY
SPECIFIED AND IN GOOD CONDITION.

4. When item has been delivered in satisfactory condition, and invoice received, place stamp impression on the invoice, sign it and send to the Department of General Services, Purchasing Bureau, 610 Reisterstown Road, Baltimore, Maryland 21208. The Bureau will check quantity and price against its original Award, affix a stamp of approval and return the invoice to you for payment.

-2-

Procedure for Requisitioning Furniture and Equipment, Continued.

5. If the item is not received in satisfactory condition do not stamp the invoice and do not pay it. Instead, contact the Purchasing Bureau and advise as to the unsatisfactory condition.
6. Items of equipment, furniture, and fixtures costing under \$50.00 need not be requisitioned through the Purchasing Bureau.

Procedure for Purchasing Typewriters.

Typewriters may be purchased direct from vendors provided the price paid shall not exceed the list price shown in schedule furnished by the Department of General Services, Purchasing Bureau. Prior approval of the Comptroller by letter is required on all purchases of typewriters. If new typewriter is a replacement, advise serial, make, number, age, and trade-in allowance on old machine. Increase to \$100, See Exhibit K-3, Comptroller's letter dated 4-12-73.)

Procedure for Installation of Roller Shelving, Indexing Systems, The Repair of Old Record Books, etc.

Requests for the expenditure of funds for these purposes shall be handled as in the past by letter from the Clerk or Register to the Comptroller. The Comptroller will refer all such requests to the Hall of Records for study and advice.

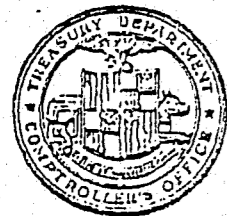
Stationery, Office Supplies, Dockets, Bookbinding, Book Repairs and Printing.

These items may be purchased direct by the respective Clerks and Registers since it has been determined to be impractical to purchase them through the State Purchasing Bureau.

Planning or Layout in Connection With Purchase of New Equipment or Utilization of Space.

These matters should be discussed with Mr. Elmer P. Butz, of the Department of General Services, Purchasing Bureau.

No vendor should be requested to furnish such services without Mr. Butz's approval, since there is no assurance that under the competitive bidding procedure the vendor will receive the contract to supply the equipment.



STATE OF MARYLAND
 COMPTROLLER OF THE TREASURY
 STATE TREASURY BUILDING
 P. O. BOX 488 PHONE 267-5805
 ANNAPOLIS, MARYLAND 21404

Exhibit K-3

LOUIS L. GOLDSTEIN
 COMPTROLLER
 BERNARD F. NOSSEL
 CHIEF DEPUTY
 ROBERT L. SWA
 ASSISTANT TO COMPTROLLER
 J. BASIL WISNER
 ASSISTANT TO CHIEF DEPUTY

April 12, 1973

TO: All Clerks of the Courts
 and
 Registers of Wills

SUBJECT: Small Purchase Exemption

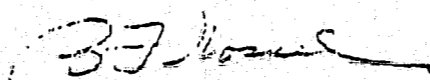
The Department of General Services has issued the following statement which now allows you to make purchases of not more than \$100.00 without the need for an out-of-schedule requisition. You may be guided by this Directive.

" Effective March 15, 1973 the exemption limit for small purchases has been increased from \$50.00 to \$100.00 with the following conditions:

1. That all such purchases shall follow the generally accepted practices of purchasing satisfactory merchandise at fair prices without favoritism to any vendor.
2. The dividing of the requirement into several small purchases to avoid the \$100.00 limit is contrary to the spirit and intent of this policy and is expressly prohibited. Audits of agency's exempt purchase invoices will be made periodically and if there is evidence of abuse, the Department of General Services reserves the right to withdraw the delegation of the exempt authority to the agency involved.

The Department of General Services is initiating this policy revision as a convenience to State Offices since administrative costs are considered disproportionate to the amount of purchase. It should be emphasized that this method of commercial market purchasing is expensive and should be used only when absolutely necessary. Every effort should be made by the using authorities to include under regularly scheduled requisitions all of their anticipated needs for materials, supplies and equipment so that they may be procured through competitive bidding by the Purchasing Bureau thus assuring minimum prices for the requisitioned material."

Very truly yours,

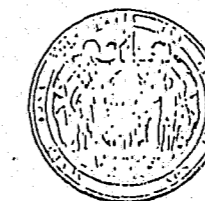

 Bernard F. Nossel
 Chief Deputy Comptroller

BFN/eh

A-113

FRANCIS B. BURCH
 ATTORNEY GENERAL

OFFICES OF



THE ATTORNEY GENERAL
 ONE SOUTH CALVERT STREET
 14TH FLOOR
 BALTIMORE, MARYLAND 21202
 301-383-3737

Exhibit L-1

HENRY R. LOWE
 NORMAN POLOVOY
 DEPUTY ATTORNEYS GENERAL

July 13, 1971

Mr. Charles C. Glos
 Chief Deputy Clerk of the
 Circuit Court for Baltimore County
 Courthouse
 Towson, Maryland 21204

Dear Mr. Glos:

In your letter you referred to certain expenses which the Clerk of Court in your County has been paying for a number of years, from his fees. These expenses include such items as the printing of grand jury reports, the furnishing of postage and paper to court auditors, the furnishing of forms to court employees, and the use of the clerk's copying machine to make copies of memoranda, bench meetings, and other reports.

The Legislative Auditor has advised your office that these expenses should be borne by the County. We are advised that the Comptroller's office agrees with the Legislative Auditor's opinion. You requested our opinion in this regard at the suggestion of the Judges of the Circuit Court for Baltimore County.

We concur that these are county expenses and believe there are two bases for this conclusion. First, while a clerk may be an official serving a state court, it nowhere appears that he has the obligation, or even the authority, of financing the various operations of the court out of his fees. Rather, he has the obligation of tending to certain specified responsibilities. See, for example, Article IV, Section 10 of the Maryland Constitution and Article 17, Section 1 of the Maryland Code (1966 Replacement Volume). In Mayor & City Council v. Pattison, 136 Md. 64, the Court of Appeals recognized the right

A-114

Mr. Charles C. Glos

Exhibit L-2
July 13, 1971

-2-

of the court clerk to claim reimbursement from the County, or Baltimore City, for expenses to some extent similar to the expenses here involved, on the theory that the expenses were incurred in furthering the important public purposes of the political subdivision.

Secondly, the provisions of Sections 1, 22, 23(b), 24, 25, 26, 28 and 29 of Article 17 of the Maryland Code lead us to the same conclusion reached in 34 Opinions of the Attorney General 120, where then Attorney General Hammond stated:

"It is fair to assume, we think, that the numerous provisions of law to which we have referred, are indicative of a clear intention that the disbursement of public funds by the Clerks of the Courts is subject to the approval of the Comptroller of the Treasury."

As indicated supra, the Comptroller does not approve the use of fees received by the Clerk to pay the expenses described in your letter. Accordingly, it must be concluded that further disbursements for such expenses are not authorized.

Very truly yours,

Francis X. Pugh
Francis X. Pugh
Assistant Attorney General

FXP:hg

A-115

CRIMINAL

CRIMINAL CHAPTER

CONTINUED

2 OF 9

Forms List

CRIMINAL

- 1 Indictment (Law 115-64563)
- 2 Criminal Information (SAO -31; 115-031)
- 3 Initial Summons Form/Notice to Appear
- 4 Pink Bench Warrant
- 5 Writ--Notice to Appear
- 6 Appearance Form
- 7 Election of Trial
- 8 Bail Bond Form 722BB
- 9 Affidavit of Surety A/S
- 10 Declaration of Trust
- 11 Notification of Forfeiture
- 12 Judgment Form 722 J/F
- 13 Witness Form.
- 14 Property Received as Evidence Form MR 1217 FZ
- 15 Commitment Record
- 16 Order of Probation (ART. 27--Sec. 641A)
- 17 Order of Probation (ART. 27--Sec. 292 or 641)

b(i)

- 18 Criminal Bill Form
- 19 Release Form--Dept. of Correction
- 20 Release Form--Local Jail
- 21 Report of Conviction--Administrative Board of Elections
- 22 Notice of Nolle Prosequi/Stet MR 782 A & C
- 23 Application for Review of Sentence
- 24 Memorandum (Re: Review of Sentence)
- 25 Petition for Expungement of Records (Probation, Nolle Prosequi, Stet)
- 26 Order for Expungement of Records W/Attached Record of Compliance
- 27 Order of Discharge, Dismissal and Expunging Criminal Record
- 28 Petition for Expungement of Records (Acquittal or Dismissal)
- 29 General Waiver and Release
- 30 Support Payment Agreement (108 MOB 61513)
- 31 Non-Support Information (116-115-61408)
- 32 Recommendation of Hearing Examiner (110-92779)
- 33 Receipt Card

b(ii)

Criminal Procedure
ACM (1957) Chapter 700

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Charging document in Form of Indictment Or Criminal Information Filed</u>	1,2		MR 702 (c), (d) MDR 727(i)		NOTE: The State's Attorney determines which charges are 1) presented to the Grand Jury for possible indictment or 2) returned on a Criminal Information. Upon return of an Indictment or Criminal Information the State's Attorney notifies the District Court Clerk that a charging document has been filed with the court.
<u>Transfer of Papers (District Court Charging Documents Received)</u>			MR 720(g) MDR 727(k)		NOTE: Criminal charging documents are received from the District Court. Accompanying these documents are supporting papers such as Bail Bonds and Statement of Charges which insure identification of the accused's location. There are two categories of charging documents: 1. Commitments--which indicate the accused is committed to jail. 2. Recognizances--which indicate the accused is released on a Corporate Bond, Declaration of Trust, Cash Bail or his Own Recognizance, or Unsecured Bail.

Criminal Procedure
ACM (1957) Chapter 700

DESCRIPTION	FORM	NO.	STATUTE or RULE	PROCEDURE	COMMENTS									
<u>Docket Preparation</u>				<p>a) Docket each case either manually or enter necessary information into computer. Information entered initially on the appropriate docket includes:</p> <ol style="list-style-type: none"> 1. Date the charging document is received by the Clerk's Office. 2. Name(s) of the defendant(s). 3. Name(s) of the attorney(s) of record, if any. <p>All subsequent case activities are docketed to provide a current case history at all times.</p>	<p>a) Separate dockets may be maintained for the following:</p> <ol style="list-style-type: none"> 1. Indictments 2. Criminal Informations 3. District Court Appeals 4. Defective Delinquents 5. Post Convictions 6. Review of Sentence Petitions <p>NOTE: No dockets are maintained on computerized systems. Identification numbers noting 1) type of charge, and 2) case number are assigned each case. Baltimore City uses this numbering system.</p> <p><u>Example</u> <u>The prefix number:</u></p> <table border="0"> <tr> <td>17500001</td> <td>1</td> <td>indicates an indictment</td> </tr> <tr> <td>27500001</td> <td>2</td> <td>indicates a criminal information</td> </tr> <tr> <td>37500001</td> <td>3</td> <td>indicates a district court appeal</td> </tr> </table>	17500001	1	indicates an indictment	27500001	2	indicates a criminal information	37500001	3	indicates a district court appeal
17500001	1	indicates an indictment												
27500001	2	indicates a criminal information												
37500001	3	indicates a district court appeal												

Criminal Procedure
ACM (1957) Chapter 700

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Case Folder Preparation</u>				<p>a) Enter the following information on the case folder:</p> <ol style="list-style-type: none"> 1. Case caption showing defendant's name. 2. Case number. 3. Charge description. 4. Location of accused. 5. Police Fingerprint Identification number for the defendant. 6. Date case filed with the Clerk's Office. 7. Date case presented and charging document returned. 8. All subsequent dates of case activities together with a record of the case activity. <p>b) File papers in case folder.</p>	<p>b) The case folder is an important recording instrument itself. Like the docket, the case folder is an up-to-date record of the case history. All courtroom proceedings are entered on the folder to facilitate subsequent docketing and transcription of these case activities.</p>

Criminal Procedure
ACM (1957) Chapter 700

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>The case folder may include the following:</p> <ol style="list-style-type: none"> 1. Original charging documents received from the District Court. 2. Police offense reports. 3. Corporate Bond or other bail form. 4. Indictment or Criminal Information. 5. Capias or warrant. 6. Attorney appearance. 7. Lists of witnesses to be summoned. 8. Subpoena Duces Tecum. 9. Written motions, pleadings. 10. Original orders and opinions of judge. 11. Original probation orders. 12. Copies of commitment or release from jail or other institution. 13. Exhibit list. 14. Copy of Uniform Evidence Retention List. 15. Returned summonses from Sheriff. 16. General correspondence relating to the defendant.

Criminal Procedure
ACM (1957) Chapter 700

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Indictment or Criminal Information Filed</u>			MR 720	Upon the filing of an Indictment/Criminal Information by the State's Attorney a) Docket the Charging Document. b) Prepare case folder for each criminal case.	
Initial Processing Original Summons	3		MR 720 (a)	a) Prepare summons. b) Attach copy of the Indictment/Informa- tion to the summons.	a) The Clerk shall issue a summons to the defendant commanding him to appear in person "unless his counsel has entered an appearance in writing at or before that time."
			MR 720 (b)		NOTE: The State's Attorney may direct summons and charging document to be served on defendant by mail or personal service.
	4		MR 720 (c)	NOTE: The State's Attorney may request issuance of a warrant instead of a summons. c) Prepare a warrant. d) Attach a copy of the Indictment/Informa- tion for service by Sheriff.	

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Initial Processing</u> (cont.) Defendant in Custody Notice to Appear	5		MR 720 (h)	When a defendant remains in custody after District Court Processing a) Immediately issue a Writ to the appropriate officer having custody of the defendant.	a) This Writ orders the appropriate officer to produce the defendant in court. NOTE: The defendant is served a copy of the Writ, copy of the Indictment/Information, and a separate notice to appear indicating he shall appear "unless counsel has filed his appearance at or before that time." The notice must include the name and address of the District Public Defender.
<u>Initial Appearance</u> Provision for or Waiver of Counsel			MR 723		a) If defendant fails to appear or by counsel, the Court may direct the Clerk to issue a warrant or re-issue summons for personal service. b) Appearance Without Counsel--if defendant appears without counsel, the Court questions and advises the defendant to determine representation, or waiver of counsel.

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Defense Counsel Appearance	6		MR 723(e)	Make appropriate docket entries in compliance with Rule.	<p>NOTE: Within five (5) days after accepting employment, or after appointment, or within five (5) days after filing of the charging document in court, whichever occurs later, counsel retained or appointed to represent a defendant must enter his <u>appearance in writing</u>.</p> <p>The defendant's initial plea shall be made within fifteen (15) days after the appearance of counsel or the first appearance of the defendant before the Court, whichever is earlier.</p> <p>NOTE: If the defendant does not plead within the time provided by this rule, the <u>Clerk</u> shall enter a plea of Not Guilty.</p>
			MR 725(a)		
Pleas			MR 731(b.2)		
			MR 731(b.3)		

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Pleas to Other Offenses</u>			MR 732		NOTE: Upon acceptance of a plea of Guilty or Nolo Contendere or after a verdict of Guilty, but before sentencing, a defendant may request permission to plead guilty or nolo contendere to any other pending charges within the jurisdiction of the court including charges pending in another county. The request shall be <u>in writing and signed by the defendant</u> . The filing of the request is a waiver of venue as to an offense committed in another county and a waiver of indictment by a Grand Jury.
Forwarding Court			MR 732(c)	Upon receipt of defendant's request and the approval of the State's Attorney of the forwarding county. Forward to the Clerk of the sentencing court the case file containing the charging document and other original papers together with a certified copy of the docket entries.	
Sentencing Court			MR 732(e)	After final judgment is entered by the sentencing court, return a certified copy of the docket entries to the clerk of the forwarding court.	

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Transfer of Case File Trial</u>			MR 744(c)	Upon the filing of an order for removal, transmit the case file and a certified copy of the docket entries to the clerk of the court to which the case is removed.	<u>NOTE:</u> The latter court shall thereupon proceed as though the case had originally been instituted therein. After final disposition of the case, the clerk of the court to which the case was removed shall return a certified copy of the docket entries to the clerk of the court in which the case was originally instituted for entry on docket as final disposition of the charges.
<u>Election of Court or Jury Trial</u>	7		MR 735	Docket and file written election in case folder.	Election of Court or Jury trial shall be <u>in writing</u> , signed by the defendant, witnessed by his counsel, if any, and filed with the Clerk of the Court within fifteen (15) days after the appearance of counsel or the first appearance of the defendant before the Court, whichever is earlier.
<u>Bail Procedures</u>			MR 722		<u>NOTE:</u> Responsibilities of the Clerk regarding bail encompass the following areas: #1 Bail Docket Preparation #2 Bail Forfeiture Procedures

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Bail Docket Preparation			MR 722(c)	Record all bail 1) forwarded from the District Court to the Circuit Court and 2) accepted at the Circuit Court level on the Bail docket.	NOTE: Any commissioner, clerk, judge or peace officer, where authorized by law, is authorized to take a bail bond.
Bail Bond Execution	8 9 10		MR 722(g)		NOTE: Every bail bond taken shall be executed and acknowledged before the person who takes the bond by the defendant and surety, if any.
Bail Forfeiture Procedures			MR 722(i)	a) Upon calling the case in court and the defendant not being present when properly at the direction of the judge, harken the bondsman to produce the defendant (or bail will be forfeited by the Court). b) Promptly notify any surety on the defendant's bond, and the State's Attorney, of the forfeiture of the bond and the issuance of a Bench Warrant (722N/F). c) Docket forfeiture, issuance of warrant, and notification of surety.	b) On defendant's failure to appear as required, the Court forthwith forfeits the bail bond and orders the issuance of a Bench Warrant.

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Satisfaction of Forfeiture			MR 722(i.3)		Within ninety (90) days from the date the defendant fails to appear, a surety must satisfy any forfeiture, either by producing the defendant in Court, or by paying the penalty sum of the bond.
Enforcement of Forfeiture	12 (722 J/F)		MR 722(i.4)	a) If a forfeiture has not been stricken or satisfied within 90 days, forthwith cause the order of forfeiture to be entered as a judgment and to be recorded and indexed among the civil judgment records, for the penalty sum, with interest, including costs.	
			MR 722(i.4. b)	b) Prepare, attest and deliver to the State Court Administrator, the Bail Bond Commissioner, the State's Attorney, and to the surety a true copy test of the docket entries in the cause, showing the entry and recording of the judgment against the defendant and surety.	
<u>Appeal Bond</u>			MR 778(b)	Upon order of Court discharging bond, notify the surety to produce defendant for surrender to begin serving sentence.	NOTE: The condition of any bond taken pending an appeal shall be that the defendant shall prosecute his appeal according to law and shall surrender himself to serve any sentence imposed or appear for further proceedings as directed; and that the bond shall continue until discharged by order of the trial court.

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Appeal Cases to Circuit Court received</u></p>				<p>a) Date-stamp appeals.</p> <p>b) Docket charges, listing:</p> <ol style="list-style-type: none"> 1. Date the statement of charges is received by the Clerk's office. 2. Name(s) of the defendant(s). 3. Name(s) of attorney(s) of record, if any. <p>c) Prepare case folder and insert papers.</p> <p>d) Deposit fines, court costs, and security costs forwarded to the Circuit Court from the District Court.</p>	<p>NOTE: District Court Appeals are received daily by the Circuit Court Clerk's Office. Accompanying these appeals are bail bonds, if any, fines, court costs, and security costs, statement of charges, appearance notice of the Public Defender if one files at the district court level, and Power of Attorney if bail is posted.</p> <p>b) See Docket Preparation Section.</p> <p>c) See Case Folder Preparation.</p> <p>d) These monies are retained by the Clerk until disposition and proper distribution of the monies is made. Clerk notifies District Court of all appeal dispositions required by rule.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Trial Case Assignment</u>			MR 746		<p>NOTE: The responsibility for assigning criminal cases for trial varies in each circuit. In some circuits, Clerks of Court are also Assignment Commissioners. In other circuits, the State's Attorney's Office or a separate assignment office under the direction of the bench, prepares court assignments. The Criminal Assignment Commissioner controls assignment of trial dates in Baltimore.</p> <p>The Assignment Office prepares the courtroom dockets in triplicate. Copies are forwarded in advance to:</p> <ol style="list-style-type: none"> 1. Clerk's Office 2. Judge 3. State's Attorney <p>The computer system "freezes" the docket at this time and will accept no more information for witness summons requests.</p>
	13		MR 742	<p>a) Upon receipt of the Court Freeze Courtroom Docket, pull appropriate cases and send <u>witness summons</u> to Sheriff for service.</p>	

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Courtroom Duties</u>				<p>a) Prepare a courtroom docket sheet listing the cases to be heard.</p> <p>b) Call the case.</p> <ol style="list-style-type: none"> 1. Read the Case Number. 2. Read the Contents of the charging document. 3. Ascertain the plea offered by the defendant or defense counsel. 4. Ascertain the election of trial by court or jury trial. <p>c) Record the plea and the election of trial on the courtroom docket and the case folder.</p> <p>d) Accept into your custody and receive all exhibits allowed as evidence.</p> <p>e) Record each exhibit on the Property Received as Evidence Form and retain each exhibit.</p>	<p>a) Courts using a computer system are provided with a computer docket sheet of scheduled cases.</p> <p>NOTE: The State's Attorney determines the order in which scheduled cases will be called for hearing.</p> <p>f) All exhibits introduced in evidence or marked for identification during the trial of a case shall be retained by the Clerk of Court or such other person as may be designated by the Court.</p>
	14		MR 731 MR 735 MR 1217 (F.2)		

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Nolle Prosequi and Stet	22		MR 760 MR 772 MR 782(a), (c)	<p>g) After either (i) the time for appeal has expired, or (ii) in the event of an appeal, the mandate has been received by the Clerk, send written notice to all counsel of record advising them that if no request to withdraw such exhibits is received within ten (10) days from the date of the notice, the exhibits will be disposed of. Unless such a request is received by the clerk within ten (10) days from the date of notice, or unless the court within such period shall order otherwise, dispose of the exhibits in such manner, including destruction, as may be appropriate.</p> <p>h) Record the verdict rendered by the Court and the judgment imposed by the Court on the <u>courtroom docket</u> and the <u>case folder</u>.</p> <p>a) Docket the entry of a Nolle Prosequi or Stet.</p> <p>b) Forward a <u>notice</u> to the defendant and his counsel of record, if defendant was not present in Court.</p> <p>c) Upon entry of the Nolle Prosequi or Stet, recall outstanding warrants or detainers, if any, on the charges.</p>	<p>a) The State's Attorney may enter a <u>Nolle Prosequi</u> or <u>Stet</u> in open court on the record.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Jury Trials			MR 751	In criminal jury trials, the Clerk has additional courtroom responsibilities: #1 Voir Dire #2 Jury Selection #3 Swearing Jury #4 Retirement of Jury #5 Return of Jury to Jury Box #6 Polling of Jury	
#1 Voir Dire			MR 752	a) If voir dire is requested, administer the voir dire oath: 1. Ask the members of the jury to stand and raise their right hands. 2. OATH: MEMBERS OF THE JURY, YOU AND EACH OF YOU, DO SOLEMNLY PROMISE OR DECLARE THAT YOU WILL TRUTHFULLY ANSWER ALL QUESTIONS PROPOUNDED BY THE COURT. <u>ANSWER:</u> WE DO. 3. Ascertain if the State's Attorney or the defendant has any questions.	a) Voir dire concerns preliminary questioning of jurors for possible challenging for cause and peremptory challenges.

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#2 Jury Selection				<p>a) Address the remaining jurors as follows:</p> <p>LADIES AND GENTLEMEN, AS I CALL YOUR NAME, YOU WILL STEP FORWARD TO THE SIDE OF THE TRIAL TABLE. IF YOU ARE ACCEPTABLE AS A JUROR TO BOTH THE STATE AND THE DEFENSE, YOU WILL THEN BE ASKED TO TAKE A SEAT IN THE JURY BOX. IF YOU ARE CHALLENGED BY EITHER THE STATE OR THE DEFENSE, RETURN TO YOUR SEAT.</p> <p>b) State which jury panel is to be called if there is more than one panel.</p> <p>c) Call each juror separately as follows, maintaining a record of the challenges:</p> <p>1. Call the first juror. As the juror approaches the trial table, ask the State's Attorney:</p> <p>IS (NAME OF JUROR) ACCEPTABLE TO THE STATE?</p> <p>B-17</p>	<p>b) Ascertain when judge is ready to proceed with the selection of the jury before announcing the jury panel.</p> <p>c) This phase of jury selection permits the exercise of peremptory challenges by counsel.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
			MR 753(a.1) (a.2), (a.3)	<p>If the answer is affirmative, ask the Defense:</p> <p>IS (NAME OF JUROR) ACCEPTABLE TO THE DEFENSE?</p> <p>If the answer is affirmative, ask the juror to sit in the jury box.</p> <p>2. Call the second juror. As the juror approaches the trial table, ascertain the acceptability of this juror by asking the same questions set out above. The order of questioning, however, is reversed; the Defense is addressed first, followed by the State's Attorney.</p> <p>NOTE: This procedure continues throughout the jury selection process, or until the State's or Defense's peremptory challenges are exhausted.</p> <p>B-18</p>	<p>Criminal charges involving a penalty of death, life imprisonment, or twenty years or more upon conviction allow twenty peremptory challenges to the Defense and ten to the State's Attorney. All other charges allow four peremptory challenges each to the Defense and the State's Attorney.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>d) Ascertain the acceptability of the jury panel as follows:</p> <ol style="list-style-type: none"> 1. Ask the State's Attorney: IS THE PANEL ACCEPTABLE TO THE STATE? 2. If the State accepts the panel, ask the Defense: IS THE PANEL ACCEPTABLE TO THE DEFENDANT? 3. If the Defense also accepts the panel, administer the jury oath. <p>NOTE: If the jury panel is not acceptable to either the State's Attorney or the Defense, and the State's Attorney or Defense challenges a juror, proceed as follows:</p> <ol style="list-style-type: none"> 1. Ask challenged juror to step from the jury box. <p style="text-align: center;">B-19</p>	<p>The Defense is allowed two peremptory challenges and the State's Attorney one challenge for each <u>alternate juror</u> selected.</p> <p>3. See Swearing Jury Subsection.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#3 Swearing Jury and Bailiff				<p>2. Resume calling the prospective jurors.</p> <p>3. If the next juror is acceptable to the State's Attorney and Defense, ask the new juror to sit in the jury box.</p> <p>4. Again ascertain the acceptability of the jury panel.</p> <p>5. If the panel is acceptable, administer the jury oath:</p> <p>a) Ask jurors and defendant to stand and raise their right hands.</p> <p>b) Administer the following oath:</p> <p>DO YOU, AND EACH OF YOU, SOLEMNLY PROMISE AND DECLARE THAT YOU WILL WELL AND TRULY TRY THE ISSUES JOINED BETWEEN THE STATE OF MARYLAND AND THE DEFENDANT, WHOM YOU SHALL HAVE IN CHARGE, AND GIVE A TRUE VERDICT, ACCORDING TO THE EVIDENCE?</p> <p>c) Ask the Bailiff to stand and raise his/her right hand.</p> <p>d) Administer the following oath:</p> <p>DO YOU SOLEMNLY PROMISE AND DECLARE THAT YOU SHALL WELL AND TRULY TAKE</p> <p>B-20</p>	<p>5. See Swearing Jury Subsection.</p> <p>c) Optional by Court.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#4 Retirement of Jury				<p>THIS JURY TO SOME CONVENIENT ROOM, THAT YOU WILL SUFFER NO ONE TO SPEAK TO THEM NOR SHALL YOU SPEAK TO THEM WITHOUT THE LEAVE OF THE COURT?</p> <p>a) Give all exhibits to Bailiff to take to the jury room.</p>	
#5 Return of Jury to the Jury Box				<p>a) Ask the defendant to stand and face the jury.</p> <p>b) Address the jury:</p> <p>MEMBERS OF THE JURY, HAVE YOU AGREED UPON (A) VERDICT(S)? WHO SHALL SAY FOR YOU?</p> <p>(Answer: Our Foreman/Forelady.)</p> <p>c) Ask the Foreman/Forelady to stand and address as follows:</p> <p>HOW SAY YOU, IS (NAME OF DEFENDANT) GUILTY OF THE MATTER WHEREIN HE STANDS INDICTED, OR NOT GUILTY?</p> <p>(Foreman/Forelady answers.)</p>	

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>#6 Polling the Jury</p> <p>Judgment of Court is imposed</p>				<p>d) Address the jury:</p> <p>HARKEN TO THE VERDICT AS THE COURT HAS RECORDED IT: YOU SAY THAT (NAME OF DEFENDANT) IS (REPEAT VERDICT OF JURY) AND SO SAY YOU ALL.</p> <p>a) Address the juror seated beside the Foreman/Forelady:</p> <p>IS YOUR VERDICT THE SAME AS HIS/HERS</p> <p>b) Likewise address each juror. If all jurors agree with the verdict read by the Foreman/Forelady, follow the procedure set out in d) above.</p> <p>The responsibilities of the Courtroom Clerk vary according to the judgment imposed by the Court:</p> <p>#1 Defendant is Committed #2 Sentence is Suspended, Defendant is Placed on Probation</p> <p>D-22</p>	<p>NOTE: If a request for polling the jury is made by either the State's Attorney or the Defense, the request should be made before the Clerk harkens to the verdict.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Defendant is Committed	15			<p>#3 Fine and Costs Imposed #4 Defendant is Acquitted</p> <p>a) Prepare the Commitment Record.</p> <p>b) Give the original record to the Jail Guard if the defendant is in his custody or to the Deputy Sheriff if the defendant is on bail.</p> <p>c) File a copy of the record in the case folder.</p>	
Sentence is Suspended, Defendant is Placed on Probation	16 17		ART. 33, Sec. 3-18 (a), (b)	<p>d) Prepare and forward Report of Conviction to Administrative Board of Election Laws</p> <p>a) Complete proper Probation Order for the Judge's signature.</p> <p>b) Give one copy each to the Probation Agent and the Defendant.</p> <p>c) File the original order in the case folder.</p>	a) The responsibility for preparing Probation Orders belongs to the Probation Agents of some circuits.
Fine and Costs Imposed	18		MR 764	<p>a) Enter the amount of the fine on the file.</p> <p>b) Assess court costs for the following: 1. State's Attorney fee</p>	<p>a) The court determines the amount of the fine.</p> <p>b) *Assess proper costs. See Criminal Court Costs Schedule. (See page B-44.)</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				2. Clerk's fee 3. Sheriff's fee 4. Defense Attorney's fee 5. Criminal Injuries Compensation Fund c) Prepare fine and costs bill in triplicate d) Obtain signature of Deputy Sheriff on original bill and give the original bill to the Deputy Sheriff. e) Retain one copy in the Bill Book. f) Forward third copy to the Fiscal Clerk for Accounts Receivable. g) Show computation of the fine and costs on the case folder.	d) This signature is written proof to the Clerk that the Deputy Sheriff received the original bill. e) This copy is retained for auditing purposes. NOTE: In some jurisdictions, the Clerk is the collector of outstanding criminal bills; in other jurisdictions, the Sheriff has this collection responsibility. The Sheriff collects only the total amount. The Probation Office of some circuits may permit payment of fine and costs on an installment plan. Regardless of which method is used, once the fine and costs are collected, the Sheriff stamps the original bill PAID and returns the

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#4 Defendant is Acquitted	19,20			<ul style="list-style-type: none"> a) Prepare the appropriate release form for either 1) the local jail or 2) the Department of Correctional Services, State of Maryland and send the form to the proper authority. b) File a copy of the release form in the case folder. 	bill and the money to the Clerk's Office. At the end of each month, the Clerk sends checks to the proper parties.
Review of Sentence requested			MR 773 ART. 27, Sec. 645JA- 645JG	<ul style="list-style-type: none"> a) Docket receipt of application. b) Prepare covering memorandum. 	<p>NOTE: Every person convicted of a crime and sentenced to serve, with or without suspension, a total of more than two (2) years imprisonment shall have a right to a review of sentence, providing the Application for Review of Sentence is filed not later than thirty (30) days after imposition of sentence.</p> <ul style="list-style-type: none"> a) The application must be in writing in proper form and signed by the applicant.

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>c) Forward copies of the 1) covering memorandum, 2) application, and 3) indictment or criminal information to the following persons:</p> <ol style="list-style-type: none"> 1. Chairman of the Review Panel 2. State's Attorney 3. Defendant's Attorney <p>d) Prepare and send copies of the order to the following persons:</p> <ol style="list-style-type: none"> 1. State's Attorney 2. Defendant 3. Defendant's Attorney <p>e) Make appropriate entries on the docket and the case folder.</p> <p>f) File the original order in the case folder.</p> <p>g) Implement all changes, if any, in the sentence as set forth in the order.</p>	<p>1. Original papers are forwarded to the panel chairman in file.</p> <p>NOTE: Once a Review Panel has made its decision, the papers are returned to the Clerk's Office with an Order attached.</p> <p>a) See <u>Judgment of Court is Imposed</u> section.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Uniform Post Conviction Procedure Act</u></p>			<p>ART. 27, Sec. 645A MR-BK 40-48</p>	<p>a) Review petition for the accuracy and completeness of: 1. Identification of petitioner. 2. Charging document numbers. 3. Jurisdiction requirements.</p> <p>b) Date stamp-petition.</p> <p>c) Docket the case, entering: 1. Date petition received 2. Name of petition 3. Name of attorney, if any</p> <p>d) Prepare case folder.</p>	<p>NOTE: The two types of petitions filed with the Clerk under the Uniform Post Conviction Procedure Act are defined as follows:</p> <p><u>Initial Petition</u> is the first petition filed by an individual under the Uniform Post Conviction Procedure Act with respect to a particular conviction.</p> <p><u>Subsequent Petition</u> is every petition filed by an individual after his/her first petition with respect to the <u>same conviction</u>.</p> <p>c) Some courts maintain a separate Post Conviction Docket. See Docket Preparation section.</p> <p>d) See Case Folder Preparation section.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
	33			<p>e) Forward case folder to the court services section of the State's Attorney's Office. Obtain receipt for the case folder.</p> <p>f) Prepare and send a copy of the petition to the Public Defender requesting a determination of the petitioner's eligibility for representation.</p>	<p>f) This procedure applies solely to those cases in which an <u>initial petition</u> is filed by an <u>individual</u> who is not represented by private counsel.</p> <p>NOTE: Subsequent petitions are not forwarded by the Clerk to the Public Defender.</p> <p>The State's Attorney files an answer to the initial or subsequent petition within fifteen days from the date of filing.</p> <p>The State's Attorney secures a hearing date for all initial and subsequent post conviction petitions from the Criminal Assignment Office. This hearing date is scheduled thirty days from the date the answer to the petition is filed.</p> <p>The State's Attorney returns the case folder to the Clerk. The hearing date, the judge's name to whom the case is assigned, and the Criminal Court section in which that judge is sitting are noted on the file.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Petition for Expungement filed</p>	<p>28, 29</p>	<p>B-69, B-70</p>	<p>Art. 27, §§ 735-741</p>	<p>g) Docket the State's Attorney's Answer. h) At least eight days prior to the hearing date, prepare all witness summonses and forward the summonses to the Sheriff for service of process. i) Always issue a writ or summons for the petitioner. j) Forward the case folder to the assigned judge for hearing.</p>	<p>NOTE: There are two types of expungement petitions which may be submitted by a defendant. A filing fee is not required. These petitions are described as follows:</p> <p><u>Petition For Expungement (Acquittal or Dismissal)</u> -- This petition asserts that the defendant was tried and acquitted, or the charge was dismissed or quashed. If less than three years have passed since the disposition of the charge, a <u>General Waiver and Release</u> must be submitted with the petition.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
	25	B-71		<p>a) Review the petition for accuracy and completeness.</p> <p>b) Docket the petition.</p> <p>c) Prepare case folder and file the petition.</p> <p>d) Insure that the proper copy of the petition is served on the appropriate party:</p> <ol style="list-style-type: none"> 1. Green copy--Law Enforcement Agency 2. Pink copy--State's Attorney 3. Yellow copy--Applicant or Petitioner <p style="text-align: center;">B-30</p>	<p><u>Petition For Expungement of Records (Probation, Nolle Prosequi, Or Stet Disposition)</u>-- This petition asserts that the charge was disposed of by one of the following methods:</p> <ol style="list-style-type: none"> 1. a judgment of probation without finding a verdict was entered 2. a Nolle Prosequi was entered 3. the case was marked STET <p>The petition further states that more than three years have passed since the disposition of the charges and that the defendant is not presently a defendant in any pending criminal proceeding other than traffic violations.</p> <p>b) See Docket Preparation section.</p> <p>c) See Case Folder Preparation section.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Expungement	26	B-72		<p>4. White original is filed in the case folder.</p> <p>e) If the Clerk is named as a defendant, file an answer indicating a willingness to comply with any court order.</p> <p>f) Forward case folder to assigned judge.</p> <p>g) Docket Order of Expungement upon receipt.</p> <p>h) Expunge records as follows:</p> <ol style="list-style-type: none"> 1. Remove the original court files and documents from the accessible files. 2. Seal files in a large envelope and place the files in a locked file drawer. 3. Reference the sealed file in an Expunged Case Index located in the locked file. 4. Obliterate all docket and index entries pertaining to the expunged individual. 	

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Petition For Expungement (Article 27, Section 292.) filed</p>	<p>26</p>		<p>Article 27, §292.</p>	<p>5. Obliterate all entries relating to the expunged individual in the court files of any co-defendants as well as all entries relating to the expunged charges that exist in the court files of other charges against the individual that are not subject to the expungement.</p> <p>6. Complete the Certificate of Compliance and forward a copy to the Judge and the petitioner within thirty days from the receipt of the Expungement Order.</p>	<p>6. This procedure is used to advise the Court and the petitioner that the Clerk has complied with all conditions of the expungement order.</p> <p>NOTE: These sealed files are accessible only to the Clerk of Court and are opened only by order of Court.</p> <p>NOTE: The following expungement procedures apply to individuals who 1) are charged with violations of the Controlled Dangerous Substances Act and 2) are eligible for expungement by court order upon:</p> <ol style="list-style-type: none"> 1. Acquittal or dismissal of the charges, or 2. Satisfactory fulfillment of the conditions of probation ordered in cases in which the entering of a judgment of guilt is stayed.

