

## **CHANGES/UPDATES TO SAO DISCOVERY PROCESS IN DISTRICT COURT EFFECTIVE NOVEMBER 1, 2011**

As a result of meeting with a number of defense attorneys and members of the Criminal Law Section of the Montgomery County Bar Association, the Montgomery County State's Attorney's Office has reviewed its **district court discovery procedures** and made some changes. Thank you for your constructive suggestions.

### **DISTRICT COURT**

1. As always, the SAO will provide you with open file discovery prior to trial. In court, the SAO will provide you access to the discovery and an opportunity to copy it if possible and if so desired.
2. If you wish to review discovery materials prior to the court date, arrangements can be made by calling the discovery unit. The SAO will provide for defendants and their attorneys to review discovery together in confidential settings at the SAO.
3. If you wish to obtain copies of discovery materials, the SAO discovery unit can process that request if made 10 calendar days prior to the trial date. Of course, every effort will be made to process requests made after that, but priority must be given to timely requests. Fees have been reduced for copies of district court traffic and district court criminal cases requested through the SAO discovery unit prior to the trial date. There is a flat fee of \$5.00 in traffic cases and \$10.00 in criminal cases for copies of reports. If you want the report mailed to you, please add \$ .50 to the amount. Please make money orders or checks payable to Montgomery County, Maryland (note: the SAO will collect fees payable into the county's general fund. Money is NOT paid to the SAO).
4. If there is additional discovery such as photos, audio or visual recordings, or other that you request in your motion, the SAO will compile those materials and notify you of the availability of the materials for viewing at SAO free of charge or copying at an additional cost.
5. The SAO Discovery Unit will process DWI discovery requests more expeditiously in order to accommodate MVA hearing dates whenever possible.
6. The SAO has designated a staff member each day to handle walk-ins and answer general phone inquiries regarding district court discovery requests. Contact the main number (240-777-7300) and ask for the discovery aide on duty.

JUVENILE and CIRCUIT: the \$20.00 flat fee remains.