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Wednesday, March 28, 2012



Judge must be capable in every aspect of law

The election of a judge for the Circuit Court of St. Mary's County is part of the ballot on April 3. While other elected positions are to be decided, none has as much personal impact on each person in St. Mary's County.

In this election, the two candidates are separated by a large void in terms of experience and character. Joseph Stalonacci has defined himself as having a strong prosecutorial background, and not so much the other aspects of the law. In that criminal cases will be less than one-half of that which the circuit court routinely decides, I question the value of this self-acclaimed attribute.

This is not to state that Mr. Stalonacci is a bad person. I do not wish to impart that message. But one has to wonder, how dumb do his political advisers think the electorate is? An elected judge will be required to hear cases impartially, make decisions based upon the facts, the law and not be swayed by outside influences. So to believe he will be a prosecutorial judge, is to also suggest that he is committed beforehand to not keep his oath of office. He offers his legal expertise as an assistant prosecutor, with very limited other experience to do what? Clean up the county? Put all those lawbreakers in jail? He had 16 years to do that and now he asks the voters of St Mary's County to make him a judge?

Judge David Densford has already taken the oath, been invested with the responsibility and authority of an interim position and has been hearing cases for six weeks at this writing. He has already heard complex civil issues, sentenced a few criminals and his broad range of legal knowledge enables the administrative judge to assign nearly any type of case to him in the future. In short, he has hit the ground running and validated the appointment, validated the decision of the nominating committee and validates the words of scores of folks who wrote to Gov. Martin O'Malley in support. By

example, Judge Densford has already demonstrated that he does the job superbly.

If a judge is not able, by lack of experience or knowledge, to hear certain types of civil cases, what does the administrative judge do to balance that inadequacy? Does she adjust the assignments so that Mr. Stalonacci presides over only criminal cases? Does she put more workload onto the other sitting judges, the complex civil and arduous contractual cases? Or does she just assign to Mr. Stalonacci a balanced docket and let him fend for himself? It is in this latter possibility that the litigants of St. Mary's County are likely to encounter a judge who will cost them money and time in deciding a case that he is not prepared to decide; or decide improperly, thus causing appeals and the delay of justice. We cannot afford a judge in the circuit

court who is incapable of doing the job in every aspect of the law.

In a March 21 letter by Trevor Bothwell, Mr. Stalonacci stands accused of lack of judgment in the criminal prosecution of a 16-year-old defendant. Mr. Bothwell reports that the state's case was without collaborative evidence to support the allegations of two girls, ages 15 and 12 years, that the defendant raped one or both of them (depending on which version of the statements were believed) and that there was no evidence that the alleged acts even occurred. The defendant was eventually acquitted on all charges. How much did the taxpayers of St Mary's County have to spend to pursue, try and resolve a case that appears to be marginal and/or unwinnable from the outset?

Consider the experience and future of this county when you vote. Judge Densford continues to sit cases in the circuit court of St. Mary's County and there is every reason to keep him there.

Brady Bounds, Lexington Park

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