

**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND**



**FISCAL YEAR 2009 ANNUAL REPORT**

Benson Everett Legg, Chief Judge

Felicia C. Cannon, Clerk

## **DISTRICT JUDGES**

(1 Vacancy)

### Active Judges

Richard D. Bennett  
Catherine C. Blake  
Deborah K. Chasanow  
Andre M. Davis  
Benson Everett Legg, Chief  
J. Frederick Motz  
William D. Quarles, Jr.  
Roger W. Titus  
Alexander Williams, Jr.  
Vacancy (as of September 1, 2008)

### Senior Judges

Walter E. Black Jr. (retired)  
Marvin J. Garbis  
Alexander Harvey II (retired)  
Peter J. Messitte  
William M. Nickerson  
Frederic N. Smalkin (retired)  
Joseph H. Young (retired)

## **MAGISTRATE JUDGES**

(No Vacancies)

### Full-Time

James K. Bredar  
William Connelly  
Charles B. Day  
Thomas M. DiGirolamo  
Susan K. Gauvey  
Beth P. Gesner  
Paul W. Grimm, Chief  
Jillyn K. Schulze

### Part-Time

Victor H. Laws III

## **BANKRUPTCY JUDGES**

(No Vacancies)

### Active Judges

Nancy M. Alquist  
Thomas J. Catliota  
Robert A. Gordon  
Duncan W. Keir, Chief  
Wendelin I. Lipp  
Paul Mannes  
James F. Schneider

### Senior Recalled Judges

E. Stephen Derby

## **COURT UNIT EXECUTIVES**

Felicia C. Cannon, Clerk, U.S. District Court  
Mark Sammons, Clerk, U.S. Bankruptcy Court  
William Henry, Chief, U.S. Probation and Pretrial Services Office

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## **MILESTONES**

The fiscal year began on October 2, 2008 with an Employee Educational Retreat and Appreciation Event which was held at Fort Meade. The day focused on enhancing core performance values related to the court's mission statement. The staff also participated in team-building exercises. At the end of the day, Chief Judge Benson Everett Legg recognized staff accomplishments and awarded service pins.

The third biennial Northrop Lecture was held at the Greenbelt courthouse on Thursday, October 21, 2008. This event honors the memory of Judge Edward S. Northrop who served as a Federal District Court Judge for Maryland from 1961 until his death in 2003. The lecture is co-sponsored by the George Washington University Law School, where Judge Northrop earned his LL.B. in 1937. This year's keynote speaker was Jeffrey Toobin, a writer for *The New Yorker* and a senior legal analyst for CNN.

On Friday, January 9, 2009, the district celebrated the senior status of the Honorable Peter J. Messitte with a portrait ceremony in the Greenbelt courthouse. Judge Messitte took senior status on September 1, 2008, after almost fifteen years of service as a federal district judge in Greenbelt. Judge Messitte has elected to maintain a full caseload until his replacement is appointed. Judge Messitte is the first southern division judge appointed in this district and is affectionately referred to as "Big Daddy" by the southern division's staff. Peter Egeli, a renowned local artist, painted Judge Messitte's portrait.

## **DISTRICT COURT**

### **General Case Statistics**

During the fiscal year ending September 30, 2009, 3,563 civil cases and 601 criminal cases (involving 856 defendants) were filed. On average, each district judge presided over 12 jury trials. As of September 2008, our district weighted case filing per judgeship was 452.

### **Multidistrict Litigation**

The following seven multidistrict litigation (MDL) cases are assigned to judges on our court:

- (i) Royal Ahold Securities/ERISA Litigation, which is assigned to Judge Catherine C. Blake, includes thirty-seven cases in which settlement is pending;
- (ii) ProtoGen Sling and Vesica System Products Liability Litigation, which is assigned to Chief Judge Benson Everett Legg, who has one pending case;
- (iii) Microsoft Corporation Operating Systems Antitrust Litigation, which is assigned to Judge J. Frederick Motz, who has two pending cases;

- (iv) Mutual Funds Investment Litigation. Because of the complexity of this litigation, it was assigned to three judges: Judges Blake, Davis and Motz. Due to the nomination of Judge Andre M. Davis to the Fourth Circuit Court of Appeals, his portion of the MDL has been reassigned to Judge Motz, who is the lead judge. The MDL has 422 pending cases;
- (v) Michelin North America, Inc., PAX System Marketing and Sales Practices Litigation, which is assigned to Judge Titus, was transferred to our district on February 20, 2008. The MDL has one pending case;
- (vi) Municipal Mortgage & Equity, LLC, Securities and Derivative Litigation was certified as an MDL and transferred to our district on August 14, 2008. It is assigned to Judge Marvin Garbis and currently has 12 pending cases;
- (vii) Tyson Foods, Inc., Chicken Raised Without Antibiotics Consumer Litigation was certified as an MDL and transferred to our district on October 17, 2008. It is assigned to Judge Richard D. Bennett and has eight pending cases.