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ACM (1957) Chapter 700

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#1 Single Charge, Single defendant	27			a) Pull original court file relating to the expungeable charges. b) Seal the file in a large envelope; place docket number on envelope. c) File these sealed envelopes in a locked file drawer.	<p>The procedures followed by the Clerk in processing the petition conform to the procedures described above in <u>Petition For Expungement</u> section.</p> <p>In accordance with Article 27, Section 292 of the Annotated Code of Maryland, an Opinion of the Attorney General (9/15/72) establishes uniform expungement procedures for these specified cases. Upon receipt of an Expungement Order, the Clerk expunges the records differently according to the following case types:</p> <p>#1 Single charge, Single defendant #2 Multiple charges, Multiple defendants</p> <p>NOTE: These cases involve records which do not include any additional charges or defendants which are not subject to the expungement.</p>

Criminal Procedure
ACM (1957) Chapter 700

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p><u>Docket Maintained in Bound Volume</u></p> <p>a) Obliterate the entries pertaining to the identity of the individual whose record is to be expunged.</p> <p>b) Initial the page.</p> <p><u>Docket Maintained in Loose-Leaf Volume</u></p> <p>a) Re-type the docket pages, deleting all information relating to the individual whose records is to be expunged.</p> <p>c) Insert new docket pages in loose-leaf volume.</p> <p><u>Docket Maintained on Original Court File or Microfilm</u></p> <p>a) Seal file and/or microfiche in a large envelope; place docket number on envelope.</p> <p>b) File these sealed envelopes in a separate file.</p>	

Criminal Procedure
ACM (1957) Chapter 700

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#2 Multiple charges Multiple defendants				<p>a) Pull the original court file from the files which are accessible to the public.</p> <p>b) Prepare a duplicate file containing material relevant to the other charges and/or defendants which are not subject to the expungement. Certify that the duplicate file is an official record. Place this duplicate file in the files which are accessible to the public.</p> <p>c) Seal the original file in a large envelope, place docket number on envelope, and place the file in a locket file drawer.</p>	<p>NOTE: These cases involve records which include other charges or defendants which are subject to the expungement.</p> <p>b) The case folder is re-typed, deleting all entries which are to be expunged. Copies of material not subject to expungement are copied and placed in the duplicate file. Some reproduced documents reference matter that is to be expunged, but must be maintained for other charges and/or defendants. This expungeable information should be covered by an adhesive strip, initialled by the Clerk.</p>

Criminal Procedure
ACM (1957) Chapter 700

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p><u>Docket Maintained in Bound Volume</u></p> <p>a) Obliterate the entries pertaining to the identity of the individual whose record is to be expunged.</p> <p>b) Initial the page.</p> <p><u>Docket Maintained in Loose-Leaf Volume</u></p> <p>a) Remove all docket pages on which any reference to the defendant appears.</p> <p>b) Re-type the docket pages, deleting all information relating to the individual whose record is to be expunged.</p> <p>c) Insert new docket pages in loose-leaf volume.</p> <p><u>Docket Maintained on Original Court File or Microfilm</u></p> <p>a) Remove file and/or microfiche from public access.</p> <p>b) Prepare a duplicate file and/or microfiche containing material relevant to the other charges and/or defendants which are not subject to the expungement. Certify the duplicates as the official record. Place these duplicates in the files which are accessible to the public.</p>	<p>b) The case folder is re-typed deleting all entries which are to be expunged. Copies of material not subject to expungement are copied and placed in the duplicate file.</p>

Criminal Procedure
ACM (1957) Chapter 700

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>c) Seal the original file in a large envelope, place docket number on envelope, and place the sealed record in a locked file drawer.</p> <p>NOTE: Regardless of whether the case to be expunged involves a single charge, single defendant or multiple charges, multiple defendants, the indexing procedures set out below are the same:</p> <p>Enter the defendant's name in a separate index.</p>	<p>Some reproduced documents reference matter that is to be expunged, but must be maintained for other charges and/or defendants. This expungeable information should be covered by an adhesive strip, initialed by the Clerk.</p> <p>This index is maintained in the locked file with the sealed envelopes. A reference to the sealed file is maintained with the index. This reference is used when and if it is necessary to order the case to be opened.</p>

Criminal Procedure
ACM (1957) Chapter 700

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Statistical Report Preparation</u> #1 Report to the Supervisors of Elections	14			a) Enter appropriate information regarding persons convicted of larceny or other infamous crimes. This information includes: <ol style="list-style-type: none"> 1. Name of Defendant 2. Address of Defendant 3. Date of Conviction 4. Crims Committed 5. Age of Defendant 6. Sex of Defendant 7. Race of Defendant b) Forward the Report <u>monthly</u> to the Supervisors of Elections.	NOTE: The Clerk is responsible for the preparation of one (1) report: #1 Report to the Supervisors of Elections a) The Clerk completes this report in the <u>courtroom</u> on a continuous <u>daily</u> basis. NOTE: See Administrative Chapter for completion of Master Form for Maryland Automated Courts Status Reporting System. (See page A-3, et seq.)

Criminal Procedure
ACM (1957) Chapter 700

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Non-Support Informa- tion filed</u>			Article 27, Section 88		<p>NOTE: Filed by the State's Attorney, these cases charge the defendant with nonsupport after a complaint is filed in the Domestic Relations Division and (1) the defendant fails to appear and (2) after the parties sign a pay agreement (this payment is paid through the Probation Department). After default on these payments, the Probation Department refers the case to the State's Attorney for the filing of an information of prosecution.</p> <p>Since this is a criminal proceeding with a maximum sentence of three years, the defendant has a right to counsel. If the defendant is indigent, the Court may appoint counsel, refer the defendant to Legal Aid, or allow him to obtain private counsel. He has the right to a court or jury trial. If the defendant is in arrears on any previous agreement, the parties can be referred to the Court Examiner in the Domestic Relations Division for a recommendation as to future payments under an order of the court under conditions. This probation order can be under a suspended sentence (usually 18 months) or a Probation before Conviction order under conditions. The court can order a lien to ensure payments.</p>
	30				
	31				
	32				

Criminal Procedure
ACM (1957) Chapter 700

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Violation of Probation	30				<p>NOTE: In most cases defendant has had a preliminary hearing before a Hearing Officer (Probation Department). The case is then heard by the court with a recommendation by the Probation Department. The defendant is arraigned and again has a right to counsel. Testimony is taken under a plea of Not Guilty or Guilty. The court can quash the warrant under condition or revoke the probation.</p>
Contempt of Court (Failure to pay under previous decree)	30				<p>NOTE: Can plead guilty or not guilty. Probation Department makes a recommendation and defendant can offer any testimony as to why he is back in payments. Court can quash contempt under condition or impose sentence and state conditions for release.</p>

Criminal Procedure
ACM (1957) Chapter 700

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Search Warrants</u>			MR 780 (f)	Maintain a confidential index of the search warrants.	Upon execution of a Search Warrant, the issuing judge files them with the Clerk of the Court. The papers filed with the Clerk are sealed and opened for inspection <u>only upon order of the Court.</u>
			MR 780 (h)		NOTE: Upon motion filed by a person from whom or from whose premises property is taken under a search warrant, or by a person having an interest in the property, or by a person aggrieved by a search or seizure, the court shall order that the warrant, inventory and other related papers filed be made available to the person or his attorney for inspection and copying. Upon the filing of the motion the court may order that the notice be given to the State's Attorney.
			MR 780 (i)		NOTE: Clerk--Except for disclosures directed by this rule, a person who discloses, prior to execution of a search warrant, that it has been applied for or issued, except insofar

Criminal Procedure
ACM (1957) Chapter 700

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					as may be necessary to its execution, or a public officer or employee who discloses, after execution of a search warrant, its contents or the contents of any other paper connected therewith except by service pursuant to this rule or by court order pursuant to Section E of this Rule, may be prosecuted for Criminal Contempt of Court.

COST SCHEDULE

B-43

CRIMINAL COURT COST SCHEDULE

July 1, 1977

STATE'S ATTORNEY	\$ 5.00 (Misdemeanor) \$10.00 (Felony)
CLERK	\$40.00
SHERIFF	\$ 5.00 (Ea. Summons) \$10.00 (Ea. Warrant)
ATTORNEY	\$ 5.00 (Misdemeanor) (For Bar Library) \$10.00 (Felony)
CRIMINAL INJURIES	\$10.00
COMPENSATION FUND	(HB 168--Effective 7/1/77)

MD. Rule 764--COSTS

A Judgment other than a Judgment of Acquittal shall include court costs unless otherwise ordered by the Court.

. In wit:

The Jurors of the State of Maryland, for the body of the _____, do on their oath present that _____ late of said _____, on the _____ day of _____, in the year of our Lord nineteen hundred seventy-_____, in the _____ aforesaid, feloniously with a dangerous and deadly weapon, did rob _____ and violently did steal from (him) (her)

contrary to the form of the Act of Assembly in such case made and provided, and against the peace, government and dignity of the State. (Robbery with dangerous and deadly weapon — Art. 27, Secs. 488, 489)

SECOND COUNT.

And the Jurors aforesaid, upon their oath aforesaid, do further present that the said _____ late of said _____, on the said day, in the said year, in the _____ aforesaid, unlawfully did attempt, with a dangerous and deadly weapon, to rob _____ and violently did attempt to steal from (him) (her) the goods and chattels, monies and properties of the said _____, contrary to the form of the Act of Assembly in such case made and provided, and against the peace, government and dignity of the State.

(Attempted Robbery with dangerous and deadly weapon — A. L. 27, Secs. 488, 489)

THIRD COUNT.

And the Jurors aforesaid, upon their oath aforesaid, do further present that the said _____ late of said _____, on the said day, in the said year, in the _____ aforesaid, feloniously did rob _____, and violently did steal from (him) (her)

contrary to the form of the Act of Assembly in such case made and provided, and against the peace, government and dignity of the State. (Robbery — Common Law and Art. 27, Secs. 486, 487)

FOURTH COUNT.

And the Jurors aforesaid, upon their oath aforesaid, do further present that the said _____ late of said _____, on the said day, in the said year, in the _____ aforesaid, feloniously did make an assault upon one _____ with intent then and there feloniously to put (him) (her) in bodily fear and danger of (his) (her) life and violently to steal, take and carry away from the person and against the will of the said _____ (his) (her) goods and chattels, monies and properties, contrary to the form of the Act of Assembly in such case made and provided, and against the peace, government and dignity of the State.

(Assault with intent to Rob — Art. 27, Sec. 12)

FIFTH COUNT.

And the Jurors aforesaid, upon their oath aforesaid, do further present that the said _____ late of said _____, on the said day, in the said year, in the _____ aforesaid, unlawfully did make an assault upon, and did then and there beat the said _____ against the peace, government and dignity of the State. (Assault — Common Law)

SIXTH COUNT.

And the Jurors aforesaid, upon their oath aforesaid, do further present that the said _____ late of said _____, on the said day, in the said year, in the _____ aforesaid, _____ did then and there steal, take and carry away

of the goods and chattels, monies and properties of _____, contrary to the form of the Act of Assembly in such case made and provided, and against the peace, government and dignity of the State. (Larceny — Common Law and Art. 27, Secs. 340, 341)

SEVENTH COUNT.

And the Jurors aforesaid, upon their oath aforesaid, do further present that the said _____ late of the said _____, on the said day, in the said year, at the City aforesaid, unlawfully did then and there have and receive

of the goods and chattels, monies and properties of one _____, then lately _____ stolen, taken and carried away, well knowing the said goods and chattels, monies and properties to have been so stolen, taken and carried away, contrary to the form of the Act of Assembly in such case made and provided, and against the peace, government and dignity of the State. (Receiving Stolen Goods — Common Law and Art. 27, Secs. 466, 467)

EIGHTH COUNT.

And the Jurors aforesaid, upon their oath aforesaid, do further present that _____ late of said _____, on the said day, in the said year, at the _____ aforesaid, unlawfully did use a handgun in the commission of a crime of violence, as defined in Article 27, Section 441 of the Annotated Code of Maryland, contrary to the form of the Act of Assembly, in such case made and provided, and against the peace, government and dignity of the State.

C.I.: _____

Date of Arrest: _____

Witnesses:

CRIMINAL INFORMATION

--	--	--

STATE OF MARYLAND,
IN THE CRIMINAL COURT OF

The State of Maryland
-vs-

Date of offense: _____

Location: _____

Complainant: _____

STATE OF MARYLAND,

CRIMINAL INFORMATION

DATE
8/22/77

CRIMINAL COURT OF

CASE NUMBER

21202

ID NUMBER

STATE OF MARYLAND VS.

YOU ARE HEREBY COMMANDED TO APPEAR IN PERSON
IN THE COURTHOUSE ON THURS. SEPT. 01, 1977 ROOM 231 AT 9:30 AM
UNLESS YOUR COUNSEL HAS ENTERED HIS APPEARANCE IN WRITING AT OR BEFORE THIS TIME
TYPE OF PROCEEDING: ARRAIGNMENT

NAME
ADDRESS

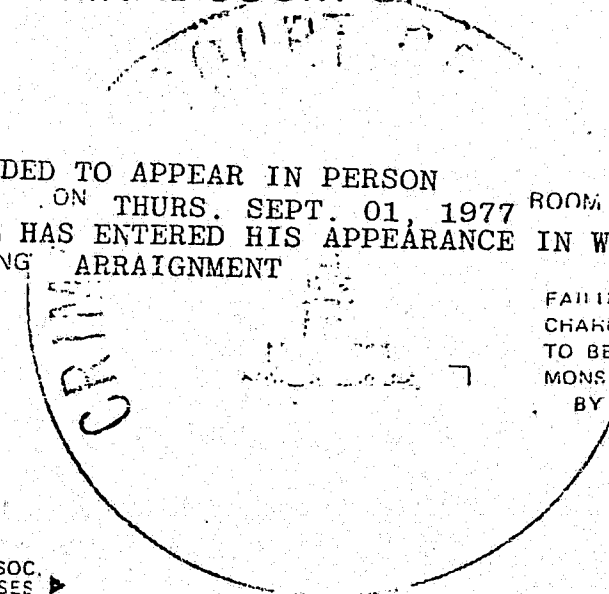
DEPUTY NO. _____

ASSOC. CASES

FAILURE TO APPEAR ON TIME MAY CAUSE YOU TO BE
CHARGED WITH CONTEMPT OF COURT OR A WARRANT
TO BE ISSUED FOR YOUR ARREST. BRING THIS SUM-
MONS WITH YOU TO COURT.
BY ORDER OF COURT

CLERK CRIMINAL COURT OF

SUMMONS



WARRANT

Case Information

Warrant Return Information

Case No. _____ Cepi _____ Date _____

Defendant _____ Sheriff _____

Charge _____ Date Warrant Quashed _____

Social Security No. _____

Person Named in Warrant

Police Ident. No. _____

Name _____ Date of Birth _____

Address _____ Race _____ Sex _____

State of Maryland, To Wit:
To The Sheriff of _____, Greetings:

Whereas complaint has been made before me, the subscriber, one of the Judges of the _____, in and for _____, upon the information and oath of (Name) _____ (Title) _____ who charges that the above named person, on the _____ day of _____ in the year of _____, in the said city, did

You are therefore commanded forthwith to apprehend the said named person and bring _____ before the subscriber, or some Judge of the _____ sitting as of the Criminal Court of _____, to be dealt with according to law.

Given under my hand and seal this _____ day of _____ year _____

Judge

Take bail in amount of:

CONTINUED

3 OF 9

HABEAS CORPUS AD TESTIFICANDUM

INDICTMENT NO. POLICE IDENT. NO.
PART D.O.B.
ROOM ISSUED BY
DATE PHONE

TIME: 9 A.M.

YOU ARE HEREBY COMMANDED TO APPEAR IN PERSON
UNLESS YOUR COUNSEL HAS ENTERED HIS APPEARANCE IN WRITING AT OR
BEFORE THIS TIME.

The State of Maryland

TO THE COMMISSIONER OF CORRECTION, GREETINGS:

You are hereby commanded, that you have the body of
..... detained
under your custody as it is said, by whatsoever name he may be called in the same,
before the Criminal Court of Baltimore to testify in the case of the State of Maryland vs.
..... then and there to be tried. Inmate is
required to appear from day to day until conclusion of proceedings or until excused by Judge.
Immediately thereafter the said
shall have given his testimony before the said Court to return him to said prison, and have
you then and there this writ.

Witness the hand of the Judge and the Seal of the Criminal Court of Baltimore this
..... day of A. D., 19.....

Judge.

CRIMINAL COURT OF
APPEARANCE NOTICE

CASE NO. CHARGE

DEFENDANT
FULL NAME

MR. CLERK:

PLEASE ENTER MY APPEARANCE IN THE ABOVE CASE(S) FOR THE DEFENDANT.

PRESENTATION
(Check One)

- Private Attorney (ADP)
Public Defender (APD)
Panel Attorney (APA)

TRIAL NOTIFICATION INFORMATION (PRINT OR TYPE)

ATTORNEY NAME CLIENT SECURITY NO.

ATTORNEY MAILING ADDRESS

CITY/TOWN ZIP CODE ATTORNEY TELEPHONE NO.

ATTORNEY SIGNATURE DATE

STATE OF MARYLAND
VS

IN THE CRIMINAL COURT
OF

CASE NO. _____

IN THE CRIMINAL COURT OF _____

Election of Court Trial or Jury Trial

I know that I have a right to be tried by a jury of 12 persons or by the court without a jury. I am aware that before a finding of guilty in a jury trial all 12 jurors must find that I am guilty beyond a reasonable doubt, I am aware that before a finding of guilty in a court trial the judge must find that I am guilty beyond a reasonable doubt.

I hereby elect to be tried by: _____
(insert "the court" or "a jury")

I make this election knowingly and voluntarily and with full knowledge that I may not be permitted to change this election.

Witness:

Signature of Counsel

Signature of Defendant

Date:

IN THE CRIMINAL COURT OF

State of Maryland

Plaintiff
Vs.

Indictment No. _____
I.D. _____
AR/Complaint _____

Defendant

BAIL BOND

KNOW ALL PERSONS BY THESE PRESENTS:

That I/we, the undersigned, jointly and severally acknowledge that I/we, our personal representatives, successors and assigns are held and firmly bound unto the State of Maryland in the penalty sum of _____ Dollars (\$ _____) to secure payment of which the defendant surety has, as collateral security:

deposited in cash or by certified check the full amount of \$ _____ or an amount equal to the greater of \$25.00 or _____ % of the penalty sum. pledged the following intangible personal property, _____

incumbered the real estate described in the Declaration of Trust filed herewith, or in a Deed of Trust dated the _____ day of _____, 19 _____, from the undersigned surety to _____ to the use of the State of Maryland.

THE CONDITION OF THIS BOND IS that the above-named defendant personally appear, whenever and wherever required, in any court in which the charges may be pending, or in which a charging document may be filed based on the same acts or transactions, or to which the cause may be transferred, removed, or, if from the District Court, appealed.

IF, however, the defendant fails to perform the foregoing condition, this bond shall be forfeited forthwith, for payment of the above penalty sum in accordance with law.

IT IS AGREED AND UNDERSTOOD that this bond shall continue in full force and effect until discharged pursuant to section j of Rule 722 (Bail Bonds).

AND the undersigned surety covenants that the compensation chargeable in connection with the execution of this bond consisted of a fee premium service charge for the loan of money or other (describe) _____ in the amount of \$ _____

IN WITNESS WHEREOF, these presents have been executed under seal this _____, day of _____, 19 _____

Defendant (SEAL) Address of Defendant _____

Personal Surety (SEAL) Address of Surety _____

Personal Surety (SEAL) Address of Surety _____

Surety-Insurer Address of Surety-Insurer _____

By: _____ (SEAL) _____
Attorney-in-Fact Power of Attorney No. _____

SIGNED, sealed, and acknowledged before me:

Commissioner/Clerk/Judge

of the _____ Court

for _____ County/City

Form 722 A/S

IN THE CRIMINAL COURT OF
AFFIDAVIT OF SURETY

STATE OF MARYLAND: CITY/COUNTY OF

_____: (TO WIT:

The undersigned Surety on the bail bond filed herewith, having been sworn individually or its undersigned agent having been sworn individually and on behalf of the Surety, deposes and says under oath that:

1. Surety is duly authorized to execute the bail bond filed herewith to the extent required by law, including any applicable rule of court. If Surety is an insurer, surety is authorized by the Insurance Commissioner of the State of Maryland to write bail bonds in this State.

2. Surety is not in default in the payment of any bail bond executed by Surety which has been forfeited in any court of the State of Maryland.

3. If the bail bond filed herewith is executed by a bail bondsman as agent of a principal he is authorized to engage the principal as surety on the bail bond pursuant to a general or special power of attorney which is valid and subsisting.

And any undersigned agent who is a bail bondsman further deposes and says under oath on his own behalf that he is duly licensed to write the bail bond filed herewith to the extent required by law, including any applicable rule of court; and that if the bail bond is executed by a bail bondsman on behalf of a Surety which is an insurer, he holds a valid and subsisting license as an insurance broker in this State.

Signature of Surety
(or name of Surety)

(Address of Surety)

BY: _____
(Signature of Bail Bondsman or Agent, if any)

(Address of Bail Bondsman or Agent)

SWORN to and subscribed before me this

day of 19

Commissioner/Clerk/Judge
of the Court for County/City

CRIMINAL COURT OF

STATE OF MARYLAND



IND. NO. _____

I.D. NO. _____

A.R. NO. _____

DECLARATION OF TRUST OF REAL ESTATE
TO SECURE PERFORMANCE OF A BAIL BOND

STATE OF MARYLAND,

The undersigned _____
of _____
(hereinafter jointly and severally referred to as "Surety"), in order to secure the performance of the bail bond annexed hereto, being first sworn (or, if Surety is a corporation, its undersigned officer being first sworn), acknowledges and declares under oath as follows:

That Surety is, without any ownership in any other person, the owner of a fee simple absolute, or a leasehold subject to an annual ground rent of \$....., in certain land and premises situate in the _____ Maryland, and described as _____;
(Insert lot, block, subdivision or other description)

that Surety is competent to execute a conveyance of said land and premises and that Surety hereby holds the same in trust to the use and subject to the demand of the State of Maryland as collateral security for the performance of that bond.

That said property is assessed for \$..... x 2 = \$..... from which the following incumbrances should be deducted:

Ground rent capitalized at 6%	\$.....
Mortgages/Deeds of Trust totalling	\$.....
Federal/State Tax Liens	\$.....
Mechanics Liens	\$.....
Judgment & Other Liens	\$.....
Other outstanding Bail Bonds	\$.....

Total Incumbrances \$..... \$.....

and that the present net equity in the property is \$.....

That, if Surety is a body corporate, this Declaration of Trust is its act and deed and that its undersigned officer is fully authorized to execute this Declaration of Trust on its behalf.

AND Surety further declares, covenants and undertakes not to sell, transfer, convey, assign, or incumber, the land and premises or any interest therein, so long as the bail bond hereby secured remains undischarged and in full force and effect, without the consent of the court in which the bail bond is filed, it being understood that upon discharge of the bail bond, the clerk of the court will execute a release in writing endorsed on the foot of this document (or by a separate Deed of Release), which may be recorded in the same manner and with like effect of a release of mortgage if this Declaration of Trust is recorded among the Land Records.

(Surety) (SEAL)

(Surety) (SEAL)

By _____

SWORN to, signed, sealed and acknowledged before me, this _____ day
of _____, 19.....

Commissioner, Clerk, etc.

of the CRIMINAL COURT OF

_____ County, City

CLERK



CHIEF DEPUTY

CRIMINAL COURT OF

TELEPHONE

Date:
Name:
Ind./Inf.
Power
No.

To:

From:

Subject: Bail Forfeiture

You are hereby notified that Bail was forfeited and a Bench Warrant issued on ... by ..., Judge, in the above captioned case.

Clerk

File
Bailor
State's Attorney

CRIMINAL COURT OF



Folio
Docket
File

STATE OF MARYLAND

VS.

Criminal Case No.
ID. No.

Action commenced

Plaintiffs Attorney

DOCKET ENTRIES:

Defendants Attorney

DEFENDANT'S COSTS, \$

STATE OF MARYLAND -

I HEREBY CERTIFY, that the foregoing is truly taken from the records of Proceedings in the Criminal Court of ... therein named cause.

IN TESTIMONY WHEREOF, I hereto set my hand and affix the Seal of the said Court, this ... day of ... A.D., 19

DIS. BY ...
Clerk of the Criminal Court of

Clerk of the Criminal Court of

DATE
/ /

CRIMINAL COURT OF

CASE NUMBER

STATE OF MARYLAND VS.

ID NUMBER

YOU ARE HEREBY
IN THE

ON

ROOM

AT

IN COURTROOM

TYPE OF PROCEEDING

FAILURE TO APPEAR ON TIME MAY CAUSE YOU TO BE
CHARGED WITH CONTEMPT OF COURT OR A WARRANT
TO BE ISSUED FOR YOUR ARREST. BRING THIS SUM-
MONS WITH YOU TO COURT.
BY ORDER OF COURT

B-58

SUMMONS

DEPUTY NO. _____

ASSOC.
CASES ▶

CLERK, CRIMINAL COURT OF

SHERIFF OF

CT# 11107

CRIMINAL COURT OF
PROPERTY RECEIVED AS EVIDENCE

PART I

Date: _____ Police Case No. _____
Placed in custody of Clerk or designee: _____
By Officer: _____ Police Dept. _____
State vs. _____ Court Docket No. _____

ITEMS:

PROPERTY NO.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.

Officer

Date

Clerk of Court or Designee

Date

PART II

Evidence returned to: _____ Police Dept. _____
Officer _____
Returned by: _____ Date: _____
Clerk of Court or Designee _____

Evidence Rec. Form No. _____

THIS FORM IS TO BE COMPLETED IN TRIPPLICATE WHEN THE EVIDENCE
IS RETAINED BY THE COURT

CRIMINAL COURT OF
COMMITMENT RECORD

STATE OF MARYLAND

vs.

Case No.
Docket
Term 19....
Police Ident. #
DATE OF BIRTH _____

Charge or Offense (Specify as to each count in indictment)* _____

Plea _____

Trial by (Court) (Jury). Judge _____

Verdict (Specify on each count)* _____

Date of Verdict _____ Date Sentence Imposed _____

SENTENCE:

Prisoner is committed to the jurisdiction of the Commissioner of Correction
commencing on _____ for a period of _____

(Specify concurrent or consecutive terms)

Truly taken from the Docket Proceedings of the Criminal Court of
In testimony whereof, I hereunto set my name and affix the seal of said Court this
_____ day of _____, 19____

_____, Clerk

* In accordance with Maryland Rule of Procedure 76J, Paragraphs (3), (4) and (5).

ORDER FOR PROBATION

(Under Art. 27 — Sec. 641A — After Judgment of Conviction)

Form #16

STATE OF MARYLAND

IN THE
CRIMINAL COURT OF

Vs.

Docket No. _____
Charge(s) _____
Convicted of: _____
Count(s) _____
Charge(s) _____
Ident. No. _____

It is ORDERED, this _____ day of _____, 19____, by the _____ Court for _____; by virtue of the authority conferred upon it by the laws of the State of Maryland, that the imposition of sentence is suspended or the execution of the sentence of _____ has been suspended, for the offense of _____ and the defendant is hereby released on Probation under supervision of the Maryland Division of Parole and Probation, without supervision for a period of _____, effective this _____ day of _____, 19____, subject to the following conditions:

1. Report to his Probation Agent as directed and follow his lawful instructions;
2. Work or attend school regularly as directed by his Probation Agent;
3. Get permission from his Probation Agent before:
 - a. changing his home address;
 - b. changing his job;
 - c. leaving the State of Maryland;
 - d. owning, possessing, using, or having under his control, any dangerous weapon or firearm of any description;
4. Obey all laws;
5. Notify his Probation Agent at once, if arrested;
6. Permit his Probation Agent to visit his home;
7. Appear in Court when notified to do so;
8. Shall not illegally possess, use, or sell any narcotic drug, "controlled dangerous substance" or related paraphernalia;
9. Shall pay, through the Division of Parole and Probation the sum of \$_____ as follows:
 - Court costs of \$_____;
 - Fine of \$_____;
 - Attorney fee of \$_____ to _____ whose address is _____;
 - Restitution of \$_____ to _____ whose address is _____;
 - In such installments as the Division shall determine and direct, or;
 - In installments of \$_____ per _____;
10. Special conditions as follows: _____

Your first appointment with your Probation Agent is _____, 19____, and the place to report is _____. Your failure to report could result in your arrest.

B-61

Judge

ORDER FOR PROBATION

(Under Art. 27 — Sec. 292 or Sec. 641)

Form #17

STATE OF MARYLAND

IN THE
CRIMINAL COURT OF

Vs.

Docket No. _____
Charge(s) _____
Convicted of: _____
Count(s) _____
Charge(s) _____
Ident. No. _____

It is ORDERED, this _____ day of _____, 19____, by the _____ Court for _____, by virtue of the authority conferred upon it by the laws of the State of Maryland, that the defendant, for the offense of _____ is hereby released on probation under Article 27, Section 641, or probation under Article 27, Section 292 of the Annotated Code of Maryland, under supervision of the Maryland Division of Parole and Probation, without supervision, for a period of _____, effective this _____ day of _____, 19____, subject to the following conditions:

1. Report to his Probation Agent as directed and follow his lawful instructions;
2. Work or attend school regularly as directed by his Probation Agent;
3. Get permission from his Probation Agent before:
 - a. changing his home address;
 - b. changing his job;
 - c. leaving the State of Maryland;
 - d. owning, possessing, using or having under his control, any dangerous weapon or firearm of any description;
4. Obey all laws;
5. Notify his Probation Agent at once if arrested;
6. Permit his Probation Agent to visit his home;
7. Appear in Court when notified to do so;
8. Shall not illegally possess, use or sell any narcotic drug, "controlled dangerous substance" or related paraphernalia;
9. Shall pay, through the Division of Parole and Probation, the sum of \$_____ as follows:
 - Court costs of \$_____;
 - Attorney fee of \$_____ to _____ whose address is _____;
 - Restitution of \$_____ to _____ whose address is _____;
 - In such installments as the Division shall determine and direct or;
 - In installments of \$_____ per _____;
10. Special conditions as follows: _____

Your first appointment with your Probation Agent is _____, 19____, and the place to report is _____. Your failure to report could result in your arrest.

B-62

Judge

B-63

<i>Bill Received by Deputy Sheriff</i>		TRIPPLICATE	
<i>Posted in Costs Record on Page</i> _____		DISPOSITION OF CASE — COSTS	
<i>Folio</i> _____		<i>Date</i> _____	
<i>Case No.</i> _____		<i>District Court Costs</i> _____	
<i>Docket</i> _____		<i>Fine</i> _____	
STATE		<i>State's Attorney</i> _____	
VS.		<i>Clerk</i> _____	
_____		<i>Sheriff</i> _____	
_____		<i>Attorney</i> -----	
ADDRESS		<i>State Injury Fund</i> _____	
_____		<i>Total</i> _____	
CHARGE		<i>District Court Fine — Costs and</i>	
_____		<i>Security Costs Paid</i> -----	
_____		<i>Amount to be Paid</i> _____	
_____		<i>Amount to be Refunded</i> _____	
_____		<i>Balance of Costs to be Waived</i> _____	
_____		<i>Judge.</i>	
_____		COMMITTED _____	
_____		PAID _____	
_____		SHERIFF _____	
POLICE IDENTIFICATION NO. _____		Payable Through Probation Dept. <input type="checkbox"/>	

Form #18

Docket _____
 No. _____


Criminal Court of

 Term 19____

To the Department of Correctional Services, State of Maryland
 Reception — Diagnostic & Classification Center
 Warden of the Maryland Penitentiary
 954 Forrest Street
 Baltimore, Maryland 21202

Release from your Institution and Custody the body
 of _____
now confined in your Institution
 on charge of _____

BY ORDER OF THE COURT. ATTEST:
 _____ 19____
 Clerk, Criminal Court of



Docket _____
 No. _____


Criminal Court of

 Term 19____

TO THE WARDEN OF THE JAIL

Release from your Jail and Custody the body
 of _____
now confined in your Jail on charge of _____

BY ORDER OF THE COURT. ATTEST:
 _____ 19____
 Clerk, Criminal Court of



REPORT OF CONVICTION OF LARCENY OR INFAMOUS CRIME Per Article 33, Sec. 3-18(a)(2), Annot. Code of Md. 1976					
Last Name	First Name	Middle Initial	Age	Sex	Furnish Any Known Aliases
Street Address		Date of Birth			
City or Town	County	State	Zip		
Offense, including Statutory References			Furnish Any Additional Offenses and References		
Length of Sentence, including Suspension and Probation			Date Sentenced		
Clerk of the _____ Court of _____					09500

NOTE: Most misdemeanors are not "infamous" unless they involve an element of fraud, deceit or corruption. All felonies are infamous.

IN THE
CRIMINAL COURT OF

Date _____

STATE OF MARYLAND

CASE NO(S). _____

VS.

CHARGE(S). _____

NOTICE

In accordance with Maryland Rules of Procedure 782 (a) ^(c) you are hereby notified that on _____, the States Attorney for _____ entered a _____ Nolle Prosequi/Stet in the above captioned case(s).

Clerk

Original-File
cc: Defendant
cc: Atty. of Record

(Any inquiry concerning the above proceedings - contact the State's Attorneys office _____).

VS.

OF

Form #23

Indictment No. _____

* * * * *

APPLICATION FOR REVIEW OF SENTENCE

I hereby apply for review of my sentence in the above case(s). I understand, and I hereby agree, that after my present sentence has been reviewed, it may be increased (unless my present sentence is the maximum sentence permitted by law) or decreased, or left the same, and that any sentence which could have been given originally may be given after review, except that a sentence of death may not be imposed unless I am already under sentence of death. I further understand and agree that this application may not be withdrawn after receipt of a notice that a hearing is to be held on this application.

I believe my sentence should be changed for the following reasons: (State any reasons you believe should be considered by the review panel.)

Defendant

Date: _____



CLERK

CHIEF CLERK

CRIMINAL COURT OF

MEMORANDUM

TO: Chief Judge

FROM: _____, Clerk

Attached herewith is an Application for Review of Sentence, which has been docketed in accordance with Rule 762 (Review of Sentence).

The following data is submitted for the use of the panel:

Defendant:

Charge:

Indictment:

Verdict:

Judgment:

Application filed.

State's Attorney

Attorney

Petitioner,
vs.

STATE OF MARYLAND,
Respondent.

Case(s) _____ Form #25

Charge(s) _____

PETITION FOR EXPUNGEMENT OF RECORDS
(PROBATION, NOLLE PROSEQUI OR STET DISPOSITION)

1. On or about _____, 19_____, I was arrested by an officer of the _____ at _____
(law enforcement agency)
Maryland, as a result of the following incident _____
_____ and I was charged with the offense of _____

2. On or about _____, 19_____, the charge was disposed of as follows (check one of the following boxes):

- a judgment of probation without finding a verdict was entered
- a Nolle Prosequi was entered
- the case was marked Stet

3. More than three years have passed since the disposition of the charges, and I have not since been convicted of any crime or any motor vehicle violation carrying a possible sentence of imprisonment; and I am not now a defendant in any pending criminal proceeding other than for violation of Vehicle Laws of the State of Maryland, or other traffic laws, ordinances or regulations not carrying a possible sentence of imprisonment.

WHEREFORE, I request the Court to enter an Order for Expungement of all police and court records pertaining to the above arrest, detention, confinement and charges.

I do solemnly declare and affirm under the penalties of perjury that the contents of this petition are true and correct, and that the arrest to which this petition relates was not made for any violation of the Vehicle Laws of the State of Maryland, or any traffic law, ordinance or regulation.

(Date) _____
(Signature)

(Name-Printed)

(Address)

(Telephone)

ADMISSION OF SERVICE

Service of the foregoing petition is admitted this _____ day of _____

(Signature)

IN THE
Criminal Court of

Form #26

Petitioner,
vs.

STATE OF MARYLAND,
Respondent.

Case(s) _____

Charge(s) _____

ORDER FOR EXPUNGEMENT
OF RECORDS

The petitioner _____ having been found to be entitled to expungement of the police and court records pertaining to the arrest, detention, or confinement on or about _____, 19_____, at _____, Maryland, by a law enforcement officer of the _____, it is, by the Criminal Court of _____, this _____ day of _____, 19_____

ORDERED, that each of the following named custodians of police records shall expunge the records pertaining to petitioner's arrest, detention or confinement and comply with the provisions of Section 736(c)(3) of Article 27 of the Annotated Code of Maryland (1975 Supplement):

(law enforcement agency) _____
(address)

and it is further

ORDERED, that the clerk serve a true copy of this Order on each of the parties to this proceeding; and it is further

ORDERED, that upon enrollment of this Order, that the clerk and each of the following-named custodians of court records in this cause or proceeding, shall expunge and court records in their custody in accordance with Maryland Rule EX10 (Expungement Procedures).

(custodian) _____
(address)

and it is further

ORDERED, that the following public or private institutions or agencies to which court records may have been disseminated are requested to expunge such records in their custody:

(Institution/Agency) _____
(address)

and it is further

ORDERED, that the clerk serve, on each of the custodians of records above-named, two true copies of this Order, with a Certificate of Compliance appended thereto.

Judge

(TEAR ALONG LINE)

State of Maryland CERTIFICATE OF COMPLIANCE Case No. _____

This is to certify that the foregoing Order has been complied with this _____ day of _____, 19_____

Note: One copy of this certificate of Compliance is to be returned to the Court and one copy is to be forwarded to the Petitioner.

Custodian

Signature

STATE OF MARYLAND

IN THE CRIMINAL COURT

VS.

OF

Indictment NO. _____

ORDER OF DISCHARGE, DISMISSAL AND EXPUNGING CRIMINAL RECORDS

WHEREAS, on _____, 19____, the above named defendant, charged with violation of the narcotic laws under Indictment NO. _____ was granted probation under the provisions of Article 27, Section 292, Annotated Code of Maryland; and

WHEREAS, the above named defendant has satisfactorily fulfilled the terms and conditions of (his) (her) probation:

NOW, THEREFORE, it is this ____ day of _____, 19____, ORDERED by the Criminal Court of _____ that _____ is hereby discharged and the proceedings against (him) (her) are hereby dismissed, and that any public criminal record of the proceedings herein are hereby expunged.

JUDGE

Copies to: Defendant
State's Attorney
Probation Department
Central Records,
Judge

Police Department

Case(s) _____

Charge(s) _____

Petitioner,
vs.
STATE OF MARYLAND,
Respondent.

PETITION FOR EXPUNGEMENT OF RECORDS (ACQUITTAL OR DISMISSAL)

1. On or about _____, 19____, I was arrested by an officer of the _____ at _____ (law enforcement agency) Maryland, as a result of the following incident _____

and I was charged with the offense of _____

2. On or about _____, 19____, I was tried and acquitted, or the said charge was dismissed or quashed.

3. If less than three years have passed since the disposition of the charges, I have attached hereto a General Waiver and Release.

WHEREFORE, I request the Court to enter an Order for Expungement of all police and court records pertaining to the above arrest, detention, confinement and charges.

I do solemnly declare and affirm under the penalties of perjury that the contents of this petition are true and correct, and that the arrest to which this petition relates was not made for any violation of the Vehicle Laws of the State of Maryland or any traffic law, ordinance or regulation.

(Date)

(Signature)

(Name-Printed)

(Address)

(Telephone No.)

ADMISSION OF SERVICE

Service of the foregoing petition is admitted this _____ day of _____

(Signature)

GENERAL WAIVER AND RELEASE

I, hereby release and forever discharge the all of its officers, agents and employees and any and all other persons from any and all claims which I may have for wrongful conduct by reason of my arrest, detention or confinement on or about 19.....

This General Waiver and Release is conditioned on the expungement of the record of my arrest, and prosecution and compliance with Section 736(c) of Article 27 of the Annotated Code of Maryland, and shall be void if these conditions are not met.

WITNESS my hand seal this 19.....

TEST:

Witness

Signature

(Seal)

DOMESTIC RELATIONS DIVISION

AGREEMENT

Division Case No.

This Agreement, made this day of 19.....

WITNESSETH:

That Payor,

Does hereby agree to pay through the Maryland Division of Parole and Probation to

..... Payee,

who agrees to accept it for the support of

the sum of \$

until otherwise agreed upon or for such period as may be set by an Order of Court.

Witness Payor

Witness Payee

IN THE

IN THE MATTER OF

COURT

OF

Dom. Inf. #

Division Case No.

Date

CONSENT

I, designated as Payor in the foregoing Agreement, and Respondent under this Criminal Complaint, do hereby consent to the passage of the following Order by the Court of

Witness Respondent

ORDER

Upon the foregoing Consent of the Respondent named in this Criminal Complaint, it is this day of 19..... by the COURT OF

ORDERED, that the said Respondent shall pay through the Maryland Division of Parole and Probation to the Complainant, the money payments for the designated dependent persons set forth in the above Agreement, for a period subject to the further Order of the Court; and the said Respondent

is hereby released upon the following further conditions:

- 1. That he shall meet such additional financial obligations as may be set forth in the above Agreement.
2. That he shall immediately report to the Parole and Probation any changes in his situation which affect his payment under this Order.
3. That he shall report to the Parole and Probation when directed to do so.
4. That he shall not leave the nor change his address within the without first having reported such change to the Probation Department.
5. That he shall appear in Court, before either the Judge or Master, upon notice served by the Police Department or by mail.
6. That he shall post bond in the amount of \$ which may be forfeited and the said sum paid to the Complainant, if the Respondent fails to comply with this Order of Court.

Attest: Judge

Clerk of the Court of

FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN THIS CASE BEING PUT INTO THE CRIMINAL COURT FOR TRIAL

State of Maryland,

in wit:

THE STATE OF MARYLAND vs. _____
charged with the offense of NON-SUPPORT.

IN THE COURT OF
INFORMATION.

The State's Attorney for _____, duly authorized and empowered to investigate and prosecute the
above entitled case in this Court, on his official oath informs the said Court that _____

late of _____ aforesaid, on the _____ day of _____, in the year
of our Lord nineteen hundred and _____, at the City aforesaid, on the said day in the said year, and thence
continually until the day of the bringing of this information, at the _____ aforesaid, unlawfully and wilfully did
neglect to provide for the support and maintenance of his wife, _____
contrary to the form of the Act of Assembly in such case made and provided, and against the peace, government and
dignity of the State.

