



FY2017 Statistical Digest

Montgomery County Circuit
Court

Administrative Office of Montgomery County
Circuit Court

Ensuring Accountability and Public Trust: Continual and Collaborative Review of Court Performance

Montgomery County Circuit Court manages and tracks the progress of its cases, monitoring its caseload and case processing performance to ensure that court operations are both effective and efficient.

Montgomery County Circuit Court is a leader in case management, as well as data quality and case processing analysis. The court's case processing performance is comparable to several other Maryland jurisdictions as similar case management practices and monitoring systems have been implemented statewide.

Despite the resource challenges of the past several years, including budget reductions, the Hon. Robert A. Greenberg, Circuit and County Administrative Judge, the Hon. Barbara Meiklejohn, Clerk of the Court, and Court Administrator Judy K. Rupp have reaffirmed their commitment to maintaining and enhancing court operations to fulfill the court's mission of administering justice in an honest, fair, and efficient manner. Resources are allocated to ensure that case information is collected and recorded in a manner that provides an accurate reflection of the court events. Further, all concur that the court's management decisions, in particular those regarding case processing, should be based on systematic analyses of data that it collects, rather than relying upon anecdotes or assumptions.

Understanding how court performance relates and responds to the county's demographics, its economic climate, as well as budgetary constraints, is critical to the efficient management of the court's caseload and allows the court to anticipate and prepare for the future needs of the community. To achieve these goals, court leaders remain in close communication, collaboration, and coordination.

Responsibility for upholding the court's core mission must - and does - extend beyond the executive leadership team to all court staff. Court leadership has fostered strong staff awareness of and commitment to the importance of recording data accurately and in accordance with established business processes. Leadership has instilled the understanding that, while there is a large amount of paperwork associated with each case, the circuit court is not merely processing paper but rather serving the residents of Montgomery County with legal matters that affect their lives.

Montgomery County Statistics and their Impact on the Circuit Court Caseload

This section of the statistical digest highlights Montgomery County demographics and their impact on the Montgomery County Circuit Court caseload. Understanding the county’s population, in particular, its demographic characteristics and their trends, helps the court develop programs and services that meet the current and future needs of its residents. Furthermore, by monitoring these trends, the court is better positioned to inform decisions on the resources required to support the efficient and effective administration of justice.

Population of Montgomery County

Since the U.S. Census Bureau conducted the last census in 2010, Montgomery County’s population has exceeded one million. The county’s estimated 2017 population is 1,058,810, adding almost 83,000 residents (an 8.5% increase) since 2010 (976,140).¹ The county has remained the most populous jurisdiction in the state since 1989 and is the 42nd most populous county in the United States based on the 2016 U.S. Census estimates.²

Table 1. Total Resident Population for Maryland's Five Largest Jurisdictions, 1990, 2000, 2010 and 2017

	Resident Population				1990-2000		2000-2010		2010-2017	
	1990	2000	2010	2017	Change	%Change	Change	%Change	Change	%Change
Maryland	4,799,770	5,311,034	5,788,099	6,052,177	511,264	10.7%	477,065	9.0%	264,078	4.6%
Montgomery	765,476	877,478	976,140	1,058,810	112,002	14.6%	98,662	11.2%	82,670	8.5%
Prince George's	725,896	803,111	865,653	912,756	77,215	10.6%	62,542	7.8%	47,103	5.4%
Baltimore County	694,782	755,598	806,405	832,468	60,816	8.8%	50,807	6.7%	26,063	3.2%
Baltimore City	735,632	649,086	621,026	611,648	-86,546	-11.8%	-28,060	-4.3%	-9,378	-1.5%
Anne Arundel	428,877	491,670	539,234	573,235	62,793	14.6%	47,564	9.7%	34,001	6.3%

Sources: Maryland State Data Center, Maryland Department of Planning, *Total Resident Population for Maryland's Jurisdictions, 1990 – 2000* (1990 data); *Table 1C: Total Resident Population for Maryland's Jurisdictions, 2000 to 2012* (in 2012 *Maryland Statistical Handbook*) (2000 data); *Table 1.A. Total Resident Population for Maryland's Jurisdictions, April 1, 2010 thru July 1, 2017* (2010 and 2017 data) (http://planning.maryland.gov/MSDC/Documents/pop_estimate/Estimates/county/county17table1A.pdf, accessed on 3/27/2018)

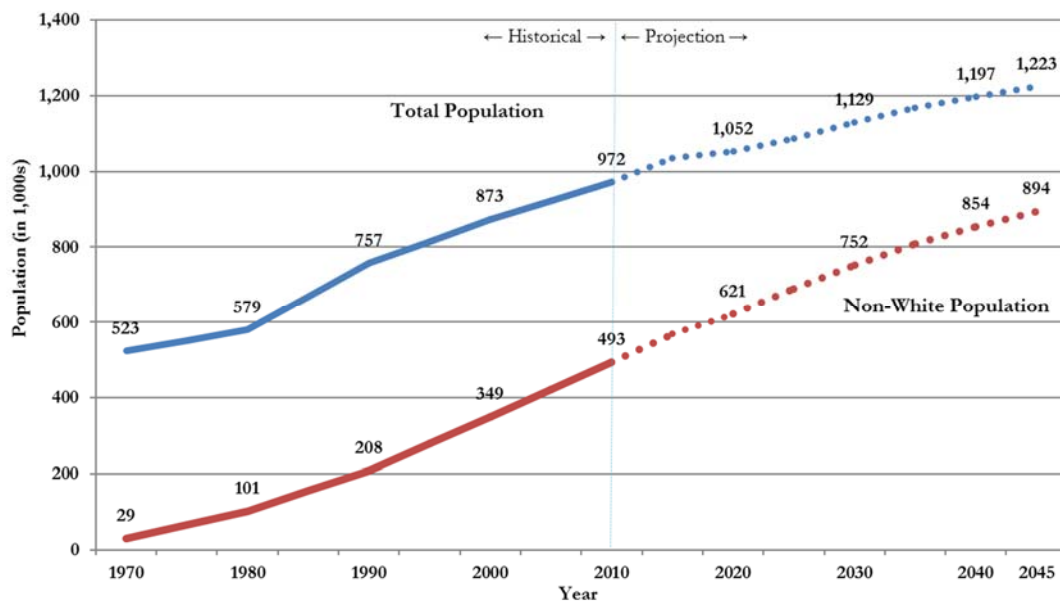
Montgomery County is also the only Maryland jurisdiction with a population over 1 million, accounting for 17.5% of the state’s six-million population. Montgomery County has over 146,000 more residents than Prince George’s County (912,756), the second most populous county in the state (see Table 1). As stated

¹ U.S. Census Bureau, *Annual Estimates of the Resident Population for Counties: April 1, 2010 to July 1, 2017*. (data downloaded from *American FactFinder* (<https://factfinder.census.gov>), accessed on 4/23/2018).

² Based on the calculation of the U.S. Census Bureau’s data (*Annual Estimates of the Resident Population for Counties: April 1, 2010 to July 1, 2017*. (data downloaded from <https://census.gov/data/tables/2017/demo/popest/counties-total.html>, accessed on 7/17/2018).

above, between 2010 and 2017, Montgomery County’s population increased by 83,000, an 8.5% increase. The size of the increase is by far the largest of Maryland’s 24 jurisdictions, followed by Prince George’s County (47,100, a 5.4% increase), Anne Arundel County (34,000, a 6.3% increase) and Baltimore County (26,100, a 3.2% increase).³ The annual percentage growth of Montgomery County’s population was 1.4% per year between 1990 and 2000. The county’s population growth rate declined to 1.1% between 2000 and 2010 but slightly improved to 1.2% between 2010 and 2017. While the rate is no longer as large as 2.7% per year as it was during the 1980s, the county’s population is still expected to reach 1.2 million sometime between 2040 and 2045 (See Figure 1).⁴

Figure 1. Historical and Projected Total Population, Montgomery County, 1970-2045



Sources: Maryland State Data Center, Maryland Department of Planning, *2017 Total Population Projections for Non-Hispanic White, Non-Hispanic Black, Non-Hispanic Other and Hispanic by Age and Gender (January 2018)*. (http://planning.maryland.gov/MSDC/Pages/s3_projection.aspx, accessed on 3/29/2018)

One of the leading factors behind Montgomery County’s current population growth is the much greater number of births (on average 13,200 births per year between 2000 and 2015) than deaths (on average 5,600 per year during the same period),⁵ resulting in an average net increase of 7,600 individuals in the county’s population, which account for over 25% of the state’s 30,000 net population growth (births minus deaths). A second factor is the influx of new residents, on average 3,500 individuals per year, from large international

³ Based on the calculation of data from the U.S. Census Bureau (*Annual Estimates of the Resident Population for Counties: April 1, 2010 to July 1, 2017*, (data downloaded from <https://census.gov/data/tables/2017/demo/popest/counties-total.html>, accessed on 7/17/2018).

⁴ Maryland State Data Center, Maryland Department of Planning, *2017 Total Population Projections for Non-Hispanic White, Non-Hispanic Black, Non-Hispanic Other and Hispanic by Age and Gender (January 2018)*. (http://planning.maryland.gov/MSDC/Pages/s3_projection.aspx, accessed on 3/28/18)

⁵ Maryland Department of Planning, November 2017, *2017 Maryland Statistical Handbook* (Table 2D. Total Births in Maryland, 2000 – 2015, and Table 2E H. Total Deaths in Maryland, 2000 – 2014). (http://planning.maryland.gov/MSDC/Documents/md_statistical_handbook.pdf, accessed on 4/23/2018)

migration (on average 9,300 individuals per year between 2000 and 2016), compared to smaller domestic migration (on average 5,800 individuals per year moving out of the county during the same period).⁶ The net result of these population influx and exodus is the steady growth of county population by 11,100 per year, as well as a substantial shift in the composition of the county population.

Impact on the Circuit Court Caseload

Of the five major case types under the jurisdiction of Montgomery County Circuit Court (civil, criminal, family law, juvenile delinquency and child welfare), family-law cases, which deal with divorce and other family law-related matters, are more likely to follow the county's population trends. In fact, the number of family-law case filings (original and reopened filings) steadily increased from 12,300 in FY2000 to 15,100 in FY2010, mirroring the county's population growth.⁷ However, after having reached 15,100 in FY2012, filings have been stable at 14,700 filings per year between FY2012 and FY2017 while the county's population continued to increase, suggesting that court's caseload may also be impacted by other factors such as shifts in the composition of the county population and its economic climate, and legislative changes regarding marriage and other family law-related issues. This recent trend in the court's family-law filings aligns with the trend observed among other courts in the state since FY2014.⁸

Racial and Ethnic Diversity – Shifts in Population Composition⁹

Along with population growth, Montgomery County has been experiencing increased racial and ethnic diversity among its residents. Between 2000 and 2010, during which the county population increased by close to 103,000 from 873,300 to 976,200,¹⁰ the number of non-Hispanic white residents declined by 45,500 from 524,300 to 478,800, whereas the numbers of non-white residents who largely consist of black or African American or Asian, and/or of Hispanic origin, increased by 143,900 (a 41% increase) from 349,100 to 493,000 residents, accounting for 50.7% of the county population in 2010.¹¹ As show in Figure 1, this trend

⁶ Maryland Department of Planning, November 2017, *2017 Maryland Statistical Handbook* (Table 2A. International Migration for Maryland's Jurisdictions, 2000 – 2016, Table 2B. Domestic Migration for Maryland's Jurisdictions, 2000 – 2016). (http://planning.maryland.gov/MSDC/Documents/md_statistical_handbook.pdf, accessed on 4/23/2018)

⁷ The county's fiscal year stretches from July 1st to June 30th.

⁸ <http://www.courtstatistics.org/~media/Microsites/Files/CSP/Domestic%20Relations/PDFs/EWSC-2016-DR-Page-1-Trend.ashx>

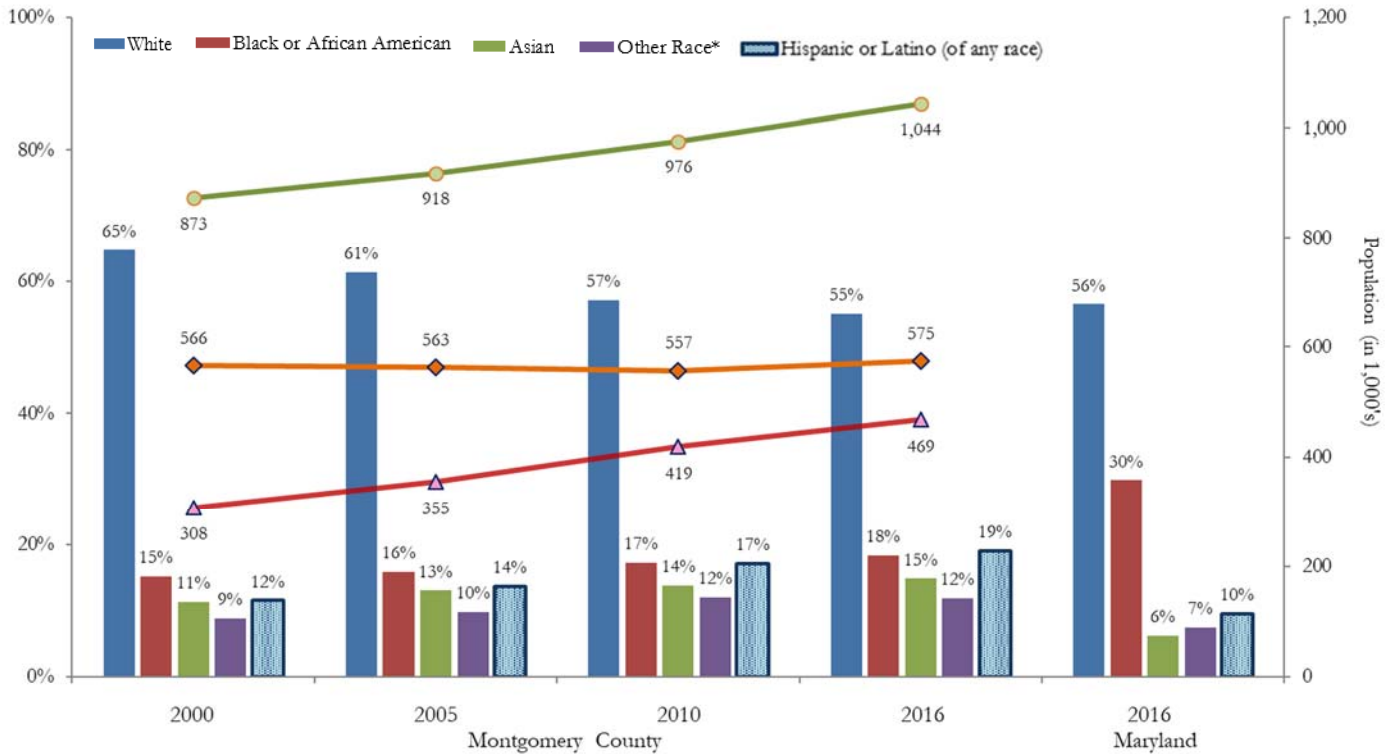
⁹ The analysis in this section uses population data and estimates from the U.S. Census, which collects race and Hispanic or Latino origin in two separate questions. Accordingly, individuals of any race could be of Hispanic origin, and those who are of Hispanic origin could be of any race.

¹⁰ U.S. Census Bureau, Profile of General Population and Housing Characteristics: 2000 and 2010, Census 2000 and 2010 Summary Files 1 (SF 1) 100-Percent Data (table created through the US Census *American FactFinder Advanced Search*, <http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>, accessed on 2/12/2014. From the *FactFinder's* Advanced Search menu, type 'Montgomery County, Maryland' in the 'state, county or place' box and hit 'GO', then select year as 2000 or 2010 under 'Topic: year' from the left side bar menu, and select the 'Profile of General Demographic Characteristics: 2000' table.)

