



FREQUENTLY ASKED QUESTIONS (FAQs)

Q1. When do I need to create a guidelines worksheet in MAGS?

- A1. A guidelines worksheet should **only** be initiated and submitted for the scenarios described in the first column of the table below. (MAGS User Manual, Section 2.6)

Guidelines eligible cases requiring a worksheet in MAGS are flagged on the criminal docket. In Montgomery County the flag designation is (*mags*); in Prince George's County it is **MAGS**; and in counties using the MDEC case management system it is **Mags:Yes**. Please note that the flag may not accurately identify all guidelines eligible cases, including sentence reconsiderations for crimes of violence, three judge panel reviews, and resolution events or status hearings where there is a plea and the defendant is sentenced immediately.

| For Cases Originating in Circuit Court | |
|--|--|
| Worksheet Required | Worksheet <u>Not</u> Required |
| <ul style="list-style-type: none"> Offenses originally prosecuted in Circuit Court All pleas, including binding pleas, non-binding pleas, and pleas of <i>nolo contendere</i> (no contest) by the offender Sentences to probation before judgment (PBJ) Initial sentences with a condition of drug court or an inpatient commitment under Health General Article, Title 8, Subtitle 5, Annotated Code of Maryland Reconsiderations for a Crime of Violence (as defined in Criminal Law Article, §14-101, Annotated Code of Maryland) if there is an adjustment to the active sentence Three-judge panel reviews if there is an adjustment to the active sentence | <ul style="list-style-type: none"> Violations of public local laws and municipal ordinances Offenses that carry no possible penalty of incarceration Criminal nonsupport and criminal contempt Cases adjudicated in a juvenile court Cases in which the offender was found not criminally responsible (NCR) Sentencing hearings in response to a violation of probation Reconsiderations for offenses other than a Crime of Violence Reconsiderations for a Crime of Violence if there is <u>NOT</u> an adjustment to the active sentence Three-judge panel reviews if there is <u>NOT</u> an adjustment to the active sentence |
| For Cases Originating in District Court | |
| Worksheet Required | Worksheet <u>Not</u> Required |
| <ul style="list-style-type: none"> Prayers for a jury trial if a pre-sentence investigation (PSI) is ordered Appeals from District Court if a PSI is ordered | <ul style="list-style-type: none"> Prayers for a jury trial if a PSI is <u>NOT</u> ordered Appeals from District Court if a PSI is <u>NOT</u> ordered |



Q2. What is my user access level in MAGS?

- A3. User access to MAGS will vary depending on agency affiliation. The MSCCSP has identified 12 different user groups. These groups and their respective access levels are illustrated below. (MAGS User Manual, Section 2.4)

| | Stand-Alone GL Calculator Tool | Maryland Automated Guidelines System (MAGS) | | | | | |
|---|--------------------------------------|---|-------------------------------------|-------------------------------------|---------------------------------------|----------------|-----------------------------|
| | | Create Case | Edit Case Prior to Submission | View Case Prior to Submission | Delete Case Prior to Submission | Submit Case | Access Submitted Case |
| MSCCSP Staff | Yes | Yes | Yes | Yes | Yes | Yes | Yes* |
| Judges (Active and Retired) | Yes | Yes | Yes | Yes | Yes | Yes | Yes* |
| Judges' Law Clerks | Yes | Yes | Yes | Yes | Yes | Yes** | Yes* |
| Judges' Administrative Assistants/Secretaries | Yes | Yes | Yes | Yes | Yes | Yes** | Yes* |
| Court Clerks | Yes | Yes | Yes | Yes | Yes | Yes** | Yes* |
| State's Attorneys | Yes | Yes | Yes | Yes | Yes | No | No |
| Office of the Attorney General | Yes | Yes | Yes | Yes | Yes | No | No |
| Office of the Maryland State Prosecutor | Yes | Yes | Yes | Yes | Yes | No | No |
| Parole and Probation agents | Yes | Yes | Yes | Yes | Yes | No | No |
| Public Defenders | Yes | No | No | Yes | No | No | No |
| Private Attorneys | Yes | No | No | Yes | No | No | No |
| Technical Services Staff | Yes | Yes | Yes | Yes | Yes | No | No |

* Only MSCCSP staff, court clerks, judges, and judges' designees have access to view submitted cases via the MAGS application. Only MSCCSP staff have access to edit a submitted case.

** The County Administrative Judge has the authority to decide as to whether court clerks, judges' law clerks and/or judges' administrative assistants/secretaries will be granted permission to submit completed cases.



Q3. If I am a private defense attorney, how do I register to view initiated worksheets in MAGS?