SECOND COUNT.

And the State's Attorney aforesaid, with powers and authority as aforesaid, informs the said Court that
_____ late of said City, on the said day in the said year, and thence continually until the day of the bringing of this
information, at the City aforesaid, unlawfully and wilfully did neglect to provide for the support and maintenance
of his minor, _____
contrary to the form of the Act of Assembly in such case made and provided, and against the peace, government and
dignity of the State.

The State's Attorney for the

IN THE

STATE OF MARYLAND

COURT OF

Domestic Relations Division

VS

Domestic Information No. _____

Bastardy Information No. _____

Date _____

RECOMMENDATION OF THE HEARING EXAMINER

The Examiner respectfully recommends the following disposition in
the event of a plea or finding of guilty or the granting of probation before
judgment:

THAT PROBATION BE GRANTED:

_____ Providing _____ to be paid before release

_____ Under Suspended Sentence _____ before judgment

_____ To pay \$ _____ per _____ for support of _____

_____ To pay \$ _____ per _____ on arrears (or balance after
above or balance after above
payment)

_____ Payments to be made by lien

_____ To pay amount to be fixed later due to _____

OTHER ACTION:

_____ That sentence be imposed.

_____ That Defendant be referred to the Medical Services Division

_____ Other _____

COMMENTS:

Receipt

for Records removed from the files of
the Clerk's Office of the Criminal Court
of

in the Case of

STATE OF MARYLAND

Vs.

.....

Docket

Number

Description of Records Removed

.....

.....

I hereby acknowledge receipt of the
aforegoing described Records

.....

Records taken from the Files and de-
livered to the recipient by

.....

Deputy Clerk

Date

EQUITY

EQUITY CHAPTER

Forms List

EQUITY

1. Equity Summons
2. Request to Reissue Summons
3. Notification to Parties of Contemplated Dismissal (1000 - 2/77)
4. Military Affidavit
5. Decree Pro Confesso
6. Notice of Decree Pro Confesso
7. Request to Take Testimony in Open Court
8. Notification of Filing Inventory of Assets (Letter) (Form EQ-47)
9. Notification of Filing Annual Fiduciary Report (Letter) (Form EQ-49)
10. Annual Fiduciary Report (EQ-18)
11. Annual Fiduciary Report (EQ-44, EQ-44A, EQ-44B)
12. Report of Trust Clerk (EQ-45)
13. Courtesy Notification of Extension for Filing Inventory of Assets (EQ-48)
14. Courtesy Notification of Extension for Filing Annual Fiduciary Report (EQ-50)
15. Notification of Failure to File Annual Fiduciary Report (Letter to Judge)
16. Order of Court (EQ-46)

c(i)

Equity Procedure
ACM (1957) Chapter 300

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Original Pleadings Filed			MR1217 C.J. 6-201- 6-203 MR301(e)	Examine original pleadings for the following: 1. Papers conform with requirements set out in Rule 1217. This rule states that the papers can have no backing or cover. Additionally, each paper must be not more than 8-1/2 inches in width, have a top and left-hand margin of not less than 1-1/2 inches each and must not exceed 13 inches in length. 2. Pleading is within the jurisdiction of the court. 3. Venue requirements are met. 4. Names and addresses of parties are listed in 1) titling, 2) introductory section of the pleadings, or 3) such other appropriate place. C-1	1. If the papers are filed by an attorney and do not comply with the requirements set out in Rule 1217, the Clerk requests the attorney to correct any problem. If the papers are filed by an individual in proper person and do not comply with the requirements set out in Rule 1217, the Clerk advises the person of the proper procedure. <u>NOTE:</u> Rule 1217 only establishes the proper form for filing papers; it does NOT authorize the refusal of the papers. 3. See MR317 for transfer procedures.

Equity Procedure
ACM (1957) Chapter 300

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
			MR301(f), 302	5. Attorney's signature, office address, and telephone number. If party appearing in proper person, his/her address and telephone number.	5. If this information is not included in papers, suggest that attorney supply the information. Clerk should check for this information before the party leaves the office. The party should designate the address where he/she may be served.
			MR301(b)	6. Proper exhibits are attached or filed with the original pleading.	
			MR103(g)	7. Sufficient number of copies of pleadings, with the exhibits attached, are provided for service on each defendant, unless otherwise ordered by the court.	7. The attorney, or party in proper person, is solely responsible for providing the necessary number of copies for service of process. Without these copies, NO service is issued. The Clerk should telephone the attorney to provide the copies.
			C.J. 7-201	8. Other pleadings attached which require service. The two principal types of additional pleadings are 1) interrogatories and 2) notice of deposition. 9. Advance costs for filing are correct, including the Sheriff's fees, if any.	9. *Assess costs. Costs for filing may be waived. Such in forma pauperis proceedings are authorized by the judge. (See page C-38.)

Equity Procedure
ACM (1957) Chapter 300

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Original Proceedings</u> <u>Processed by Clerk</u></p>			<p>C.J.7-201</p>	<p>Enter the following information:</p> <ol style="list-style-type: none"> 1. Date of filing. 2. Docket and Folio Number. The Docket Number is the number of the Docket Book in which the case is docketed. The Folio Number is the docket page number on which the case is docketed. 3. File or Case Number taken from a master number sheet. <p style="text-align: center;">C-3</p>	<p>NOTE: This section (C.J.7-201) gives authority to the State Court Administrator to prepare a schedule of costs covering all court costs. No Sheriff's fees are included in this schedule. Clerks should refer to this cost schedule when determining proper filing costs.</p> <p>NOTE: Certain information must be placed on the original pleadings for identification. Although there is no rule or law governing its placement, such information is usually placed in 1) a pre-printed area on the papers or 2) at the bottom of the pleading.</p> <p>2. (See Docket Numbering Section.) The combination of the Docket Number and Folio Number may be called the case Reference Number.</p> <p>NOTE: Some local practices require the Clerk to number each pleading</p>

Equity Procedure
ACM (1957) Chapter 300

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Original Pleadings</u> <u>docketed</u> by Clerk</p>				<p>a) Enter name of the attorneys of record in the case.</p> <p>b) Enter name of plaintiff(s) and defendant(s), or the party(ies) in an <u>ex parte</u> proceeding.</p> <p>c) Enter a description of the type of pleading.</p>	<p>to insure that all papers are in the case folder.</p> <p>NOTE: Some courts may enter the Return Date and/or the Answer Date on the pleadings. The Return Date is the first Monday of the following month in which the pleading was filed, unless otherwise directed by the court. The Answer Date is fifteen (15) days after the Return Date, unless otherwise directed by the court.</p> <p>b) The names of the parties involved in a case are known as the <u>caption</u>.</p> <p>NOTE: The degree of detail in these descriptions varies among courts. The objective of these docket entries is twofold: 1) to provide a concise case history and 2) to facilitate locating a particular element of the case history. In entering this information, the Clerk should strive for clarity and conciseness.</p>

Equity Procedure
ACM (1957) Chapter 300

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
			MR103, 105, 324, 170(b)	<p>d) Assign a number to each exhibit or attachment and enter a description of each under the Entries column of the Docket Sheet.</p> <p>e) Index all defendants' names as well as all parties in <u>ex parte</u> proceedings.</p> <p>f) Prepare papers for serving of process.</p> <p><u>NOTE:</u> Each court should develop a docket numbering system for equity cases for use within that court. The use of this system distinguishes the different types of dockets and permits easy identification of the type of case.</p>	<p><u>NOTE:</u> The order for processing and docketing original pleadings will vary. Some courts prefer to docket the pleadings first and then place the necessary information on the pleadings. Others favor processing the pleadings before entering the information in the Docket Book.</p> <p>f) (See Process Issuance Section, below.)</p>
<u>Process Issuance</u>			MR103, 105 324	<p><u>NOTE:</u> If the original pleadings are in proper order and adequate copies of the pleadings are provided for service of process, the Clerk issues process according to the following procedure. Each <u>type</u> of service is separately discussed:</p>	

Equity Procedure
ACM (1957) Chapter 300

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#1 Service Within State	1	C-40	MR103(d)	<p>#1 Service within State</p> <p>#2 In Rem or Quasi In Rem (a) Whereabouts of Defendant Known (b) Whereabouts of Defendant Unknown (1) Service by Publication (2) Mailing and Posting in Lieu of Publication</p> <p>Prepare, as of course, the equity summons for each defendant in the state as follows:</p> <ol style="list-style-type: none"> 1. Enter name of parties in case (caption) 2. Enter city/county in which the defendant resides. 3. Attach appropriate copies of pleadings, exhibits, and attachments. 4. Enter Answer Date on bottom of summons form. <p>C-6</p>	<ol style="list-style-type: none"> 2. Prepare a separate summons for each defendant living in a different jurisdiction. 3. Attorney is responsible for providing adequate number of copies of pleadings, exhibits, and attachments. <p>NOTE: Except where the court (MR309 (b)) shall shorten or extend the time for filing an initial pleading, the summons is returnable to the next return day, or to the succeeding return day, if the plaintiff so directs. See MR307 for time for defendant's initial pleading.</p>

Equity Procedure
ACM (1957) Chapter 300

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				5. Sign Clerk's name.	5. Deputy Clerks may sign Clerk's name on the summons.
			MR103(c)	6. Stamp summons with court seal impression near Clerk's signature.	
				7. Forward to Sheriff for service unless otherwise directed by counsel.	7. Although the Sheriff may take delivery of the papers by personally appearing in the Clerk's Office, the responsibility of delivering the papers to the Sheriff remains with the clerk.
Return Notifi- cation by Sheriff			MR103 (k)		NOTE: Counsel may request return notification by the Sheriff by submitting a stamped, self-addressed post card. When completed by the Sheriff, this card indicates whether service was made.
Return Not Served/Made Non Est			MR112, 530	a) Attach card to summons. b) Make appropriate docket entry to indicate use of the return notification. Reissue summons.	NOTE: If a summons is returned Non Est or not served, proceed under MR 112. It is suggested that the Clerk notify counsel before re-issuing the summons. (See Reissuance of Summons,

Equity Procedure
ACM (1957) Chapter 300

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Return by Private Process Server			MR116	a) Make appropriate entries on docket and case folder. b) File Affidavit of Private Process Server.	below.) If after two returns of Non Est or not served, see MR530 for dismissal of case for lack of service. (See Dismissal of Case, #1 Lack of Service or Prosecution, below.) b) Affidavit contents must set out: 1. Name of person served 2. Date of service 3. Particular place of service 4. Manner of service 5. Statement whether person making service is of the age of 18 or over
Service by Elisor			MR117		NOTE: No fee for service is allowable. NOTE: If the Sheriff is a party to the action, he may be disqualified from making service. The Court appoints an Elisor to make service in that particular case.

Equity Procedure
ACM (1957) Chapter 300

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<ul style="list-style-type: none"> a) Make appropriate docket and case folder entries for entry of Order of Appointment of Elisor; file order in case folder. b) Prepare summons for service. c) Forward to Elisor for service. 	<ul style="list-style-type: none"> b) See <u>Process Issuance, #1 Service Within State</u> c) The Elisor makes same type of return as Sheriff. <p>NOTE: * Fee for service is allowable as a cost of the case. (See page C-38.)</p>
Registered Mail	1	C-40	MR104 (b) (2)	<ul style="list-style-type: none"> a) Prepare summons for service. b) Telephone counsel to pick up papers for service by registered mail. c) Make appropriate entries on docket and case folder for return-receipts and affidavits submitted by counsel. 	<ul style="list-style-type: none"> c) Affidavit of counsel states that summons and attachments were mailed by registered mail, return-receipt requested.
Service Fees for Sheriff			C.J. 7-402	<ul style="list-style-type: none"> a) Assess proper fee for service by Sheriff (or Elisor). b) Make appropriate entry in Costs Section of docket <p style="text-align: center;">C-9</p>	<ul style="list-style-type: none"> a) *Assess costs. See Sheriff's Fee Schedule.

Equity Procedure
ACM (1957) Chapter 300

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>#2 <u>In Rem or Quasi In Rem:</u> (a) Whereabouts of Defendant Known</p>			MR105 (a)	<p>Prepare, as directed, the equity summons for each defendant as follows:</p> <ol style="list-style-type: none"> 1. Enter name of parties in case (caption). 2. Enter city/county in which the defendant resides <p style="text-align: center;">C-10</p>	<ol style="list-style-type: none"> 2. Prepare a separate summons for each defendant living in a different jurisdiction.

Equity Procedure
ACM (1957) Chapter 300

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
(b) Whereabouts of Defendant Unknown (1) Service by Publication			MR107(b)	<ol style="list-style-type: none"> 3. Attach appropriate copies of pleadings, exhibits, and attachments. 4. Enter information directing the defendant(s) to file initial pleading within sixty (60) days from the date of completion of service if made in the limits of the United States and ninety (90) days if beyond. 5. Sign Clerk's name. 6. Stamp summons with the court seal impression near the Clerk's signature. 7. Deliver to attorney or designated person for service. 	<ol style="list-style-type: none"> 3. Attorney is responsible for providing adequate number of copies of pleadings, exhibits, and attachments. 5. Deputy Clerks may sign Clerk's name on the summons. 7. Clerks may accept the designation of a person for service verbally, but a written designation is preferable.
			MR105(b) MR105(b)(1)	<p>NOTE: Service of process by publication must be ordered by the court. When an order of publication is received, the Clerk proceeds as follows:</p> <p>C-11</p>	

Equity Procedure
ACM (1957) Chapter 300

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
(2) Mailing and Posting In Lieu of Publication			MR105(b)(2)	<p>a) Prepare a true copy test of the order by writing or stamping "A TRUE COPY TEST" on the copy of the order and signing the clerk's name to the certifications.</p> <p>b) Deliver the true copy test to the appropriate person or source for publishing.</p> <p>c) Upon receipt of the certificate of the publisher, file the certificate after docketing and noting it on the case folder.</p> <p><u>NOTE:</u> Service of process by mailing and posting in lieu of publication must be ordered by the court. When an order for mailing and posting in lieu of publication is received, the Clerk proceeds as follows:</p> <p style="text-align: center;">C-12</p>	<p>b) Attorney may request a particular publisher.</p> <p><u>NOTE:</u> The order of publication is published at least once a week in each of three successive weeks, the last publication being at least thirty (30) days before the day fixed in the order for the filing of the defendant's initial pleading.</p> <p>c) The certificate of the publisher is proof of the fact and dates of publication. The certificate usually includes a clipping of the publication.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>a) Prepare two (2) true copy test of the order by writing or stamping "A TRUE COPY TEST" on the copies of the order and signing the clerk's name to the certifications. No court seal is required.</p> <p>b) Deliver one true copy test to the Sheriff for <u>posting</u>.</p> <p>c) Deliver the other true copy test to the attorney of record for mailing to the defendant.</p> <p>d) Upon receipt of 1) the Sheriff's return of posting and 2) the attorney's affidavit of mailing, file both the return and affidavit after docketing and noting them on the case folder.</p>	<p>b) The Sheriff posts the true copy test of the order on the courthouse door or bulletin board.</p> <p><u>NOTE:</u> The order for mailing and posting in lieu of publication directs the defendant to file the defendant's initial pleading on or before a fixed date. This date must be at least sixty (60) days after the date of mailing and posting.</p> <p>d) The Sheriff's return/attorney's affidavit combination are proof of service.</p> <p><u>NOTE:</u> The Sheriff makes his return on the equity summons either on the reverse side of the summons or on an endorsement located at the bottom of the summons. The return endorsement specifies who was served and the date of service.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>#4 Service on Corporations</p> <p>Service on State Department of Assessments and Taxation</p>			<p>MR106</p>	<p>a) Prepare summons and attachments for service on appropriate person in corporation.</p> <p>b) Forward papers to Sheriff for service.</p> <p>a) Prepare <u>two</u> (2) copies of process.</p> <p>b) Forward papers to Sheriff for service on Director of Department of Assessments and Taxation, or his designate.</p> <p>c) Assess proper fee payable to the Department of Assessments and Taxation.</p> <p>C-14</p>	<p>NOTE: If the corporation is required by law to have a registered agent, and 1) does not have a registered, or 2) has one or more registered agents, and unsuccessful attempts have been made on different business days to serve process either twice upon one registered agent or once upon each of two registered agents, process may be served on the State Department of Assessments and Taxation.</p> <p>c) *Assess proper fee. (See page C-38.)</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Reissuance of Summons</u></p>	2	C-41	MR112	<p>Procedures for reissuance of a summons vary. Two methods are described below:</p> <p>a) Issue same summons form by using stamp extending time for service and setting new date.</p> <p>or</p> <p>b) Type new summons form.</p> <p>C-15</p>	<p>NOTE: Some agencies will refuse service if the Corporation's name as set forth in the summons does not correspond directly with their listing. In these instances, the Clerk should contact the attorney.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Case Folder is prepared</p>				<p>a) Enter name of the attorneys of record in the case.</p> <p>b) Enter name of plaintiff(s) and defendant(s), or the party(ies) in an <u>ex parte</u> proceeding and case number.</p> <p>c) Enter a description of the type of pleading</p> <p>d) Assign a number to each exhibit or attachment and enter a description of each on the case folder.</p> <p>e) Complete Header Form.</p> <p>C-16</p>	<p>b) The names of the parties involved in a case are known as the <u>caption</u>.</p> <p>NOTE: The case folder contains a concise statement of the docket book entries. All docket entries are noted on the case folder so that a current case history is available on the case folder.</p> <p>e) (See Administrative Section: Automated Courts Status Reporting System, page A-3 and A-14).</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Responsive Pleadings filed with Clerk</u></p>			MR300.2	<p>f) Place Master Form in back of case folder.</p> <p>a) Examine responsive pleadings for the following:</p>	<p>f) (See Administrative Section: Automated Courts Status Reporting System.)</p>
			MR1217	<p>1. Papers conform with requirements set out in Rule 1217.</p>	<p>1. See <u>Original Pleadings filed</u> for further discussion of this point.</p>
			MR306(a)(2)	<p>2. An admission or proof of service of a copy of all pleadings upon the opposite party or attorney of record.</p> <p>3. Caption and case reference number (docket number) are correct.</p>	<p>2. The proof of service is usually typed by the attorney on the bottom of the pleading. If no admission or proof of service accompanies the responsive pleading, do <u>NOT</u> accept or file the papers.</p> <p>NOTE: An exception to this rule is that service is not necessary on a party in default for failure to appear; however, if there is a pleading asserting a new or additional claim for relief against a party, it must be served on him/her.</p> <p>3. This "check" is necessary because there may be more than one proceeding filed between parties.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
			C.J.7-201	<p>4. Attorney's signature, office address, and telephone number.</p> <p>5. Proper exhibits are attached or filed with the responsive pleading.</p> <p>6. Requirements for clerk such as issuing process or performing any other duty in processing the pleading. Additional pleadings, responsive or otherwise, may include:</p> <ul style="list-style-type: none"> 1) Motions 2) Demurrers 3) Interrogations 4) Notice of Deposition <p>7. Advance costs for filing are correct,</p> <p>C-18</p>	<p>7. *Assess costs. Costs for filing in forma pauperis proceedings are authorized by the judge. (See page C-38.)</p> <p>NOTE: Section C.J.7-201 gives authority to the State Court Administrator to prepare a schedule of costs covering all court costs. No Sheriff's fees are included in that schedule. Clerks should refer to this cost schedule when determining proper filing costs for the Cross-Bill of Complaint.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Responsive Pleadings processed by Clerk</u>				Enter the following information: 1. Date of filing. 2. Docket and Folio Number.	NOTE: Certain information must be placed on the responsive pleadings for identification. Although there is no rule or law governing its placement, such information is usually placed in 1) a pre-printed area on the papers or 2) at the bottom of the pleading. 2. Optional in some courts.
<u>Responsive Pleadings docketed by Clerk</u>				a) Enter name of attorney. b) Enter any supplemental caption if there is one of the following: 1. Counter-pleading 2. Third-party claim 3. Additional party or corrected party c) Correct any misnomer in the caption. Do <u>NOT</u> cross-out the incorrect names. C-19	

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>d) Enter a description of the type of pleading.</p> <p>e) Assign a number to each exhibit or attachment.</p> <p>f) Perform any specific duties required such as issuance of service.</p> <p>g) Check index and indices corrected, additional, counter-defendant, or any other party as required.</p> <p>h) Make appropriate entries on case folder and file pleading in case folder.</p> <p>i) Note proper fees in Cost Section of docket.</p>	<p>NOTE: The degree of detail in these descriptions varies among courts. In entering information, the Clerk should strive for clarity and conciseness.</p> <p>f) See Process Issuance.</p> <p>i) *Costs include Sheriff and Attorney Appearance Fees. Deposition costs, as provided by Maryland Rule 415 are also addressed. (See page C-38.)</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Dismissal of Case</u></p>			MR 530		<p>NOTE: Counter-claims and cross-claims must be filed within fifteen (15) days of the last day for filing the responsive pleadings.</p> <p>Third Party Claim requires issuance of summons, with copies of all pleadings on third party. The defendant also serves a copy of the Third Party Claim on the plaintiff, as prescribed by Maryland Rule 306.</p> <p>NOTE: This rule does not apply to actions involving the military docket, continuing trusts, guardianships, estates of incompetents, or issues from an Orphans' Court. An action for divorce a mensa et thoro is subject to dismissal under this rule only if no proceedings have been taken within a period of two and one-half years.</p>
			MR 530 (a)	Review docket for pending cases subject to dismissal, without prejudice, according to the following rule provisions:	
			MR 530 (a)	<ol style="list-style-type: none"> 1. After the second return of non est and the plaintiff(s) fails to order renewal of process (Rule 112) within a period of eighteen months from the return day named in the 	<ol style="list-style-type: none"> 1. According to Maryland Rule 112(b), after two returns of non est, the summons to a party may lie dormant, renewable only on the written order of

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Notice Mailed	3	C-42	MR 530 (b)	<p>second summons, the action is subject to dismissal under this rule. If the plaintiff renews process after the second return of non est, as provided by Rule 112, and the process is again returned non est, the action is subject to dismissal for lack of service at the expiration of 18 months from the last return of non est.</p> <p>2. If no proceedings of record have been taken within a period of 18 months, the action shall be subject to dismissal for lack of proceedings.</p> <p>When an action is subject to dismissal under this rule,</p> <p>a) Send notice to counsel of record.</p> <p>C-22</p>	<p>the plaintiff to such future Return Day as the plaintiff may direct.</p> <p>2. Proceedings under Rule 530, Rule 124 (Appearance) or Rule 125 (Attorney-Striking Appearance) are not proceedings of record for purposes of this Rule 530.</p> <p>a) This notice states that an order of dismissal for lack of prosecution will be entered after the expiration of thirty (30) days, unless a motion for suspension of the dismissal rule is filed.</p> <p>In event that counsel has died or his/her appearance has been stricken, and the party represented is not represented by another attorney of record, the clerk sends the notification to the party at the address shown on the pleadings.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Motion filed			MR530 (c)	<p>b) Make appropriate entries on docket and case folder. E.G., "(Date) - Notification sent re Maryland Rule 530 (b)"</p> <p>c) Place a photocopy of the notice in the case folder.</p> <p>a) Docket immediately any motion for suspension of dismissal rule.</p> <p>b) Forward motion and proposed order of suspension to the court for immediate action, if no responsive pleading had previously been filed in the proceedings.</p> <p>c) Submit motion and proposed Order of Suspension to the court after fifteen days have expired if a responsive pleading has previously been filed in the proceedings.</p> <p>C-23</p>	<p>c) Procedures b) and c) suffice as proof of service.</p> <p>Notification shall be served in the manner provided in Section c2 (b) of Rule 306, i.e. by mailing a copy of the Notice to the person to be served at the last address designated on the pleadings. (See MR308.)</p> <p>b) The order of suspension prescribes the duration and any other terms of the suspension.</p> <p><u>The filing of a motion does not suspend the operation of this rule; an order of court is mandatory to suspend the operation of this rule.</u></p> <p>If a timely motion is not filed under this section, relief may be granted under Rule 625 (Revisory Power of Court over Judgment.)</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Case Dismissed				<p>If after thirty (30) days from the service date of the notice, no motion for suspension of the rule has been filed or the Court has not suspended the operation of the rule,</p> <p>a) Make appropriate entries on the docket and casefolder: E.G., "Dismissed for want of prosecution without prejudice"</p> <p>b) Assess costs against the plaintiff</p>	<p>NOTE: Time for service under this rule is to be computed according to Section c 3 of Rule 306 (Presumptions in Case of Service by Mail).</p> <p>b) *Assess proper costs. (See page C-38.)</p>
<u>Assignment of Hearing Date</u>			MR581	<p>a) Docket Request for Hearing upon receipt.</p>	<p>NOTE: When all preliminary proceedings have been completed, the case is set on the trial docket for a hearing on the merits of the case by complainant's attorney's filing a Request for Hearing in open court.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>b) Make appropriate entry on case folder and forward the folder to the Central Assignment Office for docketing and assigning hearing date and time.</p> <p>NOTE: Whenever a case file is taken from the file drawer the Clerk notes the following information on an outgoing file card:</p> <ol style="list-style-type: none"> 1. File Removal Date 2. Person Removing File 3. File Return Date <p>The card is inserted in the file drawer in place of the case file. This card system contains a constant record of the case file location.</p> <p>c) When the case file is returned, file the case folder.</p> <p>d) Pull proper case files and insert an outgoing card in drawer to mark the place in the file.</p> <p>C-25</p>	<p>NOTE: The Central Assignment Office sends a Master List to the Clerk. This list contains the cases scheduled for hearing on the following day.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Case Completion Procedures</u></p>				<p>e) Forward files to Central Assignment Commission for further processing. The files are then sent to the judge prior to the hearing.</p> <p>a) Docket any matter filed in open court and note on case folder.</p> <p>b) Remove outgoing file card, make appropriate entries on the card, and file the case folder.</p> <p>C-26</p>	<p>NOTE: After the completion of the hearing, the files are returned to the Clerk's Office. In addition, an Assignment Sheet prepared by the Central Assignment Office accompanies the files. The Assignment Sheet cites the court's ruling in each case. These may include:</p> <ol style="list-style-type: none"> 1. <u>Sub curia</u> --Court retains file until memorandum is submitted, opinion is written, and/or order is signed. 2. <u>Submit order</u> --Court orders attorneys to submit an order in the case. 3. <u>Sign order immediately</u> --Court signs order at trial. <p>a) Most items are filed with the Clerk prior to trial.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
			MR1219 MR619 (b) ART. 17, Sec. 34 ART. 62, Sec. 18(a and b)	c) Upon receipt of final order: 1. Docket and order. 2. Make the appropriate entry on the case folder. 3. Prepare and mail copies of the order to the proper parties. 4. Tax final costs. 5. Record actions involving title to real estate. 6. Record divorce or annulment decrees in chancery records. 7. Process "Report of Divorce or Annulment of Marriage" (blue form). 8. Place file in closed file system.	7. Mail form to: Maryland State Department of Health and Mental Hygiene--Division of Vital Records, 201 West Preston Street Baltimore, MD 21201. NOTE: "Rule 8. Time--Computation--Saturday, Sunday and Legal Holiday. a) Computations of Time After an Act, Event or Default. In computing any period of time prescribed by these Rules or order of a court or by any applicable statute, the day of the act, event, or default, after which the designated period of time begins to run is not to be included Saturdays, Sundays and legal holidays shall be counted when the prescribed period is more than seven days; otherwise these days shall not be counted.

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>When the last day so computed would fall on a Saturday, Sunday or legal holiday, the period shall extend to the first day thereafter not one of these days. For the filing of papers in court, if the office of the clerk is not open during its regular hours on the last day of the period, the papers shall be filed on the next day thereafter when the office of the clerk is so open.</p> <p>b) Computation of time prior to a Day, Act or Event.</p> <p>In determining the latest day for performance on an act which is required by these Rules or order of a court, or by any applicable statute, to be performed a prescribed number of days prior to a certain day, act or event, all days prior thereto, including intervening Saturdays, Sundays and legal holidays, shall be counted in the number of days so prescribed. The latest day shall itself be included in such determination unless it is a Saturday, Sunday or a legal holiday, in which event the latest day shall be the first preceding day which is not a Saturday, Sunday nor a legal holiday. (Amended July 1, 1974; May 5, 1976, effective July 1, 1976)"</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS	
<u>Default of Defendant</u> filed			MR675	a) File the papers.	a) (See <u>Original Pleadings</u> filed and <u>Original Pleadings</u> processed Sections.)	
	1	C-40			NOTE: After the defendant has been properly served, the time for filing his/her defense has expired, and a Military Affidavit has been filed, a Decree <u>Pro Confesso</u> may be entered against the defendant. Depending upon local procedures, the clerk or judge may enter the Decree <u>Pro Confesso</u> .	
	4	C-43				
	5	C-44				
		6	C-45	MR611	c) Mail Notice of Decree <u>Pro Confesso</u> to defendant.	c) As the defendant has already been brought under the jurisdiction of the court, notice may be given by <u>regular</u> mail.
					d) Forward case folder to Judge or Master Examiner.	
				C-29		

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Trust Procedures</u>	7	C-46	MR322 Subtitle V, Estates and Trusts Subtitle 13		<p><u>NOTE:</u> The plaintiff may request that the case be set for hearing in open court. If an answer or other defense is filed, and the Decree Pro Confesso has not been set aside, the Clerk docketts the pleading as if it were timely filed. The plaintiff must strike an improperly filed pleading.</p> <p><u>NOTE:</u> Maryland Rule 1223 requires that a Trust Clerk be designated in each circuit court. All trust cases originate from an equity case. The Trust Clerk has responsibility for the case upon receipt of the Decree of Appointment of A Guardian for the estate of a minor or an alleged incompetent. The Court appoints all committees, trustees, and guardians.</p>
Inventory Notification	8	C-47	MRV74b	a) Prepare and mail letter to newly appointed fiduciary.	a) The letter 1) notifies the fiduciary to file an inventory of all assets of the estate for which he/she has assumed responsibility within sixty (60) days from the date of appointment and 2) explains the additional requirement of filing annual accountings.

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Trust Docket				b) Enter case number and notation "inv. due" on the desk calendar on the sixtieth day from the date the order of appointment was entered. a) Enter the trust account in the Trust Docket. The following information is included: 1. Case Caption 2. Equity Docket and folio numbers 3. Case number 4. Name of fiduciary 5. Address of fiduciary 6. Type of appointment 7. Date of appointment 8. Name of surety company 9. Amount of bond	b) The case number is the same as the equity case number.
Index Card Sets				b) Index the name of the minor or alleged incompetent and trust docket folio number in the index. C-31	b) Alphabetical index is maintained in front of Trust Docket book. NOTE: Two index cards are prepared for filing in a daily calendar card file system for trust cases. This file system is divided into monthly sections and further divided into days. One card is yellow; the other card is white. Both cards contain identical docketed information.

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Yellow Index Card				<p>a) Enter the following information on each card:</p> <ol style="list-style-type: none"> 1. Case caption 2. Name of fiduciary 3. Address of fiduciary 4. Case number 5. Trust Docket folio number 6. Date report is due 7. Amount of bond 8. List of years <p>File the yellow index card behind the month and day of the fiduciary appointment.</p>	<p>8. Type as many calendar years as possible across the bottom of the index cards. E.g., 1975 1976 1977 1978 ...</p> <p>The placement of the yellow card signifies 1) a reporting period is ended and 2) the annual report is to be prepared and filed with the Court.</p>
White Index Card				<p>File the white index card in the file behind the sixtieth day from the day of the fiduciary appointment.</p>	<p>A fiduciary must file an annual accounting within sixty (60) days from the date his/her reporting period ends. The date on which the white card appears is the day by which the annual accounting should be filed.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Inventory of Assets filed				<p>b) Check the daily calendar card file every day for the due date for:</p> <ol style="list-style-type: none"> 1. Mailing of notice of filing annual report. 2. Ascertaining if an annual report is to be filed. <p>a) Date-stamp Inventory of Assets and file in case folder.</p> <p>b) Make appropriate entries in Equity Docket, including date the inventory is filed.</p> <p>c) Make appropriate entries on case folder.</p>	<ol style="list-style-type: none"> 1. Signified by yellow index card. 2. Signified by white index card.
Notice of Annual Fiduciary Report Due	9, 10, 11	C-48, C-49, C-50		<p>a) Mail notice of Annual Fiduciary Report due to fiduciary, with two (2) sets of accounting forms. Also mail copy of notice to fiduciary's attorney and place a copy in the case file.</p> <p>b) Cross through the year for which the notice is being mailed from the list of calendar years on the yellow index card.</p> <p style="text-align: center;">C-33</p>	<p>a) Send either accounting form EQ-18 or EQ-44, whichever is applicable. Form EQ-18 is used for trusts established under a will; Form EQ-44 is used for accounting in incompetent's and minor's estates.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Annual Fiduciary Report filed	10,11	C-49, C-50	MRV74(d)	<ul style="list-style-type: none"> a) Date-stamp annual Fiduciary Report and place in case folder. b) Make appropriate entry in Equity Docket, including the date the report is filed. c) Make appropriate case folder entry. d) Cross through the year for which the report is being filed from the list of calendar years on the white index card. e) Prepare receipt for filing fee; send money/check with copy of receipt to bookkeeping clerk. 	<ul style="list-style-type: none"> e) *The original receipt will be mailed to the fiduciary with the Report of Trust Clerk. (See Report of Trust Clerk section.)
Report of Trust Clerk Preparation	12	C-53		<ul style="list-style-type: none"> a) Review the Annual Fiduciary Report for the following: <ul style="list-style-type: none"> 1. Mathematical accuracy of the income and expenditures. 2. Bond expenditures for maintaining the bond. 3. All expenditures verified by vouchers. <p style="text-align: center;">C-34</p>	<ul style="list-style-type: none"> a) Maryland Rule V74(d) generally sets forth what the Trust Clerk is responsible for verifying.

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>b) Check for purchase or sale of any bonds, stocks, or certificates in the annual report against photocopies of these assets.</p> <p>c) Check case holdings against photocopies of passbooks, bank statements, and the like.</p> <p>d) Prepare Report of Trust Clerk.</p> <p>If no exceptions or recommendations are filed:</p> <p>e) Mail copy of Report of Trust Clerk and a bill for open court costs, if any, to fiduciary; mail copy of report to fiduciary's attorney.</p> <p>f) File original report in case folder.</p> <p>If a bond increase is recommended or if exceptions are noted by the Trust Clerk:</p> <p>g) File the original report in the case folder; prepare appropriate order for the Judge's signature.</p> <p>C-35</p>	<p>b) The Trust Clerk may request that a fiduciary submit photocopies of all bonds, stocks, and certificates when the initial annual report is filed.</p> <p>c) The Trust Clerk may request that a fiduciary submit photocopies of passbooks, bank statements, and the like.</p> <p>d) Trust Clerks may prefer to place an "x" over items on the report that have been personally verified.</p> <p>e) *Court costs are provided in the cost schedule of the State Court Administrator. (See page C-38.)</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Inventory or Annual Report not filed when due	13,14	C-54 C-55	Courtesy	<p>h) Forward case folder to judge for review.</p> <p>a) Mail second notice to the fiduciary.</p> <p>b) Note: the due-date on the Trust Clerk's desk calendar.</p> <p>c) Check desk calendar daily for receipt of the inventory or report.</p>	<p>a) This notice grants fifteen (15) additional days for filing the inventory or report.</p> <p>c) If the inventory or report is not received by the due-date, proceed as set out in the Show Cause Order Preparation section. Follow the procedure described in "Annual Report filed" section if inventory or report is received.</p>
Show Cause Order Preparation	15 16	C-56 C-57		<p>a) Prepare letter to Court 1) explaining the circumstances and 2) recommending the entry of a Show Cause Order.</p> <p>b) Prepare Show Cause Order for entry by Court.</p> <p>c) Submit the cover letter and order to the judge.</p> <p>d) When order is signed and returned, date-stamp the order.</p> <p>C-36</p>	

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Courtroom Duties			MR103	<p>e) Make appropriate entries on case folder and Equity Docket.</p> <p>f) Prepare and send photocopies of the order to Sheriff for service on the fiduciary.</p> <p>g) Note the answer date on the Trust Clerk's desk calendar, when Sheriff's Return is received. If there is no compliance with the Show Cause Order,</p> <p>h) Confer with the chambers judge (or the judge most familiar with the case).</p> <p>a) Testify at the hearing.</p> <p>b) Make appropriate entry on Equity docket.</p> <p>c) Make appropriate entry on case folder.</p>	<p>g) The answer date is usually fifteen (15) days after the date of service..</p> <p>h) An open-court hearing for the removal of the fiduciary usually results. In some courts, the Central Assignment Office selects the hearing date and notifies the Trust Clerk and all parties. The Clerk, in other courts, has responsibility for scheduling the hearing and notifying the parties.</p> <p>NOTE: These hearings usually result in either continuing or discontinuing the guardian.</p>

COST SCHEDULE

COURT COSTS EFFECTIVE JUNE 1, 1975

Schedule of court costs and charges established pursuant to Chapter 548, Acts of 1975, Court Articles C.J. 7-201 and C.J. 7-202, except where otherwise noted:

ADVANCED FILING FEES

COMMENTS

Clerk's

40.00	New proceedings, plus appearance fee of \$10.00 and advanced sheriff's costs (\$5.00) for each party to be served in Prince George's County
40.00	Issuing Writ of scire facias (Note: New proceedings)
40.00	Issuing writ of attachment, (garnishee) plus appearance fee
10.00	Counter-claim, cross-claim, cross-bill or third party claim
10.00	Petition or motion for contempt (show cause order for contempt) or to modify alimony, support or custody after final decree
10.00	Issuing writ of fifa, habere facias possessionem, attachment for contempt or supplementary proceedings
30.00	Preparation of record on appeal <u>plus mailing costs</u> (estimate)
2.00	Order of satisfaction
10.00	Annual fiduciary report
3.00	Per page for recording any pleading including bond

COURT COSTS (continued)

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ADVANCED FILING FEES

COMMENTS

Clerk's

5.00

For furnishing certificate of no divorce.

3.00

For certification or exemplification of any court pleading, plus costs of copying

1.00

For recording AVM, AMET or annulment decrees (Art. 17 § 34)

—

For 1st page of xerox copy

—

For each additional page

ADDITIONAL FEES

.25

For entering claim on claims' docket (Art. 47 § 3a)

40.00

For indigency case or transfer (Md. Rule 317) when final judgment entered

1.00

For indexing each name on Plaintiff's Cost Docket (optional)

—

Service charge in relation to funds deposited with clerk plus reasonable additional costs where necessary (Amount varies to jurisdiction.)

HOSPITAL LIEN (Art. 63 p. 50)

2.00

For docketing

2.00

For releasing

CIRCUIT COURT OF EQUITY SUMMONS

(Maryland Rule 103)

DOCKET _____ FOLIO _____

CASE NO. _____ Return Day _____

State of Maryland, _____ To Wit:

To

You are hereby summoned to file a written answer or other defense, on or before the _____ day

of _____, 19____, (this date being fifteen (15) days after the _____

Return Day) to the

_____ filed against you in the Circuit Court of _____

WITNESS, the Honorable _____, Chief Judge of the _____ of _____

the _____ day of _____, 19____

Issued the _____ day of _____, in the year 19____

Clerk.

NOTE: Personal Attendance in Court on the day named is not necessary, but unless you file a written answer or other defense in the Clerk's Office, Room _____ Court House, _____ within the time named in the above Summons, complainant(s) may obtain a decree pro confesso against you, which upon proper proof may be converted into a final decree for the relief demanded.

DOCKET FOLIO.....

CASE NO.

FILED

IN THE

CIRCUIT COURT

OF

vs.

MR. CLERK:

PLEASE REISSUE SUBPOENA IN THE ABOVE CAPTIONED CASE.

Solicitor for Plaintiff

In the Court of

vs. File
Docket
Folio

NOTIFICATION TO PARTIES OF CONTEMPLATED DISMISSAL OF THE ABOVE STYLED ACTION

No proceedings of record in the above styled action having been taken within a period of eighteen months, all counsel of record are hereby notified, as provided by Maryland Rule 530, that an Order of Dismissal for Lack of Prosecution will be entered after the expiration of thirty (30) days from the date of service of this Notice as provided for and calculated by Maryland Rule 306 unless prior to the expiration thereof a motion is filed under section c of Maryland Rule 530.