¹¹ Maryland State Data Center, Maryland Department of Planning, *Demographic and Socio-Economic Outlook: Montgomery County (Census American Community Survey data)*. (https://planning.maryland.gov/MSDC/Pages/s7_acs.aspx) accessed on 8/24/2018)

is expected to continue, and two thirds of the county residents are expected to be non-White or Hispanic (alone and two or more races) by 2035.

Figure 2. Total, White and Non-White Populations of Montgomery County (2000-2016) and Racial Distribution for the County (2000-2016) and Maryland (2016)



* Includes other race alone (American Indian and Alaska Native, Native Hawaiian and Other Pacific Islander, and Some other race) and two or more races.

Sources: US Census, *DP-1: Profile of General Demographic Characteristics: 2000* (2000 data); Maryland Department of Planning, *American Community Survey: Jurisdictions with a Population over 65,000 for Single Year* (2005 and 2010 data) (https://planning.maryland.gov/MSDC/Pages/s7_acs.aspx), accessed on 8/24/2018); US Census, *DP05 - ACS Demographic and Housing Estimates, 2016 American Community Survey 1-Year Estimates* (2016 data) (https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_16_1YR_DP05&prodType=table, accessed on 3/28/2018)

Figure 2 provides a line graph showing total, White, and Non-White populations of Montgomery County and a bar chart depicting the county’s racial distribution and the percent of individuals who are Hispanic or Latino for 2000-2016. While the county’s total population increased from 873,000 to 1,044,000 between 2000 and 2016, White population (including both Hispanic and non-Hispanic origin) virtually remained unchanged during the 16-year period. In contrast, Non-White population increased by 52% from 308,000 to 469,000 during the same period. As a result, the percentage of Montgomery County residents who are White declined from 65% in 2000 to 55% in 2016, which is slightly lower than the statewide percentage (56%). In Montgomery County, the percentage of black or African American residents is substantially lower at 18% of the county’s residents in 2016 (compared with 30% statewide); however, this is an increase from 2000 (15%). In 2016, 10% (191,000) of the state’s black or African American residents reside in the county. In contrast,

the percentage of Asian residents in the county (15%) is much greater than the statewide percentage (6%). In fact, 41% of the state's Asian population resides in Montgomery County. Of the county's 154,500 Asian residents, 44,200 are Chinese; 39,600 are Asian Indians; 19,500 Korean; and 17,500 Vietnamese. Combined, these four groups account for 78% of the county's Asian population. When compared to statewide percentages, also over-represented in the county's population are individuals with some other race alone or those with multiple races (132,100, 13% in the county compared to 8% statewide) further underscoring the diversity of Montgomery County residents.

Another major driving force behind Montgomery County's diversity is the large influx of individuals of Hispanic or Latino origin. Irrespective of race, a little over 100,600 of Montgomery County residents were of Hispanic or Latino origin in 2000. As of the 2010 U.S. Census, the county's Hispanic or Latino residents increased by 66,100 to 166,700 (a 66% increase), increasing their representation from 12% to 17% since 2000. According to the 2016 Census estimates, 199,400 (19%) of the county's residents are of Hispanic origin, accounting for 34% of the state's residents of Hispanic origin. The county's Hispanic population has become the largest minority population exceeding the black or African American population alone (191,000)¹² and surpassing the Asian population (155,000 if Asian alone or 175,000 in combination with one or more other race).¹³

Increase in Foreign-Born Residents

One of the major forces behind the county's population growth is the large influx of individuals who were born outside the United States. Foreign-born residents account for 65% of the county's population increase (170,500) from 2000 to in 2016; since 2000, the number of foreign-born residents increased by 48% (111,600) while the county's the US-born residents increased by 9% (58,900) (See Table 2). Based on the 2016 U.S. Census American Community Survey estimate, 344,600 or one third (33%) of Montgomery County residents are now foreign-born, compared to the state overall (15%), and 37% of foreign-born individuals in the state reside in the county whereas 17% of the state's total population is accounted for by the county (and 14% of the state's native population by the country).¹⁴

¹² When black or African American race is chosen in combination with one or more races (210,000), then this population slightly exceeds that of the county's Hispanic population (199,400).

¹³ Maryland Department of Planning. 2016 American Community Survey: Jurisdictions With a Population Over 65,000 for 2016 Single Year (*for Montgomery County and Maryland*), (http://planning.maryland.gov/MSDC/Pages/american_community_survey/2016ACS.aspx, accessed on 4/23/2018).

¹⁴ Maryland Department of Planning. 2016 American Community Survey: Jurisdictions With a Population Over 65,000 for 2016 Single Year (*for Montgomery County and Maryland*), (http://planning.maryland.gov/MSDC/Pages/american_community_survey/2016ACS.aspx, accessed on 4/23/2018).

In terms of the citizenship status of foreign-born residents in Montgomery County, in 2016 the majority (54%, 185,800) are now naturalized U.S. citizens, and the remaining 46% (158,800) non-U.S. citizens, reversing the ratio observed in 2010 (46% vs. 54%). Between 2000 and 2016, the number of foreign-born US citizens increased by 85,200 (an 85% increase) compared to a much smaller increase of foreign-born non-US citizens (24,500, a 20% increase) during the same period. In fact, between 2010 and 2016, the number of foreign-born non-US citizens in Montgomery County declined from 169,200 to 158,800.

Table 2. Foreign-Born Population in Montgomery County by World Region of Birth, 2000, 2010 and 2016*

	2000		2010		2016		2000-16 Change		Annual Change			
	Number	%	Number	%	Number	%	Number	%	2000-10	2010-16		
Total Population	873,341		976,203		1,043,863		170,522	20%	10,286	1.1%	11,277	1.1%
Native	640,345	73%	661,705	68%	699,218	67%	58,873	9%	2,136	0.3%	6,252	0.9%
Foreign Born	232,996	27%	314,498	32%	344,645	33%	111,649	48%	8,150	3.0%	5,025	1.5%
Foreign-Born Population by U.S. Citizenship Status												
U.S. Citizen	100,658	43%	145,251	46%	185,839	54%	85,181	85%	4,459	3.7%	6,765	4.2%
Non U.S. Citizen	132,338	57%	169,247	54%	158,806	46%	26,468	20%	3,691	2.5%	-1,740	-1.1%
Foreign-Born Population by Region of Birth												
Asia	89,128	38%	117,832	37%	126,394	37%	37,266	42%	2,870	2.8%	1,427	1.2%
Latin America	81,911	35%	112,287	36%	128,553	37%	46,642	57%	3,038	3.2%	2,711	2.3%
Africa	25,776	11%	46,652	15%	56,270	16%	30,494	118%	2,088	6.1%	1,603	3.2%
Europe	32,352	14%	33,941	11%	29,959	9%	-2,393	-7%	159	0.5%	-664	-2.1%
Northern America	2,981	1%	2,634	1%	2,759	1%	-222	-7%	-	-	21	0.8%
Oceania	848	0.4%	1,152	0.4%	710	0.2%	-138	-16%	30	3.1%	-74	-7.7%

* Excludes Individuals born at sea

Sources: U.S. Census, 2018. DP-2: *Profile of Selected Social Characteristics: 2000* (for Montgomery County created through the US Census *American FactFinder Advanced Search*,

https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=DEC_00_SF3_DP2&prodType=table, accessed on 4/23/20158)

Maryland Department of Planning. *2016 and 2010 American Community Survey 1-Year Estimates (DP02: SELECTED SOCIAL CHARACTERISTICS IN THE UNITED STATES (for Montgomery County and Maryland)*,

http://planning.maryland.gov/MSDC/Pages/american_community_survey/2016ACS.aspx, accessed on 4/23/2018).

In terms of the region of birth among foreign-born residents, over 70% of the foreign-born residents are from Asia or Latin America. In 2000, 38% (89,100) were from Asia and 35% (81,200) from Latin America; in 2016 each accounted for 37% of the foreign-born population in the county. While between 2000 and 2016, the number of residents in both groups increased, the increase of residents born in Latin America was greater (46,600, a 57% increase) than that of residents born in Asia (37,300, a 42% increase). In fact, between 2015 and 2016 the number the county residents born in Asia declined by 3,000. As a result, in 2016, the number of foreign-born residents from Latin America (128,600) surpassed the number of residents from Asia (126,400). The foreign-born residents from Africa, whose number more than doubled (a 118% increase) from 25,800 in 2000 to 56,300 in 2016, constitutes the third largest group in the county.

The last two columns of the table compare the annual change (averaged) in the county's foreign-born population between 2000-10 and 2010-16. While the county's overall population shows a steady increase of 1.1% per year throughout the 2000-2016 period, the county's foreign-born population increased at a much greater rate from 2000 to 2010 at 3% a year (8,200/year) and at slightly lower rate (1.5% a year or 5,000/year) between 2010 and 2016. In contrast, the increase in the native population was much larger between 2010 and 2016 (0.9% or 6,300/year), compared to between 2000 and 2016 (0.3% or 2,100/year). Among foreign-born residents in the county in terms of citizenship, the number of foreign-born U.S. citizens exhibited a greater increase between 2010 and 2016 (4.2% or 6,800/year) than between 2000 and 2010 (3.7% or 4,500/year). In contrast, the number of foreign-born non-U.S. citizens declined by 1.1%/year (1,700) during the 2010-16 period while it increased by 2.5%/year between 2000 and 2010.

Language Diversity

The diversity of nativity and the increased foreign-born residents among the county's population are also reflected in the non-English languages spoken by its residents. As shown in Table 3, in 2016 over 400,000 (400,300, 41%) of the county's 976,900 residents who are five years and older speak a language other than English at home. In addition, 136,600 (14% of the total residents aged five years and older and 34% of those who reported that they speak a language other than English at home) reported that they speak English less than 'very well'. However, the number of those who reported that they speak English less than 'very well' has declined since 2010 by 5,400 while the number of those who reported to speak a language other than English at home increased by 12% (41,600). The increase in the number of residents reporting that they speak a language other than English at home accounts for 64% of the 64,600 increase in the number of residents aged five years and older between 2010 and 2016.

The percentage of Montgomery County residents who speak languages other than English at home (41%) is twice as high as that for the state (19%) and the U.S. (22%). There is also a greater percentage of county residents who reported speaking English less than 'very well': 14% for Montgomery County compared to 7% for Maryland and 9% for the U.S. However, among those who speak languages other than English at home, the percentage of Montgomery County residents who reported speaking English less than 'very well' (35%) is slightly lower than for the state (37%) and the U.S.(40%).¹⁵

¹⁵ U.S. Census, 2015. *2013 American Community Survey 1-Year Estimates, Montgomery County, Maryland and United States (DP02: Selected Social Characteristics In The United States)* (created through the US Census *American FactFinder Advanced Search*, <http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>, accessed on 1/14/2015)

Table 3. Montgomery County Population Five Years or Older by Language Spoken at Home and English Proficiency, 2016

	Montgomery County						Maryland, 2016		United States, 2016	
	2016		2010		2010-16 Change		Number	%	Number	%
	Number	%	Number	%	Number	%				
Population five years and older	976,926		912,285		64,641	7%	5,653,552		303,328,961	
English only	576,628	59%	553,572	61%	23,056	4%	4,584,484	81%	237,810,023	78%
Language other than English	400,298	41%	358,713	39%	41,585	12%	1,069,068	19%	65,518,938	22%
Speak English less than 'very well'	136,641	14%	142,018	16%	-5,377	-4%	398,407	7%	26,072,683	9%
% Among Language other than English		34%		40%				37%		40%

Source: US Census. *American Community Survey 1-Year Estimates, 2010, 2016* (US Census, DP02: SELECTED SOCIAL CHARACTERISTICS (for Montgomery County, Maryland and United States)) (https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml) accessed on 5/11/2018).

Impact on the Circuit Court Caseload

The sheer volume of individuals with limited English proficiency among non-English speaking Montgomery County residents (136,600) makes language/communication-related issues critical for the county and for the court. To ensure equal access to justice, the court must ensure that all parties understand court proceedings, are able to communicate with judicial officers, court staff, and individuals involved in the case, and have the assistance available to them such as interpreting services, as needed. Montgomery County Circuit Court has re-examined many aspects of its operations given the increased diversity in the county's population. One such area is providing foreign-language interpreting services for hearings, trials, and other court services.

In recent years, the court experienced a substantial increase in the number of requests for foreign-language interpreting services. Figure 3 shows the number of cases where at least one party requested foreign-language interpreting services by case type between FY2005 and FY2017. The number of such cases remained around 1,700 between FY2005 and FY2014 but increased to 2,000 in FY2015 and 2,400 in FY2017. The chart also shows that most foreign-language interpreting service requests occurred in family cases. In fact, the representation of foreign-language interpreting services requests in family cases increased from 55% in FY2005 to 73% in FY2017. Between FY2014 and FY2017, the number of cases with a foreign-language interpreting request increased by 804 cases (a 51% increase), 86% (695 cases) of which occurred in family cases. In contrast, the number of juvenile cases (juvenile delinquency and child welfare cases) that contained a foreign-language interpreting service request declined by half from 300 to 150 between FY2005 to FY2017.

Figure 3. Numbers of Cases with a Foreign-Language Interpreter Request Filed by Case Type, FY2005-2017



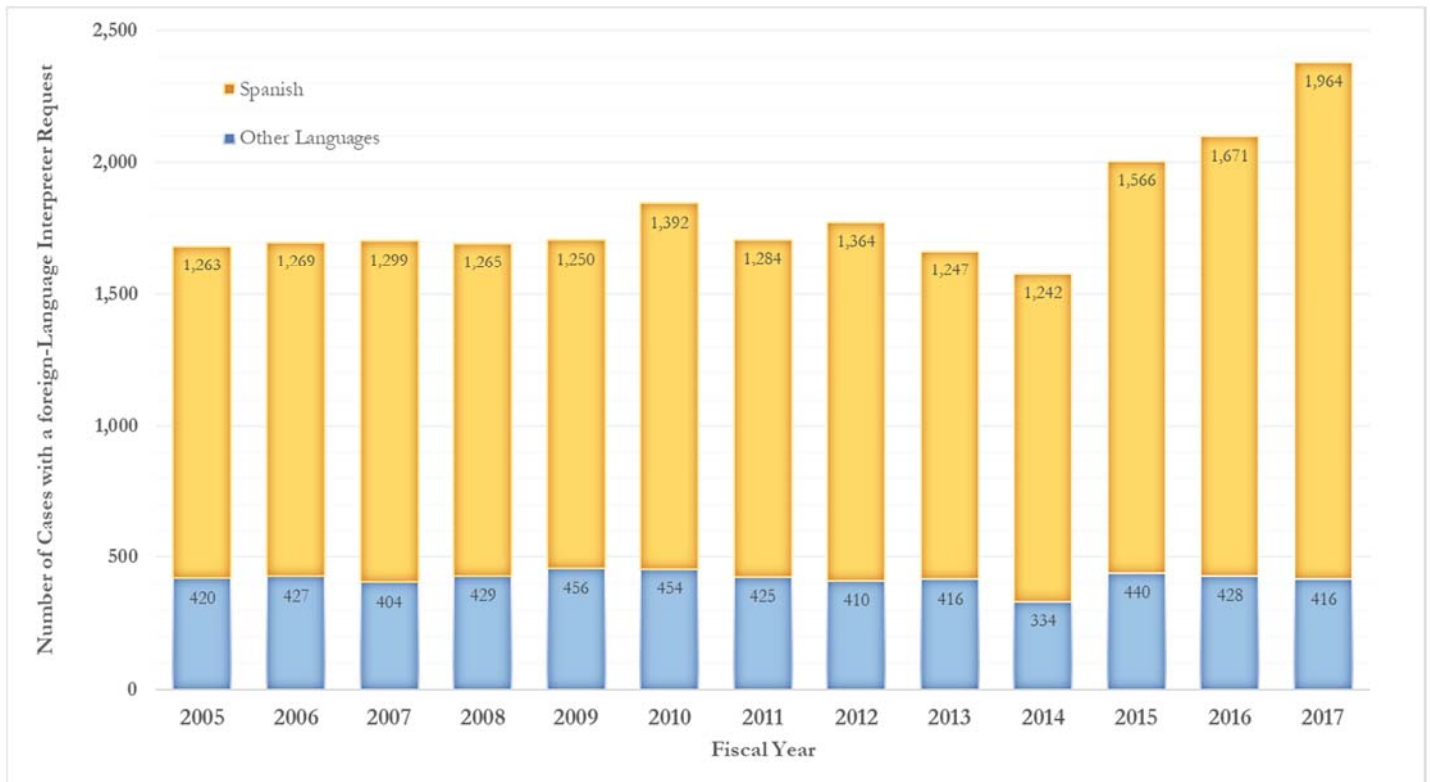
Note: These numbers are the number of docket entries of filing of a spoken language interpreter request filed by at least one party in a given case in a given fiscal year. The number excludes interpreter services that do not involve foreign-language interpretations (such as American Sign Language, Real Time Captioning, CART Services, Cued Speech and Caption Reporting) and those for which language information is not available (such as the court’s ancillary programs, such as co-parenting classes).