Civil Justice Reform Act (“CJRA”)

Our bench reported the following motions that were pending for six months or longer:

<u>Report Date</u>	<u>Number of Motions Pending for Six Months or Longer</u>
March 31, 2009	50
September 30, 2009	53

Death Penalty Cases

I. Resolved Death Penalty Prosecutions

Judge Roger W. Titus: United States v. Davis, RWT-07-CR-11. This case did not proceed to a penalty phase because Judge Titus found, after a six day hearing, that the defendant is mentally challenged.

Judge J. Frederick Motz: United States v. Dinkins, JFM-06-CR-0309. The trial and penalty phase took place over a twenty-eight day period. The jury was unable to agree on a sentence, and Judge Motz imposed several consecutive life sentences on the two defendants.

Judge Richard D. Bennett: United States v. Byers, RDB-08-CR-056. The trial and penalty phase took place over a twenty-eight day period. The jury was unable to agree on a sentence, and Judge Bennett imposed several consecutive sentences of life without parole.

The Attorney General granted permission to withdraw the notice of intention to seek the death penalty in one case: Judge Deborah K. Chasanow, United States v. Amador, DKC-05-CR-0393. The government accepted the defendant's guilty plea.

## II. Active Death Penalty Prosecutions

Judge Deborah K. Chasanow: United States v. Cruz, DKC-05-CR-0393. The trial is scheduled to begin on January 15, 2010.

Judge Deborah K. Chasanow: United States v. Moriera, DKC-05-CR-0393. The trial is scheduled to begin on June 1, 2010.

## III. Other Death Penalty Litigation

Two capital habeas cases are before the court.

Senior Judge Peter J. Messitte: Higgs v. United States, PJM-05-CV-3180. In a case tried by Judge Messitte, the defendant has moved to vacate his sentence of death.

Judge Andre Davis: Miles v. Wainwright, AMD-07-CV-2135). In a conviction imposed in the Circuit Court for Queen Anne's County, Maryland, the petitioner has filed a petition for the writ of habeas corpus. The case has been stayed pending further proceedings in state court.

### Clerk's Office

In fiscal year 2009, the Clerk's Office was allotted 81.8 work units, including two temporary additives, and twelve court reporters. During the year, two Clerk's Office employees retired, two employees transferred to another federal agency, and three new employees joined the office. On-board staffing at the end of September 2009 was 81.0 work units and ten court reporters. Maintaining our conservative approach to staffing, only essential vacant positions are being filled at this time.

The Clerk's Office continues to support alternative work arrangements where desirable. Some members of the Clerk's Office staff in both Baltimore and Greenbelt telework, or work flexible or compressed schedules.

Clerk's Office employees participated in training on a variety of topics, including information technology ("IT"), human resources information systems, and management skills. The Clerk's Office is shifting from WordPerfect to Microsoft Word. With the assistance of a full-time IT trainer, the office converted all current documents and hundreds of form templates to Word. During the conversion process, the IT trainer created a case tracking database and statistical log spreadsheet for the staff attorney unit. The IT trainer has also trained staff on Word, Excel, and other programs.

Clerk's Office staff participated in two retreats during the fiscal year. Anna Eidson, a national court consultant, conducted an off-site program on motivating performance and teamwork. In the summer, the court's trainers organized an in-house program focused on financial planning and current human resources developments in the judiciary. In response to these programs, staff created a mission statement and several committees to develop a performance management plan that will be used in conjunction with the Administrative Office's new compensation system, which will become effective on October 1, 2010.

Two joint initiatives for bankruptcy court and district court employees continued during fiscal year 2009. The Wellness Committee and Saving Money and Resources Together (SMART) sponsor informational newsletters and awareness programs focused on the health and well-being of court staff.

