

**LETTER FROM ADMINISTRATIVE JUDGE REGARDING PROCESSING OF CRIMINAL AND CIVIL FILINGS
AND CIVIL SCHEDULING ORDER DEADLINES IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY**

Questions have arisen among members of the Bar regarding Emergency Matters, Scheduling Orders, and other deadlines in Civil Actions. As you know, the Clerk of the Court has been forced to significantly reduce staff or fully close certain departments by virtue of Judge Barbera's March 16, 2020 Order. While items are being received by the Clerk via mail and through the drop box on Maryland Avenue, it is important to note that the court is only processing and ruling on **Emergency Matters**, as set out in Judge Barbera's Order. I am aware that Civil pleadings are being filed daily by attorneys and litigants to remain in compliance with Civil Scheduling Order deadlines that were set prior to Chief Judge Barbera's Order, and I commend your diligence. Those non-emergency filings, however, coupled with the reduction in staff, make it difficult for the Clerk's Office to process the emergency matters being presented to the court, and could potentially present a health risk to our employees. I would therefore request that all packages mailed, and pleadings placed in the drop box, be prominently marked as either **EMERGENCY** or **NON-EMERGENCY** on the envelope, in both Civil and Criminal cases. **IF THE MATTER IS NOT SO MARKED IT WILL BE CONSIDERED NON-EMERGENCY.** Non-emergency matters would include new Complaints in Civil Actions, motions, answers, responses, notice of service of discovery, and other matters that do not require the court's immediate attention. The Clerk's Office will note the date of filing for all matters, and they will be docketed as soon thereafter as possible. You should not expect to see recently-filed matters on Case Search for some period of time. Your cooperation in this matter is greatly appreciated, and will make it much easier for the clerks to do their job and ensure that truly emergent matters – criminal and civil - are promptly considered. Please remember that, whenever possible, emergency matters should be placed in the drop box. The proponent of the emergency matter should follow up by telephone call to the Clerk's Office if there are any concerns.

In addition, I am sure that many of you are worried about compliance with the various deadlines set forth in your Civil Scheduling Orders issued prior to March 25, 2020. I am aware that it may not be possible to schedule depositions, retain experts, etc., because of the pandemic, thus making the timely completion of discovery and the filing of dispositive motions impossible. While I am not able to issue a blanket extension of those deadlines at this time, I can assure you that my staff is working on reopening strategies. Motions to Modify Scheduling Orders, **filed after the court's reopening**, will be addressed in a timely fashion, with extensions to be liberally granted, based upon the time lost due to our closure. **Again, please do not file such motions at the present time.**

Finally, the license department will continue issuing marriage licenses in emergency cases. These would include instances involving military deployment, severe health issues, or medical insurance issues involving an applicant. To seek a license, the applicant should prepare a letter to the Administrative Judge explaining the emergency situation, filed in the drop box with contact information and a copy of the application. You will hear back from the clerk regarding the status of your application.

Thank you for your cooperation in these matters as we continue to socially distance and remain healthy. **AS DEVELOPMENTS OCCUR RAPIDLY REGARDING THIS PANDEMIC, PLEASE CHECK THIS SITE FREQUENTLY FOR UPDATES ON COURT OPERATIONS.**

Robert A. Greenberg

Administrative Judge