In terms of languages requested for interpreting services, the demand for Spanish interpretation has far exceeded any other languages. As shown in Figure 4, the percent of cases with a request for a Spanish interpreter among the cases with a foreign-language interpreter request ranges from 75% in FY2005 to 83% in FY2017, averaging 77%. Note that the shape of the chart that represents the cases where Spanish interpretation is requested in Figure 4 closely resembles that of family cases in Figure 3. In fact, on average 75% of family cases with a foreign-language interpreting service requested Spanish interpretations; the percent has increased in recent years with 77% in FY2014 and 2015, 80% in FY2016 and 83% in FY2017. In response to this large and increasing demand for Spanish interpretation services, the court hired five Spanish interpreters as full-time, on-site staff interpreters in FY2008 and hired a sixth in FY2016.

The variety of foreign languages for which the court provides interpreting services can be used to gauge the magnitude of language diversity spoken in Montgomery County. The number of languages specified in interpretation requests filed with the court ranges between 38 and 47 between FY2005 and FY2017, averaging 41 unique languages in a given year. Since several dialects are grouped into a single language group (such as Chinese, which includes Cantonese, Mandarin, Fukienese, Taishanese, Hainanese, and Fuzhou, etc.),

the actual number of foreign languages for which spoken language interpreting services are requested may be even greater.

Figure 4. Numbers of Cases with a Foreign-Language or Spanish Interpreter Request, FY2005-FY2017



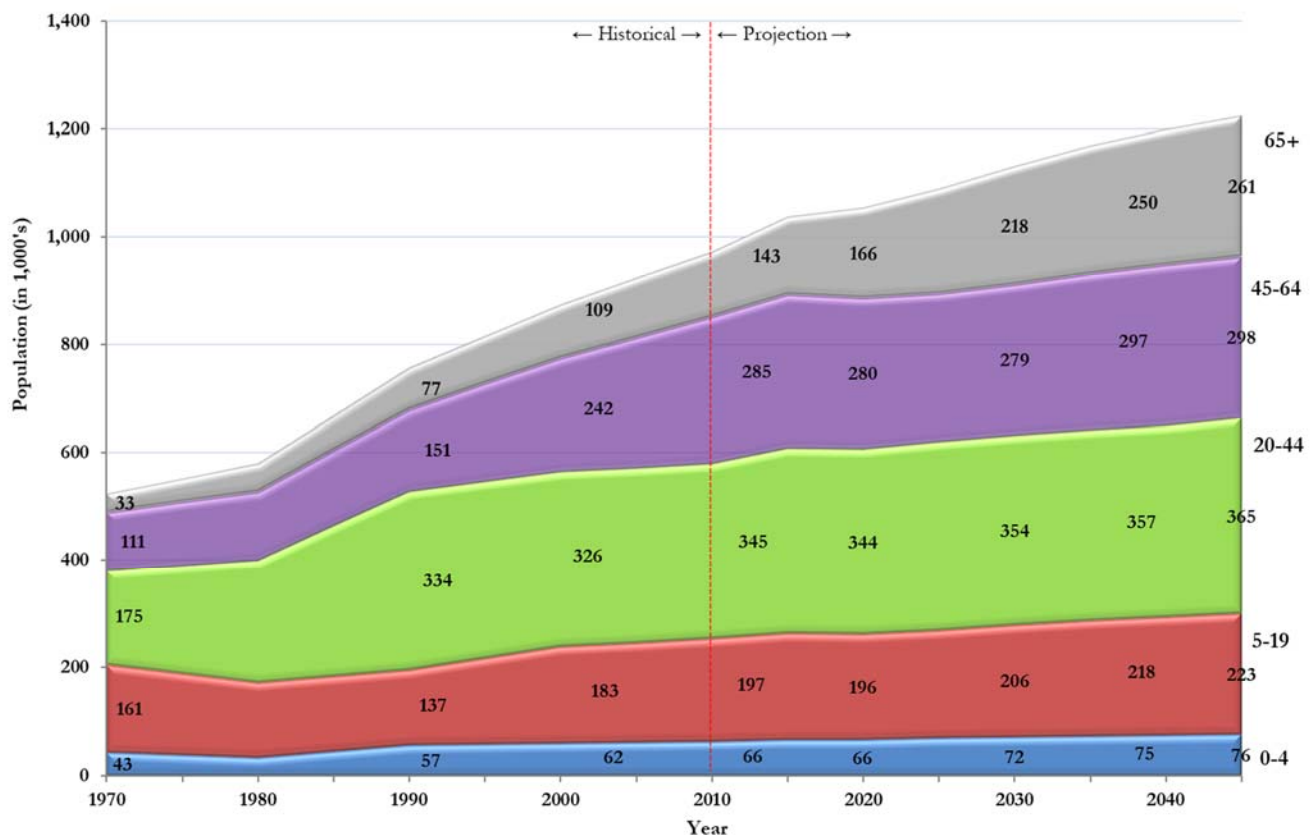
Note: These numbers reflect filings of a spoken language interpreting service request by at least one party in a case during the identified fiscal year. The number excludes interpreting services that do not involve foreign-language interpretations (such as American Sign Language, Real Time Captioning, CART Services, Cued Speech and Caption Reporting) and those for which language information is not available (such as the court’s family services, such as co-parenting classes).

As stated above, on average, Spanish interpreter services account for 77% (1,390 requests/year) of the foreign-language interpreting requests (1,810 requests/year) during the FY2005-2017 period, followed by Chinese (4%, 71 requests/year), Amharic (Ethiopian) (3%, 57 requests/year), Vietnamese (3%, 50 requests/year), French (2%, 45 requests/year) and Korean (2%, 38 requests/year). Combined, these six languages account for more than 90% of all foreign language interpreting service requests.

Maturing County population¹⁶

Like many communities in the nation, Montgomery County is experiencing the maturing of its population as the “Baby Boomer” generations (those born between 1946 and 1964) grow older. Over the past three decades, the median age of the county’s population increased from 28 in 1970, 32 in 1980, 34 in 1990, 37 in 2000, and 39 (38.5) in 2010. Since 2010, the rise of the county’s median age has been gradual, reaching 38.7 in 2014 and 39.1 in 2017.¹⁷ The county’s median age is expected to increase not only as the dominating baby boomers age but also because of improving life expectancy of older generations though the continuing influx of younger individuals to the county will slow that trend.

Figure 7. Historical and Projected Montgomery County Population by Age Group, 1970 – 2045



Source: State Data Center, Maryland Department of Planning, *2018 Total Population Projections by Age, Sex and Race (8/17)*. http://planning.maryland.gov/MSDC/Pages/s3_projection.aspx, accessed on 6/27/2018)

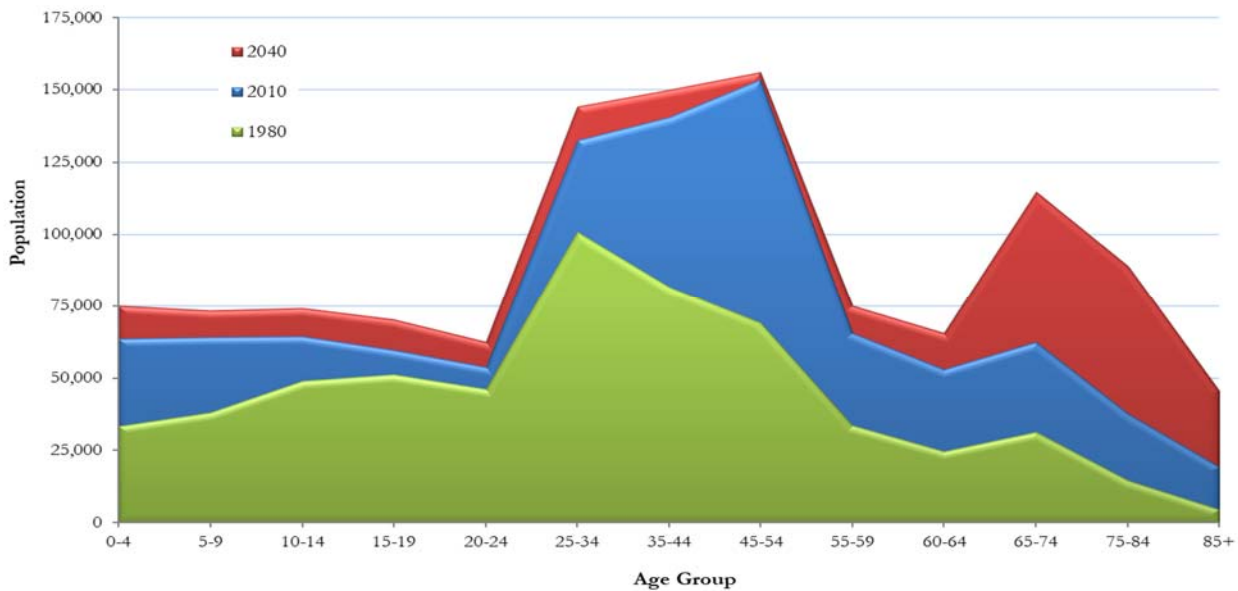
¹⁶ Noted otherwise, all the data described in this section was derived from the U.S. Decennial Census and Census American Community Survey (for 2013), 2015. *Profile of General Demographic Characteristics: 2000 and 2010 Census 2000 Summary Files (SF 1) 100-Percent Data, 2012 and 2013 American Community Survey* (<https://www.census.gov/prod/www/decennial.html>, accessed on 1/26/2015).

¹⁷ U.S. Census Bureau, Population Division, *Annual Estimates of the Resident Population for Selected Age Groups by Sex for the United States, States, Counties, and Puerto Rico Commonwealth and Municipalities: April 1, 2010 to July 1, 2017*. (https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml, accessed on 7/12/2018).

The aging of the county’s population is also evident from an increasing proportion of the segment the population aged 65 years and older. As shown in Figure 7, this age group represented only 6% (32,600) of the county’s population in 1970. By 2000, the number tripled to 98,200 accounting for 11% of the county’s residents. Between 2000 and 2010, the number of residents 65 years and older increased by 20% to 119,800, representing 12% of the county’s total population. In 2015, according to the American Community Survey, 146,200 (14%) of the county’s residents are aged 65 years and older.¹⁸ By 2045, this portion of the county’s residents is expected to exceed 260,000, accounting for 21% of the county’s overall population. However, the rapidly maturing county population is offset by the robust growth of younger age groups. Of the county’s expected overall population growth (55,600) between 2035 and 2045, 57% (31,900) are from those aged younger than 64 years and the remaining 43% (23,700) from those aged 65 and older.

Another trend among this segment of the population relates to increased life expectancy at birth: 76.4 years for males and 81.2 years for females in 2014, compared to 70.0 and 77.4 respectively in 1980.¹⁹ Figure 8 provides the population profiles of Montgomery County by age group for 1980, 2010 and 2040 (estimated).

Figure 8. Montgomery County Population Profiles by Age Group, 1980, 2010, and 2040



Source: State Data Center, Maryland Department of Planning, *Total Population Projections by Age, Sex and Race (08/17)*. (http://planning.maryland.gov/MSDC/Pages/s3_projection.aspx, accessed on 6/28/2018)

Figure 8 compares the size and profile of the county’s population by age group for 1980, 2010, and 2040 (estimates). In general, the county’s population is characterized with a higher proportion of working age

¹⁸ U.S. Census Bureau, Population Division, *2015 American Community Survey 1-Year Estimates*.

¹⁹ National Center for Health Statistics. 2016. *Health, United States, 2015: With Special Feature on Racial and Ethnic Health Disparities*. Hyattsville, MD. (<https://www.cdc.gov/nchs/data/abus/abus15.pdf#015>, accessed on 4/20/2017).

populations aged 25 to 54 years. The 1980 population (total population: 579,000) is characterized with a higher proportion of individuals aged 25 to 34 years, in part reflecting the baby-boom generation who are aged 16 to 34 in 1980. A distinctive feature of the 2010 population (total population: 972,000), which added more residents than 1980 across all age groups, includes a substantial increase in the 35-44 and 45-54 age groups in part due to the baby boomers who were 46 and 64 years in 2010. The number of residents in these age groups nearly doubled from 150,800 in 1980 to 294,000 in 2010, accounting for 30% of the county's 2010 population. Another characteristic of the 2010 population is that the number of those aged 65-74 years is greater than any of the age groups between 0 to 24 years. The profile of the 2040 population (estimated: 1,197,100) is similar to that of 2010 with slightly more residents across age groups, except for the age group aged 65 and above, which is projected to double from 119,800 in 2010 to 244,000 in 2040, accounting for 20% of the county's 2040 population. This is in part due to the aging baby boomers who will be at least 76 years of age and the aging of the younger cohorts who enjoy longer life expectancy.

