

Court officials explain descent into disrepair

In national forum, woes of city system given a full hearing

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WASHINGTON — Maryland's top judge and Baltimore court officials told their "tale of woe" to hundreds of judges, prosecutors and defense attorneys from around the country yesterday, becoming a national example of what happens when a justice system falls into disrepair.

Their message: Work together so this doesn't happen to you, splashed all over your hometown newspaper.

"I was not pleased with the focus of the attention on the Baltimore City courts," Maryland Court of Appeal Chief Judge Robert M. Bell told the 300 participants at a Department of Justice symposium. "But I am pleased that there is coming out of this a coordinated effort, a criminal justice system that recognizes the importance of the cooperation of every entity in the system."

The panelists, including Circuit Judge David B. Mitchell and state Public Defender Stephen E. Harris, laid bare to the national audience the failings of the city's justice system and what they're doing to correct them.

The crisis began in January 1999 when a judge dismissed murder charges against four defendants because their trial had been delayed for three years.

The panelists told the audience how trials were delayed as long as four years because of lax postponement policies in the courthouse and an out-of-control caseload. How the public defender's office was so starved it stopped representing indigent defendants in certain courts. How information technology was so arcane that an order

from a judge releasing a defendant from behind bars did not reach the jail for 10 days.

Nearly everyone sensed disaster was about to strike, the panelists said, but no concerted effort was made to stop it. State Del. Joan Cadden, chair of a powerful budget subcommittee, said some steps had been taken to spur court reform but her counterparts were only galvanized into action by local press reports in early 1999.

"That really woke up the General Assembly to the fact that we really had to do something, we had to take drastic action," Cadden said.

Some statements drew gasps from the audience.

"How many drug addicts did they say there were? Sixty thousand?" one Indiana lawyer asked a seatmate incredulously.

"I thought that took a whole lot of courage," said Idaho's State Appellate Public Defender Ron A. Coulter. "I think they were saying that they saw it coming but they were overwhelmed by it."

The panelists chronicled how an oversight committee was created to steer reform of the courts, the Criminal Justice Coordinating Council. They said the council comprises prosecutors, public defenders, judges, the legislature and the mayor's office, illustrating the importance of agencies working together, even as they stand on opposite sides of the courtroom and represent independent branches of government.

Since the crisis began in January 1999, the number of postponements has decreased by 40 percent. A court has been established to resolve disputes about the exchange of evidence. Cases are now placed on set schedules. Prosecutors instead of police are now deciding what charges to lodge against suspects in an effort to weed out weak cases and strengthen others.

Judge Kurtis T. Wilder, an appellate judge in Michigan, said the

panel gave him insight into how independent agencies with different agendas struggled to work together to fix the troubled court system. "The key always is to try to coordinate each branch's appropriate role without interfering with the other branches," Wilder said.

Paul Howard, District Attorney in Atlanta, Ga., said Baltimore's experience provided a snapshot of the challenges of running a court system. "It's just a group of independent agencies," Howard said. "There is actually no one in charge."

"It only begins to change when there is a crisis. That's a shame," Howard added. "Rather than having a crisis mentality, there ought to be a planning mentality, and that's a hard thing to do in the criminal justice system."