Copy of the foregoing notice mailed to:

Plaintiff Address
Plaintiff Address
Attorney for Plaintiff Address
Attorney for Plaintiff Address
Defendant Address
Defendant Address
Attorney for Defendant Address
Attorney for Defendant Address
by regular mail, postage prepaid, this day of 19

Military Affidavit under Soldiers' and Sailors' Civil Relief Act of 1940 and Amendment thereto of October 6, 1942

IN THE CIRCUIT COURT OF

vs. Docket Folio

Military Affidavit

STATE OF MARYLAND, To WIT:

I HEREBY CERTIFY that, before me, the subscriber, a Notary Public of said State, in and for said City, personally appeared and made oath in due form of law that he (she) knows the defendant herein, and that to the best of his (her) information, knowledge and belief

- (1) said defendant is not in the military service of the United States,
(2) said defendant is not in the military service of any nation allied with the United States,
(3) said defendant has not been ordered to report for induction under the Selective Training and Service Act of 1940 as amended,
(4) said defendant is not a member of the Enlisted Reserve Corps who has been ordered to report for military service.

Affiant.

Subscribed and sworn to before me this day of 19

Notary Public

DECREE PRO CONFESSO

.....
.....
vs.
.....
.....

IN THE
CIRCUIT COURT
-OF-

..... Term, 19.....

The Defendant(s)

.....
having been duly summoned (notified by Order of Publication) to appear to the Bill of Complaint, and having failed to appear thereto, according to the exigency of the writ (said Order).

It therefore appearing from the proceedings, this day of, 19 that the complainant is entitled to relief in the premises, the Bill of Complaint is hereby taken *pro confesso* against the defendant(s)

.....; but because it does not certainly appear to what relief the plaintiff(s) (is) (are) entitled the papers are referred to one of the Examiner-Masters of this Court to take testimony to support the allegations of the Bill.

(Maryland Rule 611)
Date.....

IN THE
CIRCUIT COURT
-OF-

.....
.....
vs.
.....
.....

Docket..... Folio.....
Case No.....

NOTICE OF DECREE PRO CONFESSO

To:

.....
.....
.....
(Address)

In accordance with Maryland Rules of Procedure, you are notified that a decree pro confesso was entered against you in the above entitled case on.....

If you wish to take exception to this Decree Pro Confesso, you have thirty days from the date of the said Decree Pro Confesso within which to do so.

Copy Mailed

REQUEST TO TAKE TESTIMONY IN OPEN COURT

.....
.....
vs.
.....
.....

IN THE
CIRCUIT COURT
-OF-

To the Clerk of the
Circuit Court of

The plaintiff in this case respectfully shows

THAT he desires to examine orally, in open Court and in the presence of the Court certain witnesses who can testify to the facts and matters relevant to the allegations in the Bill of Complaint filed in this case.

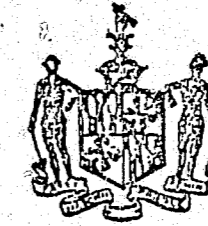
Your petitioner therefore requests that the above entitled case be placed on the Trial Calendar.

And as in duty bound will ever pray.

.....
.....
Solicitor for Plaintiff.

Upon the foregoing Request and Application, it is, thisday of
....., 19....., Ordered that leave be granted the plaintiff to take testimony
as prayed.

Circuit Court for



CLERK

Re:

No.

Dear

Pursuant to Rule V74b of the Maryland Rules of Procedure, an inventory of all the assets of the estate of , the person for whom you were appointed guardian, is required to be filed with the Court within sixty (60) days of the passage of the Decree of Appointment which was signed on , 19 . There are no forms available for the inventory.

You are further required to file annual reports of all the activities occurring in the estate during each year. The forms for the annual report will be mailed to you each year on the date of your appointment.

Very truly yours,

CLERK

Trust Clerk

OFFICE OF THE CLERK

Circuit Court for

CLERK

CHIEF DEPUTY

TELEPHONE:

Re:

No.

Dear

Pursuant to Maryland Rule V74c, you are hereby notified that your Annual Fiduciary Report in the above entitled matter is due on 19 for the period of 19 through 19 .

The forms for your report are enclosed. Verification of the assets listed under Item No. 1 (bank accounts, bonds and stocks) is required either through submission of photocopies of the bank books, bonds and stock certificates or by presentation of the original items of proof to the Trust Clerk for examination. A filing fee in the amount of \$ must also accompany your report when submitted.

If your report is not filed by the aforementioned date, the Maryland Rules require that the matter be brought to the attention of your surety, if any, and of the court for such action as is appropriate.

Very truly yours, CLERK

Trust Clerk

vs.

IN THE CIRCUIT COURT FOR IN EQUITY

No.

ANNUAL FIDUCIARY REPORT No.

For the period , 19 to , 19 (To be used also for Final Report)

To the Honorable, the Judge of said Court:

The Account of

Trustee Guardian.

respectfully shows:

First. That the principal of the TRUST ESTATE now consists of the following property:

A REAL ESTATE

LOCATION

Table with multiple rows for listing real estate locations, each with a dashed line for text entry.

Second. That the following changes in the PRINCIPAL of the Fiduciary Estate have occurred since the last prior report. (Attach exhibits required by Rule V74c)

A RECEIPTS—SALES, Etc.				
DATE	DESCRIPTION INCLUDING NAME OF TRANSFEREE, DISTRIBUTEE, ETC.	GROSS AMOUNT OF SALES	EXPENSES	NET AMOUNT RECEIVED
TOTAL NET RECEIPTS				

B EXPENDITURES—PURCHASES, INVESTMENTS, EXCHANGES, Etc.				
DATE	DESCRIPTION INCLUDING NAME OF PAYEE	PURCHASE PRICE	EXPENSES	GROSS AMOUNT PAID
Total gross expenditures				\$
Net (difference between receipts and expenditures)				\$
Corpus cash balance as per last prior report				\$
Present Corpus cash balance				\$

MEMORANDUM OF INCOME

Third. Cash balance as per last report \$
 Income received by Fiduciary since last annual report:

\$.....
 TOTAL GROSS INCOME \$.....
 and during that time the Fiduciary has made payments aggregating
 (Operating expenses)

\$.....
 Leaving the NET INCOME of the ESTATE \$.....
 which he has paid over to
 LEAVING A CASH BALANCE OF INCOME UNDISTRIBUTED THIS DATE \$.....

Receipts and Vouchers will be exhibited when required to the Trust Clerk examining and verifying this report.

Trustee
Guardian,

State of Maryland, _____, to wit:
I hereby certify that on this _____ day of _____, 19____
personally appeared before me _____

and made oath in due form of law that the matters and facts stated in the foregoing report are true as therein set forth.

ALTERNATE

VERIFICATION:

I (WE) do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing account are true and correct to the best of my (our) knowledge, information and belief.

DATE _____

Trustee
Guardian
Attorney

vs

IN THE
CIRCUIT COURT
FOR

NO _____ EQUITY

ANNUAL FIDUCIARY REPORT NO. _____

For the period of _____, 19____ to _____, 19____

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Report of _____

Trustee/Committee/Guardian, respectfully shows:

1. That the Trust Estate now consists of the following property:

Cash _____ \$

(Checking Acct. No.)

Cash _____

(Savings Acct. No.)

Savings Certificates _____

\$ _____

TOTAL CASH _____

OTHER:

Real Estate _____

Leasehold _____

Mortgages _____

Bonds (State Name of Obligor, Serial Number, Face Value and Maturity Date of Bonds)

Stocks (State No. and Class of Shares, Name of Company and Certificate Nos.)

PERSONAL PROPERTY

2. That during the reporting period the following income was received:

TOTAL RECEIPTS \$ _____

3. That during the reporting period the following disbursements have been made:

TOTAL DISBURSEMENTS \$ _____

4. A recapitulation of the foregoing is as follows:

Cash balance as of last report:	\$ _____
Income received during reporting period:	\$ _____
TOTAL GROSS CASH BALANCE	\$ _____
Less: Disbursements made during reporting period:	\$ _____
Leaving Net Cash Balance of the Estate	\$ _____

VERIFICATION:

I (WE) do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing account are true and correct to the best of my (our) knowledge, information and belief.

Date: _____

Trustee
Committee
Guardian

Address: _____

Tel: _____

Trustee
Committee
Guardian

Address: _____

Tel: _____

Trustee
Committee
Guardian

Address: _____

Tel: _____

IN THE
CIRCUIT COURT
FOR

VS

NO. _____ EQUITY

REPORT OF TRUST CLERK

The Trust Clerk reports to the Court that he has examined the report of the _____
filed in this cause, covering the period of _____ through _____ in
accordance with the Maryland Rules of Procedure as follows:

Bonds, stocks and bankbooks enumerated in first paragraph of foregoing report have been
exhibited to me and agree therewith.

Deeds, conveyances, and other evidences of title as to remaining assets in first paragraph examined
to extent deemed necessary and found in order.

Bond of fiduciary is/is not considered adequate.

Surety _____

Amount _____

Exceptions, if any, or matters to be called to the attention of the Court:

Trust Clerk

Circuit Court for

CLERK



CHIEF DEPUTY

Re: _____

No. _____

Dear _____

On _____, 19____, notice was mailed to you advising that the
Inventory of Assets in the above entitled matter should be filed with
the court within sixty (60) days of the passage of the Decree of
Appointment, dated _____ 19____. To date, the inventory has
not been filed. Unless some reply is received within fifteen (15)
days from the date of this letter, it will be necessary to present
this matter to the court for further action.

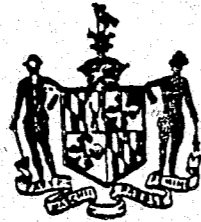
Very truly yours,

CLERK

Trust Clerk

Circuit Court for

CLERK



CHIEF DEPUTY

Re:

No.

Dear

On 19 , notice was mailed to you advising that the Annual Fiduciary Report in the above entitled matter should be filed with the court by 19 . To date, the report has not been filed. Unless some reply is received within fifteen (15) days from the date of this letter, it will be necessary to present this matter to the court for further action.

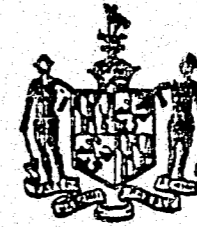
Very truly yours,

CLERK

Trust Clerk

Circuit Court for

CLERK



CHIEF DEPUTY

Honorable
Circuit Court for

, Maryland

re: In The Matter of
, a non
compos mentis
No: Equity

Dear Judge :

With reference to the above entitled matter, the guardian has failed to file annual fiduciary report after being notified by the undersigned by letters dated and

Therefore, pursuant to Maryland Rule V74e, the attached Order to Show Cause is presented for your consideration.

Very truly yours,

CLERK

Trust Clerk

IN THE
CIRCUIT COURT
FOR

VS.

No. _____

ORDER OF COURT

Judge

LAW

LAW CHAPTER

FORMS LIST

LAW

- 1 Civil Receipt Form and Statement of Costs
- 2 Civil Summons
- 3 Show Cause Order (for Court appearance)
- 4 Show Cause Order (by a given date)
- 5 Notification To Parties of Contemplated Dismissal (GEN-24)
- 6 Witness Summons/Subpoena Duces Tecum
- 7 Order of Court On Plaintiff's Motion For Summary Judgment
- 8 Attorney's Attachment Request Form
- 9 Attachment Form
- 10 Fieri Facias (Fi Fa)
- 11 Summons (Confessed Judgment)
- 12 Notice Under Maryland Rule 1217 (f) (2)
Exhibits Filed During Trial

d(i)

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Civil Jurisdiction</u>			C.J.4-402 (d)		<p>NOTE: A plaintiff may elect to file suit in a District Court or a Trial Court of General Jurisdiction, if the amount in controversy exceeds \$2,500.00. The District Court retains exclusive jurisdiction in cases involving amounts not greater than \$2,500.00. Concurrent jurisdiction is exercised by District Courts and Trial Courts of General Jurisdiction in cases involving amounts between \$2,500.00 and \$5,000.00.</p> <p>If the amount in controversy in a civil action exceeds \$500.00, a party may demand a <u>jury trial</u> pursuant to Maryland District Court Rules.</p> <p>Replevin Actions, however, are exclusively within the jurisdiction of the District Court.</p>
			C.J.4-402 (e) (1)		
			C.J.4-402 (c) (2)		

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Original Papers filed</u>			MR1217	<p>Examine original papers for the following:</p> <ol style="list-style-type: none"> 1. Papers conform with requirements set out in Rule 1217. This rule states that the papers can have no backing or cover. Additionally, each paper must be not more than 8-1/2 inches in width, have a top and left-hand margin of not less than 1-1/2 inches each and must not exceed 13 inches in length. 2. Action is within the jurisdiction of the court. 3. Venue requirements are met. 4. Names and addresses of parties are listed in 1) titling, 2) introductory section of the declaration, or 3) such other appropriate place. 	<ol style="list-style-type: none"> 1. If the papers are filed by an attorney and do not comply with the requirements set out in Rule 1217, the Clerk requests the attorney to correct any problem. If the papers are filed by an individual in proper person and do not comply with the requirements set out in Rule 1217, the Clerk advises the person of the proper procedure. 2. See Civil Jurisdiction Section. <p>NOTE: Rule 1217 only establishes the proper form for filing papers; it does NOT authorize the refusal to the papers.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
			MR343(b)	<p>5. Execution of all necessary signatures.</p> <p>6. Plaintiff's attorney's office address and telephone number.</p> <p>7. Prayer for jury trial.</p>	<p>6. If this information is not included in papers, suggest that attorney supply the information. Clerk should check for this information before the party leaves the office. The party should designate the address where he/she may be served.</p> <p>7. If a jury trial is desired, a Prayer for a jury trial must be filed by the Plaintiff when the original declaration is filed. It must be in writing, separate and distinct from the body of the original pleadings. A new plaintiff has fifteen (15) days after being made a party plaintiff to elect for a jury trial; a defendant has the same time in which he has to file his/her first responsive pleadings to the merits in which to elect for a jury trial.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>8. Sufficient number of copies of pleadings, with the exhibits attached, are provided for service on each defendant, unless otherwise ordered by the court.</p> <p>9. Other pleadings attached which require service. The two principal types of additional pleadings are 1) interrogatories and 2) notice of deposition.</p> <p>10. Proper exhibits are attached or filed with the original pleadings.</p> <p>11. Advance costs for filing are correct.</p>	<p>8. The attorney, or party in proper person, is solely responsible for providing the necessary number of copies for service of process. Without these copies, NO service is issued. The Clerk should telephone the attorney to provide the copies.</p> <p>11. *Assess costs. Costs for filing may be waived. Such in forma pauperis proceedings are authorized by the judge. (See page D-56.)</p> <p>NOTE: This section (C.J.7-201) gives authority to the State Court Administrator to prepare a schedule of costs covering all court costs. No Sheriff's fees are included in this schedule. Clerks should refer to this cost schedule when determining proper filing costs.</p>
			C.J.7-201		
			C.J.7-201		

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Original Proceedings</u> <u>Processed by Clerk</u></p>				<p>Enter the following information:</p> <ol style="list-style-type: none"> 1. Date and time (hrs/min) of filing. 2. Docket and Folio Number. The Docket Number is the number of the Docket Book in which the case is docketed. The Folio Number is the docket page number on which the case is docketed. 3. File or Case Number taken from a master number sheet or simply assign next sequential number in file drawer. 	<p>NOTE: Certain information must be placed on the original pleadings for identification. Although there is no rule or law governing its placement, such information is usually placed in 1) a preprinted area on the papers or 2) at the bottom of the pleading.</p> <ol style="list-style-type: none"> 2. (See Docket Numbering Section) The combination of the Docket Number and Folio Number may be called the case Reference Number. <p>NOTE: Some local practices require the Clerks to number each pleading to insure that all papers are in the case folder.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Original Pleadings</u> <u>Docketed by Clerk</u></p>	1	D-57		<p>4. Deposit fee using the suggested receipts and validating machines in standard use in State.</p> <p>a) Enter name of the attorneys of record in the case and date the action is filed.</p> <p>b) Enter name of plaintiff(s) and defendant(s), or the party(ies) in an <u>ex parte</u> proceeding.</p> <p>c) Enter a description of the type of pleading.</p>	<p><u>NOTE:</u> Some courts may enter the Return Date and/or the Answer Date on the pleadings. The Return Date is the first Monday of the following month in which the pleading was filed, unless otherwise directed by the court. The Answer Date is fifteen (15) days after the Return Date, unless otherwise directed by the court.</p> <p>b) The names of the parties involved in a case are known as the <u>caption</u>.</p> <p><u>NOTE:</u> The degree of detail in these descriptions varies among courts. The objective of these docket entries is two-fold: 1) to provide a concise case history and 2) to facilitate locating a particular element of the case history. In entering this information, the Clerk should strive for clarity and conciseness.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				d) Assign a number to each exhibit or attachment; enter a description of each under the Entries column of the Docket Sheet. e) Enter the fee collected and the receipt number and/or other pertinent data. f) Index the action in all parties' names.	e) Some courts enter the name of the person paying the fee f) Some courts use a book index system; other courts use strip-indexing. NOTE: The order for processing and docketing original pleadings will vary. Some courts prefer to docket the pleadings first and then place the necessary information on the pleadings. Others favor processing the pleadings before entering the information on the Docket Book.
<u>Process Issuance</u>			MR103,105, 324 MR103,105, 324	g) Prepare papers for serving of process. NOTE: If the original pleadings are in proper order and adequate copies of the pleadings are provided for service of process, the Clerk issues process according to the following procedure. Each type of service is separately discussed.	g) See Process Issuance Section, below.

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#1 Service Within State	2	D-58		<p>#1 Service within State</p> <p>#2 Show Cause</p> <p>#3 In Rem or Quasi In Rem (a) Whereabouts of Defendant Known (b) Whereabouts of Defendant Unknown (1) Service by Publication (2) Mailing and Posting in Lieu of Publication</p> <p>#4 Service on Corporations</p> <p>Prepare, <u>as of course</u>, the summons for each defendant in the state as follows:</p> <ol style="list-style-type: none"> 1. Enter name of parties in case (caption). 2. Enter city/county in which the defendant resides. 3. Attach appropriate copies of pleadings, exhibits, and attachments. 4. Enter Answer Date on bottom of summons form. <p style="text-align: center;">D-8</p>	<ol style="list-style-type: none"> 2. Prepare a separate summons for each defendant living in a different jurisdiction. 3. Attorney is responsible for providing adequate number of copies of pleadings, exhibits, and attachments.

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
			MR309 (b)	<p>5. Sign Clerk's name.</p>	<p>NOTE: Unless the court has prescribed a different Return Date, the summons is returnable to the next return day, or to the succeeding return day, if the plaintiff so directs. (See Show Cause, below.)</p> <p>5. Deputy Clerks may sign Clerk's name on the summons.</p>
			MR103 (c)	<p>6. Stamp summons with court seal impression near Clerk's signature.</p> <p>7. Forward to Sheriff for service unless otherwise directed by counsel.</p>	<p>7. Although the Sheriff may take delivery of the papers by personally appearing in the Clerk's Office, the responsibility of delivering the papers to the Sheriff remains with the Clerk.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Return Notification by Sheriff			MR103(k)	a) Attach card to summons. b) Make appropriate docket entry to indicate use of the return notification.	NOTE: Counsel may request return notification by the Sheriff by submitting a stamped, self-addressed card. When completed by the Sheriff, this card indicates whether service was made.
Return Not Served/ Made Non Est			MR112, 530	Reissue summons.	NOTE: If a summons is returned Non Est or not served, proceed under MR 112. It is suggested that the Clerk notify counsel before re-issuing the summons. (See Reissuance of Summons, below.) If after two returns of Non Est or not served, see MR530 for dismissal of case for lack of service.

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Return by Private Process Server			MR116	a) Make appropriate entries on docket and case folder. b) File Affidavit of Private Process Server.	b) Affidavit contents must set out: <ol style="list-style-type: none"> 1. Name of person served 2. Date of service 3. Particular place of service 4. Manner of service 5. Statement whether person making service is of the age of 18 or over
Service by Elisor	2	D-58	MR117	a) Make appropriate docket and case folder entries for entry of Order of Appointment of Elisor; file order in case folder. b) Prepare summons for service.	NOTE: No fee for service is allowable. NOTE: If the Sheriff is a party to the action, he is disqualified from making service. The Court appoints an Elisor to make service in that particular case. b) See <u>Process Issuance, ¶1 Service Within State.</u>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Registered Mail	2	D-58	MR104(b) (2)	<ul style="list-style-type: none"> c) Forward to Elisor for service. a) Prepare summons for service. b) Telephone counsel to pick up papers for service by registered mail. May also mail papers to attorney. c) Make appropriate entries on docket and case folder for return-receipts and affidavits submitted by counsel. 	<ul style="list-style-type: none"> c) The Elisor makes same type of return as Sheriff. NOTE: Fee for service is allowable as a cost of the case. c) Affidavit of counsel states that summons and attachments were mailed by registered mail, return-receipt requested.
Service Fees for Sheriff			C.J.7-402	<ul style="list-style-type: none"> a) Assess proper fee for service by Sheriff (or Elisor). b) Make appropriate entry in Costs Section of docket. 	<ul style="list-style-type: none"> a) *Assess costs. See Sheriff's Fee Schedule.
#2 Show Cause	3,4	D-59, D-60	MR384		<ul style="list-style-type: none"> NOTE: On motion of the plaintiff, the Court may reduce the amount of time for answering by entering a Show Cause Order.

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>#3 <u>In Rem or Quasi In Rem:</u> (a) Whereabouts of Defendant Known</p>	2	D-58	MR105 (a)	<p>a) Make appropriate entries on docket. b) Prepare summons according to procedures set out in Section #1 <u>Service Within State</u>, above, modifying appropriate parts to correspond with the Show Cause Order. c) Prepare true copy test of Show Cause Order; attach copy to summons.</p> <p>Prepare, as directed, the summons for each defendant as follows:</p> <ol style="list-style-type: none"> 1. Enter name of parties in case (caption). 2. Enter city/county in which the defendant resides. 3. Attach appropriate copies of pleadings, exhibits, and attachments. 	<ol style="list-style-type: none"> 2. Prepare a separate summons for each defendant living in a different jurisdiction. 3. Attorney is responsible for providing adequate number of copies of pleadings, exhibits, and attachments.

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
			MR107(b)	<ol style="list-style-type: none"> 4. Enter information directing the defendant(s) to file initial pleading within sixty (60) days from the date of completion of service if made in the limits of the United States and ninety (90) days if beyond. 5. Sign Clerk's name. 6. Stamp summons with the court seal impression near the Clerk's signature. 7. Deliver to attorney or designated person for service. 	<ol style="list-style-type: none"> 4. Except to Confessed Judgment which requires only thirty (30) days notice pursuant to MR 645(e). 5. Deputy Clerks may sign Clerk's name on the summons. 7. Clerks may accept the designation of a person for service verbally, but a written designation is preferable.
(b) Whereabouts of Defendant Unknown (1) Service by Publication			MR105(b) MR105(b)(1)	<p>NOTE: Service of process by publication must be ordered by the court. When an order of publication is received, the Clerk proceeds as follows:</p> <ol style="list-style-type: none"> a) Prepare a true copy test of the order 	

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
(2) Mailing and Posting In Lieu of Publication			MR105(b)(2)	<p>by writing or stamping "A TRUE COPY TEST" on the copy of the order and signing the clerk's name to the certifications. No court seal is required.</p> <p>b) Deliver the true copy test to the appropriate person or source for publishing.</p> <p>c) Upon receipt of the certificate of the publisher, file the certificate after docketing and noting it on the case folder.</p> <p>NOTE: Service of process by mailing and posting in lieu of publication must be ordered by the court. When an order for mailing and posting in lieu of publication is received, the Clerk proceeds as follows:</p> <p>a) Prepare two (2) true copy tests of</p>	<p>b) Attorney may request a particular publisher.</p> <p>NOTE: The order of publication is published at least once a week in each of three successive weeks, the last publication being at least thirty (30) days before the day fixed in the order for the filing of the defendant's initial pleading.</p> <p>c) The certificate of the publisher is proof of the fact and dates of publication. The certificate usually includes a clipping of the publication.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>the order by writing or stamping "A TRUE COPY TEST" on the copies of the order and signing the clerk's name to the certifications. No court seal is required.</p> <p>b) Deliver one true copy test to the Sheriff for <u>posting</u>.</p> <p>c) Deliver the other true copy test to the attorney of record for mailing to the defendant.</p> <p>d) Upon receipt of 1) the Sheriff's return of posting and 2) the attorney's affidavit of mailing, file both the return and affidavit after docketing and noting them on the case folder.</p>	<p>b) The Sheriff posts the true copy test of the order on the courthouse door or bulletin board.</p> <p>NOTE: The order for mailing and posting in lieu of publication directs the defendant to file the defendant's initial pleading on or before a fixed date. This date must be at least sixty (60) days after the date of mailing and posting.</p> <p>d) The Sheriff's return/attorney's affidavit combination are proof of service.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#4 Service on Corporations	2	D-58	MR106	<p>a) Prepare summons and attachments for service on appropriate person in corporation.</p> <p>b) Forward papers to Sheriff for service.</p>	<p>NOTE: The Sheriff makes his return on the summons either on the reverse side of the summons or on an endorsement located at the bottom of the summons. The return endorsement specifies who was served and the date of service.</p>
Service on State Department of Assessments and Taxation				<p>a) Prepare <u>two</u> (2) copies of process.</p>	<p>NOTE: If the corporation is required by law to have a registered agent, and 1) does not have a registered, or 2) has one or more registered agents, and unsuccessful attempts have been made on different business days to serve process either twice upon one registered agent or once upon each of two registered agents, process may be served on the State Department of Assessments and Taxation.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Reissuance of Summons</u></p> <p><u>Case Folder is prepared</u></p>			<p>MR112</p>	<p>b) Forward papers to Sheriff for service on Director of Department of Assessments and Taxation, or his designate.</p> <p>c) Assess proper fee payable to the Department of Assessments and Taxation.</p> <p>Procedures for reissuance of a summons vary. Two methods are described below:</p> <p>a1) Issue same summons form by using stamp extending time for service and setting new date.</p> <p>or</p> <p>a2) Type new summons form.</p> <p>a) Enter name of the attorneys of record in the case.</p>	<p>c) *Assess proper fee. (See page D-56.)</p> <p>NOTE: Some agencies will refuse service if the Corporation's name as set forth in the summons does not correspond directly with their listing. In these instances, the Clerk should contact the attorney.</p> <p>NOTE: Be sure to check for possible new address for second attempt to perfect service.</p>

Law Procedure

DESCRIPTION	FORM NO.	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Reissuance of Summons</u></p> <p><u>Case Folder is prepared</u></p>			MR112	<p>b) Forward papers to Sheriff for service on Director of Department of Assessments and Taxation, or his designate.</p> <p>c) Assess proper fee payable to the Department of Assessments and Taxation.</p> <p>Procedures for reissuance of a summons vary. Two methods are described below:</p> <p>a1) Issue same summons form by using stamp extending time for service and setting new date.</p> <p>or</p> <p>a2) Type new summons form.</p> <p>a) Enter name of the attorneys of record in the case.</p>	<p>c) *Assess proper fee. (See page D-56.)</p> <p>NOTE: Some agencies will refuse service if the Corporation's name as set forth in the summons does not correspond directly with their listing. In these instances, the Clerk should contact the attorney.</p> <p>NOTE: Be sure to check for possible new address for second attempt to perfect service.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>b) Enter name of plaintiff(s) and defendant(s), or the party(ies) in an <u>ex parte</u> proceeding and case number.</p> <p>c) Enter a description of the type of pleading.</p> <p>d) Assign a number to each exhibit or attachment and enter a description of each on the case folder.</p> <p>e) Enter date the action is filed; enter Receipt Number.</p> <p>f) Complete Header Form.</p> <p>g) Place Master Form in back of case folder.</p>	<p>b) The names of the parties involved in a case are known as the <u>caption</u>.</p> <p>NOTE: The case folder contains a concise statement of the docket book entries so that a current case history is available.</p> <p>f) See Administrative Section: Automated Courts Status Reporting System. (See pages A-3, A-8.)</p> <p>g) See Administrative Section: Automated Courts Status Reporting System. (See pages A-3, A-8.)</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Responsive or Continued Pleadings filed with Clerk</u></p>			MR300.2	a) - Examine responsive or continued pleadings for the following:	<p>1. See <u>Original Pleadings filed for further discussion of this point.</u></p> <p>2. The proof of service is usually typed by the attorney on the bottom of the pleading. If no admission or proof of service accompanies the responsive pleading, do <u>NOT</u> accept or file the papers.</p> <p>3. This "check" is necessary because there may be more than one proceeding filed between parties.</p>
			MR1217	1. Papers conform with requirements.	
			MR306(a)(2)	<p>2. An admission of proof of service of a copy of all pleadings upon the opposite party or attorney of record.</p> <p>3. Caption and case reference number (docket number) are correct.</p> <p>4. Attorney's signature, office address, and telephone number.</p> <p>5. Proper exhibits are attached or filed with the responsive pleading.</p>	

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Responsive Pleadings processed by Clerk</u></p>			<p>C.J.7-201</p>	<p>6. Requirements for clerk such as issuing process or performing any other duty in processing the pleading. Additional pleadings, responsive or otherwise, may include:</p> <ul style="list-style-type: none"> 1) Motions 2) Demurrers 3) Interrogatories 4) Notice of Deposition <p>7. Advance costs for filing are correct.</p>	<p>7. *Assess costs. Costs for filing in forma pauperis proceedings are authorized by the judge. (See page D-56.)</p> <p>NOTE: Section C.J.7-201 gives authority to the State Court Administrator to prepare a schedule of costs covering all court costs. No Sheriff's fees are included in that schedule. Clerks should refer to this cost schedule when determining proper filing costs.</p> <p>NOTE: Certain information must be placed on the responsive pleadings for identification. Although there is no rule or law governing its placement, such information is usually placed in 1) a preprinted area on the papers or 2) at the bottom of the pleading.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Responsive Pleadings</u> <u>docketed by Clerk</u></p>				<p>Enter the following information:</p> <ol style="list-style-type: none"> 1. Date of filing. 2. Docket and Folio Number. <p>a) Enter name of attorney.</p> <p>b) Enter any supplemental caption if there is one of the following:</p> <ol style="list-style-type: none"> 1. Cross-claim 2. Counter-claim 3. Third-party claim 4. Additional party or corrected party <p>c) Correct any misnomer in the caption. Do <u>NOT</u> cross-out the incorrect names.</p> <p>d) Enter a description of the type of pleading.</p> <p style="text-align: center;">D-22</p>	<p>2. Optional in some courts.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>e) Perform any specific duties required such as issuance of service.</p> <p>f) Check index and index corrected, additional, counter-defendant, or any other party as required.</p> <p>g) Make appropriate entries on case folder and file pleading in case folder.</p> <p>h) Note proper fees in Cost Section of docket.</p>	<p>NOTE: The degree of detail in these descriptions varies among courts. In entering information, the Clerk should strive for clarity and conciseness.</p> <p>e) See Process Issuance.</p> <p>h) *Costs include Sheriff and Attorney Appearance Fees. Deposition costs, as provided by Maryland Rule MR415, are also assessed. (See page D-56.)</p> <p>NOTE: Counter-claims and cross-claims must be filed within fifteen (15) days of the last day for filing and responsive pleadings.</p> <p>Third Party Claim requires issuance of summons, with copies of all pleadings on third party. The defendant also serves a copy of the Third Party Claim on the plaintiff as prescribed by Maryland Rule 306.</p>

CONTINUED

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Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Appearance by Counsel</u>				a) Make appropriate entry for appearance of counsel on docket and case folder. b) Assess appearance fee; not fee in Cost Section of docket.	b) *Disbursement of the appearance fee varies from circuit to circuit. In some circuits the attorney receives the fee; in other circuits, the fee is paid into a library fund. (See page D-56.)
<u>Transfer of Case</u>			MR317, 515		NOTE: Cases may be transferred in the circuit court for the following reasons: =1 Improper venue =2 Improper docket
#1 Improper venue			MR317	a) Prepare entire case record for transmittal to proper venue, including photocopy of all docket entries.	a) The original case papers are transmitted. There is no time limit established by statute for preparation and transmittal of the record.
			Optional	b) Prepare photocopy of entire case record for office file.	

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#2 Improper docket			Courtesy MR515	c) Permit counsel to inspect record before transmittal. d) Forward case record to new court by certified or registered mail, return-receipt requested. e) Make appropriate entries on docket and case folder noting record preparation and transmittal. a) Prepare proper docket and new case folder for case record. b) Cross-reference the transfer on each docket involved.	<p>NOTE: *Although no clerk's fee is set out by statute, some clerks assess a fee equal to the fee charged for transmitting a removed case. (See page D-56.)</p> <p>NOTE: Transfer of a case from one docket to another docket (e.g., Law Docket to Equity Docket) within a Court is permitted only upon Court order.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Removal of Case</u>			MR542	c) Transfer all outstanding costs to the proper docket for collection after final case disposition.	NOTE: All case removals are ordered by the Court. If a law case is removed from a jurisdiction (outgoing removed cases) or if a law case is removed to a jurisdiction, certain procedures are necessary to insure that the case papers are transmitted to the proper jurisdiction.
Outgoing Removals			Optional	<p>Photocopy all original case papers, including docket entries.</p> <p>a) Notify and permit counsel to inspect the record before transmittal.</p> <p>b) Prepare Clerk's Certificate which identifies the papers as the case record.</p> <p>c) Mail complete record within five (5) days from the date of the removal order unless the Court extends the time limit to new jurisdiction by certified or registered mail, return-receipt requested.</p>	Retain the photocopied record for the office file.

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS ...
Incoming Removals				<p>d) Attach return-receipt, when received, to photocopied case record; make appropriate entries on docket and case folder.</p> <p>e) When receive copy of the docket entries from the Court to which the case has been removed, enter information on docket and case folder <u>immediately</u>.</p> <p>f) Assess costs for preparation of the record, including all costs to be collected by the new jurisdiction.</p> <p>g) Complete Master Form and forward to the Administrative Office of the Courts.</p> <p>a) Set removed case for trial as promptly as possible.</p> <p>b) At conclusion of case, send photocopy of docket entries to the Court in which the case was originally instituted.</p> <p>c) Transmit papers to the Clerk of the Court in which the case was originally instituted within five (5) days after the time for appeal expires if no order for appeal has been filed, and within five (5) days after the final determination of the action if an appeal shall have been taken.</p>	<p>f) *Assess proper costs. (See page D-56.)</p> <p>g) See Administrative Section: Automated Courts Status Reporting System. (See page A-3.)</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Dismissal of Case</u>			MR530, 541		NOTE: Cases may be dismissed prior to trial for the following reasons: #1 Lack of Service or Prosecution #2 Voluntary Dismissal
#1 Lack of Service or Prosecution	5	D-61	MR530	a) Prepare and submit notice of dismissal to all counsel; file photocopy of notice in case folder. b) Make appropriate entries on docket and case folder. c) Assess costs against plaintiff(s); enter judgment. d) Assess Clerk's Fee.	d) *Assess proper costs. (See page D-56.)
Motion filed			MR530(c)	Docket immediately any motion for suspension of dismissal rule and present the motion and proposed order to the court for immediate action.	NOTE: The order of suspension shall prescribe the duration and any other terms of the suspension. <u>The filing of a motion does not suspend the operation of this rule; an order of court is mandatory to suspend the operation of this rule.</u> If a timely motion is not filed under this section, relief may be granted under Rule 625 (Revisory Power of Court over Judgment).

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#2 Voluntary Dismissal			MR541	<ul style="list-style-type: none"> a) Make appropriate entries on docket and case folder. b) Collect costs from the party dismissing the action, unless otherwise stipulated. 	<ul style="list-style-type: none"> b) *Assess proper costs. Never enter an Order of Dismissal or Order of Satisfaction unless costs are paid. (See page D-56.)
<u>Funds Paid Into Court</u>			MR325	<ul style="list-style-type: none"> a) Deposit money into bank chosen at Clerk's discretion, unless otherwise directed by Court. b) Obtain a Federal Identification Number to avoid issuing a Form 1099 at the end of the year. c) Make appropriate entries on docket and case folder. 	<p>NOTE: Upon petition, the Court may direct the Clerk to deposit money into Court.</p> <ul style="list-style-type: none"> a) If sums are large enough, the Clerk should place them in an interest-bearing account. b) These funds may be placed with the litigant's funds or separate accounts at the bank.
<u>Security for Court Costs Deposited</u>			MR328	<ul style="list-style-type: none"> a) Place funds in Court's Litigant's Account. b) Make appropriate entries on docket and case folder. 	<ul style="list-style-type: none"> a) These funds may later be applied to court costs.

Law Procedure.

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Assignment of Hearing Date</u>			MR581 -	<p>a) Docket Request for Hearing upon receipt.</p> <p>b) Make appropriate entry on case folder and forward the folder to the Central Assignment Office for docketing and assigning hearing date and time.</p>	NOTE: When all preliminary proceedings have been completed, the case is set on the trial docket for a hearing on the merits of the case by complainant's attorney's filing a Request for Hearing in open court.
			MR1217(g)	<p>NOTE: Whenever a case file is taken from the file drawer, the Clerk notes the following information on an outgoing file card:</p> <ol style="list-style-type: none"> 1. File Removal Date 2. Person Removing File 3. File Return Date <p>The card is inserted in the file drawer in place of the case file. This card system contains a constant record of the case file location.</p> <p>c) When the case file is returned, file the case folder..</p>	

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Witness Summons requested</u>	6	D-62		<p>d) Pull proper case files and insert an outgoing card in drawer to mark the place in the file.</p> <p>e) Forward files to Central Assignment Commission for further processing. The files are then sent to the judge prior to the hearing.</p> <p>a) Date-stamp the request.</p> <p>b) Make appropriate entries on docket and case folder.</p> <p>c) Prepare and issue summons.</p> <p>d) File request in case folder.</p>	<p>NOTE: The Central Assignment Office sends a Master List to the Clerk. This list contains the cases scheduled for hearing on the following day.</p>
<u>Subpoena Duces Tecum requested</u>	6	D-62	MR407	<p>a) Date-stamp request for Subpoena Duces Tecum.</p> <p>b) Prepare Subpoena Duces Tecum using witness summons form; attach copy of request for Subpoena Duces Tecum.</p>	<p>a) Also referred to as a Deposition-Summons.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
			Optional	c) Issue Subpoena Duces Tecum. d) Make appropriate entries on docket and case folder; file request in case folder.	NOTE: *Depositions in evidence shall be taxed as part of the cost, unless the Court directs otherwise. Charges for the deposition not in evidence shall be assessed at the Court's discretion. (See page D-56.)
<p><u>Jury Trial</u> Election for Jury Trial</p>			MR343	a) Date-stamp Request for Jury Trial.	NOTE: Request for Jury Trial must be in writing and separate from other pleadings. If the plaintiff requests a jury trial, the request must accompany the original declaration; other parties desiring a jury trial must submit a request within fifteen (15) days after becoming a party. Some clerks designate a special section of the docket for noting jury trials.