### Information Technology

The Clerk's Office implemented CM/ECF 3.1 and 3.2 and extended electronic filing to criminal cases effective August 8, 2008. Judge Motz, as chair of our local CM/ECF Implementation Committee, continues to work with staff, unit executives, and judges to develop protocols for dealing with sealed cases and sealed documents. Classes in both criminal and civil CM/ECF continue to be offered in Baltimore and Greenbelt on a monthly basis.

The District of Maryland co-sponsored a grant request with the Western District of Louisiana to enhance the local CVB Magistrate Case Management System. The grant was awarded and initial planning meetings have been held. The scope of the grant has changed to support the development of a program linking the CVB database in San Antonio to the CM/ECF Case Management System. This project is now slated as a national initiative because of the universal benefit it will have for all 94 federal districts.

The District of Maryland participated in an Administrative Office-sponsored LAN assessment in preparation for Voice over Internet Protocol (VoIP) communications technology. Based on the assessment, the district court units contracted for cabling infrastructure changes that include new and redundant fiber in both courthouse locations. This project, which began at the end of this fiscal year, requires staff relocations and the installation of over 2000 feet of CAT 6 Plenum grade cable for new courtroom technologies. Once the cabling infrastructure project is completed, the district has contracted for new redundant core switches within each court location. The court also has new production data, application, and internet servers this year.

The court's IT programmer/analyst, Michael Davis, developed a new Intranet Portal System. The system provides a central point of access to all internally developed applications and links to some outside applications. The system utilizes Microsoft integrated security to recognize the user and provides a customized selection of options for each user. In addition, the system has a public portal that provides access to all locally developed applications appropriate for use by outside members of the court network.

Mr. Davis also developed a real-time emergency and informational message posting system for the intranet, as well as an Event Registration system for both internal and external users. Through the Event Registration system, users can register, update information, cancel registration, be waitlisted and receive email reminders. Additionally, Mr. Davis designed and implemented a Purchase Request System that permits court staff to enter and track purchase requests. The system allows for a tiered approval process, monitors daily activity, and issues reports.

### Jury Statistics

A total of 13,675 jurors were summoned for jury service in fiscal year 2009. Of that figure, 4,712 trial jurors reported to the court for participation in 109 trials that proceeded to a verdict. The court conducted 74 jury trials in criminal cases, and 35 jury trials in civil cases. A total of 3,847 grand jurors spent 962 hours in session, convening 185 times during the year. District and magistrate judges on our local Jury Committee hosted luncheons for departing grand jurors to discuss general concerns with the overall process and recommendations for improving the term of service.

### Public Outreach

Several of our judges serve on the Federal Court Liaison Committee which includes members of the federal and state bar associations. The committee meets every other month to discuss local rules and procedures and joint ventures of the bench and bar.

The Baltimore and Greenbelt courthouses continue to host judges from foreign countries. Our international outreach efforts over the past few years include hosting guests from Argentina, Brazil, Bolivia, Chile, Columbia, Costa Rica, the Dominican Republic, eastern Caribbean, Ecuador, Egypt, El Salvador, Guatemala, Honduras, Israel, Japan, Jordan, Kazakhstan, Korea, Lebanon, Malaysia, Moldova, Nicaragua, Nigeria, Paraguay, Peru, Philippines, Russia, Turkey, Uruguay and Venezuela. Some of our judges traveled to Argentina, China, Russia and Turkey for judicial education programs.

The Clerk's Office arranged for federal agencies to use courtrooms for executive branch agency hearings. Those agencies included the United States Department of Labor, the National Transportation Safety Board, the United States Tax Court, and the United States Merit Systems Protection Board. The district also hosted an Inns of Court Program, the United States Bankruptcy Court-Erickson School Program, several Federal Bar Association programs, the United States Attorney's Office award ceremony, and several CJA panel training sessions.

On March 13, 2009, the court partnered with the Federal Bar Association to present the annual Introduction to the Federal Bar program. A total of 75 attorneys participated in the program and were admitted by an en banc panel of judges at the end of the program.

On April 16, 2009, the Federal Bar Association conducted a Grand Jury Practice Forum in Baltimore.



On April 24, 2009, Magistrate Judge Susan K. Gauvey hosted an Open Doors program in Baltimore. The program, which involved children from various local high schools, included mock trials, discussions with unit executives and judges, and lunch with the bench.