Impact on the Circuit Court Caseload

One of the issues that the county will face is the increasing number of aging residents in need of assistance with physical and/or mental impairment. According to the U.S. Census estimates, over 15% of the county residents aged 65 to 74 years and close to 44% of those aged 75 years and over are estimated to have some kind of disability, compared to less than 4% among those aged between 5 and 34 years old and slightly over 6% among those between 35 and 64 years.²⁰ Based on the current estimates of the number of country residents aged 65 years and over and their disability rates in 2016, the number of those with disability, which is estimated to be 34,600 in 2010, will double by 2035 (70,300) and reach 80,800, or 6.6% of the county's total population in 2045. As the county's population ages, it is likely that the court will experience some shift in its caseload, including increases in cases such as guardianship and elder abuse cases.²¹ As such, the court needs to consider and ultimately ensure full access and participation of patrons with declining physical or cognitive capacity in court proceedings by providing them with necessary accommodations, redesigning physical settings of courtrooms, adjusting court proceedings, and training court staff to provide them assistance.^{22, 23, 24}

²⁰ U.S. Census, 2018. *Disability Characteristics: 2012-2016 American Community Survey 5-Year Estimates*. (created through the *American FactFinder Advanced Search* (https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_16_5YR_S1810&prodType=table), accessed on 7/12/2018)

²¹ Center for Elders and the Courts. *Elder Abuse: Basics* (<http://www.eldersandcourts.org/Elder-Abuse/Basics.aspx>), accessed on 4/20/2017)

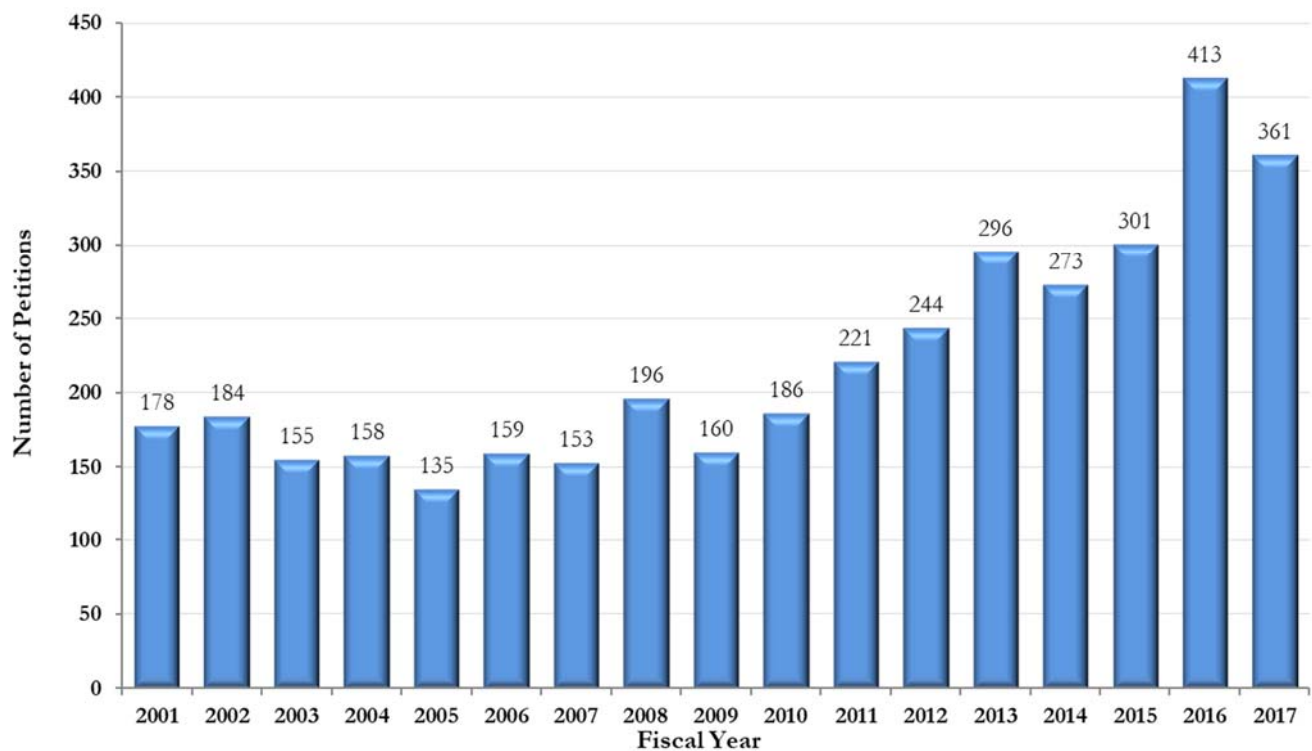
²² Center for Elders and the Courts, National Center for State Courts, 2019. *The Role of the Courts* (<http://www.eldersandcourts.org/Aging/The-Role-of-the-Courts.aspx>), accessed on 2/1/2019)

²³ Douglas, Heather, 2017. Courts of the Future and the Aging Population. *Slaw: Canada's online legal magazine*. (December 27, 2017) <http://www.slaw.ca/2017/12/27/courts-of-the-future-and-the-aging-population/>, accessed on 2/7/2019)

²⁴ Krugel, Lauren, 2017. Case of Calgary man with dementia highlights challenges courts face as population ages. *The Globe and Mail*. (<https://www.theglobeandmail.com/news/national/case-of-calgary-man-with-dementia-highlights-challenges-courts-face-as-population-ages/article37381290/>), accessed on 2/7/2019)

Figure 9 presents the number of petitions for Adult Guardianship filed with Montgomery County Circuit Court between FY2001 and FY2017. The filings, which fluctuated between the mid- to high 100s between FY2001 and FY2007 have been on the rise since FY2009, reaching 221 petitions a year in FY2011 and 304 in FY2015. In FY2016, the number guardianship cases filed with the court jumped to 413 (a 37% increase). In FY2017, the number of petitions declined by 52 (a 13% decline) to 361 petitions though it is still the 2nd largest caseload since FY2001. As the number of county residents aged 65 and over is expected to continue rising, the number of petitions for adult guardianship is also like to keeping rising.

Figure 9. Number of Adult Guardianship* Petitions Filed, FY2001 - FY2017



*Adult guardianship petitions include those for the wards (individuals under the care and control of their guardians appointed by the court) aged 18 years and older.

Source: Montgomery County Circuit Court, Data Processing, 2018.

Crime Statistics

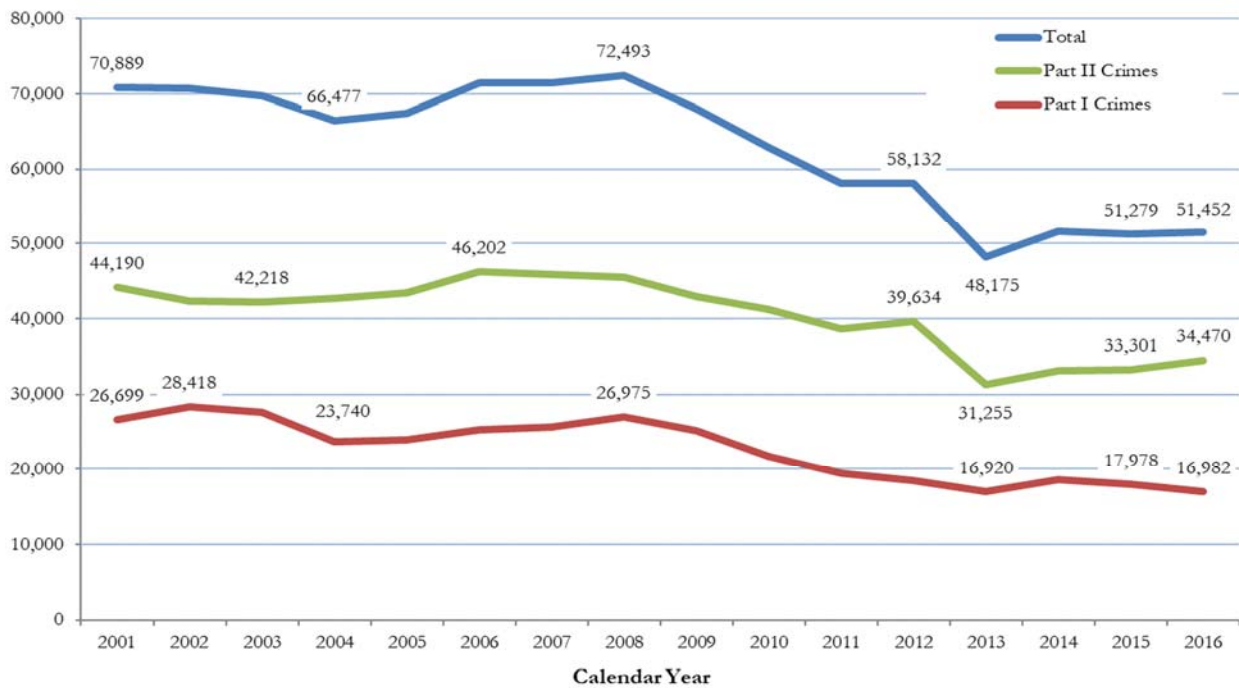
The number of crimes reported by the Montgomery County Police Department has been declining since calendar year 2008 (see Figure 10).²⁵ Between calendar year 2001 and 2008, the number of crimes was fairly constant around 70,000 with a decline in 2004 and 2005 to 67,000. After reaching 72,500 in 2008, the

²⁵ Montgomery County Police, *Yearly Crime Statistics (Annual Reports on Crimes & Safety)*, ([https://www.montgomerycountymd.gov/POL/Resources/Files/MCPD%202016%20Annual%20Report\(1\).pdf](https://www.montgomerycountymd.gov/POL/Resources/Files/MCPD%202016%20Annual%20Report(1).pdf), accessed on 7/13/2018).

number of crimes declined by 14,400 (19.9%) in three years to 58,100 in 2011 and remained at that level in 2012. In 2013, the number further declined to 48,200. Between 2008 and 2013, the number of reported crimes declined by 34%. However, the number of reported crimes increased slightly to 51,600 in 2014 and remained at the same level in 2015 and 2016.

Figure 10 also provides the breakdown of crimes by crime type (Part I and Part II).²⁶ The reduction in the number of crimes since 2008 was brought about equally by the reduction of both types of crimes, although the number of Part II crimes slightly increased from 38,700 to 39,600 between 2011 and 2012, followed by a decrease in 2013 to 31,300. The number of Part I crimes continued to decline from 27,000 in 2008 to 16,900 in 2013. In 2014, both Part I and II crimes increased slightly. In 2015, Part II crimes continued to increase, reaching 34,000 whereas Part I crimes declined from 18,500 to 18,000. In 2016, the same patterns continued; while the number of Part II crimes increased slightly to reach 34,500, that of Part I declined to 17,000 in 2016.

Figure 10. Number of Overall, Part I and Part II Crimes Reported in Montgomery County, Calendar Year 2001-2016

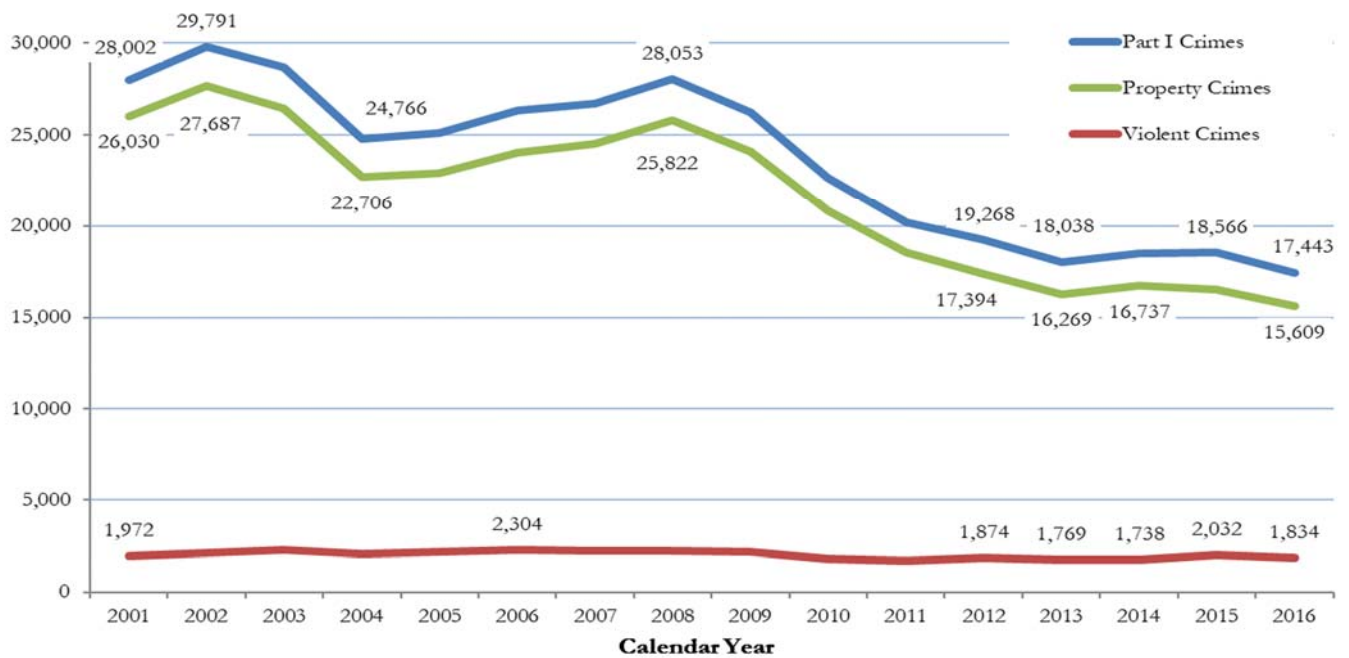


Sources: Montgomery County Police, *Yearly Crime Statistics (Annual Reports on Crimes & Safety)*, ([https://www.montgomerycountymd.gov/POL/Resources/Files/MCPD%202016%20Annual%20Report\(1\).pdf](https://www.montgomerycountymd.gov/POL/Resources/Files/MCPD%202016%20Annual%20Report(1).pdf), accessed on 7/13/2018)

²⁶ FBI's Uniform Crime Reporting (UCR) Program divides offenses into Part I and Part II crimes. See the UCR Offense Definitions (<http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2011/crime-in-the-u.s.-2011/offense-definitions>) for the offenses included under Part I and Part II crimes.

Figure 11 presents the trend of reported Part I crimes and its two components: violent crimes (murder, rape, robbery, and aggravated assault) and property crimes from 2001 to 2016 reported by the Maryland Governor's Office of Crime Control & Prevention.²⁷ During the 15-year period, the overall number of Part I crimes declined from close to 30,000 in early 2000s to 18,000 in the 2010s. The number of property crimes, which account for over 90% of Part I crimes and thus determines the overall trend of Part I crimes, has been steadily declining since 2008 though it slightly increased in 2014. In contrast, the number of violent crimes has been nearly constant. Between 2001 and 2006, the number increased from 1,970 to 2,300, followed by a gradual decline to 1,740 in 2014 though it increased to 2,030 in 2015. However, it declined to 1,834 in 2016. Declining Part I property crimes and relatively constant Part I violent crimes reported make a quite contrast to the county's substantial population growth for the past 15 years.

Figure 11. Number of Reported Part I Violent and Property Crimes Reported in Montgomery County, Calendar Year 2001-2016



Source: Governor's Office of Crime Control & Prevention, *Violent Crime & Property Crime by County: 1975 to Present (Montgomery County)* (<https://data.maryland.gov/Public-Safety/Violent-Crime-Property-Crime-by-County-1975-to-Present/jwfa-fdxx>, accessed on 7/13/2018)

Figure 12 provides a more detailed view of the trend in Part I violent crimes (murder, rape, robbery, and aggravated assault) for 2001 through 2016. The number of violent crimes slightly increased from 1,972 in 2001 to 2,304 in 2006 but declined to 1,689 reaching its lowest point since 2001. The number remained at

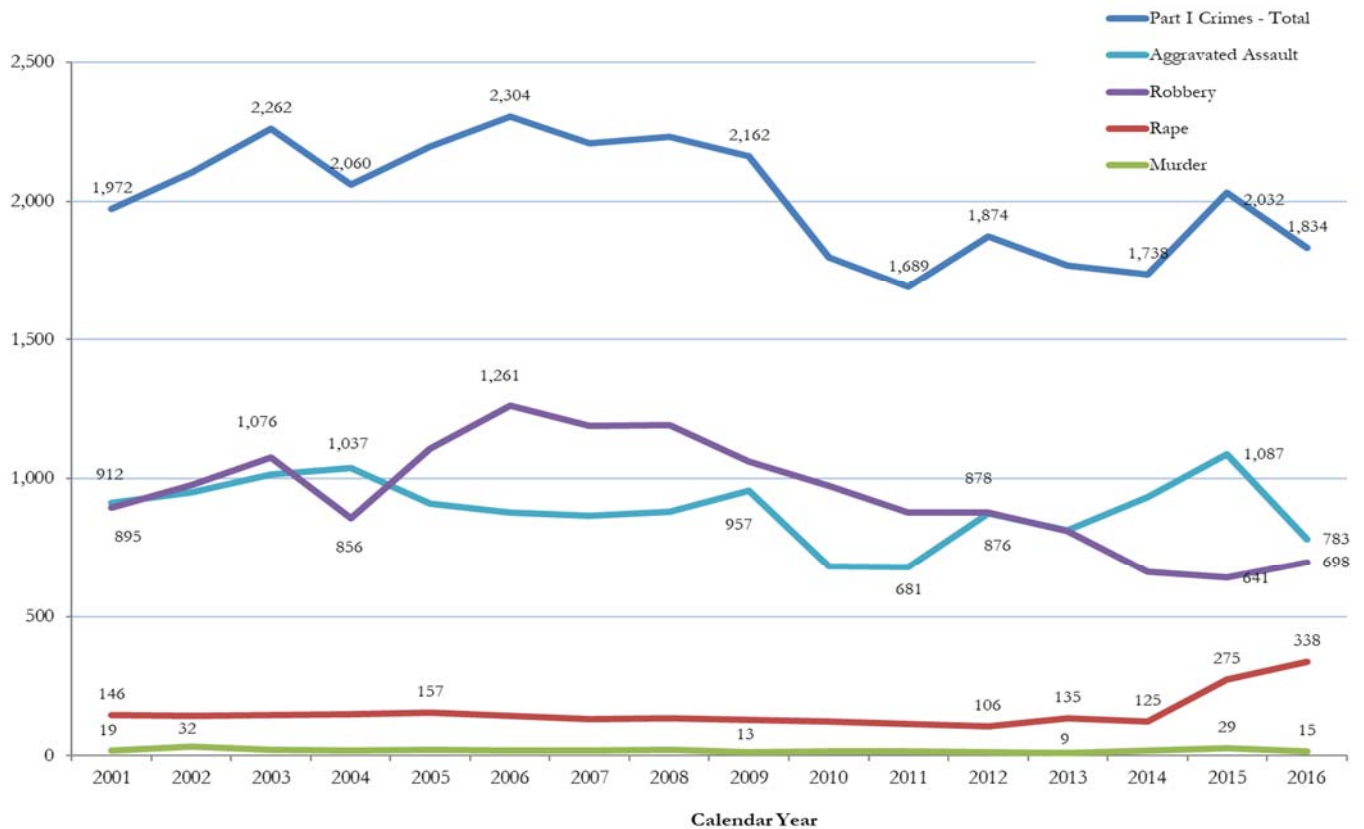
²⁷ Due to the different data sources (Montgomery County Police versus the Governor's Office of Crime Control & Prevention, and Maryland State Police), the number of Part I crimes reported in Figure 11 differ from those reported in Figures 12 and 13 and Table 4.

that level until 2015 when the number increased by 17% from 1,738 in 2014 to 2,032 in 2015. However, the number declined to 1,834 in 2016.