A4. Private defense attorneys may request a MAGS User Id and password by submitting an e-mail request to the MSCCSP at msccsp@umd.edu with their full name (including middle initial), their Client Protection Fund number (CPF), and the address they used to register with the CPF of the Bar of Maryland. Private defense attorneys should contact the MSCCSP Helpdesk if they need assistance with either their User Id or password. (MAGS User Manual, Section 2.5)

Q4. How do I access MAGS?

A5. The link for the MAGS login page is located at: www.msccsp.org/MAGS. (MAGS User Manual, Section 2.5)

Q5. What should I do if I receive an “Invalid User ID/Password” error message when attempting to log in to MAGS?

A6. Verify that you are using the proper login format, including the prefix noted below:

County Agencies

| Jurisdiction | User | | | | |
|-----------------|----------------------|------------|--------------|-----------------------------------|-------------------|
| | Circuit Court Judges | Law Clerks | Court Clerks | Judges' Administrative Assistants | State's Attorneys |
| Allegany | courts\ | courts\ | courts\ | courts\ | 01sao\ |
| Anne Arundel | courts\ | courts\ | courts\ | courts\ | 02sao\ |
| Baltimore Co. | courts\ | courts\ | courts\ | courts\ | 03sao\ |
| Calvert | courts\ | courts\ | courts\ | courts\ | 04sao\ |
| Caroline | courts\ | courts\ | courts\ | courts\ | 05sao\ |
| Carroll | courts\ | courts\ | courts\ | courts\ | 06sao\ |
| Cecil | courts\ | courts\ | courts\ | courts\ | 07sao\ |
| Charles | courts\ | courts\ | courts\ | courts\ | 08sao\ |
| Dorchester | courts\ | courts\ | courts\ | courts\ | 09sao\ |
| Frederick | courts\ | courts\ | courts\ | courts\ | 10sao\ |
| Garrett | courts\ | courts\ | courts\ | courts\ | 11sao\ |
| Harford | courts\ | courts\ | courts\ | courts\ | 12sao\ |
| Howard County | courts\ | courts\ | courts\ | courts\ | 13sao\ |
| Kent | courts\ | courts\ | courts\ | courts\ | 14sao\ |
| Montgomery | monc\ | monc\ | monc\ | monc\ | monc\ |
| Prince George's | 16court\ | 16court\ | 16court\ | 16court\ | 16sao\ |
| Queen Anne's | courts\ | courts\ | courts\ | courts\ | 17sao\ |
| St. Mary's | courts\ | courts\ | courts\ | 18jaa\ | 18sao\ |



| Jurisdiction | User | | | | |
|--------------|----------------------|------------|--------------|-----------------------------------|-------------------|
| | Circuit Court Judges | Law Clerks | Court Clerks | Judges' Administrative Assistants | State's Attorneys |
| Somerset | courts\ | courts\ | courts\ | courts\ | 19sao\ |
| Talbot | courts\ | courts\ | courts\ | courts\ | 20sao\ |
| Washington | courts\ | courts\ | courts\ | courts\ | 21sao\ |
| Wicomico | courts\ | courts\ | courts\ | courts\ | 22sao\ |
| Worcester | courts\ | courts\ | courts\ | courts\ | 23sao\ |

Statewide Agencies

| User | Prefix |
|---|--------|
| Office of the Attorney General | oag\ |
| Office of the Maryland State Prosecutor | omsp\ |
| Parole and Probation agents | mdcs\ |
| Private Defense Attorneys | mags\ |
| Public Defense Attorneys | pubd\ |

Users other than the Garrett County State's Attorney's Office, Office of the Maryland State Prosecutor and private defense attorneys should contact their individual agency's Information Technology (IT) department for assistance with User Ids and/or passwords. Users in the Garrett County State's Attorney's Office, Office of the Maryland State Prosecutor and private defense attorneys should contact the MSCCSP Helpdesk if they need assistance with either their User Id or password.

If there is a MAGS system problem (i.e., the application is not responding or login authentication process is not functioning properly), please report the issue to the MSCCSP Helpdesk (M-F, 9-5) at (301) 403-4165. (MAGS User Manual, Section 2.5)

Q6. How many guidelines worksheets should be initiated in MAGS for a case involving multiple criminal events?

A7. One set of guidelines worksheets should be initiated. If multiple criminal events (as often indicated by multiple unique case numbers) are being sentenced by the same judge on the same day, then only one set of sentencing guidelines worksheets should be initiated for all of the cases. All case numbers within the same sentencing event will have the same worksheet ID (WS ID). The overall sentence across all included offenses will be compared to the overall guidelines range across all events and offenses to determine if the sentence is a departure from the guidelines. (MAGS User Manual, Section 2.7)



Q7. Should I initiate a new guidelines worksheet in MAGS for a reconsideration of a previously submitted MAGS case?