During fiscal year 2009, 1,622 applicants were naturalized and sworn in as new citizens in our court. On May 15, 2009, Magistrate Judge Beth P. Gesner presided over a special naturalization ceremony which was sponsored by the fourth grade class of Chesapeake Academy. The students prepared gift booklets, packets, and flags for each new citizen. The students also led the Pledge of Allegiance. The students of Chesapeake Academy hosted a reception following the ceremony.

In May 2009, the Greenbelt courthouse hosted a Law Day program for Prince George's County High School students. This program included a mock trial. The Greenbelt courthouse also hosted the annual Humphrey Fellows program for lawyers, professors, and judges from other countries studying at Washington College of Law at American University.

On May 28, 2009, the bench sat en banc for our annual Law Clerk Admissions Ceremony. Court of Appeals, District Court, Magistrate Judge, and Bankruptcy Court law clerks and their families attended this special ceremony. The law clerks were admitted to the bars of the District Court and the Fourth Circuit Court of Appeals.

On July 10, 2009, Judge Catherine C. Blake and Judge J. Frederick Motz hosted a brown bag lunch for summer associates and law clerks. The program was repeated on August 6, 2009 with Chief Judge Benson Everett Legg and Judge Richard D. Bennett serving as hosts.

On September 14, 2009, the annual Hargrove Breakfast for law clerks was held in the Baltimore courthouse. Following the breakfast, Judge Paul W. Grimm presented his overview of the federal discovery rules to the new law clerks.

On September 18, 2009, Judge Grimm participated in a Federal Bar Association program on the Admissibility of Electronically Stored Information. Chief Justice Roberts appointed Judge Grimm to the Advisory Committee of the Federal Rules of Civil Procedure on September 28, 2009.

On September 25, 2009, several members of our bench participated in a Trial Skills program in Baltimore. A reception was held in the courthouse following the program.

Throughout the year, artwork from local arts councils was on display in the Greenbelt courthouse, and several receptions were held to honor the various local artists who displayed their work.

### Space and Facilities

The Baltimore courthouse was placed on the Five Year list in 1998. After almost a decade on the list, Baltimore made no progress towards a new courthouse. Congress did not approve enough money annually to keep projects moving up the list towards completion. As a

result, in 2008, the AO decided to revamp the Five Year Plan process.

Baltimore was taken off the list. The AO prepared a draft asset management plan to address Baltimore's needs. The Long Range Facilities Plan for the District of Maryland recommends that the Baltimore courthouse should be renovated rather than replaced. The Plan does not, however, provide a blueprint for renovating the building, nor does it include a funding source. The court has not accepted the Long-Range Facilities Plan and the document in its present form needs substantial work.

If the Garmatz Building will be used as a courthouse for another thirty years, it needs a comprehensive master plan addressing all of the needs of the tenants. The Baltimore courthouse is in need of major renovations. No source for funding these renovations has been identified, however. Judiciary sources are too small to fund projects of this size. GSA has told the court that it must devote its entire annual budget for the Baltimore courthouse for the next twenty years to upgrade the electrical, plumbing, and HVAC systems. There is no money for anything else. A top to bottom master plan for the building and a funding strategy are needed.

Several projects were completed in Baltimore this fiscal year. Audio and video systems, carpeting, and painting were installed in Courtrooms 5B and 5D. Identical systems were designed for Courtrooms 5A and 5C. A new audio system was installed in the Grand Jury Room, and cyclical maintenance of Chambers 3D, 7B, 8A, and the 8th floor conference room wing was completed. Two new IT offices were constructed in the Clerk's Office, and a new condensed shelving system was installed in the Intake Department.

The Greenbelt courthouse opened in 1994 and reached full occupancy in 1995. Since then, personnel have been crammed into every available nook and cranny. As of today, there is simply no more room, and unless an annex is built, substantial numbers of cases and personnel will have to be transferred from Greenbelt to Baltimore.

The court has been pushing hard for a Greenbelt annex for the last ten years. This effort has been long, difficult, and frustrating. But, with the support of our Congressional Delegation, Majority Leader Hoyer in particular, progress has been made. The court is hopeful that Congress will appropriate money this fiscal year for the design of the annex. Once this design money is appropriated, the project will be on a conveyor belt that will produce an annex by the time that the next southern division judges take senior status in 2014 or 2015.

Fiscal year 2009 saw the installation of an audio and video system, carpeting and painting in Courtroom 4A in Greenbelt. An identical system was designed for Courtroom 4B. A shared conference room was divided into two smaller conference rooms, and the millwork in several courtrooms was refinished.