The figure shows the two main crime types responsible for the overall trend of Part I violent crimes: robbery and aggravated assault, which account for over 90% of reported crimes. In comparison, the numbers of murder and rape are much smaller and have been in a gradual decline until recently. Reported murders in Montgomery County, which reached 32 in 2002, fluctuated around 20 per year between 2001 and 2008 and have since declined to no more than 16 in recent years. In 2013, the number of reported murders further declined to nine (9). However, in 2014 the number of murder doubled to 19 and increased by more than 10 (a 58% increase) to 29 in 2015, followed by the equally large decline to 15 in 2016.

The number of rapes reported in the county ranged from 140 to 150 per year in the early 2000s. After reaching 157 in 2005, the number declined to 106 in 2012 and increased slightly to 130 in 2013. The number of rapes more than doubled from 125 in 2014 to 278 in 2015 and further increased to 338 in 2016. This increase, combined with that of aggravated assaults, resulted in the large increase in the number of Part I violent crimes in 2015. However, the continued increase in rape in 2016 does not reflect in the overall trend of the Part I violent crimes since the number of aggravated assaults declined by 28% from 1,087 in 2015 to 783 in 2016, resulting in the decline in the number of Part I crimes by 10%.

Figure 12. Number of Part I Violent Crimes Reported by Type Reported in Montgomery County, Calendar Year 2001-2016



Source: Governor's Office of Crime Control & Prevention, *Violent Crime & Property Crime by County: 1975 to Present (Montgomery County)* (<https://data.maryland.gov/Public-Safety/Violent-Crime-Property-Crime-by-County-1975-to-Present/jwfa-fdxx>, accessed on 7/13/2018)

According to the Montgomery County Police Department, the observed large increase in rape between 2014 and 2015 is due to changes in the definition of the offense and reporting protocol. In 2015, Maryland enacted the new definition of rape established by the FBI, which defines rape more inclusively than the previous definitions. In addition, in 2015 the police department modified the reporting on this category to include child abuse cases involving rape.²⁸

Table 4 compares the number and rate of occurrences (per 1,000 residents) of Part I crimes reported in calendar year 2016 by the type of crime (violent versus property) across Maryland's five large jurisdictions (Anne Arundel County, Baltimore City, Baltimore County, Montgomery County and Prince George's County). These crimes, when prosecuted, are those most likely to be filed with the circuit court. While the

²⁸ See Montgomery County Police, *Annual Crime Report, 2015* (<http://www.montgomerycountymd.gov/pol/crime/stats.html>, accessed on 4/6/2016, pages 4 and 5). According to the report, 89% (133) of the increase was attributed to the changes in the definition of rape and the reporting protocol. Resulting number of rape reported in CY2015 is 145, which is comparable to the early 2000 level.

large Maryland jurisdictions as a group represent 67% of the state’s 2015 population, they account for 74% of the state’s Part I crimes (80% of Part I violent crimes reported and 73% of Part I property crimes reported).

Table 4. Number of Part I Crimes Reported for Large Jurisdictions in Maryland, CY2016

Jurisdiction	Population	Number of Crimes and Crime Rates					
		Part I Crimes		Violent Crimes		Property Crimes	
		N	Rate*	N	Rate*	N	Rate*
Montgomery	1,017,859	17,443	17.1	1,834	1.8	15,609	15.3
Anne Arundel	559,737	14,993	26.8	2,367	4.2	12,626	22.6
Baltimore City	621,000	41,128	66.2	11,115	17.9	30,013	48.3
Baltimore County	825,666	27,944	33.8	4,416	5.3	23,528	28.5
Prince George’s	897,693	24,230	27.0	3,519	3.9	20,711	23.1
Large Jurisdictions	3,921,955	125,738	32.1	23,251	5.9	102,487	26.1
Statewide	5,959,902	168,538	28.3	28,993	4.9	139,545	23.4
% Montgomery	17%	10%		6%		11%	
% Large Jurisdictions	66%	75%		80%		73%	

* Crime rates are calculated per 1,000 residents.

Sources: Population (Calendar Year 2016): U.S. Census Bureau, Population Division, *American Community Survey 5-Year Population Estimate*, (<https://www.census.gov/data/developers/data-sets/acs-5year.html>) accessed on 7/14/2018); Number of Crimes (Calendar Year 2016): Maryland State Police, *Crime in Maryland – 2016 Uniform Crime Report*. (<http://mdsp.maryland.gov/Pages/Downloads.aspx>, accessed on 7/14/2018)

Despite having the largest population in the state, the overall 2016 crime rate of Montgomery County (17.1 Part I crimes per 1,000 residents, 18.2 in 2015) is much smaller than that of any other large jurisdictions (26.8 to 66.1 with the average of 32.1), as well as the statewide average (28.3). In particular, for violent crimes (murder, rape, robbery, and aggravated assault), Montgomery County’s rate is 1.8 crimes per 1,000 residents, less than half of Anne Arundel County’s rate (4.2) whose population is 55% of Montgomery County. Thus, those crimes are substantially underrepresented in Montgomery County; while 17% of the state population resides in the county, only 10% of the Maryland’s Part I crimes (6% among Part I violent crimes and 11% of Part I property crimes) are accounted for by the county.

Impact on the Circuit Court Caseload

Montgomery County’s lower than average violent crime rate is also reflected in the number of per capita criminal cases filed with Montgomery County Circuit Court. During FY2016, 6,600 criminal cases (original and reopened) were filed with the court (See Table 5), which translates to 6.5 filings per 1,000 residents. This number is a case *lower* than the that of Anne Arundel County Circuit Court (7.6 filings per 1,000 residents) and less than half of the statewide average (14.0 filings per 1,000 residents). The table shows that Montgomery County’s substantially lower per capita criminal filings is largely due to an extremely low

number of jury trial prayers from the District Court²⁹ (343 filings, 0.3 filings per capita). The circuit court's low number of jury trial prayers is the result due to the implementation of an instant jury demand policy, which holds jury trials on the same day that the petition is filed with the court. In contrast, the number of filings of District Court appeals (1.4 filing per capita) is 1,456 in FY2016, accounting for 68% of all the appeals filed among large-jurisdiction courts and 27% of the appeals filed with the circuit courts in the state. It is interesting to note that while Montgomery County's Part I per capita crime rates (both violent and property crimes) are far smaller than those of other large jurisdictions in the state, the county's per capita filings of informations and indictments, charges for serious offenses, with the court (4.7 filings) are nearly equivalent or higher than some of the other, comparably-sized courts³⁰.

Table 5. Number of Criminal Case Filings (FY2016) for Large Jurisdictions in Maryland

Jurisdiction	Population	Case Filings and Filing Rate [†]							
		Overall		Informations & Indictments		District Court Appeals		District Jury Trial Prayers	
		N	Rate*	N	Rate*	N	Rate*	N	Rate*
Montgomery	1,017,859	6,607	6.5	4,808	4.7	1,456	1.4	343	0.3
Anne Arundel	559,737	4,242	7.6	2,589	4.6	347	0.6	1,302	2.3
Baltimore City	621,000	11,381	18.3	5,085	8.2	917	1.5	5,275	8.5
Baltimore County	825,666	15,315	18.5	7,676	9.3	665	0.8	6,845	8.3
Prince George's	897,693	8,249	9.2	3,121	3.5	341	0.4	4,663	5.2
Large Jurisdictions	3,921,955	45,794	11.7	23,279	5.9	3,726	1.0	18,428	4.7
Statewide	5,959,902	83,721	14.0	39,267	6.6	5,470	0.9	37,864	6.4
% Montgomery	17%	8%		12%		27%		0.9%	
% Large Jurisdictions	66%	55%		59%		68%		49%	

* Crime rates are calculated per 1,000 residents.

Sources: Population (Calendar Year 2016): Population (Calendar Year 2016): U.S. Census Bureau, Population Division, *American Community Survey 5-Year Population Estimate*, (<https://www.census.gov/data/developers/data-sets/acs-5year.html>, accessed on 7/14/2018); Criminal Case Filings (FY2016): Maryland Judiciary, *Annual Statistical Abstract FY2015* (<https://www.courts.state.md.us/sites/default/files/import/publications/annualreport/reports/2016/fy2016statisticalabstract.pdf>, accessed on 7/14/2018)

Figure 13 presents the trends of *original* criminal case filings at Montgomery County Circuit Court from FY2000 to FY2017. As indicated above, the court's criminal caseload consists of two types of cases: those filed with the court as indictments or informations and those forwarded from the District Court upon a demand for a jury trial or an appeal, over 80% of which are filed as appeals. The number of the court's overall original filings declined from 3,900 in FY2001 to 2,200 in FY2003 when the court implemented its instant jury trial demand policy. As a result, the percentage of the court's original criminal case filings forwarded from the District Court declined from 74% in FY2001 to 47% in FY2004 and continued to

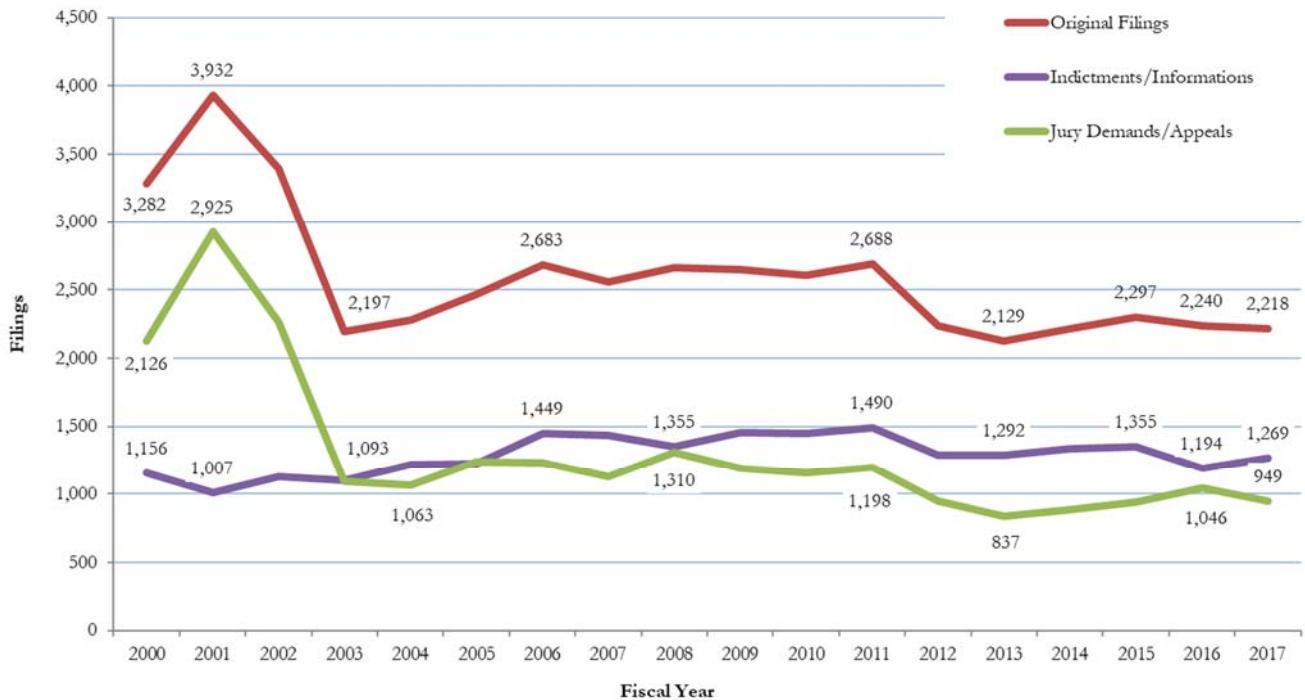
²⁹ A defendant in a certain civil and criminal case that originates in the District Court of Maryland has the right to demand a jury trial in the circuit court that has the jurisdiction of the case instead of receiving a bench trial in the District Court. See *Maryland Code, Courts and Judicial Proceedings*, § 4-302 and § 4-402 for details.

³⁰ For criminal cases handled in circuit courts in Maryland, see:

<http://www.montgomerycountymd.gov/circuitcourt/Court/CriminalDepartment/CriminalDepartment.html#Criminal-Cases-Handled-in-Mar+`yland-Circuit-Courts>.

decline, reaching 39% in FY2013 though it slightly increased to 40% in FY2014 and FY2015. Between FY2003 and FY2011 the number of filings increased from 2,200 to 2,700 but declined to the FY2003 level in the following years.

