



Maryland Citizens for a Responsible Government

VOTERS Guide

Board of Education Recommendations:

Our recommendations on the board of education focus on primarily one issue, the health curriculum. Currently MCPS is teaching children in 8th grade that sexual orientation is innate, that their gender identity is “their inner sense of whether they are male or female”, and presents bi-sexuality at the same level as heterosexuality. Only Los Angeles has a curriculum as radical as Montgomery County. Check www.mcpscurriculum.com for more information. Note, DON’T follow the teachers union or apple ballot recommendations. Check www.appleballot.com for more information.

Board of Education At Large

Tommy Le

vs. Phil Kauffman

Board of Education District 2

Steve Abrams

vs. Laura Berthiaume

Question 1: Vote AGAINST the Constitutional Amendment

Early voting, polling places, absentee ballots.

Rationale – increases the likelihood of voter fraud

Question A: Vote AGAINST the Charter Amendment

The county council, again violating the trust of the voters, is misrepresenting this question to the voters as repealing “legally ineffective provisions”. Only one provision, the C&P telephone provision, is legally ineffective. Two other provisions are very much in effect. Currently the county cannot operate a landfill (a garbage dump), or dump sewage sludge on residentially zoned land. Both of these provisions were previous charter amendments that voters passed by over 75%. That the county council would represent these as “legally ineffective” is further proof of their blatant disregard for their constituency. Unless you would like your kids and dogs to once again return home covered in sewage, vote AGAINST this amendment.

Question B: Vote FOR the Charter Amendment

Our county council voted to increase property taxes 13.5% on Montgomery County residents last year. The Montgomery County charter currently limits property tax increases to the rate of inflation, last year 3.375%. To override this, 7 out of 9 council members must vote to increase taxes. By increasing this to a unanimous vote, every council member is vulnerable on reelection. An opposing candidate could promise to veto the continuing property tax hikes and displace the existing “tax and spend” council. In order to meet next year’s 250 million budget projection, the council will need to raise property taxes an additional 15-20%. While the rest of Montgomery County is tightening their belts, our council seems determined to destroy our home equity. Unfortunately, the county council is not up for re-election in 2008.

Background Information

Board of Education

Question from the Gazette to the candidates: (source <http://www.gazette.net/votersguide08/election>)

BOARD OF EDUCATION, DISTRICT 2 VOTE ABRAMS

Steve Abrams

Q. The school system's health curriculum includes discussions of homosexuality and demonstrations of contraception use. Would you change the policy or let it stand?

I would leave the policy stand as is. However, I would like to see the curriculum altered to provide more focus on the health issues associated with sexually transmitted diseases which a recent Washington Post writer group identified as one of the unintended consequences of the politicalization of public school health curriculum.

Laura V. Berthiaume

Q: The school system's health curriculum includes discussions of homosexuality and demonstrations of contraception use. Would you change the policy or let it stand?

I would let it stand.

BOARD OF EDUCATION, AT-LARGE VOTE TOMMY LE.

Philip Kauffman

Q. The school system's health curriculum includes discussions of homosexuality and demonstrations of contraception use. Would you change the policy or let it stand?

I support a comprehensive health curriculum. The board adopted the current curriculum in response to the recommendations of a community advisory panel that recommended these discussions of homosexuality and demonstrations of contraception use. I would not change the policy.

Tommy Le

Q. The school system's health curriculum includes discussions of homosexuality and demonstrations of contraception use. Would you change the policy or let it stand?

It would need a change definitely.

BOARD OF EDUCATION, DISTRICT 4

The only candidate running is Christopher Barclay. This is unfortunate, since MCRG does not support Mr. Barclay. Please consider running for the Board of Education if you are concerned about the increasing moral deterioration of our public schools.

Background Information – Judicial Selection in Maryland

http://www.judicialselection.us/judicial_selection/index.cfm?state=MD

Judicial Selection in the States: Maryland

Overview

The Maryland judiciary consists of a court of appeals, a court of special appeals, a circuit court, and various trial courts of limited jurisdiction. Under Maryland's [constitution](#), judges are appointed by the governor and, except for circuit court judges, must be confirmed by the senate. Since 1970, Maryland governors have adopted executive orders creating judicial nominating commissions to recommend candidates for appointment. Appellate judges keep their seats through retention elections, but circuit court judges run in contested, nonpartisan elections.