### **CRIMINAL JUSTICE ACT (CJA) SUPERVISING ATTORNEY**

Donna Shearer is the liaison between the court and CJA panel attorneys. She is assisted by Nicole Bierman, a CJA technician. Ms. Shearer assigns panel attorneys to criminal cases. In

fiscal year 2009, Ms. Shearer’s office made 844 CJA assignments. This is a 1.5% decrease from the number of case assignments in fiscal year 2008. Ms. Shearer also reviews and makes recommendations regarding all requests for either expert or investigative funding. In addition, she evaluates and approves CJA vouchers.<sup>1</sup> The number of vouchers processed for payment remained steady this year.<sup>2</sup>

Furthermore, Ms. Shearer has developed expertise in setting budgets in capital and mega-cases. In fiscal year 2009, four capital prosecutions were underway. This large number of capital cases is reflected in increased costs in CJA expenditures.

In August 2009, Ms. Shearer spoke at a Multi-Track Litigation Seminar on how to manage electronic discovery held at the Office of Defender Services. In 2008, Ms. Shearer was nominated by then-Chief Judge Karen J. Williams to participate in the Electronic CJA

<sup>1</sup> The following is a comparison of Yearly CJA expenditures:

Payments	FY 2006	FY 2007	FY 2008	FY 2009
Attorneys	\$ 3,973,951.52	\$ 4,062,221.59	\$ 3,943,119.22	\$ 5,461,427.82
Experts (felony & capital cases)	\$ 340,575.01	\$ 322,315.86	\$ 414,648.46	\$ 444,303.01
Total Paid*	\$ 4,475,712.74	\$ 4,498,246.02	\$ 4,514,541.34	\$ 6,113,815.27
Total Capital Case Costs	\$ 1,844,631.22	\$ 1,516,324.90	\$ 1,657,944.99	\$ 3,042,940.45
% CJA Costs attributed to capital cases	41%	34%	37%	50%

<sup>2</sup> The voucher totals since FY 2000 are:

FY 2000 692 vouchers processed for payment  
FY 2001 788 vouchers processed for payment  
FY 2002 723 vouchers processed for payment  
FY 2003 1,048 vouchers processed for payment  
FY 2004 1,162 vouchers processed for payment  
FY 2005 1,335 vouchers processed for payment  
FY 2006 1,294 vouchers processed for payment  
FY 2007 1,413 vouchers processed for payment  
FY 2008 1,616 vouchers processed for payment  
FY 2009 1,607 vouchers processed for payment

Vouchering Working Group. This is a three-year working group with representatives from each Circuit, the Office of Defender Services, and Committee Liaisons from the Judicial Conference.

In November 2008, Ms. Shearer participated in a Joint Application Design meeting with the working group. She has also participated in a number of conference call meetings to help formulate policy for the electronic vouchering project. Ms. Shearer continues to participate in the Expert CJA Audit Group. The group is developing nationwide policies in response to the CJA audit findings.

Ms. Shearer also staffs the court's CJA Committee meetings. She reviews and makes recommendations on all applications for the felony panel to the CJA Committee. She prepares the CJA Committee meeting minutes and serves as the court's in-house counsel on CJA matters.

### **PRO SE STAFF ATTORNEYS**

In fiscal year 2009, cases filed by pro se litigants represented more than a third of the civil filings in this district. Among prisoner cases, civil rights filings lead the way, comprising 14% of all civil filings. Challenges to convictions or detention rose slightly after a three-year decline, representing an increase in challenges to federal convictions. State habeas corpus applications continue to decline, even as the state prison population continues to grow. Although impossible to quantify, the length of disposition of state post-conviction challenges likely has direct impact on the number of state prisoners coming to federal court. Additionally, the court continues to see an increase in the number of motions filed in closed criminal cases, especially motions filed under Fed. R. Crim. P. 60, Rule 35 and 18 U.S.C. § 3582. Often, these motions must be converted into § 2255 motions to vacate.

The tremendous volume of motions filed as a result of Amendment 706 to the Sentencing Guidelines for crack cocaine convictions has leveled. The staff attorneys have helped track and prepare initial orders in these cases and have worked with the court committee to implement effective ways of ensuring their review.