Figure 13. Circuit Court Original Criminal Case Filings by Case Sub-Type, FY2000-FY2017



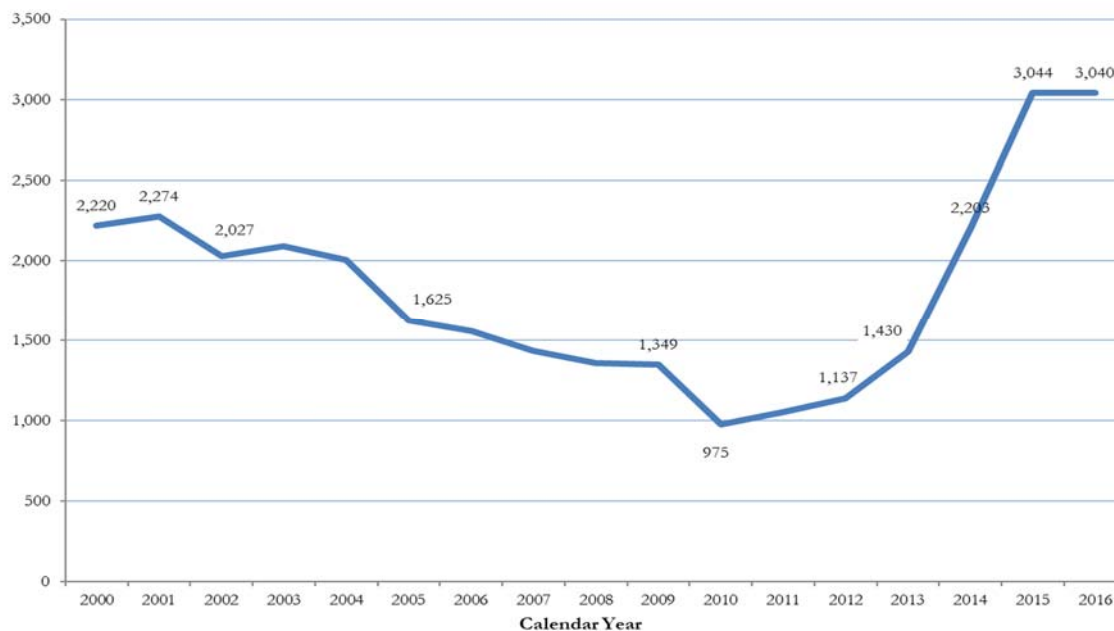
Source: Montgomery County Circuit Court, Data Processing

The number of criminal cases filed as indictments or informations, charges for serious offenses, in the court gradually increased from around 1,090 in FY2003 to 1,490 in FY2011. Filings declined to 1,290 in FY2012 and slightly increased to 1,360 in FY2015. Variability in filings continued with a decline in FY2016 to 1,190 and a subsequent increase to 1,270 in FY2017. Filings of cases tracked as complex (cases with serious offenses such as homicide, rape, first- and second-degree sex offenses, child abuse, major fraud, arson, and DNA cases) have fluctuated in recent years after a gradual increase between FY2001 and FY2009. However, in FY2017, original filings of complex cases reached their highest point since FY2001.

Domestic Violence Statistics

Figure 14 presents the number of domestic violence (DV) incidents reported in Montgomery County between 2000 and 2016 based on the *Uniform Crime Report (UCR)*.³¹ The number of DV incidents declined from 2,220 in 2000 to 980 in 2010, followed by large increases over the next few years to 1,430 in 2013, 2,203 in 2014 and 3,044 in 2015. In 2016, the number of DV reported incidents remained unchanged at 3,040. As noted in the last year's digest, these large increases are due to the expanded definition of domestic violence in the Maryland statute (Family Law Article §4-501) in 2012 to improve recording and tracking of DV crimes. This new definition of DV was first used in the 2013 reporting.

Figure 14. Domestic Violence Incidents Reported in Montgomery County, 2000-2016



Note: the increase in the number of reported incidence since 2013 is in part due to expanding the definition of domestic violence. See Maryland State Police, *Crime in Maryland – Uniform Crime Report, Year 2015* (page 50), (<http://mdsp.maryland.gov/Document%20Downloads/Crime%20in%20Maryland%202015%20Uniform%20Crime%20Report.pdf>, accessed on 4/9/2017).

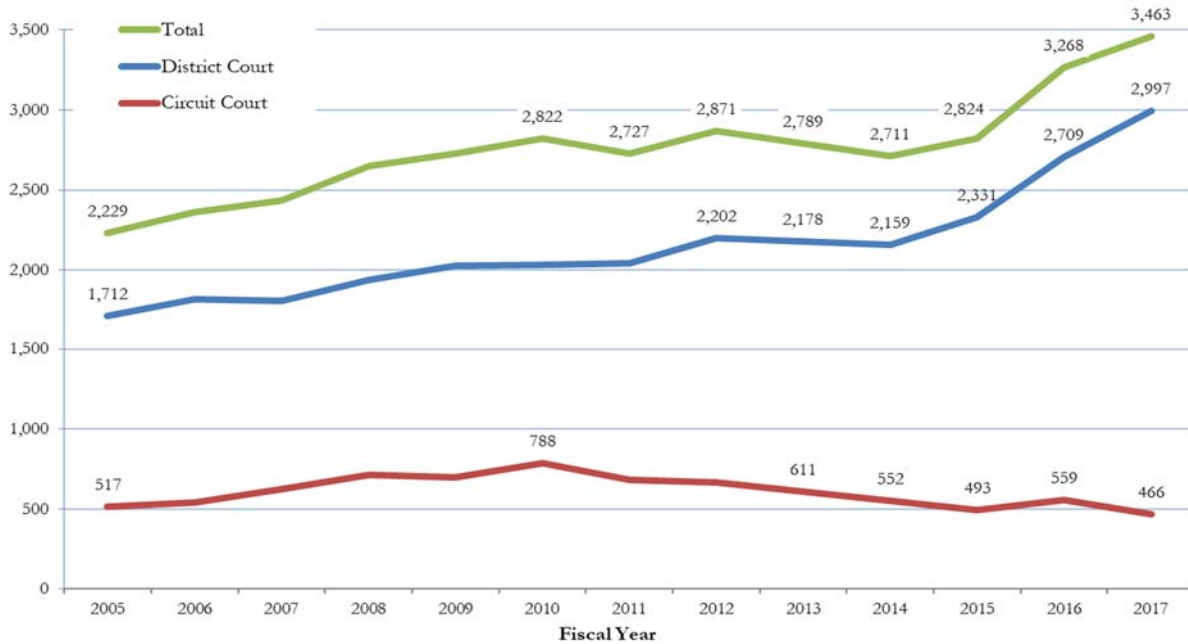
Source: Maryland State Police, *Crime in Maryland – Uniform Crime Report, – Uniform Crime Report, Years 2004, 2005, 2010, 2012-2016*. (<http://mdsp.maryland.gov/Pages/Downloads.aspx>, accessed on 7/15/2018)

As shown in Figure 15, the number of original filings of DV petitions for a protective order in Montgomery County Circuit Court and the District Court (Rockville/Silver Spring locations) increased from 2,200 to 2,800 between FY2005 and FY2010 but remained fairly constant up until FY2015 when filings surged by 400 to 3,270 in FY2016. Approximately 75% of DV petitions filed in Montgomery County were filed with the District Court, with the remaining 25% filed with Montgomery County Circuit Court though the ratio has

³¹ Maryland State Police, *Crime in Maryland – Uniform Crime Report, – Uniform Crime Report, Years 2004, 2005, 2010, 2012-2016*. (<http://mdsp.maryland.gov/Pages/Downloads.aspx>, accessed on 7/15/2018)

shifted in the last few years. Between FY2015 and FY2017, less than 20% of DV petitions were filed with the circuit court.³²

Figure 15. Domestic Violence Case Filings (Original) in Montgomery County, Circuit and District Courts, FY2005-FY2017



Note: Circuit Court DV filings also include those DV cases that were transferred from the District Court by jurisdictional transfer or appeal. Sources: Circuit Court data: Montgomery County Circuit Court, Data Processing; District Court data: District Court of Maryland, *Statistics, FY2005-2017*, (<http://www.courts.state.md.us/district/about.html#stats>, accessed on 7/13/2017)

The number of protective order petitions filed with the circuit court and the District Court and the number of DV incidents reported to the police may not coincide for several reasons. A petition to seek protection from DV can be filed with or without such incidents. Parties involved in a single incident may file petitions separately to seek protection from one another. An individual may file a petition for protective order more than once over time. The same parties may be involved in multiple incidents reported to the police. Furthermore, petitions filed in the circuit courts include some that have been transferred from the District Court due to existing family law cases involving the parties or on appeal by a party. Parties who are victims of DV but are not eligible for protective orders may instead file a petition for peace order with the District Court to seek protection.³³

³² According to the Maryland Judiciary (<http://www.courts.state.md.us/district/about.html#stats>), the numbers of DV petitions filed with the District Court (at Rockville and Silver Spring Locations) are 2,331 in FY2015 and 2,709 in FY2016, whereas those filed with Montgomery County Circuit Court are 493 (17% of the total filed in Montgomery County) in FY2015 and 559 (17%) in FY2016.

³³ For additional information regarding protective and peach orders in Maryland, see the People’s Law Library of Maryland at <https://www.peoples-law.org/comparing-protective-and-peace-orders>. General information on seeking protection from DV is available from Maryland Judiciary (<http://mdcourts.gov/legalhelp/domesticviolence.html>) and the People’s Law Library of Maryland (<https://www.peoples-law.org/cat/domestic-violence>), as well as Montgomery County Sheriff’s Office (<http://www.montgomerycountymd.gov/sheriff/sections/domestic-violence.html>).

While Montgomery County Circuit Court and the District Court serve as the primary source of legal assistance for protection from domestic violence, county residents often seek other types of assistance in addressing these situations. For example, Montgomery County's Family Justice Center (FJC)³⁴ provides information and services (both legal and non-legal) to residents seeking domestic violence assistance. The FJC also assists domestic violence victims who seek a protection order from the court by helping them complete court paperwork, and file a petition for protective order, as well as accompany them to an ex-parte temporary protection order hearing in person or via videoconferencing.

³⁴ <http://www.montgomerycountymd.gov/fjc/> (accessed on 7/15/2018).

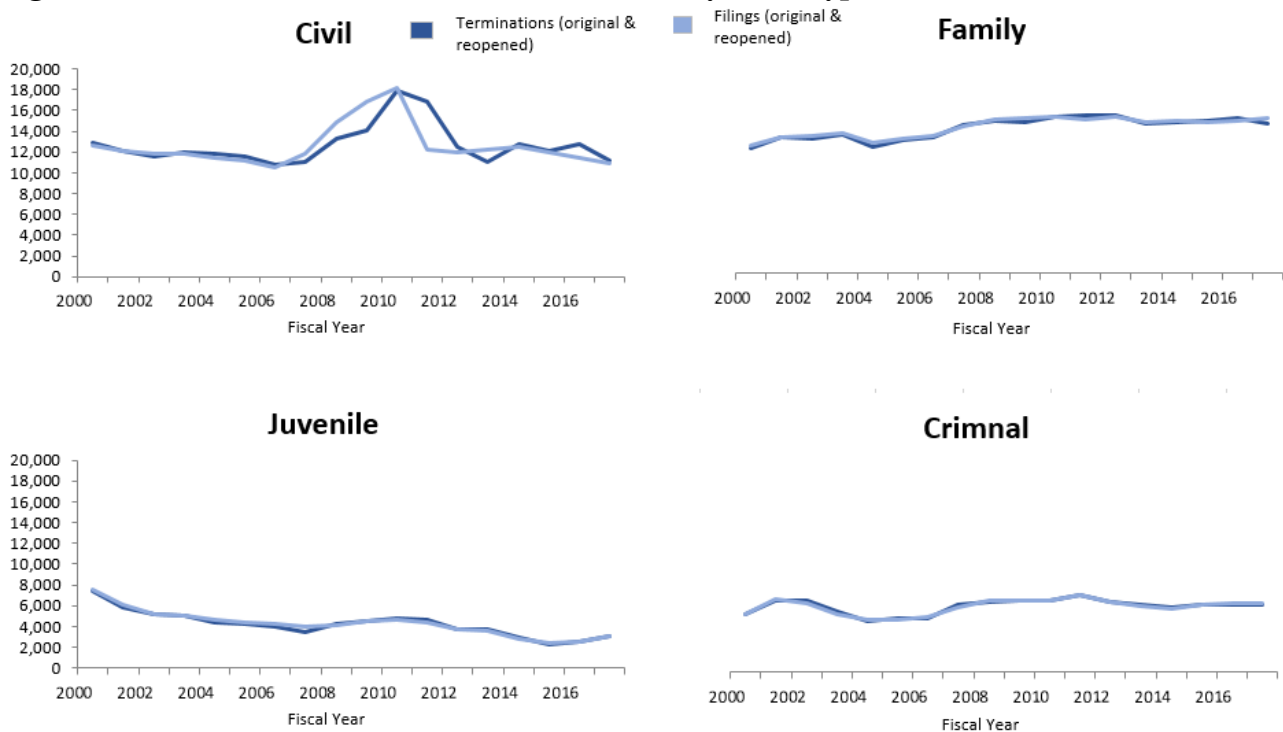
Caseload and Case Processing Overview

One of the goals of Montgomery County Circuit Court is to demonstrate accountability. This is achieved in part through the court’s continuous reviews of its caseload and case processing performance. Monitoring of caseload and case processing performance with particular attention to certain metrics such as filings, terminations, clearance rates and case age in relation to performance standards, allows the court to address areas in need of improvement. Following the identification of these focus areas, research staff performs more in-depth analyses of the court’s data and presents results to court leadership on a regular basis to facilitate the development of effective court and case management strategies.

Caseload

Key caseload metrics that the court reviews include the number of filings, terminations, hearings, and trials that occur annually in civil, criminal, family, and juvenile³⁵ cases. The following figures highlight information across fiscal years (FY) related to these key caseload metrics.

Figure 16. Number of Cases Filed and Terminated by Case Type, FY2000 - FY2017



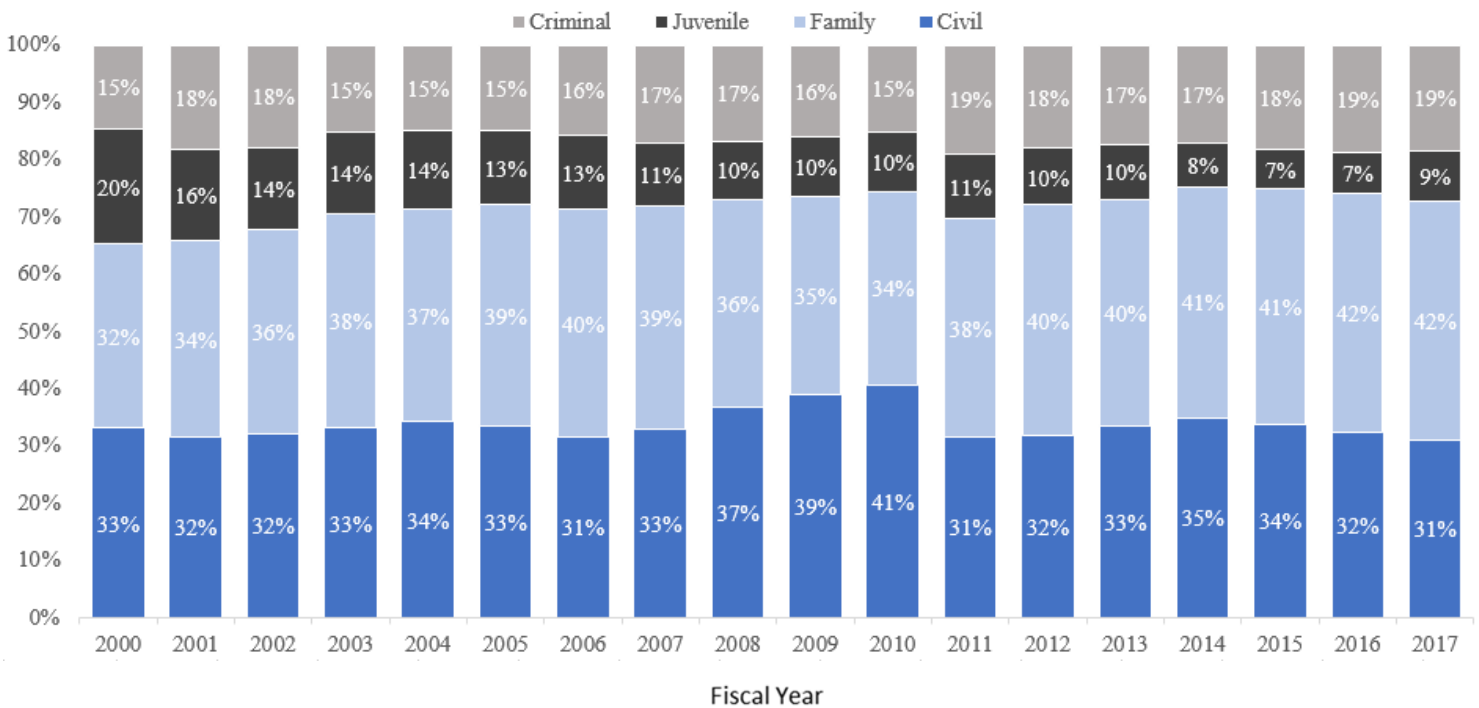
Source: Montgomery County Circuit Court, Data Processing. Transfer of the juvenile court from the District Court to Montgomery County Circuit Court occurred in 2002. Data for fiscal years prior to 2003 was obtained from the Maryland Judiciary.