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Courtroom Duties</u></p> <p>Calling the cases</p>			<p>MR343(c)</p>	<p>b) Make appropriate entries on docket and case folder; file request in case folder.</p> <p>a) Call the case. Calling involves the following:</p> <ol style="list-style-type: none"> 1. Read the Case Caption. 2. Read the Case Number. 3. Ascertain the election of trial. <p>b) Record the election of trial on the <u>courtroom docket</u> and the <u>case folder</u>.</p> <p>c) Record all oral or written motions together with the Court's ruling on the case folder.</p>	<p>NOTE: Withdrawal of an election for jury trial is permitted upon receipt of the written consent of <u>all</u> parties, except in cases in which Judgment Default has been entered.</p>
<p>Exhibits</p>				<p>d) Accept into custody and control all exhibits allowed as evidence. Record each exhibit on the Exhibit List and retain each exhibit.</p>	

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Jury Trials</p> <p>#1 Voir Dire</p>				<p>e) Record the judgment imposed by the Court on the <u>courtroom docket</u> and the <u>case folder</u>.</p> <p>In civil jury trials, the Clerk has additional courtroom responsibilities:</p> <ul style="list-style-type: none"> #1 Voir Dire #2 Jury Selection #3 Swearing Jury and Bailiff #4 Retirement of Jury #5 Return of Jury to Jury Box #6 Return of Verdict #7 Polling the Jury <p>After calling roll of jurors, if <u>voir dire</u> is requested, administer the <u>voir dire</u> oath:</p> <ol style="list-style-type: none"> 1. Ask the members of the jury to stand and raise their right hands. 2. OATH: MEMBERS OF THE JURY, YOU AND EACH OF YOU, DO SOLEMNLY PROMISE OR DECLARE THAT YOU WILL TRUTHFULLY ANSWER ALL QUESTIONS PROPOUNDED BY THE COURT. 	<p>Voir dire concerns preliminary questioning of jurors for possible challenging for cause and peremptory challenges.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#2 Jury Selection			MR543	3. Ascertain if any counsel has any questions. a) Give Jury List to each counsel for striking. b) Call selected jurors to take a seat in the jury box. c) Ascertain the acceptability of the jury panel from all counsel.	NOTE: Each attorney is permitted four (4) peremptory strikes.
#3 Swearing Jury and Bailiff.				a) Ask jurors to stand and raise their right hands. b) Administer the following oath: DO YOU, AND EACH OF YOU, SOLEMNLY PROMISE AND DECLARE THAT YOU WILL WELL AND TRULY TRY THE ISSUES JOINED BETWEEN _____, PLAINTIFF(S) AND _____ DEFENDANT(S), AND A TRUE VERDICT GIVE, ACCORDING TO THE EVIDENCE?	

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#4 Retirement of Jury				<p>c) Ask the Bailiff to stand and raise his/her right hand.</p> <p>d) Administer the following oath: DO YOU SOLEMNLY PROMISE AND DECLARE THAT YOU SHALL WELL AND TRULY TAKE THIS JURY TO SOME CONVENIENT ROOM, THAT YOU WILL SUFFER NO ONE TO SPEAK TO THEM NOR SHALL YOU SPEAK TO THEM WITHOUT THE LEAVE OF THE COURT?</p> <p>a) Address the jury panel as follows: MEMBERS OF THE JURY, YOU MAY RETIRE TO THE JURY ROOM FOR YOUR DELIBERATIONS. WHEN YOU HAVE AGREED, RAP ON THE DOOR AND YOU WILL BE READMITTED. THANK YOU.</p> <p>b) Give all exhibits to Bailiff to take to the Jury Room.</p>	<p>c) Optional procedure.</p> <p>d) Optional procedure.</p> <p>a) This procedure occurs after completion of closing arguments and instructions.</p>
#5 Return of Jury to the Jury Box				<p>a) Address the Jury: MEMBERS OF THE JURY, HAVE YOU AGREED UPON (A) VERDICT(S)? WHO SHALL SAY FOR YOU? (Answer: Our Foreman/Forelady.)</p>	

Law Procedure

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#6 Return of Verdict #7 Polling the Jury				<p>b) Ask the Foreman/Forelady to stand and address as follows:...</p> <p>HOW DO YOU FIND AS TO THE FOLLOWING ISSUES: (Name issues.)</p> <p>c) (Foreman/Forelady answers.) Address the jury:</p> <p>HARKEN TO THE VERDICT AS THE COURT HAS RECORDED IT: YOU SAY THAT (read all issues and answers) AND SO SAY YOU ALL.</p> <p>Record verdict on case folder.</p> <p>If a request for polling the jury is made by either counsel, the request should be made before the Clerk harkens to the verdict.</p> <p>a) Address the juror seated beside the Foreman: IS YOUR VERDICT THE SAME AS HIS/HERS?</p> <p>b) Likewise address each juror. If all jurors agree with the verdict read by the Foreman/Forelady, follow the procedure set out in c) above.</p>	

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Judgment of Court is imposed</u></p> <p><u>Court Costs assessed</u></p>			MR604	Assess proper costs from Cost Section of the docket sheet.	<p>NOTE: *Court costs are taxed with the judgment in favor of the prevailing party, unless otherwise directed by the Court.</p> <p>Costs are subject to review by the Court upon proper motion. Since such a motion is considered "Post-Judgment Activity," an additional filing fee is required. (See page D-56)</p> <p>NOTE: Some Courts require additional documentation of courtroom proceedings recorded in a "Minute and Proceedings Docket." Information contained in this record may include:</p> <ol style="list-style-type: none"> 1. Names of full jury panel. 2. Name of Foreman/Forelady. 3. Time case went to jury. 4. Time case returned by jury. 5. Judgment of the Court.
<p><u>Judgment Nisi</u></p>			MR564	a) The Court directs the Clerk to enter a "Judgment Nisi" <u>immediately</u> on docket, together with a record of the events of the hearing.	

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Recording Judgment</u></p>			<p>MR619</p>	<p>b) Enter "Judgment Final" on the docket three (3) days thereafter, and place in Judgments Index unless a Motion for Judgement N.O.V. or Motion for a New Trial is filed.</p> <p>a) On receipt of a judgment, immediately transcribe the appropriate docket entries in the Judgment Index.</p> <p>b) Index the judgment.</p> <p>c) Collect recording fee.</p>	<p>b) All docket entries and Judgment Index entries should contain the particular judge's name enclosed in brackets. e.g., (Judge _____) Information in Judgment Index includes the following:</p> <ol style="list-style-type: none"> 1. Name of person who the judgment is against. 2. Case reference. 3. Amount of the judgment. 4. Date of entry of the judgment. 5. Date of interest. 6. Court costs. <p>NOTE: The Clerk must maintain a permanent record for all judgments entered in his/her Court.</p> <p>c) *Assess proper costs. (See page D-56.)</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Judgment N.O.V. Motion filed			MR620	a) Date-stamp motion. b) Make appropriate entries on docket and case folder; file motion in case folder.	<p>NOTE: All judgments entered in this Court or certified to this Court under Md. Rule 619 constitute a lien to the amount and from the date thereof upon all real estate (of the Judgment Debtor) lying in the county where the judgment is entered.</p>
			MR620 (F)		<p>All notices of liens from the District Court are filed in a docket titled "District Court Notices of Liens." Such notices are indexed the same as any other judgment, including any subsequent action on that lien. *A recording fee is charged by the Clerk.</p>
			MR563		<p>NOTE: Applying solely to jury cases, the Motion of Judgment Notwithstanding the Verdict (N.O.V.) must be filed three (3) days after the verdict is returned by the jury. Such a motion may be joined with a Motion for a New Trial.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>New Trial Motion</u> <u>Filed</u></p>			<p>MR567 MR625</p> <p>MR8</p>	<p>NOTE: If a motion is filed, the Court will proceed by one of the following:</p> <ol style="list-style-type: none"> 1. Deny motion and direct entry of Final Judgment. 2. Grant motion and grant a new trial. 3. Grant a partial new trial. 4. Open Judgment Nisi. 	<p>NOTE: The Motion for a New Trial must be filed <u>in writing</u> within three (3) days of the Judgment Nisi. The Court may grant a new trial within thirty (30) days of the Judgment Absolute under its revisory powers if new evidence is discovered beyond the three day period.</p> <p>4. This procedure is the first step in declaring a judgment.</p> <p>NOTE: Time computations are extremely important. See MR8 which disallows day of entry, Saturdays, Sundays, legal holidays, and days on which the Court is not open for a complete day.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>NOTE: "Rule 8. TIME--COMPUTATION--SATURDAY, SUNDAY AND LEGAL HOLIDAY.</p> <p>a. Computation of Time After an Act, Event or Default.</p> <p>In computing any period of time prescribed by these Rules or order of court, or by any applicable statute, the day of the act, event, or default, after which the designated period of time begins to run is not to be included. Saturdays, Sundays and legal holidays shall be counted when the prescribed period is more than seven days; otherwise these days shall not be counted. When the last day so computed would fall on a Saturday, Sunday or legal holiday, the period shall extend to the first day thereafter not one of these days. For the filing of papers in court, if the office of the clerk is not open during its regular hours on the last day of the period, the papers shall be filed on the next day thereafter when the office of the clerk is so open.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>b. Computation of Time Prior to a Day, Act or Event.</p> <p>In determining the latest day for performance of an act which is required by these Rules or order of a court, or by any applicable statute, to be performed a prescribed number of days prior to a certain day, act or event, all days prior thereto, including intervenening Saturdays, Sundays and legal holidays, shall be counted in the number of days so prescribed. The latest day shall itself be included in such determination unless it is a Saturday, Sunday or a legal holiday, in which event the latest day shall be the first preceding day which is not a Saturday, Sunday nor a legal holiday.</p> <p>(Amended July 1, 1974; May 5, 1976, effective July 1, 1976.)"</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Judgment by Court</u>			MR601	a) When the parties consent and direct the Clerk, enter the Judgment. b) Make appropriate docket entries. c) Index judgment in the Judgment Index. d) Collect Clerk's Fee.	d) *Assess proper fee. (See page D-56.)
<u>Order of Satisfaction received</u>			MR603	a) Date-stamp the order. b) Make appropriate docket entries. c) Index order on Judgment Index; make appropriate marginal notation. d) File order in case folder. e) Collect Clerk's Fee.	e) *Assess proper fee. (See page D-56.)

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Summary Judgment</u>			MR610	<p>a) Date-stamp the original papers which include:</p> <ol style="list-style-type: none"> 1. Declaration 2. Motion for Summary Judgment 3. Notice to Defendant 4. Affidavit in Support of Summary Judgment 5. Statement of Account <p>b) Prepare case folder and docket.</p> <p>c) Assign case number.</p> <p style="text-align: center;">D-45</p>	<p>NOTE: A party may make a Motion for Summary Judgment at any time if there is no genuine dispute as to any material fact as a matter of law, the party is entitled to judgment.</p> <p>A motion does not affect time for pleading unless Court orders otherwise.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Judgment by Default</u></p>	<p>7</p>	<p>D-63</p>	<p>MR611</p>	<p>d) Prepare and issue summons to defendant.</p> <p>e) When Order of Court on the plaintiff's Motion for Summary Judgment is received, date-stamp the order; place order in case folder.</p> <p>f) Make appropriate entries on docket, case folder, and Judgment Index.</p> <p>a) After the case hearing, make appropriate entries on docket and case folder.</p> <p>b) Prepare Notice of Judgment by Default to the defendant; place photocopy of the notice in the case folder.</p> <p>c) Mail notice to the defendant.</p> <p>D-46</p>	<p>NOTE: No responsive pleading is usually filed.</p> <p>a) The Court has revisory powers to strike its decision within thirty (30) days. (MR625)</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Attachment	8	D-64	MR622	<p>d). If the notice is returned, file the notice and envelope in the case file; make appropriate docket entry.</p> <p style="text-align: center;">D-47</p>	<p><u>NOTE:</u> A judgment creditor or assignee may execute on a judgment at any time within twelve (12) years from the date of entry of a judgment. The attachment may be issued out of the original Court to the Sheriff of another country, returnable to the Clerk of that county, OR a certified copy of the docket entries may be forwarded to the county in which the execution is requested.</p> <p>An attorney will request the issuance of an attachment. A <u>debt must have been recorded before an attachment can be issued.</u> The attorney tells the Clerk what is to be attached. Md. Rule 5(g) defines "person" (filing an attachment) as "any natural person, partnership, joint stock company, unincorporated association, or society, or municipal or other corporation of any character whatsoever."</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Attachment by Garnishment	9	D-65	MR623; Subtitles F, G	<p>a) Set up new case for each attachment.</p> <p>b) Place number of new attachment case on original case folder.</p> <p>c) Make appropriate docket entries, including the following information:</p> <ol style="list-style-type: none"> 1. Amount of the <u>Debt</u>. 2. Amount of the <u>Court Costs</u>. 3. Date of the <u>Interest</u>. <p>d) Complete attachment form; photocopy attachment form and attorney's request form.</p> <p>e) Forward original forms to Sheriff for execution, keeping photocopies for the case folder.</p> <p>f) Collect Clerk's fee.</p> <p>g) Index the proceeding in the Attachment Index.</p> <p style="text-align: center;">D-48</p>	<p>a) See Original Papers filed section. In addition to the defendant's name in the case caption, there should also be the name of the <u>garnishee</u>.</p> <p>f) *Assess proper fee. (See page D-56.)</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Fieri Facias	10	D-66			NOTE: Some counties issue an attachment out of the original judgment as a supplemental proceeding rather than set up a new action.
Renewal of Judgment by Scire Facias			MR624 MR BT	<p>NOTE: Follow same procedure as set out in Attachment by Garnishment section, above, using FI Fa form.</p> <p>a) Set up case with new case number, but use case caption and amount of debt and interest from the original judgment.</p> <p>b) Forward case folder to Judge for entry of the renewal order.</p> <p>c) Enter judgment on the docket containing the entry of the original judgment.</p> <p>d) Index the judgment.</p> <p>e) Collect Clerk's fee.</p>	<p>NOTE: A judgment is good for twelve (12) years. The attorney must request the Court to enter an order to renew a judgment.</p> <p>a) Case caption and original debt with interest is taken from the docket book.</p> <p>e) *Assess proper fee. (See page D-56.)</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Revised Judgment</u>			MR625	a) Date-stamp papers and place in case folder. b) Make appropriate entries on docket and case folder. c) Collect Clerk's fee, if appropriate. d) Forward case folder to Judge.	<p>NOTE: Make case cross-references on each case for ready reference. Action in Scire Facias proceedings are not barred by twelve-year limitation statute unless the Judgment Debtor objects. Upon entry of Judgment Fiat Absolute the Clerk immediately re-indexes the judgment in the Judgment Index. If the judgment has been granted after the twelve-year limitation, it exists only from date of issuance of the writ.</p> <p>NOTE: A motion to revise a judgment may be filed within thirty (30) days after the entry of a judgment.</p> <p>c) *Assess proper fee. (See page D-56.)</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Papers Filed In Aid of Execution and Supplementary Proceedings</u>			MR627-8	<ul style="list-style-type: none"> a) Date-stamp papers and place in original case folder. b) Make appropriate entries on docket and case folder. c) Prepare photocopies of appropriate papers; forward to Sheriff for service. d) Collect Clerk's fee. 	
<u>Confessed Judgments</u>	11	D-67	MR645	<ul style="list-style-type: none"> a) Set up new case. b) Collect appropriate filing, appearance, and Sheriff fees. c) Make appropriate entries on docket and case folder. d) Prepare summons; forward to Sheriff for service. 	<ul style="list-style-type: none"> d) *Assess proper fee. (See page D-51) <p>NOTE: A confessed Judgment should be docketed on the same day it is received.</p> <ul style="list-style-type: none"> a) See <u>Original Papers filed</u> section

D-51.

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Verdict below Jurisdictional Amount			MR653	e) Place on Judgment Index <u>immediately</u> . Enter the judgment in the amount of the verdict or award using the same procedures set out in the <u>Recording Judgment</u> section.	NOTE: Complete both the Header and the Master Report Forms at the same time in these cases. See <u>Recording Judgment</u> section.
Declaratory Judgment			MR613; C.J. 3-401- 3-415	Follow procedures set out in <u>Original Papers filed</u> section.	
U.S. Tax Lien received				a) Date-stamp the tax lien. b) Enter number from Master List on top of lien. c) Index the lien in Judgment Index and U.S. Tax Lien Book using information contained in the lien. d) Record original tax lien. e) At the end of each month, prepare bill for total tax lien recording fee for the Internal Revenue Service.	a) This lien recorded by the Recording Department in some counties. e) *Assess proper recording fees. When payment is received, make notation on the appropriate index pages, noting the receipt number. (See page D-56.)

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Certificate of Satisfaction is filed</p> <p><u>Maryland Tax Lien received</u></p>				<p>f) After preparing bill, file the lien in numerical order in a separate file.</p> <p>a) Make appropriate notation on index.</p> <p>b) Record satisfaction.</p> <p>c) Index in the lien book containing the original instrument <u>and</u> in the Judgment Index.</p> <p>d) At the end of each month, prepare bill for total satisfaction recording fee for the Internal Revenue Service.</p> <p>NOTE: Procedures for recording state tax liens/satisfactions follow those set out in U.S. Tax Lien received section above, except for the following:</p> <ol style="list-style-type: none"> 1. Prepare bill for recording costs only after satisfaction is recorded. 	<p>NOTE: The procedure set out above applies also to the filing of releases.</p> <p>a) Some Courts use a "Satisfied" stamp for this purpose.</p> <p>d) *Assess proper recording fee. When payment is received, make notation on the appropriate index pages, noting the receipt number. (See page D-56.)</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>District Court Lien and Modifications received</u></p>			<p>MR620 (F)</p>	<p>2. Assign number to tax lien from the docket book; no Master List is maintained.</p> <p>NOTE: Procedures for recording District Court liens/modifications follow those set out in <u>Maryland Tax Lien received</u> section above, except the recording fee is collected <u>before</u> the lien is recorded.</p>	<p>NOTE: Since there are no land records maintained in the District Court, liens are forwarded for recordation to alert attorneys or title searchers that there are liens against an individual.</p> <p>NOTE: No fieri facias or attachments can be issued on a District Court Lien by the Circuit Court.</p>
<p><u>Exhibits</u></p>			<p>MR1217</p>	<p>a) Mark exhibits, in courtroom, if admitted into evidence.</p> <p>b) Maintain a card index showing <u>case reference and list of exhibits</u>.</p> <p>c) Place large, bulky exhibits in the Property Room; place small exhibits in case folder.</p> <p>D-54</p>	<p>b) This index is used as a control in disposing of exhibits.</p>

Law Procedure

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
	12	D-68		d) After time for appeal has expired, send form letter to attorney advising him to pick up any exhibits he desires to retain. e) Obtain receipt from attorney for exhibits. f) Destroy "unclaimed" exhibits.	

D-55

COST SCHEDULE

COURT COSTS EFFECTIVE JUNE 1, 1975

Schedule of court costs and charges established pursuant to Court Articles C.J. 7-202:

ADVANCED FILING FEES

COMMENTS

Clerk's

\$40.00

New proceedings, plus appearance fee of \$5.00 and advanced Sheriff's costs (\$5.00) for each party to be served in Prince George's County

\$10.00

Counter-claim, cross-claim, cross-bill or third party claim

\$10.00

Filing a petition or motion to hold a person in contempt, after final decree

\$ 2.00

Entering an order of satisfaction of a judgment rendered by a magistrate's court or a people's court before July 5, 1971.

\$ 5.00

Recording a judgment rendered by a magistrate's court or people's court before July 5, 1971.

\$25.00

Preparation of the record on appeal.

\$ 2.00

Filing an order of satisfaction other than an order of satisfaction of a judgment rendered by a magistrate's court or people's court before July 5, 1971.

\$ 3.00

Receiving, filing, indexing, and entering a federal tax lien, or filing and entering a release or waiver of a federal tax lien (see section 3-404 of the Real Property Article).

\$ 5.00

Receiving from the District court and filing and indexing a notice of scire facias, lien of judgment, lien of attachment or modification of lien of attachment.

Court Costs (continued)

Page 2

ADVANCED FILING FEES

COMMENTS

Clerk's

\$ 3.00

Recording proceedings in judicial records.

\$ 3.00 + reasonable
cost of production.

Certification or exemplification of any court
paper.

Hospital Lien

\$ 2.00

For docketing.

\$ 2.00

For releasing.

CLERK OF CIRCUIT COURT

Phone

1977 RECEIPT

- () Finance Statement
- () Continuation Statement
- () Termination Statement
- () Amendment
- () Deed
- () Mortgage
- () Assignment
- () Mortgage Release
- () Law
- () Criminal
- () Equity
- () Civil Marriage
- () Marriage Application
- No. _____
- * Time _____

* OFFICE HOURS
 Monday thru Friday— A.M. to P.M.
 Closed Saturdays, Sundays and
 All Legal Holidays

Paid By: CHECK CASH
Refund \$ _____
 Cashier _____

Legend
 RF—Recording Fee
 RT—Recardation Tax
 TT—Transfer Tax
 MA—Marriage
 LC—Law, Equity, Criminal—Clerk
 LO—Law, Equity, Criminal—Others
 LI—Licenses
 MI—Miscellaneous

Form #1

CIRCUIT COURT FOR
 MARYLAND
 PHONE

STATEMENT OF COSTS

LAW () _____ 19____
 EQUITY () _____
 CRIMINAL () _____
 OTHER () _____ CASE NUMBER _____

_____ VS. _____

CLERK'S FEES (INCLUDING DOCKET ENTRIES) \$ _____
 SHERIFF - COUNTY \$ _____
 OTHER _____
 WITNESS FEES _____
 ATTORNEY FEES
 PLAINTIFF _____
 DEFENDANT _____
 FINES
 C.I.C. _____
 OTHER _____
 FORFEITURE _____
 OTHER \$ _____
 TOTAL \$ _____

RECEIVED FROM: _____

CLERK OF THE CIRCUIT COURT
 FOR

CHECK () CASH () By: _____

SUMMONS
 CIRCUIT COURT FOR

No. LAW DOCKET No.

You are Hereby Commanded to Summon _____

to appear before the Circuit Court for _____ to be held at the Court House, in
 on the First Monday of _____ next, to answer an action at the suit of _____

Witness the HON. _____ Chief Judge of the _____ Judicial Circuit of Maryland,

this _____ day of _____, 19____

Issued the _____ day of _____, 19____

TO THE PERSON (S) SUMMONED:

Personal attendance in Court on the day named in the summons is not required. If you fail to assert a defense on or before _____, 19____, the plaintiff may obtain judgment by default against you.

Plaintiff's Attorney (s)

Name _____

Address _____

(Seal of Court)

Clerk

RETURN OF SERVICE

Summoned _____ Sheriff's Fee \$ _____
 and delivering a copy of this summons and the attached _____ by personal service
 on _____ this _____ day of _____ 19____

By: _____ Non Est _____
 Deputy Sheriff or other _____ Other _____

ATTEMPTS AT SERVICE
 Date _____ Time _____

SHOW CAUSE ORDER

(CAPTION)

ORDERED, this ____ day of _____, 19____,

by the _____ Court of/for _____ City/County,

Maryland, that the defendant C.D. be and hereby is directed

to appear in person before this Court on the _____

day of _____, 19____.

at _____ M. and show cause why the relief prayed in

the petition (bill of complaint, declaration, motion, etc.)

should not be granted, provided a copy of the petition

(bill of complaint, declaration, motion, etc.) and of this

Order be served on the defendant or his attorney on or

before the _____ day of _____, 19____.

 Judge

SHOW CAUSE ORDER

(CAPTION)

ORDERED, [by the Court,] this [15th] ____ day of

[August, 1960] _____, 19____, by

the _____ Court of/for _____

City/County, Maryland, that the defendant C.D. show cause

on or before the [30th] ____ day of [August, 1960] 19____,

why the relief prayed in the [foregoing motion] petition

(bill of complaint, declaration, motion, etc.) should not

be granted, provided a copy of the [motion] petition

(bill of complaint, declaration, motion, etc.) and of this

Order be served on the [said] defendant or his attorney on

or before the [20th] ____ day of [August, 1960] _____,

19____.

 Judge

IN THE CIRCUIT COURT FOR

Plaintiff

LAW-EQUITY

vs.

Defendant

CASE NO. _____

NOTIFICATION TO PARTIES OF CONTEMPLATED DISMISSAL

"No proceedings of record in the above-styled action having been taken within a period of eighteen months or more, where applicable, counsel of record are hereby notified, as provided by Maryland Rule 530, that an Order of Dismissal and Judgment for Costs for lack of prosecution will be entered after the expiration of thirty (30) days as computed according to provisions of this rule, unless prior to the expiration of said thirty (30) days a motion for suspension is filed pursuant to section c of Maryland Rule 530."

Clerk

Copy of notice mailed to:

☐ _____ ☐
☐ _____ ☐

THE CIRCUIT COURT FOR



To the Sheriff of _____

You are hereby commanded to summon:

No. _____

At the request of _____

To appear on _____

before the Judges of our Court to testify for _____

Date Issued _____

Clerk

RETURN OF SERVICES

Summoned _____ by personal service

this _____ day of _____, 19 _____

By: _____ Non Est. _____

Deputy Sheriff or other _____ Other _____

ATTEMPTS AT SERVICE

Date _____ Time _____

Sheriff's costs \$ _____

TO SHERIFF:
YELLOW COPY SHOULD BE LEFT IN THE HANDS OF INDIVIDUAL BEING SUMMONED

In the Circuit Court for

, Maryland

vs.

No. _____ Law Docket No.

_____ Term, 19____

ORDER OF COURT ON PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

Let Judgment for the Plaintiff be entered as prayed.

Judge

_____, 19____

Upon legal and satisfactory proof of the correctness and amount of the claim for which the above suit was brought, being produced to the Court,

IT IS ORDERED, this _____ day of _____, 19____, that the Judgment by default in this case be extended for _____

(\$ _____), damages assessed by the Court with interest from date and costs of suit.

Judge

IN THE CIRCUIT COURT FOR

VS.

No.	Law Docket No.	, 19
No.	Magistrate Judgment	
Judgment for	\$	
Interest from		
Costs	\$	
Attorneys' Commission	\$	
All Exemptions waived		
Judgment entered		
Test:		
		Clerk

The Clerk will enter the above Judgment satisfied

_____ 19_____

THE STATE OF MARYLAND,

, to-wit:

To the Sheriff of _____, Greeting.

WHEREAS, at a Circuit Court begun and held at _____, in and for said _____, on the _____ Monday of _____ in the year of our Lord one thousand nine hundred and _____ a certain _____

by judgment of said Court, recovered against a certain _____

late of _____, as well the sum of _____

for _____ costs and charges by _____ about _____ suit in that behalf laid out and expended, Whereof the said _____

convict as it appears of record:

Therefore you are hereby commanded to attach, seize, take and safe keep, the lands, tenements, goods, chattels, and credits of the said _____

_____ which shall be found in your bailiwick, to the value of, as well the sum of _____

as the sum of _____ dollars for the cost and charges which may or shall accrue in the premises; and when you have the same so attached, or any part thereof the same in your custody safekeep, so that you have the same before our next Circuit Court, to be held at the Court House, in _____, on the _____ then and there to be condemned,

according to the Acts of Assembly aforesaid, to and for the use of the said _____

unless _____ the said _____

attorney shall appear and answer unto the said _____

in a plea as aforesaid _____

according to law: you are likewise commanded, "to make known to each person or persons in whose hands or possession the said lands and tenements, goods, chattels and credits, so attached, are, if to him or them shall seem meet, to be and appear, on the day and at the place aforesaid, before the said Circuit Court, to show cause why such lands and tenements, goods, chattels and credits, so attached as aforesaid, should not be condemned, and execution thereof had and made, as in other cases of recoveries and judgments given in Courts of record," according to the directions of the Acts of Assembly aforesaid; and that you make it appear unto the said Court, at the place and on the day aforesaid, in what manner you shall execute this writ; and have you then and there this writ.

Witness the Hon. _____ Chief Judge of our said Court, the _____ day of _____, 19____

Issued the _____ day of _____, 19____

_____ Clerk.

NO.

LAW NO.

ATTACHMENT BY WAY OF EXECUTION

Attachment by way of Execution

Debt _____

Interest from _____

Costs _____

Attys. Commissions _____

No.

Law Docket No.

WRIT OF FI FA
CIRCUIT COURT FOR
STATE OF MARYLAND

Case No. _____

Docket No. _____

TO THE SHERIFF OF WASHINGTON COUNTY, Greeting:

WHEREAS, at a sitting of the Circuit Court for _____ begun and held at
the Court House in the City of _____ on the first Monday in _____ in the
year of our Lord one thousand nine hundred and _____, by
judgment of this court, a certain _____
recovered against a certain _____
the sum of \$ _____ and attorney's commission of \$ _____, with
interest from the _____ day of _____, 19 _____, plus costs of
\$ _____, as it appears of record:

THEREFORE, you are hereby commanded, that of the goods and chattels, lands and
tenements of the said _____
being in your bailiwick, you cause to be made and levied the debt, cost and charges
aforesaid, and have you those sums before the said Circuit Court for
to be held at the Court House in _____ on the first Monday of _____
next, to render unto said _____
_____ the debt, costs and charges aforesaid. Hereof, fail not at your peril, and have you then and
there this writ.

WITNESS, the Honorable _____ Chief Judge of our said Court, the
_____ day of _____, 19 _____
Issued, the _____ day of _____, 19 _____

(Court Seal)

Clerk

NO.

JUDICIALS 19

FI FA

Fi Fa _____

Debt _____ \$

Attys. Commissions _____ \$

Interest from _____

Costs _____ \$

No. _____ Law Docket No. _____

SUMMONS In The Circuit Court For

_____	No.	LAW DOCKET No.	19____
_____	Judgment for		\$ _____
_____	Interest from		\$ _____
_____	Costs		\$ _____
_____	Attorney's Commission		\$ _____
_____	All Exemptions Waived		
_____	Judgment Entered		

VS.

Plaintiff's Attorney _____
 Defendant's Attorney _____

to-wit:

The State of Maryland to _____

 _____ of _____, Greeting:

YOU ARE HEREBY COMMANDED, That all excuses set apart, you appear before the Circuit Court for _____ within thirty days after the service hereof, to show cause, if any you have, why the judgment as above, now appearing of record against you should be vacated, opened or modified.

Witness the Hon. _____, Esquire, Chief Judge of the said Court, this _____ day of _____, 19____.
 Issued the _____ day of _____, 19____.
 Returnable the First Monday of _____, 19____.
 _____ Clerk

NOTE: If the judgment is correct and you do not wish to contest it you need not appear. The judgment will become absolute thirty days after the service of the summons.

No. LAW DOCKET No.

XX

SUMMONS

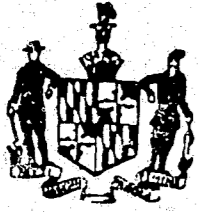
XX

VS.

XX

Action Assumpsit:
Narr, Note & Agreement filed:
Judgment by Confession:
 Summon Defendant(s)

Attorneys for Plaintiff



CLERK OF THE CIRCUIT COURT

Form #12

PHONE

CLERK

NOTICE UNDER MARYLAND RULE 1217 f (2)
EXHIBITS FILED DURING TRIAL

All exhibits introduced into evidence or marked for identification during the trial of a case, and not filed as a part of or with the pleadings, shall be retained by the clerk of court or such other person as may be designated by the Court.

After either the time for appeal has expired, or in the event of an appeal, the mandate has been received by the clerk, the clerk shall send written notice to all counsel of record advising them that if no request to withdraw such exhibits is received within ten (10) days from the date of notice, the exhibits will be disposed of. Unless such a request is received by the clerk within ten (10) days from the date of notice, or unless the court within such period shall order otherwise, the clerk shall dispose of the exhibits in such manner, including destruction, as may be appropriate.

, Clerk

APPEALS

8

8

9

APPEALS CHAPTER

Forms List

APPEALS

- 1 Notice of Appeal
- 2 Transcript of Record (to the Court of Special Appeals)
- 3 Index (Table of Contents)
- 4 Docket Entries sheet
- 5 Clerk's Certification sheet
- 6 Mandate--Court of Special Appeals
- 7 Writ of Certiorari
- 8 Transcript of Record (to the Court of Appeals)
- 9 Mandate--Court of Appeals
- 10 Disposition Sheet (from Court of Appeals with Records Return Receipt)

CONTINUED

6 OF 9

Appeal Procedure
ACM (1957) Chapter 1000--Appeals to Court of Special Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Procedure for Appeal Initiation</u>	1	E-28	MR1011	<p>a) Date-stamp the Notice of Appeal. Check to see that all parties have been served.</p> <p>b) Make appropriate docket entry.</p> <p>c) Collect filing costs for deposit. Do not transmit record until filing costs and clerk's preparation costs are paid.</p>	<p>NOTE: The sole method of securing review by the Court of Special Appeals is by appeal.</p> <p>a) The appellant files a Notice of Appeal with the clerk of the lower court. Proof of service to all parties must be shown.</p> <p>c) *Assess costs. See Board of Public Works Fee Schedule in Courts Article for prescribed filing fee. This fee is paid to the Clerk of the Court of Special Appeals when the record is transmitted. (See page E-24.)</p>
<u>Time for Filing An Appeal</u>			MR1012		<p>NOTE: An order or notice of appeal must be filed within thirty (30) days after the date of the judgment which is being appealed. There are two exceptions:</p> <p>1. Orphans Court--within thirty (30) days from date of verdict or, if a motion for a new trial is filed, then thirty (30) days from date the motion was denied, overruled, or dismissed.</p>

Appeal Procedure
 ACM (1957) Chapter 1000--Appeals to Court of Special Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Striking of Appeal by Lower Court</u></p>			<p>MR8</p> <p>MR1013</p>		<p>2. <u>Criminal Case</u>--if motion for a new trial is filed, within thirty (30) days from date the motion was denied, overruled, or dismissed, or within thirty (30) days of the date of judgment, <u>whichever is later</u>.</p> <p>NOTE: If an appeal has been filed by one party, any other party may file an order for appeal within ten (10) days of the first notice of appeal or within thirty (30) days of the date of judgment, <u>whichever is later</u>.</p> <p>NOTE: The lower court may strike the appeal for any of the following causes:</p> <ol style="list-style-type: none"> 1. Notice of appeal not timely filed. 2. Neglect or omission by appellant to pay costs for record preparation. 3. Failure to deposit filing fee. 4. Failure to transmit the appeal record within the prescribed time limits by reason of neglect or omission on the part of appellant.

Appeal Procedure
ACM (1957) Chapter 1000--Appeals to Court of Special Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Time for Transmitting Record</u>			MR1025	<p>a) Transmit the record, as soon as possible to the Clerk of the Court of Special Appeals by one of two methods:</p> <ol style="list-style-type: none"> 1. Personal delivery 2. Certified or Registered mail, return-receipt requested <p>b) If an extension of time for transmitting the record is required, date-stamp and file the application (for extension of time).</p>	<p>a) The complete record of the appealed case must be transmitted to the Court of Special Appeals as soon as possible, but no later than sixty (60) days after the first notice of appeal, unless the transmittal time has been extended.</p> <p>b) The application for extension of time should be timely filed with the Court of Special Appeals, <u>i.e.</u>, no later than sixty (60) days after the first notice of appeal is filed.</p> <p>NOTE: If the record has not been transmitted in the prescribed time, the appellant must include in the record an affidavit stating that through neglect, omission, or inability of a judge of the Court of Appeals, the clerk of the lower court, court stenographer, or the appellee, the record transmittal was delayed.</p>
<u>Record on Appeal</u> Contents of Record			MR1026	<p>a) Include the following items in the appeal record:</p> <ol style="list-style-type: none"> 1. Original papers, including all exhibits. <p style="text-align: center;">E-3</p>	<p>1. If it is necessary for the lower court to retain the original papers, the clerk may substitute certified copies of the original papers for transmittal of the record.</p>

Appeal Procedure
 ACM (1957) Chapter 1000--Appeals to Court of Special Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Form of Record	2	E-28		2. Transcript of testimony. 3. Certify copies of all docket entries. 4. Statement of costs. a) Place original case papers in a binder(s). b) Number each page sequentially. c) Prepare cover page. E-4	2. Unless a copy of the transcript is already on file with the original papers, the appellant must order, in writing, a transcript from the court stenographer within ten (10) days after the notice of appeal has been filed. 3. Copy of docket entries are sent to each attorney of record. 4. *Assess costs. Costs include: (a) Preparation/Certification of record (b) Amount of costs taxed against each party (c) Preparation of transcript and transcript copy, if any. (See page E-24.) a) Many clerks use brown pressboard binders (with holes punched at the binder top) and Acco fasteners; other clerks use the original case folder. b) Pages of the transcript do not have to be re-numbered.

Appeal Procedure
 ACM (1957) Chapter 1000--Appeals to Court of Special Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
	3	E-29		d) Prepare typed index of appeal record contents including the following information: 1. Case caption 2. Case number 3. List of contents with corresponding page numbers	d) The index may also be referred to as the Table of Contents.
	4	E-30		e) Prepare list of docket entries, including the following information: 1. Case caption 2. Case number (docket number) 3. List of docket entries by title, number, and date	
	5	E-31		f) Prepare Clerk's certification. g) Arrange the contents of the record in the following order: 1. Cover page 2. Index (Table of Contents) 3. Docket entries sheet(s) 4. Original paper, including exhibits	f) The certification page must bear the Seal of the Court. 4. Bulky or large exhibits are not placed in the binder with the appeal record. Such exhibits are forwarded separately to the Court of Special Appeals. In many instances, the clerk of the lower court (or his/her agent) personally delivers large exhibits to the Clerk of the Court of Special Appeals. This personal delivery insures safe transmittal of the exhibits.

Appeal Procedure
 ACM (1957) Chapter 1000--Appeals to Court of Special Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Statement in lieu of pleadings and evidence				<p>h) Transmit record to Clerk of Court of Special Appeals.</p> <p>i) Send copies of docket entries to each attorney of record.</p> <p>NOTE: With the approval of the lower court, the parties may prepare and sign a "statement of the case in lieu of the pleadings and evidence." This statement supercedes all parts of the record except the 1) judgment appealed from the lower court and 2) the opinion of the lower court. In these instances:</p> <p>a) Certify as the record on appeal the following:</p> <ol style="list-style-type: none"> 1. Statement (of the parties) in lieu of the pleadings and evidence. 2. Judgment appealed from the lower court. 3. Opinion rendered by the lower court. 	<p>NOTE: Some circuit courts place "tabbed" dividers between sections of the record to facilitate locating relevant material.</p> <p>Some clerks notify counsel to inspect the record before mailing.</p> <p>No approval of the case record by the lower court is required for transmitting the record to the Court of Special Appeals.</p>

Appeal Procedure
 ACM (1957) Chapter 1000--Appeals to Court of Special Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Corrections to Record</u>			MR1027	<p>NOTE: A correction to the record on appeal may be needed after the record is transmitted to the Court of Special Appeals. The Court of Special Appeals notifies the appropriate lower court, by order, to transmit the proper corrections.</p> <p>a) Date-stamp order and place in original case folder.</p> <p>b) Prepare certified copies of the appropriate parts of the record and transmit them to the Court of Special Appeals.</p>	
<u>Return of Original Papers</u>	6	E-32	MR1077	<p>a) Sign receipt for record from Court of Special Appeals; return it to the Clerk of the Court of Special Appeals.</p> <p>b) Return record to the file.</p>	<p>NOTE: Unless otherwise directed, the record on appeal is returned to the appropriate lower court at the time the mandate of the Court of Special Appeals is issued.</p>

Appeal Procedure
 ACM (1957) Chapter 1000--Appeals to Court of Special Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Stay of Execution of Final Judgment in Civil Cases</u>			MR1017	a) Accept supersedeas bond for recording. b) Prepare receipt for recording.	NOTE: An appellant may stay the execution of a civil judgment by filing a supersedeas bond in the case from which an appeal is taken. (See Md. Rule 1017 for exceptions.) The bond may be filed with the Clerk of the lower court anytime prior to the satisfaction of the judgment. a) See <u>Approval of Supersedeas Bond</u> section below. b) *Assess costs. (See page E-24.) NOTE: If the judgment has been partially executed prior to the filing of the supersedeas bond the clerk of the lower court will issue a supersedeas to the Sheriff or other officer to stay further proceedings and surrender any property which may have been seized in the course of such execution.
			MR1018		NOTE: A supersedeas bond filed pursuant to Rule 1017 shall continue in effect pending review of the case by the Court of Appeals.

Appeal Procedure
 ACM (1957) Chapter 1000--Appeals to Court of Special Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Deposit in Lieu of Sureties on Superseas Bond			MR1021		NOTE: In lieu of sureties on a superseas bond which has been filed, money in an amount equal to the amount of the bond may be deposited with the clerk of the lower court.
<u>Stay of Execution of an Interlocutory Order</u>			MR1019		NOTE: If a party wishes to stay the operation or execution of an interlocutory order previously entered in an action on appeal from a final judgment, he must file a written statement of his intention with the clerk of the lower court and give bond as prescribed by the lower court.
<u>Approval of Superseas Bond</u>			MR1020	Approve amount of bond and surety.	NOTE: When the amount of the superseas bond has been agreed to by the parties, and surety has been approved by the clerk of the lower court, further approval by the lower or appellat courts is not necessary. When the parties cannot agree to the amount of the bond, then the amount and surety will be approved by the clerk of the lower court. Determine if a Certificate of Compliance from the State Insurance Commission is filed in the Clerk's Office.