Circuit court judges are usually unopposed for reelection. For example, before 2002, there had been no opposition to incumbent circuit judges in Montgomery County since 1986 and no contested general election races since 1958. In 2002, the [committee to retain sitting judges](#) was formed to support the reelection of the six incumbent judges on the ballot in Montgomery County. The committee distributed a [campaign brochure](#) that included photographs and biographies of the sitting judges, along with a statement of what the committee termed the "sitting judge principle." The judges' reelection and the [sitting judge principle](#) was endorsed by the central committees of the Republican and Democratic Parties of Maryland, the [Maryland State Bar Association](#), and the AFL-CIO. The committee conducted similar campaigns when Montgomery County circuit court judges were opposed in 1970, 1974, 1984, and 1986. The 2002 effort was successful--all six incumbent judges kept their seats. In 2003, the Maryland State Bar Association voted to reaffirm its opposition to contested judicial elections, a position it has maintained for over three decades. In 2006, the Maryland Judicial Conference unsuccessfully introduced legislation that would have replaced nonpartisan elections for circuit court judges with retention elections after 15 years in office and every 10 years thereafter

Background Information

Judicial Circuit Court 6

Vote for no more than two (There are only two running).

No recommendation, information provided below for those interested.

- Robert Alan Greenberg
- Mary Beth McCormick

Comments: Greenberg in the Circuit Court heard our initial case, and ruled that inactive voters should be counted in determining the total number of signatures required for petition certification, but Equality Maryland had missed the deadline. The Maryland Court of Appeals overturned his decision, and as of today still has not issued a written opinion. None of the Maryland Court of Appeals judges are on the ballot. The Maryland Court of Special Appeals judges are.

We found this background information on a very liberal website (daily koos):

JUDGE OF THE CIRCUIT COURT:

I live in Maryland Judicial Circuit 6. There are 2 vacancies and two Governor appointees that must now stand for election, Robert Alan Greenberg and Mary Beth McCormick. They're both homegrown and qualified. A quick search revealed no complaints filed against them and political contributions to Democratic organizations. Since case loads are currently high, we can't really afford prolonged vacancies, but the term is 15 years. Since I have so little information I am considering not voting as an act of civic responsibility.

This just in...Greenberg sided with foes of a measure to protect transgendered individuals from discrimination based on a legal deadline that was missed (read the article). Is this be enough for me to vote against him? I don't think so, he followed the letter of the law and there is no referendum on the ballot. So no harm no foul?

That is the only case where Greenberg made the news. Judge Mary Beth McCormick seems to have made it in to the news much more frequently, but only for being told things by lawyers and setting bonds. Not much to go on, but she seems to have a pretty good sense of who is a flight risk (Teen Molester from outside the jurisdiction and an immigrant woman who dumped her baby in a garbage can).

Background (from the League of Women Voters):

JUDGE OF THE CIRCUIT COURT – CIRCUIT 6 *(Vote for no more than two judges)*

Robert Alan Greenberg -- Montgomery

BACKGROUND: I graduated from Wheaton High School, Washington College, and the University of Baltimore School of Law. I was a Montgomery County Assistant State's Attorney, and also an attorney in private practice for nearly 25 years before being appointed to the Circuit Court bench two years ago by Governor Ehrlich.

JUSTICE SYSTEM NEEDS: We need to continue our efforts at finding alternative means to resolve disputes. Court dockets are already overcrowded, and our physical facilities limited. Many cases both civil and criminal can be effectively settled without judicial intervention, through trained mediators and facilitators.

LEGAL ACCESS: Montgomery County lawyers already provide legal representation to the indigent, through the Public Defender's Office (criminal cases), the Legal Aid Bureau (civil cases), and our county bar association's pro bono program. More government funding would ensure continued access, by all citizens, to these vital services.

Mary Beth McCormick – Montgomery

BACKGROUND: I have been a judge since 1997 and have worked in the legal field for 32 years. Before becoming a judge, I practiced in civil and criminal law, as a partner in a law firm and in the Public Defender's Office; also as law clerk for a Circuit Court judge....

JUSTICE SYSTEM NEEDS: Developing more cost-effective ways of resolving disputes. Due to the increasing costs of litigation, many people decide to represent themselves in matters where they would be better served by having an attorney.