³⁵ Juvenile cases include juvenile delinquency cases and child welfare cases such as child in need of assistance (CINA) and termination of parental rights (TPR) cases.

Montgomery County Circuit Court case filings (original and reopen) averaged 37,225 between FY2000 and FY2017, ranging from a low of 33,300 filings in FY2006 to a high of 44,800 filings in FY2010. Family and criminal filings have increased over the past 18 years by 21% and 17%, respectively. In contrast, over the same period, civil and juvenile filings have decreased by 13% and 59%, respectively. The civil caseload has experienced the most variation with civil filings substantially increasing between FY2007 and FY2010 from 11,806 to 18,225 filings due to a large increase in foreclosure filings. In FY2011, civil filings dropped by 33% to 12,225, remained at that level until FY2015, and further declined to less than 11,000 in FY2017.

Montgomery County Circuit Court case terminations (original and reopen) averaged 37,200 between FY2000 and FY2017, ranging from a low of 33,086 filings in FY2007 to a high of 44,600 filings in FY2010. As shown in Figure 16, the filing and termination trends are similar except for noticeable variation that occurred in the Civil caseload between FY2007 and FY2011, which was primarily due to the foreclosure caseload.

Figure 17. Case Type Percentage among Filed Cases, FY2000 - FY2017

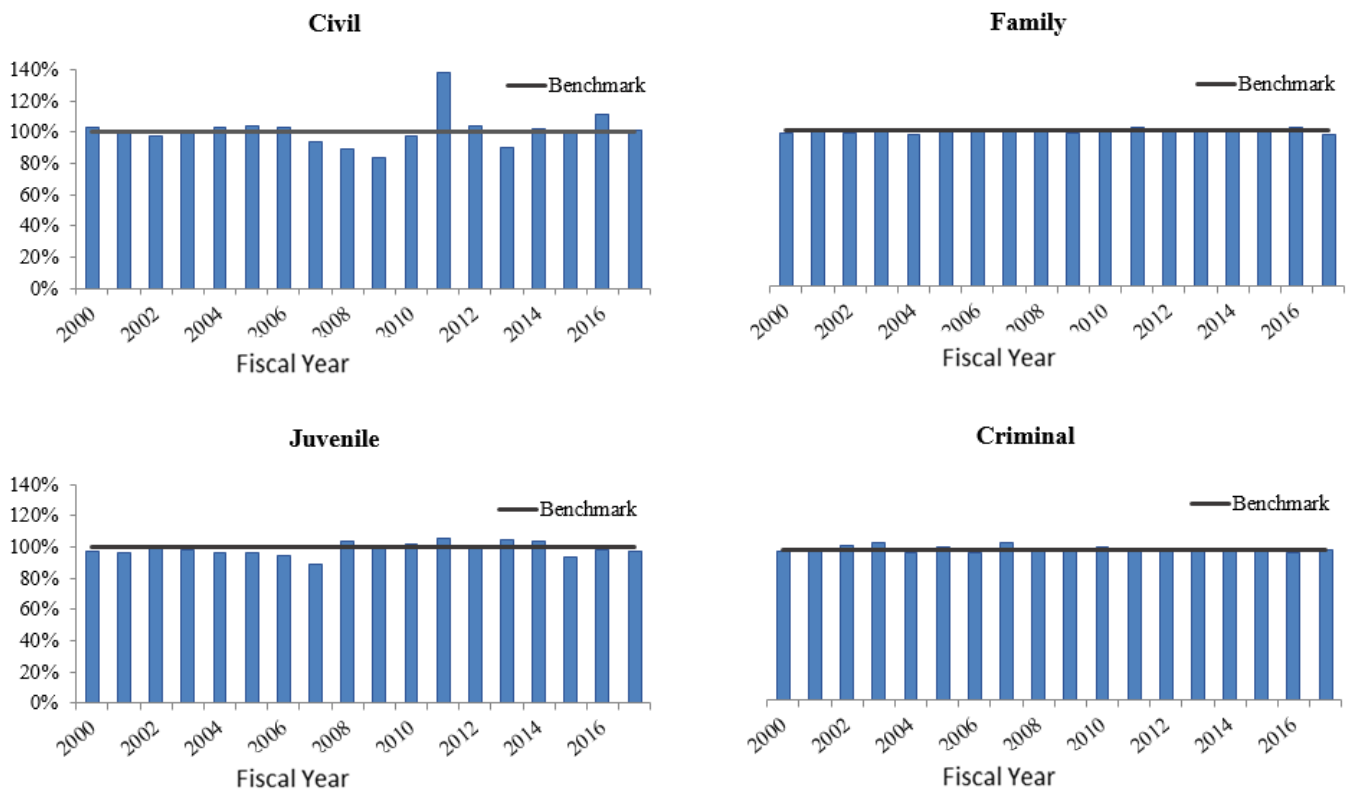


As shown in Figure 17, across case types between FY2000 and FY2017, filings (original and reopened combined) initiated from a family or civil petition/complaint comprised a minimum of 65% to a maximum of 75% of the court’s overall filings. The representation of civil filings among all court case filings increased from 33% in FY2007 to 41% in FY2010 due to the rising foreclosure caseload. As a result, between FY2007 and FY2010, the percentage of family filings among all case filings declined from 39% to slightly over one-

third (34%). Between FY2012 and FY2017, however, family cases comprised at least 40% of all original and reopened filings. Criminal filings have remained relatively constant over time representing less than 20% of the court’s total case filings. Juvenile (including delinquency and child welfare) cases whose representation among all case filings has been in decline since FY2013. For the past four fiscal years, juvenile filings have represented between 7-8% of the filing caseload. A similar pattern of case type representation exists among the terminated caseload.

One of the ways to assess how efficiently courts are processing cases is to monitor the clearance rate, which is calculated by dividing the number of terminations by filings for a given time period. A clearance rate over 100% indicates that a court has more case terminations than filings, suggesting higher case processing efficiency reducing case backlog. In contrast, a clearance rate of less than 100% indicates that the court was not able to close as many cases as were filed.

Figure 18. Case Type Clearance Rates, FY2000-FY2017



Source: Montgomery County Circuit Court, Data Processing. Transfer of the juvenile court from the District Court to Montgomery County Circuit Court occurred in 2002. Data for fiscal years prior to 2003 was obtained from the Maryland Judiciary.

According to the National Center for State Courts (NCSC) CourTool Measure #2 (Clearance Rates), courts should aspire to dispose at least as many cases as have been filed/reopened/reactivated in a period by having

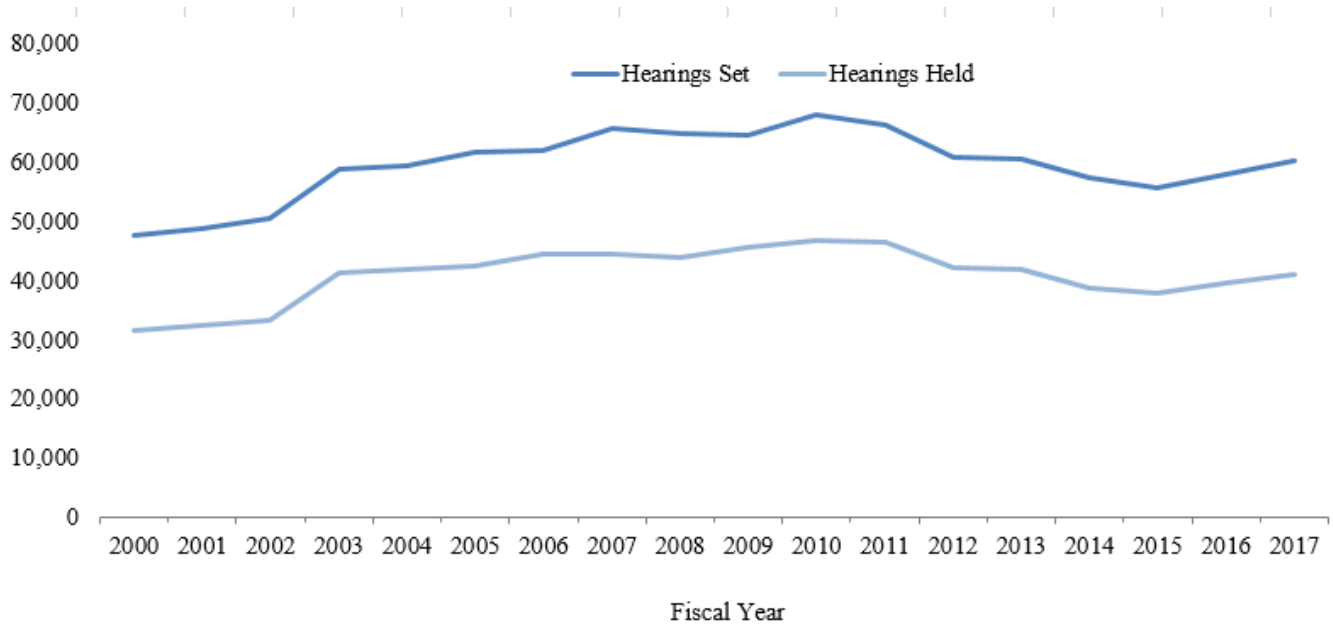
a clearance rate of 100%.³⁶ The calculation of Montgomery County Circuit Court's clearance rate includes reactivated cases (i.e., those cases whose status has returned from being inactive and those whose status has been reopened from a previous closure), as well as open cases.

Figure 18 presents the court's annual case clearance rates by case type for FY2000 through FY2017. The court's average overall clearance rate was at 99%, ranging from a low of 93% in FY2009 to a high of 113% in FY2011. The minimum and maximum overall clearance rate values largely resulted from fluctuations in civil filings and terminations. For the past 18 years, 92% of the case type specific clearance rates were at 95% or above, and 65% were at 99% or above.

Between FY2014 and FY2016, the court's overall clearance rates reached, if not slightly exceeded, 100%. Between FY2016 and FY2017, the overall clearance rate decreased from 104% to 99%. Clearance rates decreased for all case types during that period except for criminal, which increased slightly. The most noticeable declines in case clearance rates occurred among civil and family cases. The civil clearance rate declined from 111% to 101% between FY2016 and FY2017 still meeting the 100% benchmark while the family clearance declined from 102% to 97% slightly below the benchmark. During the same time period, original and reopened family filings increased by 1.5% or less whereas family original and reopened terminations decreased by 3% and 4%, respectively, resulting in the declined clearance rate in family cases.

³⁶ Additional information on the National Center for State Courts' CourTools is available from its website: <http://www.courttools.org/>.

Figure 19. Number of Hearings Set and Held, FY2000 - FY2017

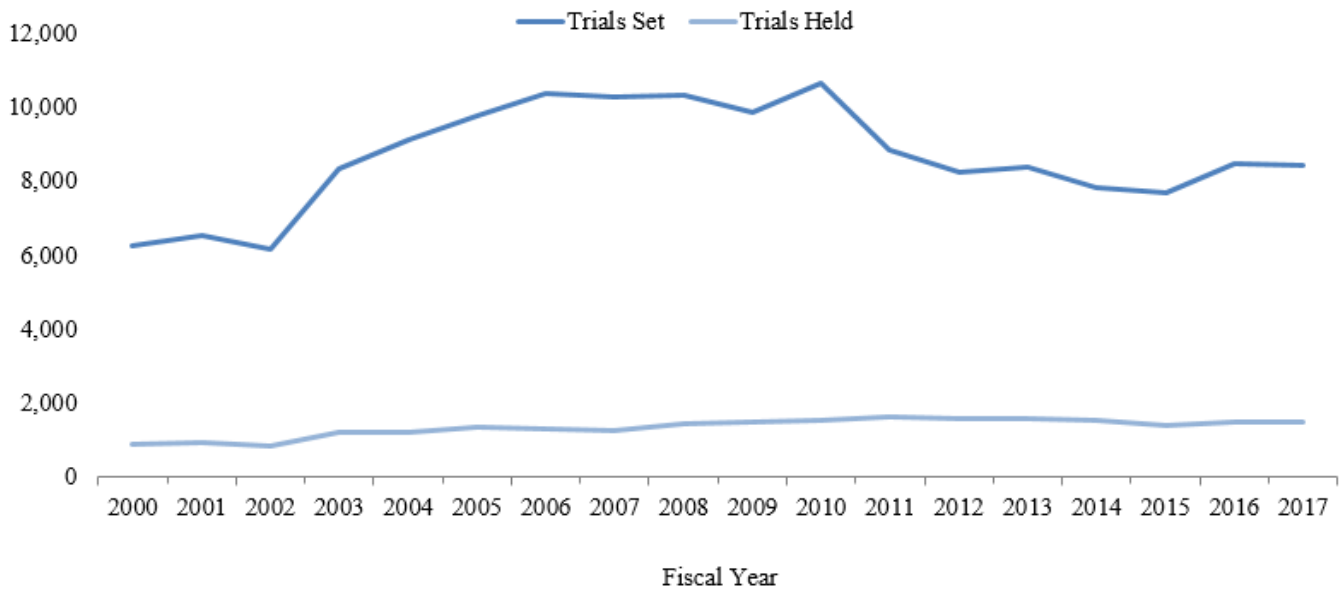


Source: Montgomery County Circuit Court, Data Processing. Transfer of the juvenile court from the District Court to Montgomery County Circuit Court occurred in 2002. Juvenile hearing data for fiscal years prior to FY2003 is not reflected due to differences in data collection approaches prior to the transfer.

Figure 19 displays the number of hearings set and held between FY2000 and FY2017. Since FY2000, the number of matters set for hearings increased by 27%, and the number of hearings held increased by 30% (when excluding juvenile hearings held in the District Court for FY2000-FY2002). There was a relatively large increase in hearings set and held (over 8,000 hearings) between FY2002 and FY2003. This increase is related to the transfer of juvenile jurisdiction from the District Court to the Montgomery County Circuit Court, as well as administrative changes made to judges' calendars in compliance with Maryland Rule 9-208.³⁷ Between FY2003 and FY2017, the court experienced a 3% increase in hearings set and a 0.8% decrease in hearings held, despite increases up until 2010. Due to how data related to hearings set and held are entered into the court's case management system, the hearings held may not correlate directly with those that are set. For example, some hearings that are ultimately held may not have been originally set as a hearing, but rather as a conference.

³⁷ For additional information regarding Maryland Rule 9-208 please access the following link: <http://www.lexisnexis.com/hottopics/mdcode/>, and access the Maryland Rules.