Appeal Procedure
 ACM (1957) Chapter 1000--Appeals to Court of Special Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Objection filed				a) Date-stamp objection and file in case folder; make docket and case folder entries. b) Set for hearing and prepare notice to parties; forward to Sheriff for service.	NOTE: If a party objects to the amount of the bond or surety approved by the clerk, this objection must be made in writing to the lower court. NOTE: The lower court will then fix the amount of bond and approve the surety at the hearing. Either party may request, if not satisfied, review by the Court of Special Appeals. See <u>Procedures for Appeal Initiation</u> .
<u>Post Conviction Records</u>			MR1093; BK46(c)	a) Upon notification from the Clerk of the Court of Special Appeals, date-stamp and file the notice; make the appropriate docket and case folder entries; prepare the record for immediate transmittal by placing the following in a binder: 1. Petition 2. State's Attorney's answer or motion 3. Any subsequent pleadings	a) Some courts do not use special binders, but transmit the case papers in the original case folder.

Appeal Procedure
 ACM (1957) Chapter 1000--Appeals to Court of Special Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				4. Order and memorandum of the court 5. Stenographic transcript only included if ordered by the Court of Special Appeals 6. Copy of criminal docket entries b) Number each page sequentially.	
	3	E-29		c) Prepare typed index of record contents.	c) See <u>Record on Appeal, Form of Record, d)</u> .
	4	E-30		d) Prepare list of docket entries.	d) See <u>Record on Appeal, Form of Record, e)</u> .
	5	E-31		e) Prepare Clerk's certification.	e) The certification must bear the Seal of the Court.
				f) Transmit record to the Clerk of Court of Special Appeals.	f) Transmit the record by either of the following methods: 1. Personal delivery 2. Certified or Registered mail, return-receipt requested.
<u>Defective Delinquents</u>			MR1094	The application to be filed by either of the following: 1. Defendant 2. State E-11	NOTE: An application for leave to appeal in a defective delinquent proceeding must be filed with the Clerk of the lower court within thirty (30) days from the date of the order appealed from. The Public Defender or privately retained counsel usually files this application.

Appeal Procedure
 ACM (1957) Chapter 1000--Appeals to Court of Special Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
1. Defendant				a) Date-stamp application; file original application; make appropriate entries on docket and case folder. b) Forward one (1) copy of the application to the Attorney General; note this mailing on the docket and case folder.	NOTE: An affidavit alleging indigency may be filed prior to or together with the application for leave to appeal. a) Application must be filed in duplicate. If sufficient copies are not provided, telephone the defendant's attorney for additional copies.
2. State				a) Date-stamp application; file original application in case folder; make appropriate entries on docket and case folder. b) Forward one (1) copy each to: 1. Defendant 2. Attorney of record Note these mailings on the docket and case folder.	a) Application must be filed in triplicate. If sufficient copies are not provided, telephone for additional copies.
Record Preparation				a) Include the following items in the appeal record in a binder: 1. Original case papers, including all exhibits. 2. Certified copy of all docket entries.	a) Some courts do not use special binders, but transmit the case papers in the original case folder.

Appeal Procedure
 M (1957) Chapter 1000--Appeals to Court of Special Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				3. Transcript of testimony <u>if ordered by Court of Special Appeals.</u>	
				b) Number each page sequentially.	
	3	E-29		c) Prepare typed index of record contents.	c) See <u>Record on Appeal, Form of Record, d).</u>
	4	E-30		d) Prepare list of docket entries.	d) See <u>Record on Appeal, Form of Record, e).</u>
	5	E-31		e) Prepare Clerk's certification.	e) The certification must bear the Seal of the Court.
				f) Transmit record to the Clerk of Court of Special Appeals.	f) Transmit the record by either of the following methods: 1. Personal delivery 2. Certified or Registered mail, return-receipt requested.

Appeal Procedure
ACM (1957) Chapter 800--Review by Court of Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Time for Transmitting Record</u>	7	E-33	MR825	<p>a) Transmit the record as soon as possible to the Clerk of the Court of Appeals by one of two methods:</p> <ol style="list-style-type: none"> 1. Personal delivery 2. Certified or Registered mail, return-receipt requested <p>b) If an extension of time for transmitting the record is required, date-stamp and file the application (for extension of time); make appropriate entries on docket and case folder.</p>	<p><u>NOTE:</u> The sole method of securing review by the Court of Appeals is by <u>Writ of Certiorari</u>.</p> <p>a) The complete record of the appealed case must be transmitted to the Court of Appeals as soon as the record is prepared, but no later than sixty (60) days after a Writ of Certiorari addressed to a lower court other than the Court of Special Appeals is granted.</p> <p><u>NOTE:</u> If the record has been sent back to the District Court, a copy of the Writ of Certiorari may authorize returning the record to the appropriate circuit court.</p> <p>b) The application for extension of time should be timely filed, i.e., no later than sixty (60) days after a Writ of Certiorari addressed to a lower court other than the Court of Special Appeals is granted.</p>

Appeal Procedure
 ACM (1957) Chapter 800--Review by Court of Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Record on Appeal</u>			MR826		<p>NOTE: If the record has not been transmitted in the prescribed time, the appellant must include in the record an affidavit stating that through neglect, omission, or inability of a judge of the Court of Appeals, the clerk of the lower court, court stenographer, or the appellee, the record transmittal was delayed.</p> <p>NOTE: The record of an appeal filed in the Court of Special Appeals together with the record of any proceedings held in that court for the appeal will constitute the record for the purpose of review by the Court of Appeals.</p>
Contents of Record				<p>a) Include the following items in the appeal record:</p> <ol style="list-style-type: none"> 1. Original case papers, including all exhibits. 2. Transcript of testimony. 3. Certified copies of all docket entries. 	<ol style="list-style-type: none"> 1. If it is necessary for the lower court to retain the original papers, the clerk may substitute certified copies of the original papers for transmittal of the record. 3. Copy of docket entries is sent to each attorney of record.

Appeal Procedure
ACM (1957) Chapter 800--Review by Court of Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Form of Record				4. Statement of costs.	4. *Assess costs. Costs include: (a) Preparation (Certification of record) (b) Amount of costs taxed against each party (c) Preparation of transcript and transcript copy, if any (See page E-24.)
				a) Place original case papers in a binder(s).	a) Many clerks use brown pressboard binders (with holes punched at the binder top) and Acco fasteners; other clerks use the original case folder.
	8	E-34		b) Number each page sequentially.	b) Pages of the transcript do not have to be re-numbered.
	3	E-29		c) Prepare cover page.	
				d) Prepare typed index of appeal record contents including the following information: 1. Case caption 2. Case number (docket number) 3. List of contents with corresponding page numbers	d) The index may also be referred to as the Table of Contents.
				e) Prepare list of docket entries, including the following information: 1. Case caption 2. Case number (docket number)	

Appeal Procedure
 ACM (1957) Chapter 800--Review by Court of Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
	5	E-31		3. List of docket entries by title, number, and date f) Prepare Clerk's certification. g) Arrange the contents of the record in the following order: 1. Cover page 2. Index (Table of Contents) 3. Docket entries sheet(s) 4. Original papers, including exhibits.	f) The certification page must bear the Seal of the Court. 4. Bulky or large exhibits are not placed in the binder with the appeal record. Such exhibits are forwarded separately to the Court of Appeals. In many instances, the clerk of the lower court (or his/her agent) personally delivers large exhibits to the Clerk of the Court of Appeals. This personal delivery insures safe transmittal of the exhibits. NOTE: Some circuit courts place "tabbed" dividers between sections of the record to facilitate locating relevant material. Some clerks notify counsel to inspect the record before mailing. No approval of the case record by the lower court is required for transmitting the record to the Court of Appeals.

Appeal Procedure
 ACM (1957) Chapter 800--Review by Court of Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Statement in lieu of pleadings and evidence</p> <p><u>Corrections to Record</u></p>				<p>h) Transmit record to Clerk of Court of Appeals.</p> <p>i) Send certified copies of docket entries to each attorney of record.</p> <p>NOTE: With the approval of the lower court, the parties may prepare and sign a "statement of the case in lieu of the pleadings and evidence." This statement supercedes all parts of the record except the 1) judgment appealed from the lower court and 2) the opinion of the lower court. In these instances:</p> <p>a) Certify as the record on appeal the following:</p> <ol style="list-style-type: none"> 1. Statement (of the parties) in lieu of the pleadings and evidence. 2. Judgment appealed from the lower court. 3. Opinion rendered by the lower court. <p>NOTE: A correction to the record on appeal may be needed after the record is transmitted to the Court of Appeals. The Court of Appeals notifies the appropriate lower court, by order, to transmit the proper corrections.</p>	

Appeal Procedure
 ACM (1957) Chapter 800--Review by Court of Appeals

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Return of Original Papers</u>	9	E-35	MR877	a) Date-stamp order and place in original case folder. b) Prepare certified copies of the appropriate parts of the record and transmit them to the Court of Appeals.	NOTE: Unless otherwise directed, the record on appeal is returned to the appropriate lower court at the time the mandate of the Court of Appeals is issued.
	10	E-36		a) Sign receipt for record from Court of Appeals; detach and return to the Clerk of the Court of Appeals. b) Return record to file.	

Appeal Procedure
ACM (1957) Rule BV1-18

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Attorney Disciplinary Proceedings</u>			MRBV9	<p>a) Date-stamp order and petition.</p> <p>b) Docket order and petition; assign case number; prepare case folder.</p> <p>c) Prepare true copy test of order and petition; delivery to Sheriff for service on attorney.</p>	<p>NOTE: Charges against an attorney are filed in writing on behalf of the Attorney Grievance Commission in the Court of Appeals. The Court of Appeals enters an order which designates the court in which the charges are to be heard. The order also names the panel of judges (not less than three (3)) who will hear the charges and appoints a specific judge as the Presiding Judge of the panel. This order is mailed to the Clerk of the appropriate court with a petition (Petition to Suspend an Attorney from the Practice of Law; Petition for Disciplinary Action, etc.).</p> <p>b) Most courts maintain a special docket (Miscellaneous Disciplinary Docket) for these proceedings.</p>

Appeal Procedure
ACM (1957) Rule BV1-18

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>NOTE: The judges on the panel are notified of the changes by the Court of Appeals.</p> <p>NOTE: Within fifteen (15) days following service of the order and petition, the attorney charged may move for a transfer of the hearing to another court. This motion is filed with the Court of Appeals. This motion does not stay the time for answering the charges.</p> <p>d) The attorney responding to the charges must file his initial pleading, in the designated court, within fifteen (15) days after the date of service unless a different time is fixed by order of the Court of Appeals.</p> <p>e) The charges are heard by the judges designated by the Court of Appeals.</p> <p>NOTE: If the court finds the attorney guilty or not guilty of misconduct, a written statement of the findings of fact, the recommendation of the court, and the reasons for the recommendation are prepared by the Court.</p>
			MRBV10	d) Date-stamp and file the attorney's answer; make appropriate entries on docket and case folder.	
			MRBV11	e) Issue witness summons for hearing.	

Appeal Procedure
ACM (1957) Rule BV1-18

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>f) Date-stamp and file the statement of the findings of fact, the Court's recommendation, and the statement of the reasons for the recommendation.</p> <p>g) Transmit the complete case record to the Court of Appeals; place the original papers and transcript of testimony, if any, in a binder for transmittal:</p> <ol style="list-style-type: none"> 1. Number each page sequentially. 2. Prepare typed index of record contents. 3. Prepare list of docket entries. 4. Prepare cover page. 5. Prepare Clerk's certification. 6. Transmit the record to the Clerk of the Court of Appeals. 	<p>f) Copies of these papers are usually sent to all parties by the Court.</p> <p>g) The Clerk must transmit the record within fifteen (15) days after the recommendation of the Court is filed, unless a different time is set by order of the Court of Appeals Appeals.</p> <ol style="list-style-type: none"> 2. See <u>Record on Appeal, Form of Record, d</u>. 3. See <u>Record on Appeal, Form of Record, e</u>. 5. The certification must bear the Seal of the Court. 6. Transmit the record by either of the following methods: <ol style="list-style-type: none"> (a) Personal delivery (b) Certified or Registered mail, return-receipt requested <p>NOTE: The record is not returned to the lower court, but is retained by the Clerk of the Court of Appeals.</p>
	3	E-29			
	4	E-30			
	8	E-34			
	5	E-31			

COST SCHEDULE

E-23

COST SCHEDULE

SCHEDULE OF FEES TO BE CHARGED BY THE CLERK OF THE COURT OF APPEALS AND THE CLERK OF THE COURT OF SPECIAL APPEALS PURSUANT TO CHAPTER 523, ACTS OF 1976, AS APPROVED BY THE BOARD OF PUBLIC WORKS JUNE 9, 1976, EFFECTIVE JULY 1, 1976.

- I. SCOPE OF SCHEDULE. This schedule applies to fees to be charged by the Clerk of the Court of Appeals or the Clerk of the Court of Special Appeals. It supplants and supplements Section 7-102 of the Courts Article, now repealed. Nothing in this schedule is intended to affect the ability of either of the appellate courts to tax, award, or waive court costs; see Maryland Rule 880, 881, 882, 883, 1080, 1081, 1082, and 1083; or statutory or other provisions pertaining to allowance or award of costs against the State, one of its agencies, or a political subdivision; see, e.g., Courts Article, Sec. 7-104.
- II. EFFECTIVE DATE. The fees prescribed in this schedule apply to every designated record, document, copy, or certificate filed in or requested from the Clerk of the Court of Appeals or the Clerk of the Court of Special Appeals on and after July 1, 1976.
- III. SCHEDULE OF FEES.
- A. PAYMENT IN ADVANCE--NO REFUNDS.
- Each fee set forth in this schedule shall be paid in advance of or concurrently with the filing or delivery of the record, document, copy, or certificate specified. No fee is refundable. Costs taxed to a party pursuant to a judgment or mandate are to be settled between the parties.
- B. FEES.
1. For filing the record incident to an appeal up to and including issuance of the mandate \$30.00

COST SCHEDULE (continued)

2. For filing an application for leave to appeal, any record incident thereto, and performing all other duties in connection therewith up to and including the issuance of a mandate if the application is granted	\$30.00
3. For filing a petition for writ of certiorari	20.00
4. For filing a motion for reconsideration and performing all duties incident to the motion	10.00
5. For a copy of the Court's opinion	
(a) if ordered in advance of the decision	3.00
(b) if ordered after the decision has been filed	5.00
(c) no charge for one copy of the opinion furnished to each counsel of record in a case	
6. For a copy of a law	.20 per page
7. For a certificate under seal of the admission of an attorney	10.00
8. For a certificate of good standing of an attorney under seal	3.00
9. For each certification by a judge or the clerk	2.00
10. For performing any other service incident to the duty of the Clerk of the Court of Appeals or the Clerk of the Court of Special Appeals, and not specifically provided for in this schedule	1.00 true copy a reasonable fee

C. COMPARISON OF NEW AND FORMER FEES.

FEES PROVIDED BY FOREGOING SCHEDULE

FEES PROVIDED BY FORMER § 7-102 OF THE
COURTS ARTICLE

1. Filing record incident to appeal.	\$30.00	\$20.00
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COST SCHEDULE (continued)

2. Filing an application for leave to appeal	...\$30.00	no specific statutory provision; \$20.00 has been charged
3. Filing a petition for writ of certiorari	... 20.00	no specific statutory provision; \$20.00 has been charged
4. Filing motion for reconsideration	... 10.00	5.00
5. Copy of the Court's opinion		
(a) ordered in advance	... 3.00	2.00
(b) ordered after decision	... 5.00	3.00
6. Copy of a law20 per page	.20 per page
7. Certificate under seal of the admission of an attorney	... 10.00	5.00
8. Certificate of good standing of an attorney under seal	... 3.00	1.00
9. Each certification by a judge or the clerk	... 2.00	no specific statutory provision
10. Performance of unscheduled services	... reasonable fee	no specific statutory provision

Approved by the Board of Public Works on: June 9, 1976

IN THE CIRCUIT COURT FOR COUNTY, MARYLAND

THE A.B.C. ALPHABET COMPANY :
Plaintiff : :

v. :

Equity No. 12345

JOHN J. DOE :
Defendant :

NOTICE OF APPEAL

The Clerk will please note an Appeal by the plaintiff, The A.B.C. Alphabet Company to the Court of Special Appeals from the Decree granting Declaratory Judgment entered on January 20, 1977 by the Circuit Court for County, Maryland

By Thomas Smith, Esq.
Attorney for Plaintiff
246 7th Street
Baltimore, Md. 21202

CERTIFICATE OF SERVICE

I hereby certify that on this day of February, 1977 I caused to be hand delivered a copy of the foregoing Notice of Appeal to Joseph Jones, Esq., 17 W. East St., Baltimore, Maryland 21202.

Thomas Smith, Esq.

No., SEPTEMBER TERM, 19.....
(LEAVE BLANK)

TRANSCRIPT OF RECORD

FROM THE

Judge:.....

IN THE CASE OF

Appellant

VS.

Appellee

TO THE
COURT OF SPECIAL APPEALS OF MARYLAND

FOR APPELLANT

FOR APPELLEE

Filed.....
(LEAVE BLANK)

INDEX

THE A.B.C. ALPHABET COMPANY :

vs. :

Equity No. 12345

JOHN J. DOE :

Page No.

Bill of Complaint - Three (3) Exhibits -----

1

Stipulation of plaintiff and defendant -----

130

DOCKET ENTRIES

THE A.B.C. ALPHABET COMPANY :

vs. :

Equity No. 12345

JOHN J. DOE :

FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF

August 26, 1976 #1

Bill of Complaint - Three (3) Exhibits filed.

March 14, 1977 #26

Stipulation of plaintiff and defendant filed.

STATE OF MARYLAND, COUNTY, TO WIT:

I HEREBY CERTIFY that the foregoing are the original papers in the case of The A.B.C. Alphabet Company v. John J. Doe, being No. 12345 Equity, as identified in the Index attached hereto, and a copy of the Docket Entries.

IN TESTIMONY WHEREOF, I hereto subscribe my name and affix the Seal of the Circuit Court for County, Maryland this ___ day of ___ 1977.

Clerk of the Circuit Court for County, Maryland

Cost of Record
Cost of Testimony
Plaintiff's Cost
Defendant's Cost

MANDATE

Court of Special Appeals of Maryland

No. , September Term, 19

STATEMENT OF COSTS:

In Circuit Court:

Record
Stenographer's Costs

In Court of Special Appeals:

Filing Record on Appeal
Printing Brief for Appellant
Reply Brief
Portion of Record Extract -- Appellant
Printing Brief for Cross-Appellee

Printing Brief for Appellee
Portion of Record Extract -- Appellee
Printing Brief for Cross-Appellant

STATE OF MARYLAND, Set:

I do hereby certify that the foregoing is truly taken from the records and proceedings of the said Court of Special Appeals.

In testimony whereof, I have hereunto set my hand as Clerk and affixed the seal of the Court of Special Appeals, this ___ day of ___ A.D. 19

Clerk of the Court of Special Appeals of Maryland.

Costs shown on this Mandate are to be settled between counsel and NOT THROUGH THIS OFFICE.

JOHN DOE

IN THE
COURT OF APPEALS
OF
MARYLAND

*
*
*
*
*
*
*

v.

STATE OF MARYLAND

Petition Docket No. _____
September Term, 19____
(No. _____, September Term, 19____
Court of Special Appeals)

* * * * *

WRIT OF CERTIORARI

TO THE HONORABLE THE JUDGES OF THE
COURT OF SPECIAL APPEALS OF MARYLAND:

WHEREAS, John Doe v. State of Maryland, No. _____,
September Term, 19____ was pending before your Court, and the Court
of Appeals of Maryland is willing that the record and proceedings
therein be certified to it.

YOU ARE HEREBY COMMANDED to cause them to be sent
without delay to the Court of Appeals of Maryland, together with
this writ, for the said Court to proceed thereon as justice may
require.

WITNESS, the Chief Judge of the Court of Appeals of
Maryland, this _____ day of _____, 19____.

Clerk
Court of Appeals of Maryland

No. _____, SEPTEMBER TERM, 19____
(LEAVE BLANK)

TRANSCRIPT OF RECORD
FROM THE

Judge: _____

IN THE CASE OF

VS.

Appellant

Appellee

TO THE
COURT OF APPEALS OF MARYLAND

FOR APPELLANT

FOR APPELLEE

Filed _____
(LEAVE BLANK)

MANDATE

Court of Appeals of Maryland

No., September Term, 19

STATEMENT OF COSTS:

In Circuit Court:

Record
Stenographer's Costs

In Court of Appeals:

Filing Record on Appeal
Printing Brief for Appellant
Reply Brief
Portion of Record Extract - Appellant
Appearance Fee --- Appellant

Printing Brief for Appellee
Portion of Record Extract - Appellee
Appearance Fee --- Appellee

STATE OF MARYLAND, ss:

I do hereby certify that the foregoing is truly taken from the records and proceedings of the said Court of Appeals.

In testimony whereof, I have hereunto set my hand as Clerk and affixed the seal of the Court of Appeals this day of, 19

Clerk of the Court of Appeals of Maryland.

Costs shown on this Mandate are to be settled between counsel and NOT THROUGH THIS OFFICE.

Court of Appeals of Maryland

No. SEPTEMBER TERM, 19

DISPOSITION OF APPEAL IN COURT OF APPEALS:

TRANSCRIPT

RETURNED TO

Date:

BY

REMARKS:

IMPORTANT: PLEASE DETACH, SIGN AND RETURN TO

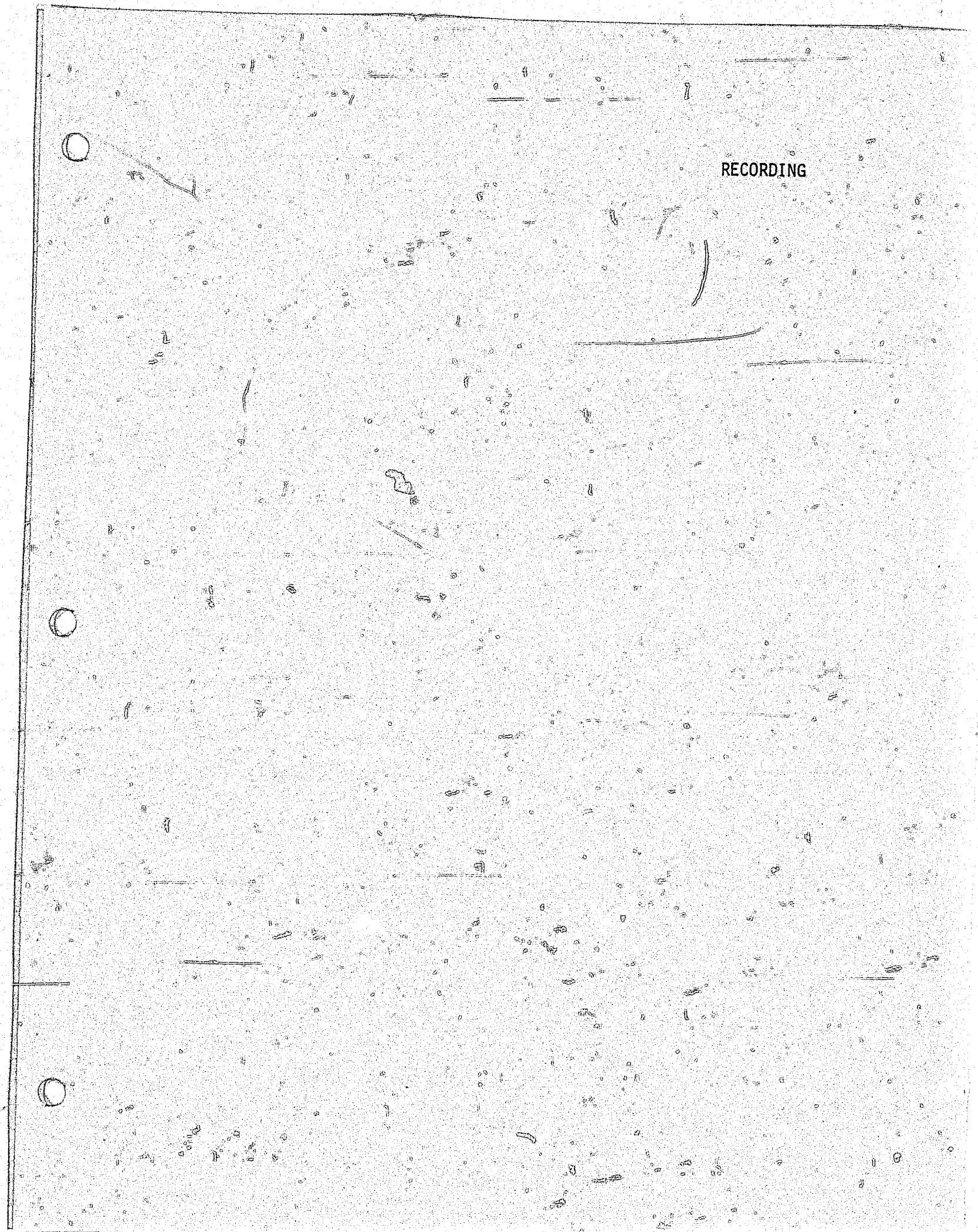
JAMES H. NORRIS, JR., Clerk
COURT OF APPEALS OF MARYLAND
Annapolis, Maryland 21401

Transcript No., September Term, 19

Received

Date:, 19

RECORDING



RECORDING CHAPTER

FORMS LIST

RECORDING

- 1 Short Release (5000 11-76)
- 2 Short Assignment
- 3 Instrument Receipt (R-310)
- 4 Report of Receipts and Distribution of Recordation Tax (PS-447)
- 5 Monthly Report of State Licenses (GAD Form C-3, Revised 7/69)
- 6 Financing Statement (Form UCC-1)
- 7 Statements of Continuation, Partial Release, Assignment, etc.
- 8 Trade-Name Certification of Ownership

Recording Procedure
(ACM) Real Property Article, Sections 3-101--3-503

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Place of Recording</u>			RP3-103		<p>NOTE: Proper jurisdiction for recording all deeds or other instruments referred to in §§ 3-101 and 3-102 is as follows:</p> <ol style="list-style-type: none"> 1. In county where the land affected by the deed or instrument lies; or 2. If the land lies in more than one county, in all of such counties. (An. Code 1957, Art. 21, § 3-103; 1974, Ch. 12, § 2.)
<u>Land Records Requirements before recording</u>			RP3-104; 3-105; 3-106.	<p>a) Check for transfer stamp on all papers affecting the transfer of title to property.</p>	<p>NOTE: Deeds or other instruments for recording are delivered to the Clerk's Office by personal delivery or regular mail service. A letter from an attorney or party to the instrument requesting or directing its recordation may accompany an instrument delivered by mail.</p> <p>a) These papers must first be cleared through the local department of assessments and taxation. The transfer stamp certifies that all taxes, assessments, and charges have been paid to the collecting agent.</p>

Recording Procedure
(ACM) Real Property Article, Sections 3-101--3-503

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Fees are Assessed</u></p>				<p>b) Check for name of each person typed or printed directly above or below that person's signature.</p> <p>c) Check that the instrument is on white paper of a sufficient weight and thickness with not less than eight-point type and black letters that are clearly readable.</p> <p>Assess the proper recording fee according to the following guides:</p> <ol style="list-style-type: none"> 1. State Transfer Tax of $\frac{1}{4}$ of 1% of the consideration paid or to be paid on instruments conveying title to real property or a leasehold interest therein. 	<p>b)* Assess extra charge for each omitted name for failure to comply with the requirements of this subsection. (See page F-35.)</p> <p>c)* Treble the normal recording charge for failure to comply with this subsection. (See page F-35.)</p> <p>NOTE: See Section 3-104(f) of the Real Property Article for specific local requirements.</p> <p>NOTE: If all requirements are met, the instrument may be accepted for recording.</p> <p>*Assess proper fees. (See page F-35.)</p> <ol style="list-style-type: none"> 1. United States, state, and local governments, or any governmental agency, are exempt from this State Transfer Tax.

Recording Procedure
 (ACM) Real Property Article, Sections 3-101--3-503

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
			Article 81, Section 278A	<p>(a) In the creation of or the transfer of a perpetually renewable ground rent, the tax is based on the capitalization at 6% of the annual ground rent, plus the actual consideration, other than the capitalization of the ground rent, paid or to be paid.</p> <p>(b) For a lease for a term of years, not perpetually renewable, the tax is based on the capitalization at 10% of the average annual rental over the entire term of the lease, including any renewable term, plus the actual consideration, other than rent, paid or to be paid.</p> <p>Where the average annual rent cannot be determined, the tax is based on either (i) the minimum average annual rental ascertainable from the terms of the lease plus 5% thereof, the whole to be capitalized at 10%, plus the actual consideration, other than rent, paid or to be paid; or (ii) the assessed value of the property covered by the lease multiplied by 1%, whichever is greater.</p> <p>F-3</p>	<p>(b) Every lease is not taxable. Any lease of seven (7) years or less does not have to be recorded and is, therefore, not taxable if recorded. (See Real Property Article, Section 3-101 (a-c).) (See Attorney General's Opinion dated 6/17/74.)</p>

Recording Procedure
 (ACM) Real Property Article, Sections 3-101--3-503

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
			Article 81, Sections 277-278	<p>2. Documentary Stamps for each \$500.00 or fractional part of consideration paid or to be paid on instruments conveying title or creating liens or encumbrances on real property. Deeds of Trust require stamps only for the amount advanced at the time of recording.</p> <p>(a) For a lease creating a perpetually renewable ground rent, the tax is based on the capitalization at 6% of the annual ground rent, plus the actual consideration, other than the ground rent, paid or to be paid, unless it is executed simultaneously with a bona fide conveyance for full consideration of the reversionary estate thereby created, in which event such is not taxed.</p>	<p>2. See Article 81, Section 277 (m-5) for specific <u>local</u> rates. Future advancements or deeds of trust are validated on a notice of advancement or on the recorded copy.</p>

Recording Procedure
 (ACM) Real Property Article, Sections 3-101--3-503

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>(b) For a lease for a term of years, not perpetually renewable, the tax is based on the capitalization of 10% of the average annual rent over the entire term of the lease, including any renewable term, plus the actual consideration, other than rent, paid or to be paid. Where the average annual rent cannot be determined, the tax is based on either (i) the minimum average annual rent ascertainable from the terms of the lease plus 5% thereof, the whole to be capitalized at 10%, plus the actual consideration, other than rent, paid or to be paid, or (ii) the assessed value of the property covered by the lease multiplied by 1%, whichever is greater.</p>	<p>NOTE: <u>Consideration</u> means anything of value.</p>

Recording Procedure
 (ACM) Real Property Article, Sections 3-101--3-503

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
			RP 3-501	3. Recording fee per page or any portion of a page for any deed or instrument recorded among the land records. 4. Indexing fee for each name to be indexed. 5. Release or assignment recording fee for any mortgage or deed of trust, plus indexing fee per name if indexing is required.	3. A page is defined as one side of a leaf not larger than 8-1/2" wide by 14" long, or any portion of it. 4. Husband and wife are counted as two (2) names.
<p>NOTE: The clerk may not charge any county any fee provided by this Subtitle unless the county first gives its consent. No charge may be made against the comptroller for any service performed in connection with the recording and indexing of property liens arising under:</p> <ol style="list-style-type: none"> 1. Md. Income Tax Law 2. Md. Retail Sales Act 3. Md. Use Tax Act <p>(An. Code 1957, Art. 36, § 12; 1974, Ch. 12, § 2).</p>					

Recording Procedure
(ACM) Real Property 3-105; 3-106

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Record Short Release, Short Assignment, or Partial Release</u></p>	<p>1, 2</p>	<p>F-37</p>	<p>RP3-102; 3-105</p>	<p>a) Stamp or type short assignment or short release in an appropriate place on the instrument; sign and date the assignment or short release.</p> <p>b) Complete Short Release/Short Assignment Form. Include the following information:</p> <ol style="list-style-type: none"> 1. Liber and folio numbers of the original recorded instrument. 2. Person to whom the paper is returned. <p>c) Record the date and time (hrs/min) the papers were received.</p> <p>d) Validate the short assignment or short release for recording fees.</p>	<p>a) The assignment or short release must have a corporate seal if it involves a corporation.</p> <p>d) *Assess proper fees for short release or short assignment plus fee for each name to be indexed. (See page F-35.) Most courts use a cash register system for validation. The receipt issued by the machine shows the total fee to collect.</p>

Recording Procedure
 (ACM) Real Property 3-105; 3-106

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				e) Index the short assignment or short release. Also mark a cross-index reference on the original instrument. f) Microfilm the form and the short release or short assignment on the same page. g) Return form and appropriate papers to proper individual.	g) If there is a short release recorded, the form and mortgage papers are returned to the owner.

Recording Procedure
 (ACM) Real Property Article, Sections 3-101--3-503

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Instrument Received for Recording</u>	3	F-38		a) Record on the instrument the date and time (hrs/min) the instrument is received. b) Validate the instrument for: 1. Transfer Tax 2. Documentary Stamps, if required 3. Recording Fee Return receipt to recording party. c) Assign liber and folio numbers. d) Index instrument in grantor and grantee index: 1. Type appropriate information on gummed strips. 2. Paste original strips in proper grantor or grantee index. 3. Mail copy of index strip page to printing company.	b) Most courts use a cash register system for validation. The receipt issued by the machine shows the total fee to collect. NOTE: At the close of each business day, the machine totals are credited to the proper accounts, and the money is deposited in the bank. d) Cott Universal Index System used in most localities. 2. This temporary index is used until the permanent index is printed. 3. The printing company prepares hard copy and also processes the microfilm.
			RP 3-302		

Recording Procedure
 (ACM) Real Property Article, Sections 3-101--3-503

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
	4, 5	F-39, F-40	RP 3-303 Article 81, Section 77	4. Retain one copy of the strip page in case questions arise. e). Microfilm each page of each instrument f) Send copy of film to Hall of Records. g) Return instrument to recording party or where directed when the hard copy or film of the instrument is received. h) Prepare Report of Receipt and Distri- bution of Recordation Tax on GAD Form C-5 and Transfer Tax on Pg. 2, Line 22 of GAD Form C-3.	e) Some courts use the microfilm as a permanent record; other courts use hard copy produced from micro- film. g) The original instrument can be mailed, or the recording party can personally accept delivery in the Clerk's Office. h) The first report shows the sale of Documentary Stamps, while the second report indicates collection of transfer taxes. NOTE: It is important to keep the instruments in the order in which they are received. The liber and folio numbers aid in maintaining the proper sequence.

Recording Procedure
 (ACM) Real Property Article, Sections 3-101--3-503

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Memorandum of Lease</u>			RP 3-101(3)		<p>NOTE: A party may prefer to record a Memorandum of Lease in lieu of a lease in order to reduce recording costs. The Memorandum contains the basic description of the lease. The recording party must show the Clerk the actual lease before the Memorandum of Lease is recorded.</p> <p>NOTE: The Clerk must furnish a certified copy of any paper recorded in the Land Records upon payment of the proper fee.</p> <p>*Assess proper fee. (See page F-15.)</p>

Recording Procedure
 (ACM) Uniform Commercial Code

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Financing Statements	6	F-41	Uniform Commercial Code		NOTE: Financing Statements create liens on personal property (formerly conditional sales contracts and chattel mortgages) and are effective for five (5) years and sixty (60) days from the date of filing unless sooner terminated or continued.
Requirements before Recording			Article 95B Sections 9-401--9-402	<p>a) Check that the financing statement is in printed form on white paper of a sufficient weight and thickness with not less than eight-point type and block letters that are clearly readable. The form must have a top and bottom margin of two (2) inches and a one (1) inch side margin.</p> <p>b) Check whether Documentary Stamps are required. If stamps are required, assess proper taxes.</p>	<p>NOTE: Financing Statements are recorded by the Clerk when received by mail or personal delivery.</p> <p>b) *Assess taxes. The responsibility for determining the proper amount of Documentary Stamps lies with the recorder. (See page F-35.)</p>

Recording Procedure
(ACM) Uniform Commercial Code

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Fees are Assessed	7	F-42		<p>c) Check for signatures of 1) debtor and 2) secured party.</p> <p>d) Examine subsequent papers for <u>identifying number</u>.</p> <p>Assess the proper recording fee according to the following guides:</p> <ol style="list-style-type: none"> 1. Documentary Stamps, if required, for each \$500.00 of the principal amount of the debt secured. 	<p>c) If a Financing Statement is filed to perfect a security interest in collateral already subject to a security interest in another jurisdiction when brought into this state, only the signature of the secured party is required. Such a Financing Statement must 1) describe the original collateral and 2) state that the collateral was brought into this state pursuant to Section 9-306, if the security interest in the original collateral was perfected.</p> <p>d) Subsequent papers include:</p> <ol style="list-style-type: none"> 1. Termination Statements 2. Continuation Statements 3. Amendment Statements 4. Assignment Statements <p>*Assess proper fees. (See page F-35.)</p> <ol style="list-style-type: none"> 1. See local rate.

Recording Procedure
(ACM) Uniform Commercial Code

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Instruments Received for Recording				<p>2. Financing Statements covering motor vehicle and other chattels that require Documentary Stamps are given \$3.00 credit on stamps if the instrument contains a typed Certificate of Payment of \$12.00 to the Motor Vehicle Administration (MVA).</p> <p>3. Financing Statements covering a boat that requires Documentary Stamps is given \$5.00 credit on stamps if the instrument contains a typed Certificate of Payment of \$15.00 to the Department of Natural Resources.</p> <p>4. Recording fee per page or any portion of a page. All Termination, Amendment, Continuation Statements, etc., require a recording charge.</p> <p>5. Indexing fee for each debtor to be indexed.</p> <p>a) Record on the instrument the date and time (hrs/min) the instrument is received.</p>	<p>2. See Article 66½, Section 3-202 (B); Article 81, Section 277 (a); and Attorney General Opinion dated July 2, 1975.</p> <p>3. See Natural Resources Article, Section 8-729(D); Article 81, Section 277(a); and Attorney General Opinion dated July 2, 1975.</p> <p>4. A page is defined as one side of a leaf not larger than 8½" wide by 14" long, or any portion of it.</p>

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Recording Procedure
(ACM) Uniform Commercial Code

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>b) Validate the instrument for:</p> <ol style="list-style-type: none"> 1. Documentary Stamps, if required. 2. Recording Fee. <p>Return receipt to recording party.</p> <p>c) Assign liber and folio numbers; assign Identifying Number.</p> <p>d) Index instrument alphabetically under debtor's name only; include the following information:</p> <ol style="list-style-type: none"> 1. Debtor's name. 2. Notation of secured party's name. 3. Identifying number. 4. Liber and folio numbers. 5. Date of recordation. 	<p>b) Most courts use a cash register system for validation. The receipt issued by the machine shows the total fee collected.</p> <p><u>NOTE:</u> At the close of each business day, the machine totals are credited to the proper accounts, and the money is deposited in the bank.</p> <p>d) It is not necessary to index the instrument in the name of the secured party.</p> <p>Leave adequate space on the index for noting subsequent assignment, termination, amendment, or release.</p> <p><u>NOTE:</u> The recording party may request that the Financing Statement be indexed in additional names. This request may be written at the top of the instrument or a letter may accompany the instrument. The additional indexing alerts title searchers that there is a lien.</p>

Recording Procedure
(ACM) Uniform Commercial Code

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
			MR1299	e) Microfilm instrument. f) Return original instrument to recording party. g) Destroy copies after the life of the instrument expires; i.e., five (5) years and sixty (60) days.	<p>NOTE: *If indexing in the Land Records is also requested, charge an additional indexing fee per name. (See page F-35.)</p> e) The instrument is microfilmed for the life of the instrument. Some courts maintain the record on film; other courts use hard copy produced from microfilm. g) See <u>Records Retention and Disposal Schedule #655, page 4.</u>

Recording Procedure
 (ACM) Corporations & Associations Article, Section 1-202
 Article 81, Section 247B & 247C

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Corporations			Section 1-202(a) (1-4)		<p>NOTE: The Department of Assessments and Taxation accepts for record any charter document or any document designating or changing the name or address of a resident agent or principal office of a Maryland corporation. The department:</p> <ol style="list-style-type: none"> 1. Endorses date and time of acceptance for record of the document. 2. Records the document with its corporate records. 3. Transmits papers to the Clerk of the Court of the county/city where the principal office of the corporation is located. 4. Issues a certificate stating 1) that the document has been accepted for record by the department and 2) the date and time of acceptance. <p>The papers are forwarded to the Clerk's Office for recording together with the proper recording fee. See Article 81, Section 247(b) and Corporations and Associations Article 1-203.</p>

Recording Procedure
(ACM) Corporations & Associations Article, Section 1-202
Article 81, Section 247B & 247C

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Instrument Received for Recording	---			<p>a) Record on the document the date and time (hrs/min) the document is received.</p> <p>b) Validate the document for recording fee.</p> <p>c) Assign liber and folio numbers.</p> <p>d) Index the document alphabetically by corporate name. The following information is usually included:</p> <ul style="list-style-type: none">1. Liber and folio numbers.2. Type of instrument (original, article of dissolution, amendment, etc.).3. Date of Recordation. <p>e) Microfilm document in preparation for inclusion in the permanent Corporations Record.</p>	<p>b) Most courts use a cash register system for validation. The receipt issued by the machine shows the total fee to collect.</p> <p>e) Some courts use the microfilm as a permanent record; other courts use hard copy produced from microfilm.</p>

Recording Procedure
 (ACM) Corporations & Associations Article, Section 1-202
 Article 81, Section 247B & 247C

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
			Section 1-202(b)	f) Return document to the corporation, its attorney, or its agent. g) Return receipt for fees to the Department of Assessments and Taxation.	