A8. You should only initiate a new guidelines worksheet in MAGS if the case is a reconsideration for a *Crime of Violence* (CR, §14-101) **AND** an adjustment was made to the active, original sentence. Please refer to the file copy of the previously submitted guidelines worksheet to obtain the guidelines range for the original case. The guidelines will remain the same as in the original case, but the reconsideration worksheet should indicate how the sentence was adjusted. (MAGS User Manual, Section 2.6)

Q8. How do I locate a worksheet that was previously started in MAGS but has not yet been submitted?

A9. Users may search for a previously started case on the *Home* screen by entering the jurisdiction, SID number, first name, last name, case number, or worksheet ID (WS ID) and clicking the *Search* button. Please note that cases entered in the GLCT are not saved in the MAGS system. (MAGS User Manual, Section 2.8)

Q9. What should I do if I cannot find an offense in the Guidelines Offense Table?

A10. Contact the MSCCSP Helpdesk at (301) 403-4165 for assistance. Please be prepared to provide the following offense-specific information: offense name, MD Code Article number, and CJIS Code (if available). (MAGS User Manual, Section 4.3)

Q10. Why is the overall guidelines range not calculating properly for a case utilizing the multiple victim stacking rule?

A11. Review the information entered on the *Offense/Offense Score* screen accessed from the *List of Offenses* screen **for each offense with a unique victim** to ensure that “Yes” was selected in response to the question “Flag offense for multiple victim stacking rule?”. Also ensure that the case involves a criminal event with multiple victims and not more than one seriousness category I or II offense. (MAGS User Manual, Section 4.3)

Q12. Why is the overall sentence not calculating properly for two or more offenses with consecutive sentences?

A12. Review the *Offense Sentence* screen accessed from the *Sentence* screen in MAGS to ensure that “Yes” was selected in response to the question “Is the sentence for this offense consecutive to another count in this sentencing event?”. This field should be marked “Yes” if the sentence for the offense is consecutive to another count in the sentencing event **OR** the sentence for another count in the sentencing event is to be served consecutively to the sentence for the offense. Sentences marked “Yes” will be summed to obtain the total sentence length for the case. (MAGS User Manual, Section 4.5)

Q13. How do I account for merged offenses in MAGS?

A13. Merged offenses must be deleted from the sentencing event for proper calculation of the overall guidelines range for the case. The *Additional Information* field on the *GLS/Overall Sentence* screen may be used to note convicted offenses that were merged at



sentencing. If an entered offense is deleted, the individual and overall guidelines ranges on the *List of Offenses* screen will automatically update. (MAGS User Manual, Section 4.3)

Q14. What is an MSCCSP binding plea and how does it impact whether a sentence is a departure from the guidelines?

A14. An MSCCSP binding plea is a plea agreement presented to the court in agreement by an attorney for the government and the defendant's attorney, or the defendant when proceeding pro se, that a court has approved relating to a particular sentence and disposition. An MSCCSP binding plea agreement means an agreement to a specific amount of active time (if any), not merely a sentence cap or range. The court has the discretion to accept or reject the plea. The agreement is binding on the court under Maryland Rule 4-243(c) if the court accepts the plea. By MSCCSP rule, sentences in cases adjudicated by an MSCCSP binding plea are considered guidelines compliant. (MAGS User Manual, Section 4.8)

Q15. Why is MAGS displaying the departure status as “No” for a sentence that appears to be a departure from the sentencing guidelines?

A15. MAGS will automatically mark “No” for the departure status for the overall sentence if: 1) the “Guidelines Applicable Sentence” displayed on the *GLS/Overall Sentence* screen falls within the overall guidelines range; 2) the disposition type is an MSCCSP binding plea; 3) the offender was sentenced to credit for time served with no post-sentence incarceration time and the amount of credited time exceeds the guidelines range; or 4) the offender was sentenced to a corrections options program, and the offender's initial sentence plus any suspended sentence falls within or above the overall guidelines range, and the offender's current sentencing event and any pending charges do not include a crime of violence under Criminal Law Article (CR), §14-101, sexual child abuse under CR, §3-602, or a law of the United States or of any other state or the District of Columbia. (MAGS User Manual, Section 4.8)

Q16. How can I correct an error in a worksheet in MAGS that has already been submitted?

A16. The court clerk, judge, or judge's designee should send an e-mail to the MSCCSP Helpdesk at msccsp@umd.edu with the following information: case number, offender name, a brief explanation of the specific error, and the requested modification. The MSCCSP will make the requested change in the MAGS application and then send back a revised PDF of the sentencing guidelines worksheet. The court clerk or judge's designee should take the proper steps to ensure that the revised worksheet is distributed to all appropriate parties. (MAGS User Manual, Section 4.12)

Q17. How can I make the font darker on the PDF printout of the worksheet?

A17. If the font displays too faintly when the worksheet is printed in black and white, the MSCCSP recommends printing the worksheet in color so that all information is legible. (MAGS User Manual, Section 4.9)