

AUDREY J. S. CARRIÓN  
CIRCUIT ADMINISTRATIVE JUDGE  
EIGHTH JUDICIAL CIRCUIT  
CHAIR  
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FRED S. HECKER  
CIRCUIT ADMINISTRATIVE JUDGE  
FIFTH JUDICIAL CIRCUIT  
VICE-CHAIR  
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## Conference of Circuit Judges

MARYLAND JUDICIAL CENTER  
187 HARRY S. TRUMAN PARKWAY  
ANNAPOLIS, MD 21401

### Meeting of the Conference of Circuit Judges

A meeting of the Conference of Circuit Judges was held Monday, March 27, 2023, via Zoom for Government, beginning at 9:30 a.m.

#### Members Present

Hon. Audrey J. S. Carrión, Chair  
Hon. Fred S. Hecker, Vice Chair

Hon. Keith A. Baynes  
Hon. James Bonifant  
Hon. Donine Carrington-Martin  
~~Hon. DaNeeka V. Cotton~~  
Hon. Kathleen Duvall  
Hon. Jeffrey Getty  
Kristin Grossnickle  
Hon. Ruth Jakubowski

Hon. Stephen Kehoe  
Hon. Stacy Mayer  
Hon. Dana Middleton  
Hon. Vicki Pauler  
Hon. Richard Sandy  
Hon. S. James Sarbanes  
Hon. Brian Shockley  
Hon. Richard Trunnell

#### Also, Present Were:

Melissa Canada  
Maggie Cao  
Nancy Faulkner  
Pam Harris  
Christian Noble  
Kelley O'Connor  
Pam Ortiz  
Matt Pipkin  
Val Pompey  
Buddy Weber

### 1. Welcome and Approval of Minutes

Judge Audrey Carrión welcomed attendees and reminded everyone the meeting would be live streamed as the Conference is subject to the Open Meetings Act. She asked for any additions or corrections of the minutes for January 23, 2023. Judge S. James Sarbanes moved for adoption of the minutes and, after hearing no objections, the minutes were unanimously approved.

## **2. Video Remote Interpreter Technology**

Pam Ortiz, Christian Noble, and Maggie Cao with Access to Justice and Buddy Weber with JIS were present to discuss the latest update on Video Remote Interpreting (VRI) for courts. Ms. Cao explained that iPads will be provided for counsel tables and on witness stands in courtrooms across the state. This will allow individuals who are present to wear headphones while remote interpreters simultaneously translate without pausing hearings. American Sign Language (ASL) is in high demand and local resources are often limited. This is also applicable for rare language requests. It is highly recommended that courts utilize this hybrid option as it helps move cases along faster and enhances our services for Limited English Proficient (LEP) persons.

Based on feedback from pilot courts, Mr. Noble added that remote interpreters may soon be preferred over onsite interpreters. Aside from simultaneous translation, interpreters indicate it is easier to hear parties who are participating through VRI, and multiple parties can access the interpreter at the same time. In addition, a mobile iPad will be available on wheels to provide attorneys access to interpreters when counsel is meeting privately with individuals during hearings. Mr. Noble stated that courtrooms without iPads can use Polycom to connect with interpreters in the meantime, but the translation cannot be done simultaneously when using this method through VRI. Ms. Ortiz added that many circuit courts have onsite staff interpreters available, as well.

Mr. Weber added that iPads are currently being installed in the Glen Burnie and Annapolis District Court locations. Montgomery County, Prince George's County, and Baltimore are on independent networks and therefore installation of Judiciary-issued VRI equipment in those locations will be delayed. The remaining jurisdictions will be contacted by Ms. Cao in the near future to conduct a readiness survey.

Judge Ruth Jakubowski stated that she has a full-time staff interpreter, but asked how Baltimore County can gain access to VRI. Mr. Weber suggested arranging a meeting with her, Ms. Cao, and the Clerk of Court to determine needs, such as how many, what type of equipment would work best, etc. The rollout will be based on priority of need for VRI.