Figure 20. Number of Trials Set versus Held, FY2000 - FY2017

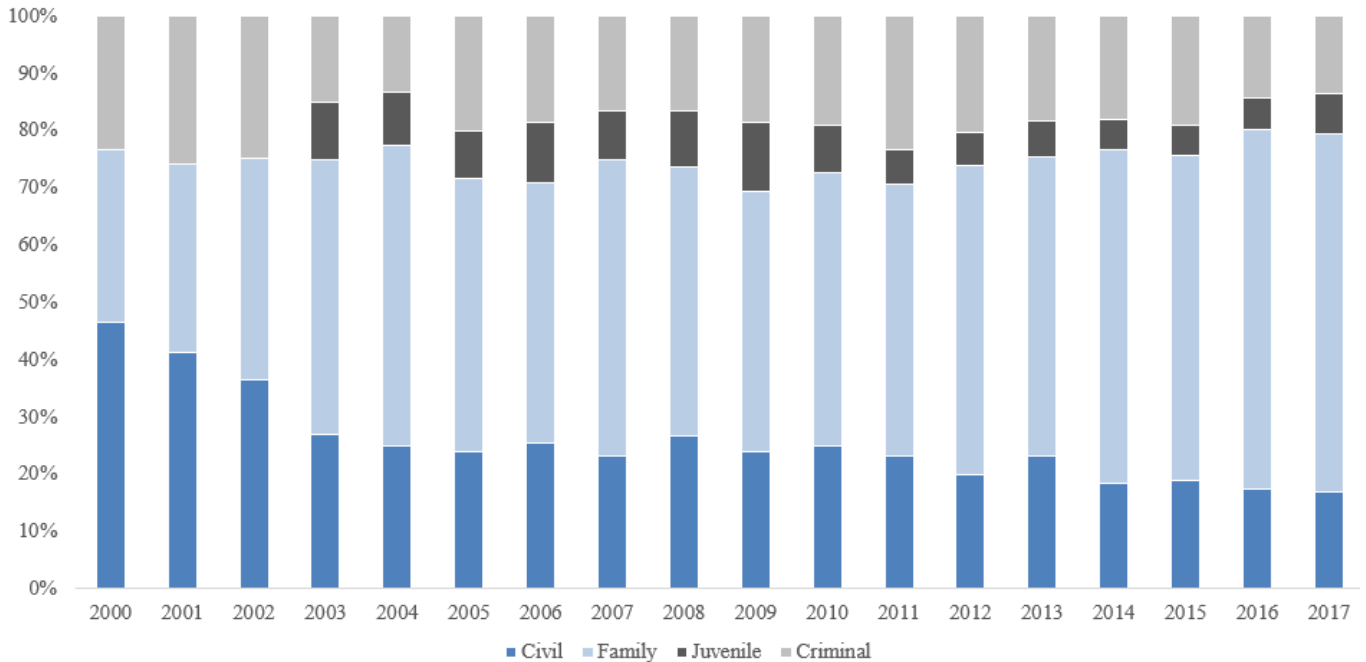


Source: Montgomery County Circuit Court, Data Processing. Transfer of the juvenile court from the District Court to Montgomery County Circuit Court occurred in 2002. Juvenile adjudication/trial data for fiscal years prior to FY2003 is not available.

Figure 20 depicts the number of trials set and held between FY2000 and FY2017.³⁸ Since FY2000, the court experienced a 34% increase in the number of matters set for trial and a 68% increase in the number of trials held. As stated above, part of the increases in the numbers of trials set and held, in particular those increases between FY2002 and FY2003, are due to the transfer of the jurisdiction over juvenile cases from the District Court to Montgomery County Circuit Court in FY2003. There was a noticeable decline in the number of trials set (17%) from 10,664 in FY2010 to 8,842 in FY2011. The decline in trials set continued into FY2012; however, it was less dramatic (7% decline). This drop is likely the result of efforts implemented as part of the revised criminal differentiated case management (DCM) plan, which established 4-215 hearings aimed at scheduling trials on agreed-upon dates in criminal cases. With parties being actively involved in scheduling their trial dates, the need for postponements due to scheduling conflicts was anticipated to decline. The decline in trials set between FY2010 and FY2012 is also due in part to the implementation of settlement conferences in Track 3 civil cases, which allow parties another opportunity for resolution prior to setting the trial date. There was a slight increase in the number of trials set between FY2012 and FY2013 (2%) related to an increase (14%) in criminal trial settings. Since FY2013, overall trial settings have declined until FY2016 when trial settings increased from 7,684 in FY2015 to 8,475 (a 10% increase). Between FY2016 and FY2017, trial settings have remained virtually unchanged.

³⁸ Depending on when the trial is set and held within the fiscal year, the trials held may not be of those set. For example, if a trial is held at the beginning of one fiscal year, it may have been set in the previous fiscal year.

Figure 21. Percentage Breakdown of Trials Held by Case Type, FY2000 - FY2017



Source: Montgomery County Circuit Court, Data Processing. Transfer of the juvenile court from the District Court to Montgomery County Circuit Court occurred in 2002. Juvenile adjudication/trial data for fiscal years prior to FY2003 is not available. Transfer of the juvenile court from the District Court to Montgomery County Circuit Court occurred in 2002. Juvenile adjudication/trial data for fiscal years prior to FY2003 is not available. FY2011 civil trials include trials of two Register of Wills (ROW) cases.

Figure 21 displays the percentage breakdown of trials held by case type between FY2000 and FY2017. The greatest increases in the number of trials held occurred between FY2002 and FY2003 (an increase of 380 trials held (44%) from 858 to 1,238); FY2004 and FY2005 (an increase of 131 trials held (11%) from 1,247 to 1,378); and FY2007 and FY2008 (an increase of 207 trials held (16%) from 1,270 to 1,477). The increase in trials held between FY2002 and FY2003 is due to the transfer of the juvenile court but also due to a 79% increase in family trials held from 333 in FY2002 to 595 in FY2003 due to the aforementioned rule change in family law. The increase in trials held between FY2004 and FY2005 is driven by a 65% increase in the number of criminal trials held specifically court trials (as opposed to jury trials), which increased from 64 to 174 (172%). In FY2005, criminal trials held represent 20% of all trials held. The increase in trials held between FY2007 and FY2008 is driven by increases in civil and juvenile trials held by 33% and 36%, respectively. The number of trials held across all case types decreased between FY2013 and FY2015. Between FY2015 and FY2016, the number of trials held increased for juvenile and family cases resulting in an overall trial held increase during that period of 7%. There was virtually no change between FY2016 and FY2017 in the number of trials held.

Table 6 presents a preliminary analysis of trial date certainty as defined by the National Center for State Courts (NCSC) in its CourTool Measure 5.³⁹ According to the NCSC, trial date certainty is the number of times cases disposed by trial are scheduled for trial. One way to examine trial date certainty is by the proportion of cases that meet a specific performance goal set by the court. One possible benchmark, according to NCSC, is to have 90% of the court’s cases hold trial in no more than two trial settings among cases disposed by trial. Using this as a preliminary benchmark, Montgomery County Circuit Court meets that goal for trials overall and for all case-specific trials except criminal trials specifically. Only 76.6% of criminal trials were held in no more than two settings.

Table 6. Number and Percentage of Cases with Trials Held within Two Trial Settings, FY2017⁴⁰

Case Type	Total	Within Two Trial Settings	
		N	%
Criminal	205	157	76.6%
Family	979	946	96.6%
Juvenile	119	116	97.5%
Civil	255	238	93.3%
Total	1558	1456	93.5%

The question about whether trials are held when initially set has yet to be fully explored. It is widely understood that due to the increased availability of Alternative Dispute Resolution (ADR), as well as the use of other means to resolve cases prior to trial (e.g., resolution and settlement conferences), trials serve as an effective, if relatively rarely utilized, mechanism for the resolution of cases that cannot be otherwise disposed. By encouraging the earliest appropriate resolution of cases, case management allows fewer trials to be set and, when set, held with greater certainty.

³⁹ Additional information on the National Center for State Courts’ CourTools is available from its website: <http://www.courtools.org/>

⁴⁰ Data should be considered preliminary as decisions rules related to the operationalization of cases for the ‘trial date certainty’ measure are ongoing.

Case Processing Analysis

As part of its effort to increase the efficiency of case processing operations and maintain case processing at an optimum level, Montgomery County Circuit Court established a Differential Court Management (DCM) plan for each case type (civil, criminal, family, and juvenile) pursuant to the Maryland Rules of Procedure (Rule 16-202(b)). These plans establish performance guidelines for each case type, creating a schedule of deadlines and hearings related to the complexity of the case and dedicating increasing judicial resources as case complexity increases.

The DCM scheduling guidelines are more detailed than the statewide case processing performance standards and support the court's efforts to meet or exceed the statewide performance goals. The statewide performance standards, which were developed by the Maryland Judiciary in 2000, are utilized by all Maryland circuit courts and the District Court to evaluate their case processing performance and case processing efficiency. For circuit courts, case processing time standards are available for seven case types including civil, criminal, family, juvenile delinquency, child in need of assistance (CINA) shelter care, CINA non-shelter care, and termination of parental rights (TPR). The state case processing time standards present to the citizens of Montgomery County and Maryland the performance expectations of the judiciary as to the prompt resolution of cases in the furtherance of justice. In addition, the standards establish goals against which courts examine their operations. Montgomery County Circuit Court compiles a detailed, annual case processing performance report.⁴¹

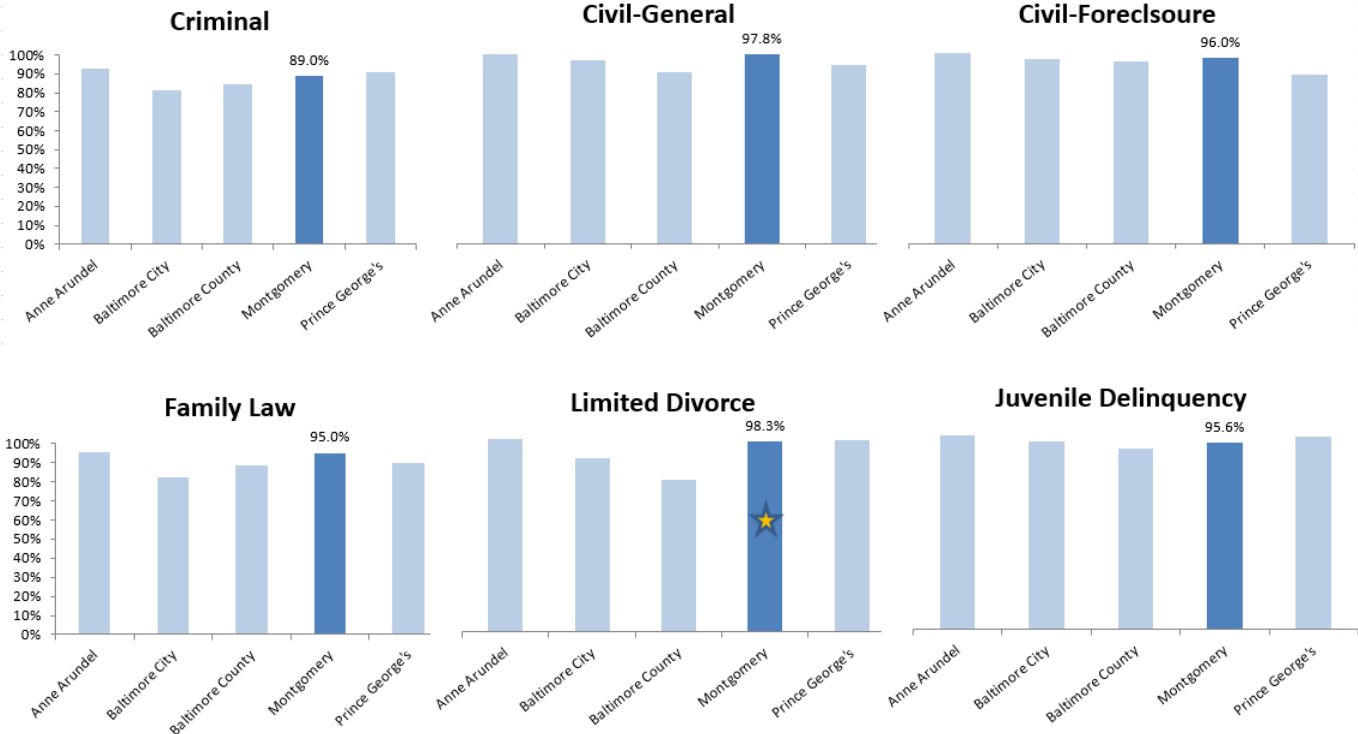
Table 7. Maryland Judiciary Circuit Court Case Time Standards and Performance Goals, FY2017

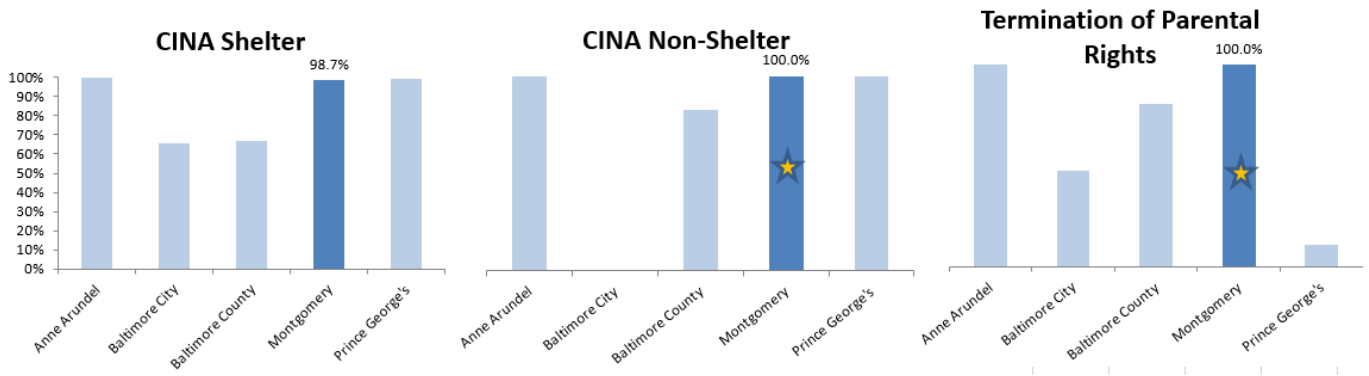
Case Type	Performance Goal	Time Standard Definition	
Criminal	98%	First Appearance to Verdict	180 Days
Civil – Foreclosures	98%	Filing to Disposition	730 Days
Civil – All Others*	98%	Filing to Disposition	548 Days
Family - Limited Divorce	98%	Filing to Disposition	730 Days
Family - Other Family Law	98%	Filing to Disposition	365 Days
Juvenile Delinquency	98%	First Appearance to Disposition	90 Days
Child In-Need of Assistance (CINA) - Shelter	100%	Continued Shelter Care to Adjudication	30 Days
Child In-Need of Assistance (CINA) – Non Shelter	100%	Service Entry to Adjudication	60 Days
Termination of Parental Rights (TPR)	100%	Filing to Final Order of Guardianship	180 Days

⁴¹ The reports are available on the following court's website: <https://montgomerycountymd.gov/cct/Statistics.html>

In FY2017, Montgomery County Circuit Court ranked or tied for first in the processing of civil-general, CINA non-shelter and TPR cases compared to the other large jurisdictions. The court’s criminal, civil-foreclosure, family-limited divorce, family law and CINA Shelter case processing performance ranked second or third when compared with the other large jurisdictions. The court ranked fourth in the processing of juvenile delinquency cases. It is important to note that some of the differences between jurisdictions are rather minimal, and jurisdictions may vary in their case processing procedures, which may ultimately contribute to differences in performance. The court continues to examine its case processing performance on a quarterly basis engaging in discussions routinely to address any gaps in case processing performance. A key measure of the annual case processing performance is the percentage of cases terminated within the state-defined time standards. In FY2017, Montgomery County Circuit Court met or exceeded the statewide performance goal in family-limited divorce, CINA shelter and TPR cases.

Figure 8. Percentage of Cases Closed within the Time Standard by Case Type: Montgomery County vs. Four 'Large' Jurisdictions, FY2017





Note: Figures for four 'large' jurisdictions are obtained from the Maryland Judiciary's statewide case assessment report, which are based on the performance of a random sample of up to 500 terminations per case type. Montgomery County Circuit Court's figures are based on the performance of their entire terminations.

*This document was prepared by
the Montgomery County Circuit
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240-777-9100.*