

Upper Marlboro, MD
District Court Trial Session
April 21, 2023

The docket was short today – only nine people. Three were Latinx and six were Black. Clark-Edwards was the judge and Maggie Dawson the public defender. I did not get the name of the prosecutor. Dispositions were 3 nolle pros, 3 continued, 2 bench warrants and 1 stet. The session began at 9:16 am.

One case today illustrates the limitations of the court system in dealing with civil complaints. We occasionally hear people, usually aggrieved parties, express muted dissatisfaction with civil complaint outcomes, but that dissatisfaction took center stage in courtroom 262 today. The case involved Mr. J, who was charged with a single count of trespass in response to a complaint filed by Mr. K. When Mr. J's case was called, the ASA said it would be put on the stet docket and the clerk began to call another case.

But when the ASA announced the stet disposition, Mr. K rose and asked to speak. The judge first rebuked him, saying that he should not speak in court; but he continued to stand and ask to speak. He was calm and quiet-spoken, and the judge finally asked him what he wanted to say. He said that the complaints he made were not acknowledged in the charges, which he pointed out were “only trespass.” The judge asked if he had spoken to “the State” [the prosecutor] about this. Mr. K. said he had but the State “did not understand,” and added that because of that, “the resolution for me is limited.” The public defender then said that Mr. J and Mr. K were neighbors and that Mr. J would stay off Mr. K's property. The judge asked Mr. K, “beyond him staying off your property, what else do you request?” Mr. K began to reply, but the judge cut him off, saying, “what are you asking this court to do?” Mr. K replied, “it should be put on hold, since it doesn't reflect my complaint.” The judge told him to go to a certain office “upstairs” and “register your complaint there.” Mr. K said again, that he had spoken to the State “before today,” and added that, “there was more than one person on the property.” He tried to say more, but the judge continued to interrupt him, saying that the only thing before the court today was the trespassing charge and he needed to “go upstairs” if he had other complaints.

Throughout this extended exchange, the judge continued to interrupt Mr. K, repeatedly asking him what else the court should do, while also emphasizing that she could only deal with the issue of “trespass.” Despite being repeatedly cut off, Mr. K remained unruffled and calm. The ASA finally spoke up, telling the judge that the case involved an issue of where the property line was and a tree being cut down. The judge repeated that Mr. K needed to “go upstairs” and register his complaint there because the only case before her was “trespass.” Mr. K quietly gathered up his things and left the courtroom.

The civil complaints we see in court often involve people who know each other and have a relationship of some kind. Resolving interpersonal conflicts often requires (among other things) clarifying issues, helping people understand each other better, and encouraging constructive communication to improve the relationship. District Courtroom 262 fails on all accounts, ordering people to stay apart, threatening them with arrest and jail, and concerning itself with its own legal protocols over the people before it. If Prince George's County had a program as well funded, well staffed, and well known as the police and courts, and which offered mediation and support in dealing with personal conflicts involving harm and damage which the parties cannot themselves resolve, many people undoubtedly would prefer that alternative to the coercive, adversarial system that the District Court has structured as its only solution to conflicts and disputes like this one.