Judge Richard Trunnel recently had a murder trial where an interpreter translated the defendant's lengthy prerecorded statement live in the courtroom, which lasted several hours of back-and-forth dialogue. He questioned whether the interpreter should have had the opportunity to review the statement in advance to ensure accuracy of their translation, especially due to the critical nature of the recording. He stated that the live translation was very stressful for everyone and made it more difficult to "read" the defendant during the trial.

Ms. Ortiz replied that only a certified interpreter can translate a written document and she, along with Ms. Cao, recommended that a recording of that length should be reviewed ahead of time and verified by a certified translation agency. One minute of audio could take up to 30 minutes to transcribe and translate, so it is best to prioritize the quality of the translation. Judge Trunnel added that courts will likely see more of these lengthy recordings with the use of body camera videos.

Judge Carrión inquired how a court would obtain an interpreter to translate ahead of the hearing date. Ms. Ortiz explained that each jurisdiction has an interpreter coordinator who can arrange the interpreter.

Judge Fred Hecker requested clarification of the process for short-notice interpreter requests such as walk-in protective orders. Ms. Cao replied that the coordinator broadcasts the request on a scheduling platform and interpreters can respond immediately. The VRI software is set up for both in-person or remote sessions, so even if an interpreter is not available onsite, you can connect to one within minutes. The pool of interpreters is very large and expands across the country, so it would be rare to not find one available.

Judge Carrión asked whether there is a cleaning protocol for the courtroom headphones or if litigants would be allowed to provide their own. Mr. Weber stated the county IT staff in Anne Arundel County removes equipment after each hearing to clean and check for quality. The court-readiness surveys will help assess the needs of individual jurisdictions but yes, in theory, a litigant could bring their own headphones as long as it has a USB jack.

Ms. Ortiz continued with a discussion about a policy change for interpreter payments. Currently, interpreters are guaranteed a 2-hour minimum, but have become difficult to recruit under those terms. Effective April 1, 2023, interpreters will be guaranteed 4 hours when appearing in-person. If the court does not require their services, the interpreter will remain on standby, including remote accessibility, until the end of their assignment. VRI assignments are only paid for a 2-hour minimum, so the Judiciary will be saving money. Ms. Ortiz stated that her team is always available if there are any questions or concerns.

### **3. Complex Litigation Committee Vacancies**

Judge Carrión reminded members that there are two vacancies on the Complex Litigation Committee that still need to be filled. Judge William Mulford retired, and Judge Sean Wallace is semi-retiring in June. She asked that everyone consider judges who may be a good fit. Judge Carrión spoke with the new chair, Judge Lawrence Fletcher-Hill, who advised they would like representatives from Anne Arundel and Prince George's Counties. The committee meets remotely every four months. Some business and technology experience is great but is not required.

### **4. Next Meeting: Remote vs. In person**

The next Conference of Circuit Judges meeting is on May 22, 2023. Per Md. Rule 16-702, the Conference is only required to meet four times per year, but there is no requirement to meet in person. Judge Carrión asked for a vote on whether to continue the meetings remotely, or to transition back to in-person. Judge Jakubowski voted to remain remote due to the time-consuming nature of traveling to Annapolis. Judge Jeffrey Getty agreed that remote meetings are a better use of everyone's time. After hearing no objections, Judge Carrión stated the Conference of Circuit Judges meetings will continue to be heard remotely.

## **5. For the Good of the Order**

Judge Keith Baynes thanked everyone for the opportunity to serve on the Conference and stated this would be his last meeting. Judge Brenda Sexton is taking over as county administrative judge. Attendees thanked Judge Baynes for his leadership and wished him luck.

Judge Jakubowski acknowledged this would be Pam Harris' last meeting, as well. She thanked Ms. Harris for her guidance, especially during the pandemic, and stated her responses to everyone's concerns have been invaluable. Ms. Harris thanked everyone for serving alongside her and looks forward to seeing how the Judiciary grows.

Having no further items to discuss, the meeting ended at 10:15 a.m. The next meeting is scheduled for Monday, May 22, 2023, via Zoom for Government, beginning 9:30 a.m.