For a third consecutive year, prisoner civil rights filings alleging gang-related violence in the state prisons have increased. In an attempt to respond to violence, last year the Maryland House of Correction at Jessup was closed and mass transfers occurred. The most violent offenders were sent to either the Maryland Correctional Adjustment Center or the newly-opened North Branch Correctional Institution, which is annexed to the Western Correctional Institution in Cumberland. These transfers continue to generate many civil rights challenges.

The state recently revised its Administrative Remedy Procedure to provide prisoners with more time to seek administrative relief and to simplify the tracking of grievances. It cannot yet be determined whether these changes will have an impact on filings in this court.

Finally, compared to past years, a smaller number of cases are being dismissed on procedural grounds. Increasingly, prisoners are aware of both the "three strikes" provision of the

PLRA and the time limits for filing habeas corpus petitions. As a result, the time needed to process the average case continues to increase.

## **UNITED STATES MAGISTRATE JUDGES**

While the magistrate judges primarily sit in the Baltimore and Greenbelt courthouses, they also hold hearings in off-site locations including Salisbury, the Aberdeen Proving Grounds, Andrews Air Force Base, the Naval Academy, Fort Ritchie/Fort Detrick, Fort Meade, and the Patuxent River Naval Air Station. The former Hyattsville docket was permanently moved into the Greenbelt courthouse at the end of September 2007. That move was the result of the termination of our lease with the state-owned facility. Certain magistrate judges hear cases on the United States Park Police (USPP) docket and dockets covering the National Institutes of Health (NIH) and five other federal facilities. These dockets involve the largest volume of traffic and parking violations in the country as well as the largest miscellaneous and Class A misdemeanor dockets in the federal judiciary.

Various federal arresting agencies issued 29,883 new misdemeanor and petty offense citations in fiscal year 2009. The magistrate judges presided over 4,855 mandatory appearances and 7,497 collateral appearances during fiscal year 2009. A total of 37,509 citations reached disposition. Magistrate judges issued a number of fines and \$2,372,035.22 has been collected.

One of the magistrate judges' primary duties is holding settlement conferences. This fiscal year, they conducted 519 conferences. This program has been very successful because the magistrate judges devote the time necessary to master the record and explore settlement in depth with the parties and counsel. The court frequently receives letters from counsel expressing gratitude that a seemingly intractable case has been resolved.

## **BANKRUPTCY COURT**

The bankruptcy court has experienced significant growth in filings after an initial two year decline following the passage of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA). Filings for fiscal year 2009 totaled more than 23,400 new cases, which is a 43% increase from fiscal year 2008. Chapter 7 filings had the most significant growth at 72%. Chapter 11 cases increased 7% while there was a slight decline of 2% in Chapter 13 cases. Despite the steady and significant growth in caseload, the Clerk's Office was able to maintain or improve the level of services provided to the bench, bar and public without having to hire additional staff. This achievement was realized through a continued emphasis on innovation, technology and quality.

Although the caseload is rising, three of Maryland's seven bankruptcy judgeships are temporary. This means that if there is a vacancy, the vacancy cannot be filled unless the new judge is sworn in before April 1, 2011. One of the bankruptcy judges is eligible to retire now, and two others will reach retirement age in the next two years. This means that Maryland will likely lose three judgeships unless legislation is quickly enacted to convert the temporary judgeships into permanent positions.

In an effort to better serve the expanding pro se filing population, in 2009 the court partnered with local bar associations and legal service agencies in each division to provide free legal assistance through the Debtor Assistance Program (DAP). Assistance is offered to either pro se debtors or potential debtors who do not have legal representation. Volunteer attorneys staff the DAP offices on a weekly basis, and Maryland Volunteer Lawyer Service (MVLS) and Community Legal Services of Prince George's County provide malpractice insurance coverage in Baltimore and Greenbelt respectively. The court was honored to receive the MVLS 2009 Special Projects Award in recognition of this unique outreach effort. The court also established a Low Bono list of attorneys who have agreed to provide representation on a sliding fee scale to low income debtors.

Renovations in each courthouse to accommodate three new judgeships created by BAPCPA were completed in 2009. Bankruptcy Judge Nancy V. Alquist moved into her new chambers and Courtroom 2A in Baltimore in December 2008, and new Courtroom 3E in Greenbelt was completed for Bankruptcy Judge Thomas J. Catliota in April 2009. Judge Wendelin I. Lipp took occupancy of her new chambers in Greenbelt in October 2008. The court is also leading a project, in collaboration with the Court of Appeals and the District Court, to upgrade the fiber and ethernet cabling infrastructure throughout both courthouses in preparation for the upgrade of network switches. Completion of the infrastructure upgrade is anticipated in November 2009.