Recording Procedure
(ACM) Courts Article, Section 10-102

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Partnerships</u></p> <p>Fees are Assessed</p> <p>Document Received for Recording</p>				<p>Assess the proper recording fees according to the following guides:</p> <ol style="list-style-type: none"> 1. Recording fee per page or any portion of a page. 2. Indexing fee for each name to be indexed. <p>a) Record on the document the date and time (hrs/min) the document is received.</p> <p>b) Validate the document for the recording fee; return the receipt to the recording party.</p> <p>c) Assign liber and folio numbers.</p>	<p>NOTE: These papers are transmitted directly to the clerk for recording.</p> <p>*Assess proper fees. (See page F-35.)</p> <ol style="list-style-type: none"> 1. A page is defined as one side of a leaf not larger than 8-1/2" wide by 14" long, or any portion of it. <p>b) Most courts use a cash register system for validation. The receipt issued by the machine shows the total fee to collect.</p>

Recording Procedure
 (ACM) Courts Article, Section 10-102

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>d) Index the document alphabetically by the partnership name. The following information is usually included:</p> <ol style="list-style-type: none"> 1. Name of partners. 2. Liber and folio numbers. 3. Date of recordation. <p>e) Microfilm instrument for preparation of a permanent record.</p> <p>f) Return document where requested.</p>	<p>d) Some courts also cross-index the document to each individual's name.</p> <p>e) Some courts use the microfilm as a permanent record; other courts use hard copy produced from microfilm.</p>

Recording Procedure
ACM (1957) Article 2, Section 18

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Agency and Factors</u>	8	F-43	Article 2, Section 18		NOTE: -These documents are required to be recorded by anyone engaging in a business under any name other than his her own name. The form designated for recording purposes (shown as Form #8) must be sworn to under oath before any officer authorized by law to administer an oath.
Fees are Assessed				Assess the proper recording fees according to the following guides: 1. Recording fee. 2. Indexing fee for each name to be indexed.	*Assess proper fees. (See page F-35.)
Document Received for Recording				a) Record on the document the date and time (hrs/min) the document is received. b) Validate the document for the recording fee; return the receipt to the recording party.	b) Most courts use a cash register system for validation. The receipt issued by the machine shows the total collected.

Recording Procedure
ACM (1957) Article 2, Section 18

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Limited Partnerships			CA 10-101	<p>c) Assign liber and folio numbers.</p> <p>d) Index the document alphabetically by the trade name. The following information is usually included:</p> <ol style="list-style-type: none"> 1. Name(s) of owner(s). 2. Liber and folio numbers. 3. Date of recordation. <p>Also cross-index to the individuals' names.</p> <p>e) Microfilm document for preparation of a permanent Agency Record.</p> <p>f) Forward original document and \$5.00 check to:</p> <p>Department of Taxation & Assessments 301 West Preston Street Baltimore, Maryland 21201</p>	<p>e) Some courts use the microfilm as a permanent record; other courts use hard copy produced from microfilm.</p> <p><u>NOTE:</u> These papers are transmitted directly to the clerk for recording.</p>

Recording Procedure
 (ACM) Courts Article, Section 10-102

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Fees are Assessed				Assess the proper recording fees according to the following guides: 1. Recording fee per page or any portion of a page. 2. Indexing fee for each name to be indexed.	*Assess proper fees. (See page F-35.) 1. A page is defined as one side of a leaf not larger than 8-1/2" wide by 14" long, or any portion of it.
Document Received for Recording				a) Record on the document the date and time (hrs/min) the document is received. b) Validate the document for the recording fee; return the receipt to the recording party. c) Assign liber and folio numbers.	b) Most courts use a cash register system for validation. The receipt issued by the machine shows the total fee to collect.

Recording Procedure
 (ACM) Courts Article, Section 10-102

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>d) Index the document alphabetically by the partnership name. The following information is usually included:</p> <ol style="list-style-type: none"> 1. Name of partners. 2. Liber and folio numbers. 3. Date of recordation. <p>e) Microfilm instrument for preparation of a permanent record.</p> <p>f) Return document where requested.</p>	<p>d) Some courts also cross-index the document to each individual's name.</p> <p>e) Some courts use the microfilm as a permanent record; other courts use hard copy produced from microfilm.</p>

Recording Procedure
ACM (1957) Real Property Article

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Plats</u>				<p><u>NOTE:</u> Plats are divided into three (3) categories:</p> <ul style="list-style-type: none"> #1 Subdivision Plats #2 State Highway Plats #3 Condominium Plats 	
#1 Subdivision Plats			RP3-108- 3-304		<p><u>NOTE:</u> Plat must be drawn to scale, showing all courses and distances and indicating north arrow designated either true or magnetic meridian. The plat is drawn on linen sheets containing a certification that the requirements of subsection (10) of Section 3-108 have been complied with. This certification is usually stamped by the owner of the property.</p> <p><u>NOTE:</u> Some counties accept mylar film instead of linen plats.</p>

Recording Procedure
ACM (1957) Real Property Article

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>a) Collect a fee for each set of plats; return receipt to the recording party.</p> <p>b) Fasten one (1) copy of each plat described under Section 3-108 in a plat book or record the plat.</p> <p>c) Index the plat by the name of the subdivision.</p> <p>d) Forward one (1) copy of each plat to the Supervisor of Assessments of the county.</p>	<p>NOTE: The recording party delivers three (3) linen copies of the plat to the Clerk for recording. In every jurisdiction except Caroline County, each plat must be signed and sealed by a registered land surveyor. See Section 3-108(e-i) and public local laws for other local exceptions.</p> <p>a) *Assess proper fees. Nothing in this section affects any recording fee of the clerk under any local legislation prescribing recording fees for subdivision plats. (See page F-35.)</p> <p>c) Some courts use a book index; other courts use a card file index.</p>

Recording Procedure
ACM (1957) Real Property Article

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#2 State Highway Plats			RP 3-109	<p>e) Forward one (1) copy of each plat to the Archivist of the Hall of Records with one-half of the recording fee (in check form).</p> <p>a) Place the linen-backed or other durable-backed copies of plats in a looseleaf book.</p> <p>b) Index the plat by the name of the road or job or acquisition number.</p> <p>c) Collect filing fee for each plat; return receipt to recording party.</p>	<p>e) Plats and fees are usually submitted <u>monthly</u>.</p> <p>NOTE: These plats, also usually made of linen, show property or right-of-way to be acquired or conveyed by the State Roads Commission and the State Highway Administration. When filed and indexed, these plats constitute a part of the Land Records of the county in which they are filed.</p> <p>b) Some courts use a book index; other courts use a card file index.</p> <p>c) *Assess proper fee. (See page F-35.)</p>

Recording Procedure
ACM (1957) Real Property Article

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#3 Condominium Plats			RP11-105- 11-117		<p>NOTE: When the declaration and by-laws are recorded, the developer must record a plat in the condominium name which includes the following:</p> <ol style="list-style-type: none"> 1. A survey of the property described in the declaration showing the location of all buildings on the property. 2. Diagrammatic floor plans of each building showing the approximate dimensions, floor area, and location of each unit in each building. Common elements shall be shown diagrammatically to the extent possible. 3. The elevation, or average elevation in case of minor variances, above sea level, or from a fixed known point, of the upper and lower boundaries of each unit delineated on the condominium plat.

Recording Procedure
ACM (1957) Real Property Article.

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
					<p>4. Designation of each unit on the plat by a letter or number, or a combination of them, or other appropriate designation.</p> <p>5. Engineer's or Surveyor's certificate by a civil engineer or a licensed land surveyor authorized to practice his/her profession in the state. The certificate states that 1) the plat, together with the applicable wording of the declaration, is a correct representation of the condominium described, and 2) the identification and location of each unit and the common elements, as constructed, can be determined from them.</p> <p>NOTE: The recording party delivers three (3) linen copies of the plat to the Clerk for recording.</p>

Recording Procedure
ACM (1957) Real Property Article

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
			RP 3-108(d)	<ul style="list-style-type: none"> a) Collect a fee for each set of plats; return receipt to the recording party. b) Fasten one (1) copy of each plat in a plat book. c) Forward one (1) copy of each plat to the Supervisor of Assessments of the county. d) Forward one (1) copy of each plat to the Archivist of the Hall of Records with one-half of the recording fee (in check form). 	<ul style="list-style-type: none"> a) *Assess proper fees. Nothing in this section affects any recording fee of the clerk under any local legislation prescribing recording fees for subdivision plats. (See page F-35.) d) Plats and fees are usually submitted <u>monthly</u>. <p>NOTE: The Master Deed to a Condominium is recorded in the Land Records. As units are sold, they are recorded the same as a deed to land. They are indexed also in the name of the Grantor and the Grantee. *Assess indexing fee per name to be indexed. See <u>Land Records</u>. (See page F-35.)</p> <p>NOTE: If there is a lien against a condominium unit owner, index under the Grantor only.</p>

Recording Procedure
 (ACM) C.J. 11-203; 2-502
 MR H

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Bonds</u>				a) Record on the documents the date and time (hrs/min) the documents are received. b) Collect fee for recording. c) Validate the documents for the recording fee; return the receipt to the recording party. d) Assign liber and folio numbers. e) Index the documents alphabetically by the name of the bonded person in the Bond Index. f) Microfilm document for preparation of a permanent Bonds Record. g) Return the bond to the bonded individual unless state or local law requires otherwise.	NOTE: Two papers are received for recording: 1. Power of Attorney 2. Bond. b) *Assess recording fee. (See page F-35.) c) Most courts use a cash register system for validation. The receipt issued by the machine shows the total fee to collect. f) Some courts use the microfilm as a permanent record; other courts use hard copy produced from microfilm.

Recording Procedure
(ACM) Article 33, Section 17-5

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Election Returns</u>			Article 33, Section 17-5	<p>a) Record on the papers the date and time (hrs/min) the papers are received.</p> <p>b) Assign liber and folio numbers.</p> <p>c) Index the papers alphabetically by the name of the candidate. The following information is usually included:</p> <ol style="list-style-type: none"> 1. Date of recordation. 2. Liber and folio numbers. <p>d) Microfilm papers.</p>	<p>NOTE: <u>Primary and General Election Returns</u> are recorded in the Clerk's Office by the Board of Supervisors of Elections. There is no cost for recording election returns.</p> <p>d) Some courts use the microfilm as a permanent record; other courts use hard copy produced from microfilm.</p>

Recording Procedure
(ACM) Article 33, Section 17-5

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				e) Return election returns to the Board of Supervisors of Elections.	<u>NOTE:</u> If a lending agency needs proof that a county has authority to borrow money, the Clerk forwards certified copies of these returns.

COST SCHEDULE

SCHEDULE OF RECORDING FEES & CHARGES

Recording in Land Records	per page	\$3.00
Indexing	per name	1.00
Recording Short Release or Assignment		3.00
Indexing	per name	1.00
Recording Financing Statements	per page	3.00
Indexing	per Debtor	1.00
Terminations, Continuations, Amendments, etc		3.00
Recording Partnerships	per page	3.00
Indexing	per name	1.00
Recording Bonds	per page	3.00
Indexing	per name	1.00
Recording Agents & Factors		10.00
Indexing	per name	1.00
 <u>NOTE:</u> In computing indexing cost, husband and wife are counted separately.		
Recording Plats - (Sub-division or Condominium, County/City Charge (State Roads Plats)		5.00 <u>1.00</u>

Schedule of Recording Fees & Charges (continued)

Recording Corporations - 25% of the fee for Charter Document

For each change of address or resident agent .50

For each consolidation, merger, sale,
lease, exchange or transfer 1.00

NOTE: Local Recordation Tax -- see Article 81, Section 277(__).

State Transfer Tax - Computed at the rate of 1/2 of 1% of consideration
paid or to be paid.

County/City Transfer Tax -- Computed at rate of _____.

Documentary Stamps - Instruments conveying title to property - local rate
for each \$500.00 or fractional part of
consideration paid or to be paid.

Instruments securing a debt - local rate for
each \$500.00 of the principal amount secured.

Block System Recording

	per block	1.00
Indexing	per name	1.00
Additional Blocks	per name	1.00

Certified copies of Land Records

3.00
plus reproduction charge

Form #1

Short Release

OF MORTGAGE OR DEED OF TRUST FROM _____ MORTGAGOR(S)
 TO _____ MORTGAGEE(S) OR TRUSTEE(S) AS RECORDED IN
 LIBER _____ NO _____ FOLIO _____

SHORT RELEASE RECEIVED FOR RECORD
 THE LAND RECORDS OF

M. & RECORDED IN

MAIL TO:

5000 11-76

Form #2

Short Assignment

OF MORTGAGE OR DEED OF TRUST FROM _____ MORTGAGOR(S)
 TO _____ MORTGAGEE(S) OR TRUSTEE(S) AS RECORDED IN
 LIBER _____ NO _____ FOLIO _____

SHORT ASSIGNMENT RECEIVED FOR RECORD
 THE LAND RECORDS OF

M. & RECORDED IN

MAIL TO:

F-37

FORM #3

UCC

INSTRUMENT

- Deed
- Deed of Trust
- Mortgage
- Lease
- Agreement
- Covenant
- Easement
- Assignment
- Inquisition
- Mechanics Lien
- Declaration
- Option
- Bond
- Power of Attorney
- Plat
- Long Release
- Short Release
- Partial Release
- Long Assignment
- Short Assignment

- Finance Statement
- Continuation
- Termination
- Assignment
- Amendment
- Collateral Release
-

1977
Instrument
Receipt

Circuit Court For

OVER

F-38

RECAPITULATION

KIND OF LICENSE, ETC.	GROSS RECEIPTS (1)	REFUNDS (2)	NET RECEIPTS (3)	CLERK'S COMMISSIONS (4)	NET TO STATE (5)
1. AMUSEMENT					
2. CIGARETTE - SPECIAL RETAILER					
3. CLAMMERS				XXX XX	
4. CLAM DEALERS				XXX XX	
5. CRABBERS				XXX XX	
6. CHAB DEALERS					
7a DREDGING - COUNTY WATERS				XXX XX	
7b DREDGING - CHESAPEAKE BAY					
7c DREDGING - WICOMICO COUNTY					
8. JUNK DEALER				XXX XX	
9. MUSIC BOX					
10. PALM READER					
11. STORAGE WAREHOUSE					
12. TONGING				XXX XX	
13. TRADING-STAMP COMPANIES					
14. VENDING MACHINE					
15.					
16.					
17. TOTAL LICENSES					
18. PENALTY ON LICENSES					
19. TOTAL LICENSE AND PENALTY					
20. 3% COMMISSIONS ON LOCALLY SHARED (Form C-4, Page 1, Col (4), Line 26)		XXX XX		XXX XX	
21. NOTARY COMMISSIONS					
22. STATE TRANSFER TAX					
23. GRAND TOTAL					

FUNDS APPROVED UNDER AUTHORIZATION NUMBERS: _____

_____ red this _____ day of _____ 19 _____ (Clerk of Court)

COMPTROLLER'S REFERENCE

_____ Amount \$ _____ Warrant Number _____

FINANCING STATEMENT FORM UCC-1

Identifying File No. _____

ALL INFORMATION MUST BE TYPEWRITTEN OR PRINTED IN INK. SIGNATURES MUST BE IN INK.

If transaction or transactions wholly or partially subject to recordation tax indicate amount of taxable debt here \$ _____

If this statement is to be recorded in land records check here.

This financing statement Dated _____ is presented to a filing officer for filing pursuant to the Uniform Commercial Code.

1. DEBTOR

Name _____

Address _____

2. SECURED PARTY

Name _____

Address _____

Person And Address To Whom Statement Is To Be Returned If Different From Above.

3. Maturity date of obligation (if any) _____

4. This financing statement covers the following types (or items) of property: (list)

CHECK THE LINES WHICH APPLY

5. (If collateral is crops) the above described crops are growing or are to be grown on: (describe real estate)

(If collateral is goods which are or are to become fixtures) The above described goods are affixed or to be affixed to: (describe real estate)

(Proceeds of collateral are also covered)

(Products of collateral are also covered)

(Signature of Debtor)

Type or Print Above Signature on Above Line

(Signature of Debtor)

Type or Print Above Signature on Above Line

(Signature of Secured Party)

Type or Print Above Name on Above Line

UNIFORM COMMERCIAL CODE
STATEMENTS OF CONTINUATION, PARTIAL RELEASE, ASSIGNMENT, ETC.

THIS STATEMENT REFERS TO ORIGINAL FINANCING STATEMENT

Roll No. _____ Page No. _____
Identification No. _____ Dated _____

1. Debtor(s) { Name or Names—Print or Type _____
Address—Street No., City - County State Zip Code _____

2. Secured Party { Name or Names—Print or Type _____
Address—Street No., City - County State Zip Code _____

3. Maturity Date (if any) _____

4. Check Applicable Statement:

<p>A. Continuation <input type="checkbox"/> The original financing statement between the foregoing Debtor and Secured Party, bearing the file number shown above, is still effective.</p>	<p>B. Partial Release <input type="checkbox"/> From the collateral described in the financing statement bearing the file number shown above, the Secured Party releases the following:</p>
<p>C. Assignment <input type="checkbox"/> The Secured Party certifies that the Secured Party has assigned to the Assignee whose name and address is shown below, Secured Party's rights under the financing statement bearing the file number, shown above in the following property:</p>	<p>D. Other: <input type="checkbox"/> (Indicate whether amendment, termination, etc.)</p>

Dated: _____ Name of Secured Party _____
Signature of Secured Party _____
Type or Print (Include Title if Company) _____

State of Maryland, C _____ of _____ ss:

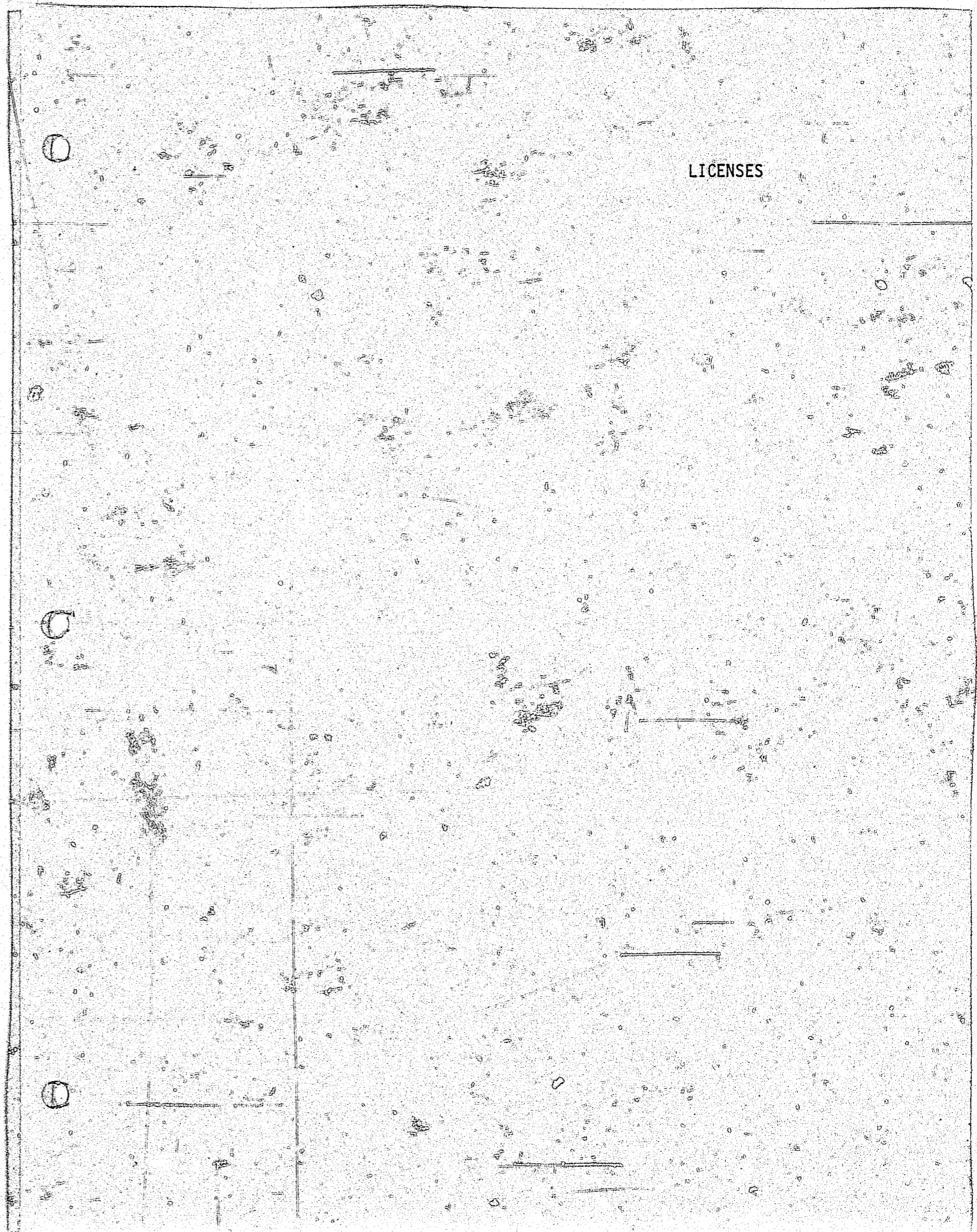
I, or we, hereby certify that _____
residing at _____ is, or are, the
owner, or owners, of the business of _____,
located and conducted at _____,
in the city, or town, of _____, in the
county of _____, in the State of Maryland,
in the name, or under the style, title or designation of

(Signed) _____

Sworn to and subscribed before me this _____ day of
_____, 19____

(Official title)

LICENSES



LICENSES CHAPTER

Forms List

LICENSES

- 1 Marriage Application face side
- 2 Marriage Application reverse side
- 3 Marriage Certificate

g(i)

Licenses Procedure
ACM (1957) Articles 62, 66C

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Marriage Licenses</u>			Article 62, Sections 6 and 7		<p>NOTE: Applications for a marriage license are issued from the Clerk's Office during regular business hours at least forty-eight (48) hours prior to issuance of the marriage license. This time period may be waived by a court order, if one of the contracting parties is a resident of Maryland, or either of the contracting parties is in the military. Applicants for a marriage license must be eighteen years of age or over to obtain a license without parental consent.</p> <p><u>Consent Requirements</u></p> <ol style="list-style-type: none"> OVER SIXTEEN --The consent of the parents or guardian and/or positive physical certification of 1) pregnancy or 2) birth of child is required. UNDER SIXTEEN --Consent of parents or guardian and positive physician certification of 1) pregnancy or 2) birth of child is required. <p>NOTE: Certifications of physicians are placed in a sealed envelope, attached to the license copy, and filed. Sealed certifications are not to be opened unless ordered by the court.</p>
Application	1	G-6	Section 9	a) Complete marriage application form by questioning one of the contracting parties under oath. G-1	

Licenses Procedure
ACM (1957) Articles 62,66C

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
	2	G-7	Section 2	<p><u>OATH:</u> DO YOU SOLEMNLY PROMISE AND DECLARE THAT YOU WILL ANSWER ALL QUESTIONS TRUTHFULLY PERTAINING TO YOUR APPLICATION FOR A MARRIAGE LICENSE?</p> <p>G-2</p>	<p><u>NOTE:</u> Questions to the applicants may include the following:</p> <ol style="list-style-type: none"> 1. Will the marriage take place in this county/city? 2. Are the applicants residents of the State of Maryland? (Used to determine fee.) <p><u>NOTE:</u> Section 2 establishes which kindred relationships are permitted to marry. Additionally, applicants must be of opposite sexes to obtain a marriage license application.</p> <p><u>NOTE:</u> The reverse side of the marriage application includes a section for:</p> <ol style="list-style-type: none"> 1. Clerk's Certificate of Minister's Marriage Return 2. Consent of Parent or Guardian 3. Order of Court (Waiving Forty-Eight Hours Waiting Period)

Licenses Procedure
ACM (1957) Articles 62, 66C

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
License	3.	G-8	Sections 4, 6 and 7 Section 3A Section 8	<p>b) Obtain signatures of contracting parties on application form.</p> <p>c) Issue license after forty-eight hour waiting period, by mailing or delivering the license to either one of the contracting parties. Do not give the license to any other person.</p> <p>d) Collect appropriate fee.</p> <p>e) Maintain a suitable well-bound book titled "Marriage License Book." Included in this book will be:</p> <ol style="list-style-type: none"> 1. Record of the issuance of the application. 2. Record of the issuance of the marriage license. 3. Record of the certification of the performance of the ceremony by the minister or clerk or deputy clerk. 	<p>c) Pre-numbered Marriage License forms are supplied by the State License Bureau and are valid for six (6) months from the date of issuance.</p> <p>d) *Assess proper fee.</p> <p>NOTE: Ministers and Clerks, or Deputy Clerks of Court if designated by the resident or senior judge, are authorized to solemnize marriages. If a Clerk or Deputy Clerk of Court is designated to perform a marriage, the resident or senior judge shall also designate the 1) time, 2) place, and 3) form of marriage ceremony to be performed.</p> <p>e) A "Foreign Marriage Record" may be separately maintained.</p>

Licenses Procedure
ACM (1957) Articles 62, 66C

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Department of Natural Resources Licenses</p>			<p>Article 66C</p>	<p>f) Index names of contracting parties in front of the Marriage License Book or in a separate book or appropriate index.</p> <p>g) Check unused licenses periodically and notify contracting parties. Request the parties to advise him/her of the marriage, if any, so that the Clerk can obtain the minister's delinquent certification.</p>	<p>NOTE: Article 66C authorizes the Clerk to issue a number of permits and licenses for the Department of Natural Resources. These include:</p> <ol style="list-style-type: none"> 1. Hunting License 2. Anglers License 3. Duck Blind License 4. Big Game, Waterfowl, and Trout Stamps 5. Crabbers and Tongers applications and temporary permits. <p>These forms are supplied by the Department of Natural Resources and change periodically. The forms, therefore, are not included in this manual.</p>

Licenses Procedure
 ACM (1957) Articles 62, 66C

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				a) Ascertain information needed to complete the application or license form. b) Assess and collect appropriate fee.	b) *Assess proper fees. Application and license fees vary from one jurisdiction to another and are, therefore, not included in this manual.

Application for Marriage License No. _____ Marriage License No. _____

State of Maryland, in Wit:

TO THE CLERK OF THE CIRCUIT COURT FOR MARYLAND

I hereby make application for a Marriage License to be issued in accordance with the Act of Assembly in such cases made and provided, and do make the following statements under oath, to wit:

Groom's Name _____ Age _____ Birthplace _____ (State)

Groom's Residence _____ (Street) _____ (City) _____ (County) _____ (State)

Groom's Marital Status _____

Bride's Name _____ Age _____ Birthplace _____ (State)

Bride's Residence _____ (Street) _____ (City) _____ (County) _____ (State)

Bride's Marital Status _____

Bride's relationship to Groom if any _____ (State Relationship)

Name of Person consenting if Groom is Minor _____

Name of Person consenting if Bride is Minor _____

(Must be one of the contracting parties) Applicant

Sworn to and subscribed before me this _____ day of _____ 19____ at _____ o'clock M.

License issued on the _____ day of _____ 19____ at _____ o'clock M.
Clerk of the Circuit Court for _____

CLERK'S CERTIFICATE OF MINISTER'S MARRIAGE RETURN

On the _____ day of _____ 19____ the above named parties were united in marriage at _____ by _____
Name of Clergyman or Authorized Officer

Address _____ Title _____
I HEREBY CERTIFY that the foregoing Clerk's Certification is correctly executed from a Marriage Return filed in this Office on _____ 19____ under authority of License No. _____

Signature — Clerk of the Court

CONSENT OF PARENTS OR GUARDIAN

I/We hereby give my/our consent to the issuance of a marriage license to _____ to marry _____

Signature of Groom's Father

Signature of Bride's Father

Signature of Groom's Mother

Signature of Bride's Mother

Subscribed and sworn to before me this _____ day of _____ A.D. 19____

Clerk, Circuit Court

ORDER OF COURT

Ordered by the Circuit Court for _____, this _____ day of _____ 19____, that the Clerk of the Circuit Court for _____ be and he is hereby authorized to issue a marriage license to _____ age _____, and

Name

Address

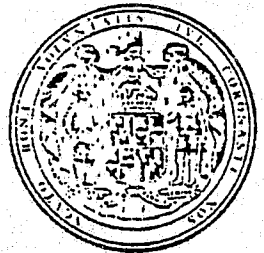
age

Name

Address

and to deliver the license to one of the contracting parties without waiting forty-eight hours after making application.

Judge



Certificate of Marriage
State of Maryland

LICENSE NO. _____

I Hereby Certify that on the _____ day of _____ 19____

the following persons were by me united in marriage at _____
(City or Town)

in accordance with the License of the Clerk of the Court in the jurisdiction shown above.

Groom's Name _____ Age _____ Birthplace _____
(State)

Residence _____ Marital Status _____
(Town or City) (County) (State)

Bride's Name _____ Age _____ Birthplace _____
(State)

Residence _____ Marital Status _____
(Town or City) (County) (State)

Relationship to groom if any _____

Signature of Officiating Clergyman or Authorized Officer

License Date _____ 19____

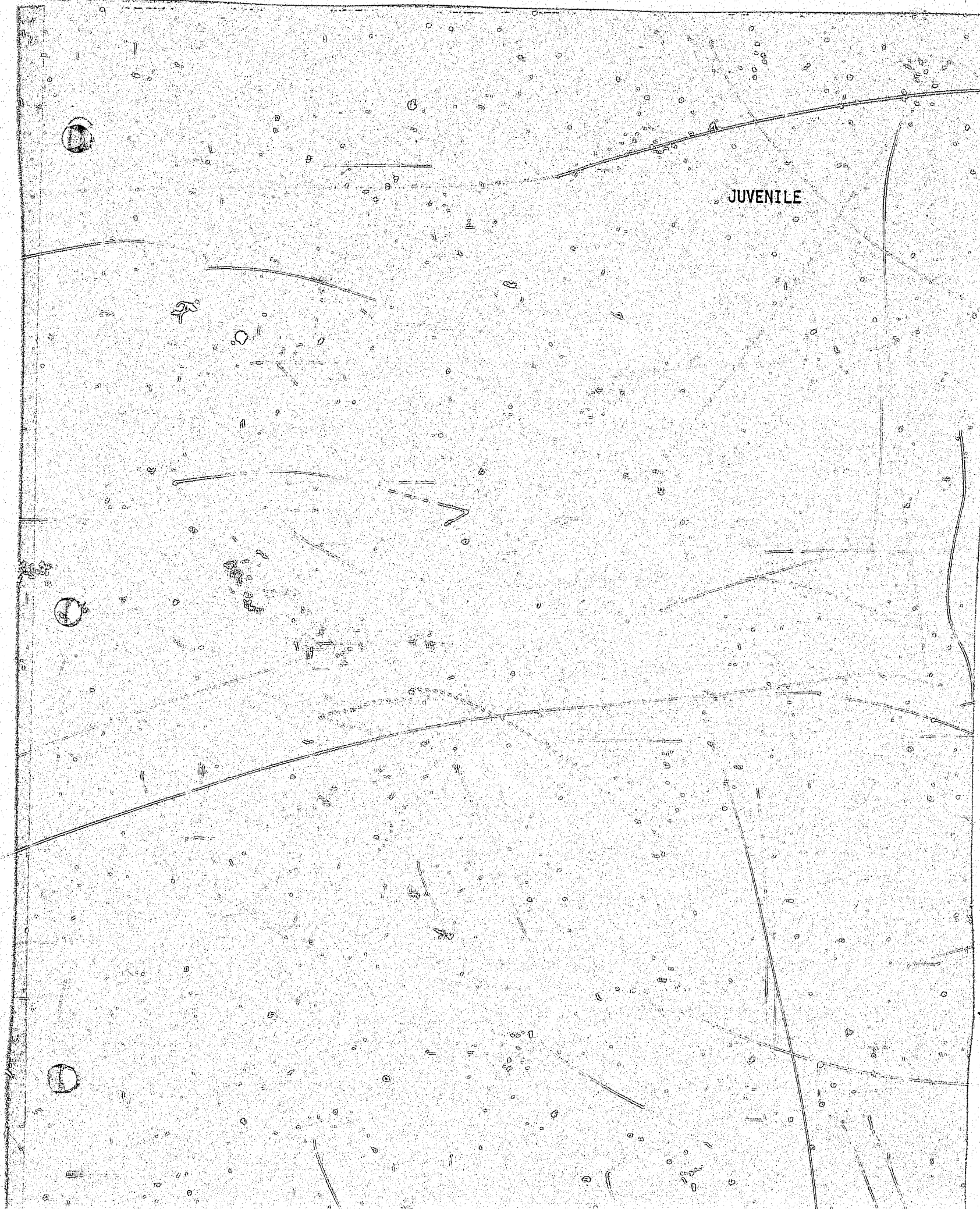
Title and Religious Denomination or Office

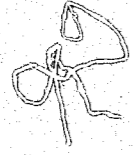
Address of Clergyman or Authorized Officer

License Fee - Resident \$ _____
Non-Resident \$ _____

This certificate is to be given
to the Contracting Parties by Clergyman
or Authorized Officer

CLERK OF THE COURT: Please Remove All Carbons Before Giving License To Contracting Parties.





JUVENILE CHAPTER

Forms List

JUVENILE

- 1 Petition For A Proceeding With Regard to a Juvenile
- 2 Petition For A Proceeding With Regard to a Juvenile
- 3 Summons Card Set
- 4 Summons (JVL. --14)
- 5 Request For Witness Summons (JVL. --15)
- 6 Return -- Envelope (JVL. --18)
- 7 Notice of Right to Counsel
- 8 Waiver of Minimum Five (5) Day Notice of Hearing
- 9 Waiver of Separate Disposition Hearing
- 10 Petition For Hearing On Waiver Of Jurisdiction Pursuant to Rule 913(b)
- 11 Order For Waiver Investigation
- 12 Order Waiving Juvenile Jurisdiction
- 13 Recognizance of Parent, Guardian, or Custodian
- 14 Consent For Voluntary Return By Runaway, Escapee, or Absconder (Form III, Approved, 1973)
- 15 Postponement Letter
- 16 Writ of Habeas Corpus (Ad Testificandum) (CRL --17)

Juvenile Procedure
ACM (1957) Chapter 900

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Informal Adjustment</u></p> <p>Petition Initiating Juvenile Proceedings is filed with the Clerk.</p>			MR901		<p>NOTE: An informal adjustment hearing may be held before an Intake Officer of the court having venue over a juvenile proceeding. The Intake Officer is a person either 1) assigned with the approval of the court by the Juvenile Services Administration (JSA), or 2) assigned by the court where no JSA person is assigned or available. These hearings are held for the purpose of determining whether a formal petition should be filed and are usually reserved for juvenile cases involving a first offense of a minor nature.</p> <p>The hearing takes place at the Juvenile Services Administration offices, and no formal petition or complaint is filed against the juvenile. This hearing serves as a warning and is used to avoid creating a record for the juvenile if it is a first offense.</p> <p>When an informal adjustment hearing is to be held, the JSA requests the complainant and all parties to attend. The clerk has no responsibility in these cases.</p>

H-1

Juvenile Procedure
ACM (1957) Chapter 900

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
1. Delinquent Petition	1	H-34	MR903(a)		NOTE: This petition is prepared by the Office of the State's Attorney. The white original petition is retained in the court's case file. There are four copies, each separated by carbon paper, which are served on or delivered to the following: Juvenile Parent, Guardian, or Custodian State's Attorney JSA
2. Petition for: Child in Need of Supervision (CINS) Child in Need of Assistance (CINA) Mentally Handicapped	2 2 2	H-35 H-35 H-35	MR903(a)		NOTE: These petitions are prepared by the Juvenile Services Administration. Copies of the petition are distributed to: Juvenile Parent, Guardian, or Custodian JSA
3. Petition for Adult (Adult Contributing to a Juvenile Being a Child in Need of Supervision)	2	H-35			NOTE: Upon the request of the parent of the juvenile, the Clerk prepares this petition using the form noted at left as a guide, adding or deleting information as necessary. The parent of the juvenile signs the petition and attests by oath to the accuracy of the information contained in the petition. Copies are distributed as in 2 above.