LEGAL ACCESS: The Maryland courts have worked very hard to provide access to the legal system. There is a tremendous amount of on-line assistance, particularly for District Court cases. The Court continues to train its personnel, including judges, to guide the self represented litigant, while still remaining impartial.

Judge, Court of Special Appeals

(note this is a different appeals court than that which ruled against us)

Vote to continue in office

No recommendation, information provided below for those interested.

- Deborah Eyler (yes/no)
- Robert Zarnoch (yes/no)

We found this information on a very liberal website (daily koos):

JUDGE COURT OF SPECIAL APPEALS, AT LARGE: This is a "vote yes or no" to retain the judge in question. As usual, there isn't much info on either candidate and no formal complaints. The County Democratic Party recommends a "yes" for both but with no actual reasoning other than no-one seems to have complained :-/. Our first contender is Deborah Eyler, who has been on the court of special appeals for 11 years and favors a special drug court. A search of her name reveals she donated \$500 to Barack Obama! More concretely, she has written an opinion of the **territorial jurisdiction** argument regarding DNA samples in a rape case. She was apparently appointed by Glendening. Our second contender is Robert A. Zornach, appointed by Martin O'Malley, has worked for the Attorney General's Chief Counsel for Legislation and Counsel to the Maryland General Assembly since 1979. Despite this career, the first article I found was **Zarnoch trying to help Ehrlich give the state workers union the shaft**. But on the other hand, he donates to Democrats like Alan Lightman and Paula Hollinger. But then as Assistant Attorney General **argued** that Gays and Lesbians are not a suspect class (meaning they haven't been discriminated against).

From League of Women Voters Montgomery County Guide:

About the Office:

SALARY: \$149,552. annual base

TERM: 10 years – no term limit

HOW ELECTED: The Governor appoints judges to the Court of Special Appeals. The State Senate must confirm these appointments. At the end of a ten-year term, these judges' names must appear on the ballot. Voters vote "yes" for retention, or "no" to remove from office. Judges may not be opposed by other candidates in retention elections. Maryland is divided into 7 Appellate Judicial Circuits. One judge is appointed from each of these circuits and six members are appointed from the state at large. There are a total of 13 judges in the Court of Special Appeals.

DUTIES: Judges preside over The Maryland Court of Special Appeals, which is the intermediate appellate court for Maryland. It was created in 1966 in response to the rapidly growing caseload in the Maryland Court of Appeals. The Court of Special Appeals originally could hear only criminal cases. However, its jurisdiction has expanded so it now considers any reviewable action of the circuit court, unless otherwise provided by law. Judges sitting on the Court of Special Appeals generally hear and decide cases in panels of three.

Deborah Eyler

BACKGROUND: In 11 years of service as a judge on the Court of Special Appeals, I have authored more than 1,000 case opinions. From that experience, I have gained in-depth knowledge of all aspects of Maryland law and have become skilled at producing case opinions that are thorough, fair, and timely.

JUDICIAL SYSTEM NEEDS: In the criminal justice system, additional "drug court" diversion programs because the vast majority of crimes in Maryland are rooted in the distribution and use of illegal drugs. In the civil justice system, affordable legal representation, especially for parents and children in contested custody cases.

LEGAL ACCESS: More outreach by courts and the judiciary's local pro-bono committees, which exist in each county, to link up, early in a case, a party who cannot afford representation with a pro bono lawyer who can handle the matter for free or at a substantially reduced rate.

Robert A. Zarnoch

BACKGROUND: Before my appointment, I served 30 sessions as the Attorney General's Counsel to the General Assembly. I reviewed 20,000 bills and authored thousands of advice letters. I argued in the Supreme Court and participated in 39 cases in the State's highest court, including one making the Camden Yards stadiums possible.

JUDICIAL SYSTEM NEEDS: A 2008 Harris Poll discloses that only 16% of the public has a great deal of confidence in the courts and the justice system. Such numbers will never be reversed until judges demonstrate by performance that the system is accessible, deals fairly with all, and reaches just results.

LEGAL ACCESS: Studies note that a citizen is more likely to go to court than be hospitalized. Greater support for legal aid and pro bono lawyering is needed. Promotion of pre-paid legal plans and self-help, expanding small claims courts and streamlining legal procedures would also help citizens obtain affordable legal assistance.