Bankruptcy Judge Nancy V. Alquist has been involved in a number of activities involving International Judicial Education. During 2008-09, Judge Alquist, in concert with the U.S. Commerce Department, made presentations to judges in Qatar (the first such exchange in that country) and in Bahrain, and then, over the past summer, hosted a delegation of Bahraini judges here in the U.S. Bankruptcy Court for the District of Maryland. Following a pre-trial briefing by the judge and her staff, and a demonstration of technology and CM/ECF by the Bankruptcy Clerk's Office, the Bahraini judges observed an actual trial with real time interpreters posted in the courtroom. Judge Alquist also participated in programs for judges in Argentina and Chile with the International Judicial Academy.

New Local Bankruptcy Rules (LBR) will take effect on December 1, 2009. Many of the amendments stem from Public Law 111-16, the Statutory Time-Periods Technical Amendments Act of 2009, which makes changes to the calculation of time periods so that they are simpler and more consistent among Bankruptcy, Civil, Criminal and Appellate Federal Rules.

## **UNITED STATES PROBATION AND PRETRIAL SERVICES OFFICE**

In the District of Maryland, probation and pretrial services functions are consolidated under the leadership of William Henry. Mr. Henry has organized his office into three distinct departments: (i) the Pretrial Services Department, which has 22 employees; (ii) the Presentence Investigation Department, which has 22 employees; and (iii) the Supervision Department, which has 78 employees. Additionally, there are 41 employees that directly support the work of the

officers in all departments. In fiscal year 2009, Mr. Henry's office supervised over 3,500 men and women and conducted approximately 2,000 pretrial and presentence investigations.

The following is a list of fiscal year 2009's organizational initiatives and achievements:

- As part of the Defendant/Offender Workforce Development Program, 152 offenders attended employment workshops facilitated by probation officers. The workshops assist offenders in finding employment by providing assistance on communication strategies and resources.
- The office implemented pre-release supervision in Greenbelt which necessitated training all Greenbelt supervision officers and clerical staff. All supervision officers are now supervising offenders who are in Residential Re-entry Centers and BOP Custodial Facilities.
- The office provided a training program on motivational interviewing, a technique that can reduce offenders' recidivism rates.
- With the assistance of Judge Williams, the office initiated a pilot program in Greenbelt. Through the program, Judge Williams meets with recently-released offenders he previously sentenced. The informal meetings are intended to improve the offenders' reintegration.
- A senior officer continues to serve on the national Sex Offender Management Working Group, and the deputy chief of the district has been selected to serve on the national Evidence-Based Practices Working Group.
- The office held a management conference focused on performance management. During the conference, job requirements and performance standards for each position within the organization were updated and revised.
- The office conducted firearms range training, field safety scenario training, and defensive driving training at the Federal Law Enforcement Training Center in Cheltenham, Maryland.
- The office enhanced officer safety—and enabled immediate access to case information—by providing all officers with Blackberry mobile devices.

### **HOPE FOR A FEDERAL DETENTION CENTER**

On any given day, Johnny L. Hughes, the United States Marshal for the District of Maryland, is responsible for the custody of over 600 individuals awaiting trial or designation to a federal prison. This number has doubled since the late 1990s. Because there is no central federal or state facility that can house these individuals, they are scattered among over thirty different facilities, including jails and detention centers as far away as Virginia, Ohio, and

Tennessee. Marshal Hughes reports that this dispersion creates exceptional logistical difficulties for his organization. The dispersion also creates difficulties for the public defenders and for CJA panel attorneys who must drive long distances to visit their clients.

The State of Maryland and the Federal Detention Trustee are working on an arrangement under which the State would renovate the “Supermax” facility in Baltimore City. Afterward, pursuant to a contract between the State and the Detention Trustee, only federal pre-trial detainees would be housed at the facility. This proposal is moving forward, and the court is cautiously optimistic that it will eventually become a reality.

### **CONCLUSION**

The bench thanks Judge Frederick P. Stamp, Jr., who volunteered his time and effort to assist the district court. The bench also thanks the hard-working employees of the district and bankruptcy courts and the related agencies.