Juvenile Procedure
ACM (1957) Chapter 900

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>4. Emergency Detention or Shelter Care Petition</p>	2	H-35	MR912(a)		<p>If the child who is the subject of the petition is in shelter care or detention, the hearing must be given priority and should be scheduled for the same day the petition is filed with the clerk. For this reason, the clerk's role in processing the petition is vital; the court needs the completed file that day.</p> <p>These petitions are prepared by the JSA and apply solely to one of the following:</p> <ul style="list-style-type: none"> (1) 21-day detention at Maryland Children's Center (MCC). (2) 30-day detention at Walter's Children Center (WCC). (3) 30-day detention in Shelter Care (child held in private home). <p>At any time during the detention period, a formal petition may be filed. If no formal petition is filed, the detention petition is withdrawn. If a formal petition is filed, it is treated as a continuance of the case and placed with the detention petition folder.</p>
<p><u>Case Processing</u> Receipt of Petition</p>				<p>a) Upon receipt of papers, check that all names on petition are identical wherever they appear on the papers.</p>	<p>a) All juvenile cases are filed in the juvenile's name. The detention petition should designate the type of charge if a formal petition were to follow.</p>

Juvenile Procedure
ACM (1957) Chapter 900

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Master Control Sheet				b) Date-stamp petition with day and time. c) Assign case number to petition from Master Control Sheet. d) Type on Master Control Sheet the following information: 1. Docket Number 2. Case Number 3. Full name of juvenile 4. Type of case NOTE: In DEL petitions, if it is a <u>detention</u> petition, add the following notation: "(d)" together with the detention hearing date (same as filing date). Example: "(d) 2/7." In CINS and CINA petitions, add notation "(SC)," if applicable, to note that child is in Shelter Care. Also type hearing date. Example: "(SC) 3/15."	c) One individual is assigned responsibility for maintaining the Master Control Sheet. 1. Docket Number comprised of 1) Docket Book Number and 2) Docket Book Page Number on which the case is docketed. 2. Case Number is already listed on the Master Control Sheet. 4. <u>Case Type Code:</u> <u>CODE DEFINITION</u> (a) CINS--Child in Need of Supervision (b) DEL --Delinquent (c) CINA--Child in Need of Assistance

Juvenile Procedure
ACM (1957) Chapter 900

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Case Folder Preparation				<p>e) Prepare case folder. The following information is required on each folder:</p> <ol style="list-style-type: none"> 1. Case Number 2. Docket Number 3. Juvenile's full name 4. Type of case <p>Make up Header Sheet for weekly submission to the Administrative Office of the Courts (see Administrative Section); place Master Sheet in back of case folder.</p>	<p>e) Prepare separate folder for each charge.</p> <p>(See page A-3, A-16.)</p>
Docket Book Entry			MR904	<p>E) Prepare docket sheet. The following information is required to complete initial docket entry:</p> <ol style="list-style-type: none"> 1. Attorney's full name 2. Juvenile's full name 3. Type of case 4. Docket number 5. Fee Schedule <p>Insert photocopy of docket page in case folder.</p> <p>NOTE: IMPORTANT All case events are recorded on the Docket Sheet so that at all times the last docket entry presents an up-to-date history of the case.</p> <p>H-5</p>	<p>5. Used for subsequent preparation of costs bills.</p> <p>This photocopy is replaced by an updated copy of the docket page to reflect an up-to-date history of the case.</p>

Juvenile Procedure
ACM (1957) Chapter 900

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Adjudicatory Card Set Completion	3	H-36		<p>g) Enter the juvenile's full name in "Index to Juvenile Dockets" book and make notation on Master Control Sheet that indexing is completed.</p> <p>h) Complete two (2) sets of white adjudicatory cards with tissue copies. The following information is required to complete card set I:</p> <ol style="list-style-type: none"> 1. Petitioner's name 2. Attorney's name 3. Juvenile's full name 4. Case Number 5. Hearing Date 6. Time of hearing 7. Reason for hearing 	<p>g) Another clerk checks docket entries and indexing for accuracy. After checking, make proper notation on Master Control Sheet that checking process is completed.</p> <p>h) Check the Docket Book index for prior outstanding charges against the same juvenile to:</p> <ol style="list-style-type: none"> 1. Schedule earliest hearing date by consolidating old and new charges. 2. Ascertain location of juvenile for ease in service of process. <p>1. Petitioner is the JSA or the State's Attorney.</p> <p>7. Reasons may include the following: --Review of Detention --Hearing on Counsel --Adjudicatory Hearing --Disposition Hearing --Waiver Hearing</p>

H-6

Juvenile Procedure
ACM (1957) Chapter 900

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Amendment to Petition</u> requested</p>			MR908	<p>Only the following information is required on Card Set II;</p> <ol style="list-style-type: none"> 1. Juvenile's full name 2. Petition Number <p>NOTE: Use Card Set I in scheduling the case for a hearing on counsel. Place Card Set II in an <u>alphabetical file</u> for subsequent processing for adjudicatory hearing.</p> <ol style="list-style-type: none"> a) File date amendment and place in folder. b) Make entry in Docket Book. c) After approval by Court, correct original petition, by hand, crossing out original and entering corrections above; enter date correction is made. Enter your initials by the correction. 	<p>a) A juvenile's petition may be amended any time prior to an adjudication.</p>
<p><u>Additional Count on Petition</u> previously filed</p>				<ol style="list-style-type: none"> a) Date stamp papers and place in case folder. b) Make entry in Docket Book. c) Mail true copy test copies to: <ol style="list-style-type: none"> 1. Juvenile 2. Parent, Guardian, or Custodian 3. Attorney of record 	<p>a) See above.</p>

Juvenile Procedure
ACM (1957) Chapter 900

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Scheduling Hearings on Counsel</u>			MR904b, 906		The respondent is entitled to be represented in all proceedings by counsel retained by him/her, the parents, guardian or custodian, or by the Public Defender. The JSA is responsible for case scheduling in some circuit courts.
	3	H-36		a) Select a date approximately two (2) weeks from scheduling date.	a) If the juvenile has co-defendants, schedule all counsel hearings for the same date.
	4	H-37		b) Insert date on Adjudicatory Card Set and place original card in proper file.	b) File is set for two-week intervals. Cards are filed chronologically according to date of next hearing.
Summons	5	H-38		c) Complete Summons, attach a copy of petition, and issue to Sheriff for service of process. Attach the following to summons and petition for service on juvenile: 1. Request for Witness Summons 2. Return-addressed envelope 3. Notice of Right to Counsel	c) Prepare summons for juvenile and parents, guardian, or custodian for counsel hearing. If parents are divorced, both are served.
	6	H-39			
	7	H-40			
					Not all juveniles who are confined in juvenile facilities are brought in for counsel hearings. He/She is instructed to 1) complete the form: <u>Notice of Right to Counsel</u> , witnessed

Juvenile Procedure
ACM (1957) Chapter 900

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Hearing on Counsel/ Scheduling Adjudicatory Hearing</p>				<p>d) Notify Public Defender of all counsel hearings.</p> <p>a) One day prior to the counsel hearing, pull the Adjudicatory Card Set for each case scheduled for a counsel hearing. b) Check 1) witnesses' addresses to see if witnesses reside in county/city and 2) police officer's vacation schedule before selecting adjudicatory hearing date. Select a date three (3) weeks hence if possible.</p> <p>NOTE: The adjudicatory hearing must be scheduled within sixty (60) days after the original juvenile petition is served. The court, however, may order an extension.</p>	<p>by an attendant and 2) return the form to the clerk's office. The form is placed in the case folder prior to the counsel hearing to which the parents, guardian, or custodian is summoned.</p> <p>d) See Two-Week Docket Preparation.</p> <p>NOTE: If an attorney has been retained, he telephones clerk's office or enters an appearance; no counsel hearing is held, and the case is scheduled for an adjudicatory hearing. The attorney is responsible for notifying clients of all hearings.</p> <p>a) The Public Defender always attends counsel hearings automatically.</p> <p>b) 2) Annual vacation schedule is obtained from local Police Department.</p>

CONTINUED

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Juvenile Procedure
ACM (1957) Chapter 900

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>c) Enter date on Adjudicatory Card Set in date block.</p> <p>d) Verify hearing date with attorney of record, if any.</p> <p>e) Prepare and issue summons for in-state witnesses.</p> <p>f) Prepare and mail letter (not summons) for out-of-state witnesses advising of the <u>date</u>, <u>time</u>, and <u>place</u> of the adjudicatory hearing.</p> <p>NOTE: For out-of-state witnesses, the Clerk may note on the list of witnesses that a letter was mailed to each non-resident witness. Mark 1) the date the letter was mailed and 2) the type of hearing for which the notice was issued.</p> <p>g) At counsel hearing, give the juvenile and parents, guardian, or custodian a tissue copy of the Adjudicatory Card Set showing the adjudicatory hearing <u>date</u> and <u>time</u>.</p> <p>h) Make appropriate entry on Docket Book for each of the above activities.</p>	<p>g) This is the only notice of the hearing the juvenile and parents, guardian, or custodian will receive as each is still under the jurisdiction of the original summons.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Adjudicatory Hearing	8,9.	H-41, H-42	MR914(b)		NOTE: If the juvenile and parents, guardian, or custodian are agreeable and will sign a Waiver of Minimum Five (5) Day Notice of Hearing form, with the concurrence of the court, the Disposition Hearing can immediately follow the Adjudicatory Hearing. Clerk provides form for signing by all parties and files in case folder.
Scheduling Disposition Hearing			MR915(a)	<p>This hearing must be scheduled no later than thirty (30) days after the Adjudicatory Hearing.</p> <p>If there is an attorney on record: telephone attorney and arrange disposition hearing date.</p> <p>If there is no attorney on record: a) 1) Prepare card set and 2) Issue summons to juvenile and parents, guardian or custodian. b) Place original card in proper file.</p>	<p>If there are companion cases which have not yet been disposed of, they are set for the same hearing date. These cases, however, may be heard separately.</p> <p>Attorney is responsible for notifying clients.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Orders of Disposition</u>				<p>NOTE: Following the hearing, the case folder is returned to the clerk's office. The responsibility of the clerk will vary depending upon the disposition of the case. Each disposition with the corresponding responsibilities of the clerk are described below:</p>	<p>NOTE: The courtroom clerk notes the results of the disposition on the Juvenile Hearing Sheet. Regardless of the type of disposition, the Clerk makes the appropriate entry in the Docket Book, writes the judge's name in parentheses, and enters the date. There are numerous dispositions which may result from the hearing, however. The most common orders resulting from a juvenile hearing are as follows:</p> <ul style="list-style-type: none"> #1 Restitution #2 Termination #3 Probation #4 Custody #5 Supervision #6 Rescission #7 Detention #8 Shelter Care #9 Commitment

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#1 Order of Restitution				Docket case; distribute copy of the order to: 1. Juvenile and Parents, Guardian, or Custodian 2. State's Attorney 3. JSA 4. Attorney of record, if any 5. Victim, if any 6. If money to be paid through someone else, copy to that person	See Docket Book Entries.
#2 Order of Termination				a) Docket case; distribute copy of the order to: 1. Juvenile and Parents, Guardian, or Custodian 2. JSA 3. State's Attorney 4. Attorney of record, if any b) Seal case.	See Docket Book Entries. See Sealing Procedures.
#3 Order of Probation				Docket case; distribute copy of order to: 1. Juvenile and Parents, Guardian, or Custodian 2. JSA 3. Attorney of record, if any	See Docket Book Entries.

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#4 Order of Custody				Docket case; distribute copy of order to: 1. Juvenile and Parents, Guardian, or Custodian 2. Person(s) in whose custody the Juvenile is placed 3. JSA 4. Department of Social Services, if order so states	See Docket Book Entries.
#5 Order of Supervision				Docket case; distribute copy of order to: 1. Juvenile and Parents, Guardian, or Custodian 2. JSA 3. Person who will have supervision of juvenile	See Docket Book Entries.
#6 Order of Rescission				Docket case; distribute two (2) copies of the order to: 1. JSA	See Docket Book Entries. 1. JSA forwards one copy to the Juvenile
#7 Order for Detention				Docket case; distribute copy to: 1. Place of Detention 2. Juvenile 3. Parent, Guardian, or Custodian 4. JSA	See Docket Book Entries.

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
#8 Order for Shelter Case				Docket case; distribute two (2) copies of order to: 1. JSA or Department of Social Services (DSS), as order states	See Docket Book Entries. 1. JSA or DSS forwards one copy to the Juvenile
#9 Order for Commitment				Docket case; distribute a copy of order to: 1. Place of Commitment 2. Juvenile 3. Parent, Guardian, or Custodian 4. JSA 5. State's Attorney If court orders that court costs be paid: Prepare bill from cost schedule on docket sheet.	See Docket Book Entries. * Assess court costs including Sheriff's.
<u>Waiver Hearing requested</u>	10, 11	H-43, H-44	MR913(b)	The petition is docketed and given a folder using the methodology explained above (see <u>Petition Initiating Juvenile Proceedings</u>). In addition: a) Send file directly to Judge or Master for entry of order to begin the investigation. H-15	NOTE: The State's Attorney may request a Waiver Hearing at the filing of a Delinquent Petition. In these cases, the court orders a Pre-Waiver Investigation and Report prepared by the JSA.

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
	12	H-45		<p>b) Telephone attorney of record, if any, to notify him/her of Waiver Hearing date and time. Summon juvenile and parents, guardian, or custodian if there is no counsel of record.</p> <p>c) Prepare and issue summons for witnesses.</p> <p>If the waiver is granted:</p> <p>d) Prepare a true copy test of the petition and the waiver order; issue both to the arresting officer pending a bail hearing for immediate transfer to the District Court Bail Commissioner for bond-setting.</p> <p>e) Clerk forwards copies of order to respondent, State's Attorney, and JSA.</p> <p>f) Seal file.</p> <p style="text-align: center;">H-16</p>	<p><u>NOTE:</u> The judge's Assignment Office schedules the case for a Waiver Hearing.</p> <p>b) The attorney of record is responsible for notifying juvenile and parents, guardian, or custodian.</p> <p>c) The State's Attorney notifies the Clerk of the witnesses needed.</p> <p><u>NOTE:</u> Witnesses other than the arresting officer and the JSA caseworker who conducts the investigation and prepares the report usually are not required.</p> <p>e) This procedural step is OPTIONAL.</p> <p>f) See File Sealing Procedure.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Summary Review</u> requested</p>			<p>MR913(a)</p>	<p>The petition is docketed and given a folder using the methodology explained above (see <u>Petition Initiating Juvenile Proceedings</u>). In addition:</p> <p>a) Send file directly to Judge or Master. b) Prepare true copy tests of order when returned from Judge or Master; mail copies to:</p> <ol style="list-style-type: none"> 1. Attorney of record, if any 2. State's Attorney 3. JSA 4. All other involved parties <p>c) Seal file.</p>	<p>NOTE: If the court has once waived jurisdiction, it may, after Summary Review, waive jurisdiction in a subsequent proceeding without a hearing.</p> <p>The petition for Summary Review is prepared by the Office of the State's Attorney.</p> <p>c) See File Sealing Procedure.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Transferred From Criminal to Juvenile Division</u></p>				<p>NOTE: The Criminal Court which heard the case forwards the Hearing Sheet to the juvenile section of the Clerk's Office.</p> <p>Make and forward copy of the Hearing Sheet to the JSA.</p> <p>The petition is docketed and given a folder using the methodology explained above (see <u>Petition Initiating Juvenile Proceedings</u>). If there is no counsel of record, the Clerk proceeds with a Hearing on Counsel. If there is a counsel on record, the Clerk proceeds with an Adjudicatory Hearing.</p>	<p>NOTE: The State's Attorney prepares a Formal Delinquent Petition which is delivered to the Clerk's Office.</p>
<p><u>Deposit for Security for Appearance is made</u></p>			<p>MR904(e)</p>	<p>H-18</p>	<p>*NOTE: The Judge or Master sets the amount of deposit from the Criminal Court Hearing Sheet. The Clerk's involvement in this process begins when the parent, guardian, or custodian brings the money (cash or check, certified or personal) for the deposit to the Clerk's Office.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
	13	H-46		<p>a) Complete Form 904-R (Recognizance Bond). b) Place original form in case folder; give copy of form to parent, guardian, or custodian as one receipt. c) Prepare receipt from Receipt Book; give receipt to parent, guardian, or custodian. d) Transmit <u>money</u> and <u>receipt</u> to the Bookkeeping Clerk. e) Bookkeeping Clerk records receipt and money and deposits money.</p> <p>NOTE: After the Disposition Hearing, by Order of Court the parents, guardian, or custodian returns to the Clerk's Office to recover the deposit. That person can leave his/her name and address with the bookkeeping clerk; the bookkeeping clerk either will mail the deposit refund check to him/her or give the person the refund immediately. The <u>receipt</u> for accepting the deposit, together with positive identification, must be presented before the deposit can be refunded.</p> <p>f) Type certification on the bottom of the Recognizance Bond (Form 904-R) for the parent, guardian, or custodian to sign for receipt of the money.</p>	

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Transfer of Jurisdiction</u> cases</p>				<p>g) Have Bookkeeping Clerk draft check payable to claimant and give to claimant.</p> <p>h) Obtain claimant's signature on the Recognizance Bond and place in the case folder.</p> <p>i) Make appropriate docket entries.</p> <p>NOTE: All case transferrals are ordered by the Court. If a juvenile moves to another jurisdiction (outgoing transferred cases) or if a juvenile moves to the jurisdiction of this Juvenile Court, certain procedures are necessary to insure that the case papers are transmitted to the proper jurisdiction. If the transfer of jurisdiction solely involves supervision of the juvenile, the JSA is responsible for transmitting the papers. In these instances, the case file remains "open" in the system.</p> <p>The Clerk is responsible for transmitting the case papers in all other instances according to the following procedures:</p>	<p>h) The refund check is payable to the person who paid the deposit.</p>
<p>Outgoing Transfers</p>				<p>a) Photocopy all original documents, including Docket History Sheet.</p>	<p>a) See Docket Procedures.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Incoming Transfers				<p>b) Mail <u>original</u> documents by certified mail, return-receipt requested, to new jurisdiction.</p> <p>c) Place document copies in case folder.</p> <p>d) Attach post office receipt, when received, to case folder.</p> <p>e) Seal case folder.</p> <p>If the case has been disposed of;</p> <p>a) Sign and return the post office receipt, if one is attached, to the county/city of transfer.</p> <p>b) File papers and prepare case folder using the methodology set out in: <u>Petition Initiating Juvenile Proceedings</u> section.</p> <p>c) Prepare Header and Master Sheets.</p> <p>d) Forward copies of all papers to the JSA.</p>	<p>e) See File Sealing Procedures.</p> <p>(See page A-3, A-15.)</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Exceptions to the Master's Finding and Proposed Orders are filed.</p>			<p>MR911 (c)</p>	<p>If the case seeks an adjudication of delinquency and has not been disposed of:</p> <ul style="list-style-type: none"> a) Sign and return the post office receipt, if one is attached, to the county/city of transfer. b) File papers and prepare case folder using the methodology set out in: <u>Petition Initiating Juvenile Proceedings</u> section. c) Prepare Header Sheet only, placing Master Sheet in back of the case folder. d) Forward copies of all papers to the <ul style="list-style-type: none"> 1) State's Attorney and 2) the JSA. <p>NOTE: After an Adjudicatory Hearing heard by a Master, the Master prepares a Report and Recommendation and Proposed Orders. All parties receive copies of this Report, including a mailing date certification. Exceptions, in writing, must be filed with the Clerk within five (5) working days from receipt of the Report. If Exceptions are filed, the judge schedules a hearing and notifies all parties by mail. The responsibilities of the Clerk include the following:</p> <p style="text-align: center;">H-22</p>	

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Hearing on Interstate Compact is held</u></p>			<p>MR903(a)4</p>	<p>a) File Exceptions. 1. Date-stamp papers. 2. Make docket entry. 3. Place papers in case folder.</p> <p>b) File State's Attorney's Answer, if one is submitted. 1. Date-stamp papers. 2. Make docket entry. 3. Place papers in case folder. 4. Forward case folder to judge.</p> <p>NOTE: If no Answer is received from the State's Attorney's Office within five to seven days, do NOT contact the State's Attorney. Send case folder to judge. The judge mails letters noting the hearing date to the attorney on record, State's Attorney, and the Juvenile Court Clerk's Office.</p> <p>c) Issue witness summons.</p> <p>a) Prepare Juvenile Hearing Sheet</p>	<p>c) Witnesses are listed on the State's Attorney's original petition.</p> <p>a) The Juvenile Hearing Sheet contains information from Detention Hearing before a Judge or Master. Such information includes: 1. Juvenile's full name 2. Detention hearing date 3. Detention center 4. Witnesses 5. Arresting officer's name 6. Length of detention hearing</p>

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Consent For Voluntary Return By Runaway, Escapee or Absconder</u>	14	H-47		b) Forward Juvenile Hearing Sheet and case papers to judge for signature on appropriate order. c) Upon receipt, date-stamp the signed order. d) Forward true copy tests of the order to: 1. Juvenile 2. Detention center 3. JSA e) Form is signed at hearing and given to courtroom clerk. Clerk file-dates order and papers are placed in separate Interstate Compact file.	3. JSA arranges for the return of the juvenile. When plans are complete, JSA selects hearing date. NOTE: NO docket entries are made in Interstate Compact cases.
<u>Postponement requested</u>	15	H-48	Courtesy	a) May prepare and mail postponement letter to all involved parties.	NOTE: If a postponement is requested prior to preparation of the Court Docket, the Clerk may grant the postponement. Otherwise, the State's Attorney has responsibility to grant the postponement and notify all parties.

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DESCRIPTION	FORM	NO.	STATUTE- OR RULE	PROCEDURE	COMMENTS
<p>Exhibits Exhibits entered into evidence</p>				<p>a) Label a large, manilla envelope each for the State's and Defense's exhibits with the following information: 1. Juvenile's full name 2. Petition number 3. State or Defense exhibit 4. Date exhibit entered. Place envelope in vault.</p> <p>b) Complete card record with the information recorded in a); file card in file.</p>	<p>NOTE: If the Clerk is unsure whether to grant the postponement, check with the State's Attorney's Office.</p> <p>b) This card record acts as a "check" for the Clerk's Office on exhibits stored in the vault.</p>
<p>Exhibits returned to parties</p>				<p>a) Obtain receipt for each exhibit; place receipt in the case folder.</p> <p>b) Discard appropriate card record.</p>	<p>NOTE: Exhibits are stored for at least thirty (30) days. Once case is disposed of, the exhibits are returned.</p>
<p>Motions filed</p>				<p>a) Date-stamp papers.</p> <p>b) Docket motion and file in case folder.</p>	

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Juvenile Services Administration Files Papers</u></p> <p><u>Petition to Cite for Contempt Filed</u></p>				<p>c) Mark calendar fifteen (15) days from date of filing motion.</p> <p>d) Pull file on date noted in c) above; forward to Judge or Master.</p> <p>a) Review for accuracy of petition names and case number.</p> <p>b) Date-stamp memorandum.</p> <p>c) Read memorandum for requests to have orders signed.</p> <p>d) Pull case folder and send to Judge or Master, including memorandum and attached orders.</p> <p>e) Docket signed orders.</p> <p>f) Prepare and mail two (2) true copy tests to JSA.</p>	<p>a) If names or number is incorrect, papers are returned to JSA.</p> <p>f) JSA retains one copy and forwards one copy to the juvenile or detention center.</p> <p>NOTE: The contempt petition is forwarded to the Domestic Relations Department and contains an order of court on the bottom of the petition. Such petitions are a continuation of a previously docketed juvenile case. No new file is prepared; no new petition number is assigned.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Writ of Habeas Corpus (Ad Testificandum) issued</p>	16	H-49		<p>a) Date-stamp and docket petition.</p> <p>b) Pull case folder and forward to Judge or Master.</p> <p>c) Prepare and forward true copy tests of the signed order to:</p> <ol style="list-style-type: none"> 1. One (1) copy to the Domestic Relations Department. 2. Two (2) to Sheriff for service of process. <p>d) Mark case on calendar two (2) days before scheduled hearing date.</p> <p>e) Pull file on date set out in d) above and send to Judge or Master.</p> <p>a) By phone, request the State's Attorney Office for an order for issuance of the writ.</p> <p style="text-align: center;">H-27</p>	<p>NOTE: Domestic Relations Department sets case for contempt hearing by Master. Domestic Relations Department notifies Clerk's Office of hearing date.</p> <p>a) A writ must be issued for all juveniles in detention or incarceration. These writs are required to bring a juvenile from the place of detention or incarceration to the court for hearings.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Review Petition</u> filed</p>				<p>b) Prepare writ, giving original to Sheriff.</p> <p>c) Prepare and send one (1) true copy test to the place of holding.</p> <p>d) File one copy of writ with the State's Attorney's request order in case folder.</p> <p>e) Clerk files one copy of writ in general "check" file drawer.</p> <p>a) Date-stamp petition and place in case folder.</p> <p>NOTE: Methods used for selecting a date for the Review Hearing follow the methods explained in: <u>Petition Initiating Juvenile Proceeding.</u></p>	<p>d) This file acts as a "check" for issuance of a writ if the juvenile's file is out of the Clerk's Office.</p> <p>NOTE: No writ is forwarded to the Sheriff if juvenile is held at the State Forestry Camp or any state mental institution. These institutions transport the juvenile to the court.</p> <p>The Department of Social Services or the JSA prepares the Review Petition when appropriate.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Dismissal of Case in Open Court requested; Dismissal Hearing</u></p>				<p>b) Issue summons for witnesses listed on petition. After attaching a copy of the petition to each summons, forward the papers to the Sheriff for service.</p>	<p>NOTE: The State's Attorney may request a case be set for hearing before the court for "Dismissal in Open Court." The State's Attorney telephones the Clerk's Office requesting that the Clerk add a case to the docket for a Dismissal Hearing. No witnesses are required.</p>
<p><u>Re-opened Cases</u></p>				<p>a) Pull case folder and make up card set. b) Place card in proper file. c) Add case to Docket. a) Prepare new Header Sheet. b) Prepare new Master Sheet.</p>	<p>a) See Summons Card Set above. c) See Docket Preparation. a) See Administrative Chapter, page A-3, A-16. b) See Administrative Chapter, page A-3, A-16.</p> <p>NOTE: The Clerk maintains an up-to-date history of juvenile case activities on the Docket Sheet. Docket Entries are typed or hand-written. Nearly every activity is docketed. Information recorded on docket sheet includes:</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Court Docket Preparation</u> 1. Case Schedule</p>				<p>a) Enter appropriate information on Docket Sheet.</p> <p>b) Photocopy Docket Sheet each time new entry is made.</p> <p>c) Place photocopy in front of case folder, discarding "outdated" Docket Sheet photocopy.</p> <p>a) List all cases scheduled for trial for the week-period commencing two (2) weeks from present date. These cases are filed chronologically in the proper file. First list morning cases. Then list afternoon cases.</p>	<p>1. Juvenile's full name. 2. Petition number (same as case number). 3. Attorney's full name. 4. Type of case. 5. Receipt/Distribution of various papers. 6. Hearing results. 7. Security Deposit acceptance/refund. 8. Disposition.</p> <p>c) Judge refers to this Docket Sheet photocopy during his study of the case and also during hearings. It <u>must</u> be complete and current.</p> <p>a) This schedule is prepared each Friday two (2) weeks in advance. Each schedule is typed. Preparation of the Case Schedule may be the responsibility of the JSA in some circuit courts.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
2. Changes in Docket				<p>b) Prepare and send copies of the Case Schedule to:</p> <ol style="list-style-type: none"> 1. Public Defender. 2. State's Attorney. 3. JSA. 4. Department of Social Services. 5. Chief Administrative Judge. 6. Court Administrator, if any. 7. Sheriff <p>c) Give original Weekly Docket to Courtroom Clerk.</p> <p>d) Make two (2) "working" copies;</p> <ol style="list-style-type: none"> 1. Attach 1) summonses and 2) proof of service to one working copy one day before the hearing; give to Courtroom Clerk. 2. Retain one copy as an office copy. <p>a) List only corrections to the docket for the <u>next</u> work week. First list per day. Then list per hour.</p> <p>b) Label this docket: <u>Changes in Juvenile Court Docket.</u></p>	<p>7. This copy acts as a "check" for Sheriff to transport all juveniles to court.</p> <p>a) This docket is prepared each Friday for the following work week.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
3. Juvenile Court Docket				a) Consolidate information from Case Schedule and Changes in Juvenile Court Docket. b) Prepare one (1) Juvenile Court Docket sheet for each calendar day showing: 1. Petition number. 2. Type of Hearing. 3. Juvenile's full name. Under the juvenile's name, type as appropriate: --Attorney's name. --No counsel. --Referred to Public Defender. c) Note Judge's or Master's name if a certain Judge or Master is to hear the case.	
<u>Sealing Procedures</u>			MR921	a) Place case folder in a large envelope and seal it. b) Place petition number on outside of envelope. c) Place envelope in Sealed File Cabinet in numerical order. d) Stamp "SEALED" by juvenile's name in Docket Book Index. H-32	Sealed cases may be opened only by order of court.

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
				<p>NOTE: The confidentiality of juvenile records must not be violated. Only employees of the Clerk's Office are allowed in the files. The files cannot be removed from the office unless needed by the court. In these instances, the clerk hand delivers the files to the judge. All file cabinets and docket books must be securely locked at the close of the workday. Juvenile case information is not a matter of public record.</p>	

Form # 1

IN THE MATTER OF

IN THE CIRCUIT COURT FOR

SITTING AS A JUVENILE COURT

NO. JUVENILES

PETITION FOR A PROCEEDING WITH REGARD TO A JUVENILE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of the State's Attorney for respectfully represents unto Your Honors:

FIRST: That your petitioner is a member of the staff of the State's Attorney's Office for and pursuant to the provisions of Article - Courts and Judicial Proceedings, Section 3-812 (B), is charged with the responsibility of filing delinquency petitions.

SECOND: That is a juvenile and that to the best of your petitioner's knowledge and belief the following facts concerning the juvenile are true and accurate:

Date of Birth, Sex

Residence

That pending further proceedings in the above-entitled cause, the juvenile was released/detained for days as of the time of the filing of this petition/and the parent has been notified.

Custodian's Name

Custodian's Address

THIRD: That your petitioner verily believes that said child is a delinquent child under the provisions of Article - Courts and Judicial Proceedings, Section 3-801 (j) by reason of the following facts and circumstances.

and is therefore within the jurisdiction of this Court.

Wherefore, your petitioner prays this Honorable Court to assume jurisdiction in this matter and, after proper hearing, to pass such order(s) as the Court may deem appropriate.

Authorized By:

State's Attorney for

Intake officer/Review Authority

By:

Form # 2

IN THE MATTER OF

IN THE CIRCUIT COURT FOR

COUNTY SITTING AS A JUVENILE COURT

NO. JUVENILES

PETITION FOR A PROCEEDING WITH REGARD TO A JUVENILE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of respectfully represents unto your Honors:

That the following named child under the age of years is a delinquent child neglected child dependent child mentally handicapped child child in need of supervision within the meaning and intent of Section 70-2 of Article 26 of the Annotated Code of Maryland.

NAME DATE OF BIRTH SEX RACE

RESIDENCE

and is in the custody and control of

parent/guardian who resides at

This petition is filed for the reason that on in the County aforesaid

WHEREFORE, Petitioner respectfully prays that the Court make such finding and pass such Order or Decree as the law provides.

Authorized By:

Intake Officer/Review Authority Petitioner

Relationship or Concern

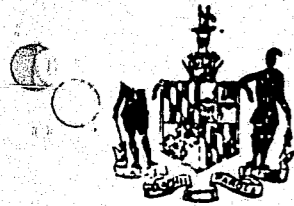
DETENTION PRIOR TO HEARING

Address

Respondent was Detained at from

to Authorized by

PETITIONER'S WITNESSES:



OFFICE OF
CLERK OF THE CIRCUIT COURT

Form # 3

TELEPHONE:

Petitioner(s)

Juvenile's Attorney(s)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

In the matter of

Summons issued for _____ Witnesses _____ Notice mailed _____

CASE NO.	HEARING/TRIAL DATE	TIME	HEARING/TRIAL ON

Application for postponement must be made in writing with copies to all attorneys within five (5) days of receipt of this notice. Please refer to Assignment Bulletin Board for Court Room designation.

Very truly yours,

Clerk

Case No. _____

Trial date of _____ is hereby acknowledged.

Date: _____ Attorney: _____

Form # 4

IN THE MATTER OF

IN THE
CIRCUIT COURT
FOR

NO. _____ Juvenile

STATE OF MARYLAND,
TO:

, TO WIT:

GREETINGS:

You are hereby summoned to attend a hearing in the above-entitled cause set for _____ M. on the _____ day of _____, 19 _____ at the Court House, _____, Maryland, for the purpose of _____

If you fail to attend, you will answer at your peril.

ISSUED the _____ day of _____, 19 _____
WITNESS the Honorable _____, Chief Judge of the _____ Judicial Circuit of Maryland.

CLERK

TO THE PERSON SUMMONED: TAKE NOTICE that if the respondent is a child, it is necessary for both parents, or guardian or custodian as the case may be, to attend and produce the respondent at the hearing. The Court may, at this or later hearings, consider, determine and pass orders affecting any person who is properly before the Court, including but not limited to the detention/shelter care, commitment, custody, or treatment and supervision of the respondent child; responsibility for his/her support and the amount thereof; restitution by the respondent and/or his parents; and an assessment of Court costs.

The Court will summon any witnesses, including character witnesses, whom you wish to appear in Court and testify on your behalf. List their names and addresses on the attached Request for Witness Summons and return it promptly in the attached self-addressed envelope.

You may, if you wish, retain a lawyer to represent you or the respondent: if you do, be sure to show this Summons to him. If you cannot afford a lawyer and can qualify for one to be appointed to represent you or the respondent at no expense to you, contact the Office of the Public Defender on any weekday between 9:30 and 4:30 at

Telephone Number: _____

RETURN OF SERVICE

Summoned _____ by
personal service and delivering a
copy of this Summons and the
attached _____
to the said _____
at _____
on this _____ day of _____,
19 _____.

Non Est: _____
Other: _____

ATTEMPTS AT SERVICE

Date _____ Time _____ Date _____ Time _____

By: _____
Deputy Sheriff/Police Officer/Other

Form # 5

IN THE MATTER OF

IN THE
CIRCUIT COURT
FOR

NO. _____ Juvenile

REQUEST FOR WITNESS SUMMONS

Mr. Clerk:

Please summons the following:

Name: _____

Address: _____

to testify for the respondent at the hearing of this Cause

Signed _____
Respondent

By _____
(Parent, Guardian, Custodian or Attorney)

H-39

ATTENTION: JUVENILE DEPARTMENT

JVL-18

Circuit Court for

Clerk

Form # 6

IN THE MATTER OF * IN THE CIRCUIT COURT
*
* FOR
*
*
* NO. JUVENILE

NOTICE OF RIGHT TO COUNSEL

As the attached Petition shows, you have been charged in the Circuit Court for sitting as a Juvenile Court. Under the Law, every child so charged has the right to have a lawyer. In order for the Court to know that you have been advised of your rights, it is necessary that you inform us of your desire as to a Lawyer. Please complete this form by checking the proper space provided below, signing, and return to us in the enclosed stamped envelope.

CHECK ONE

I elect not to be represented by a Lawyer.

I will employ my own lawyer.

I request to be referred to the Public Defender.

WITNESS

JUVENILE

DATE

IN THE MATTER OF * IN THE CIRCUIT COURT
*
* FOR
*
* NO. JUVENILE

WAIVER OF MINIMUM FIVE (5) DAY NOTICE OF HEARING

Maryland Rule 909c. provides for a minimum five (5) day notice of the time, place and purpose of any hearings scheduled pursuant to the provision of the Chapter 900 Rules (Juvenile Causes).

By signing this form, the parties hereby agree freely, knowingly and voluntarily to waive the aforementioned notice and proceed with a _____ hearing on this date.

Date

Juvenile

Petitioner

Parent/Guardian

IN THE MATTER OF

*
*
*
*

FORM # 9
IN THE CIRCUIT COURT

FOR

NO. JUVENILE

WAIVER OF SEPARATE DISPOSITION HEARING

Pursuant to Section 3-820 (A) of the Courts and Judicial Article, we, the undersigned, understanding that we have a definite right to have a separate hearing for disposition in this matter, freely, knowingly, and voluntarily waive that right and request disposition be made at the conclusion of the Adjudicatory hearing.

Petitioner

Respondent

Parent

IN THE MATTER OF

*
*
*
*
*

IN THE CIRCUIT COURT

FOR

SITTING AS A JUVENILE COURT

PETITION FOR WAIVER OF JUVENILE JURISDICTION

To the Honorable, the Judge of Said Court:

The petition of _____, Assistant State's Attorney for _____, Maryland, respectfully shows:

1. That _____, the respondent in the above-entitled cause, was born on the _____ day of _____, 19____, and is now more than _____ years of age.

2. That the petition filed in this proceeding alleges delinquency, to wit:

See sheet attached hereto and made a part hereof.

3. And your petitioner further believes and alleges that the respondent, by reason of the nature of the alleged delinquent act; respondent's participation in it; the public safety; as well as respondent's age and lack of amenability to treatment in any institution, facility, or program available to delinquents, is an unfit subject for juvenile rehabilitative measure.

WHEREFORE, your petitioner respectfully prays that:

A. The Court order a waiver investigation to be made, pursuant to Maryland Rule of Procedure 913b.;

B. The Court waive its exclusive original jurisdiction so that respondent may be tried in the appropriate criminal court.

Assistant State's Attorney

CERTIFICATE OF SERVICE

I hereby certify that on this _____ day of _____, 19____, a copy of the foregoing Petition was mailed to

IN THE MATTER OF * IN THE CIRCUIT COURT *
* FOR *
* SITTING AS A JUVENILE COURT *
*

* * * * *

ORDER FOR WAIVER INVESTIGATION

Upon the petition of the Office of the State's Attorney for _____ for waiver into Criminal Court the matter of the Petition(s) alleging delinquency of the above-named Juvenile, it is on this _____ day of _____,

19 _____, pursuant to Maryland Rule of Procedure 913b, ORDERED, that the Juvenile Services Administration of _____ conduct a social study investigation of the above-named juvenile, and, if said Administration shall deem it necessary, make appropriate arrangements for said Juvenile to be examined by a qualified psychiatrist and/or psychologist. It is further

ORDERED, that the Juvenile Services Administration make available to this Court at the time of the hearing on waiver, the waiver investigation and report, such hearing on waiver not to commence until the completion of said investigation and report. It is further

ORDERED, that the Juvenile Services Administration shall cause a copy of the waiver investigation and report to be served upon counsel for the respondent at least five (5) days before the hearing.

JUDGE

IN THE MATTER OF * IN THE CIRCUIT COURT *
* FOR *
* SITTING AS A JUVENILE COURT *
*

* * * * *

ORDER WAIVING JUVENILE JURISDICTION

UPON consideration of the petition for Waiver of Juvenile Jurisdiction; the testimony of witnesses and argument at the hearing on said petition; and the respondent's age,

IT IS ORDERED, this _____ day of _____, 19 _____, by the Circuit Court for _____ sitting as a Juvenile Court, that this Court's exclusive original jurisdiction in the above-entitled cause(s) be, and it hereby is waived; and

IT IS FURTHER ORDERED that respondent be held for action under the appropriate criminal procedure; and

IT IS FURTHER ORDERED that the Clerk of this Court cause a copy of the Order to be served upon each of the respondents and the State's Attorney for

JUDGE

RECOGNIZANCE OF PARENT, GUARDIAN, OR CUSTODIAN

I hereby acknowledge:

1. That I am the parent, guardian, or custodian of _____;
2. That the child was released into my custody at _____ o'clock on _____, 19 __, pending possible proceedings in the _____ Court for _____ City/County, sitting as a Juvenile Court;
3. That, as a condition of the child's release, I hereby assume the responsibility for retaining custody and control of the child and for bringing him before the court when ordered to do so;
4. That I have posted \$_____ as security for the child's appearance in court, and that all or part of it may be forfeited if I fail to produce the child when ordered to do so;
5. That the child may be taken into custody and I may be proceeded against for contempt of court if I fail to produce the child before the court when ordered to do so.
6. That I will immediately notify the Clerk of the Juvenile Court at _____, of any new address for me or the child.

Telephone

Witness

Parent/Guardian/Custodian

Address

Date

Telephone Number

JUVENILE COMPACT FORM III
CONSENT FOR VOLUNTARY RETURN BY RUNAWAY, ESCAPEE OR ABSCONDER

Distribution

- Original - Court file
- 1 copy - Juvenile
- 1 copy - Receiving State Compact Admin.
- 1 copy - Sending State Compact Admin.

I, _____ recognize that I rightfully belong with _____ (Juvenile)

_____ in _____ (Legal custodian) (Location) and I voluntarily consent to return there without further formality, either by myself or in the company of such person as the appropriate authority may appoint for the purpose.

Date _____ Signed _____ (Juvenile)

I, _____, Judge of _____ (Court)

having informed the juvenile named above of (his) (her) rights under the Interstate Compact on Juveniles prior to the execution of the foregoing consent, do hereby find that the voluntary return of said juvenile to _____ in _____ (Legal custodian)

_____ (Location) is appropriate and in the best interest of said juvenile, and do so order such return as provided below: (fill in or check appropriate item).

1. Accompanied by _____
2. Unaccompanied _____
3. Via _____ Approximate departure date and time _____ Scheduled arrival date and time _____

Date _____ Signed _____ (Judge)

TO BE COMPLETED ONLY IF COUNSEL OR GUARDIAN AD LITEM IS APPOINTED:

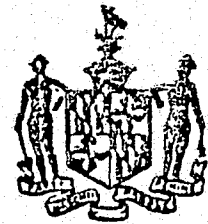
I, _____ being the (check one) counsel _____ guardian ad litem _____ of _____, recognize and agree that said juvenile should return to _____ in _____ (Legal custodian) (Location)

either unaccompanied or in the company of such person as the appropriate authority may appoint. I hereby consent to such return.

Date _____ Signed _____ (Counsel or guardian ad litem)

(The above form is to be certified or authenticated in accordance with practice of the court. See Article VI of the Compact for further details)

Circuit Court for



CLERK

TELEPHONE

Re:

Please be advised that the above entitled case which was scheduled for hearing on _____, _____ has been postponed, and your appearance in Court on this date **IS NOT REQUIRED**. You will be summoned when this case is re-scheduled for hearing.

Thank you for your cooperation in this matter.

Very truly yours,

P.S. If you have any questions, please call the Juvenile Dept., at _____

WRIT OF HABEAS CORPUS
(Ad Testificandum)

State of Md. vs. _____

No. _____

THE STATE OF MARYLAND to _____

You are hereby commanded to have the body of _____

_____ now detained under your custody, before the Honorable Judges of the Circuit Court for _____; on _____,

_____ at _____ A.M./P.M.

and have you then and there this writ.

Witness the Honorable _____ Chief Judge of the said Court.

Issued this _____ day of _____, 19_____.

CRL-17
Fiscal Co.

Clerk of Circuit Court,

END