

IN THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY

STATE OF MARYLAND

*

VS

*

CASE NO.: C-02-CR-24-001949

MARC KNAPP

*

INDICTMENT

THE GRAND JURY, for the State of Maryland, sitting in Anne Arundel County, upon their oath and affirmation, present the following:

I. INTRODUCTION AND BACKGROUND

At all times relevant to this Indictment:

1. The Orphans' Court of Anne Arundel County oversees the administration of probate law in Anne Arundel County, Maryland.
2. There are three judges on the Anne Arundel County Orphans' Court, and the judges are elected by the people of Anne Arundel County and serve a four-year term in office.
3. The Court has authority to direct the conduct of personal representatives, has jurisdiction over the guardianship of the property of minors, and in some counties, appoints guardians of minors.
4. The main job of the Orphans' Court is to supervise the management of decedents' estates – with or without a Will. Orphans' Court judges are responsible for approving administration accounts, making sure that appropriate payments are made from estate assets and that distributions are made to the proper beneficiaries or heirs. Additionally, the payment of

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attorneys' fees or personal representatives' commissions made from estate assets must generally be approved by the Orphans' Court.

5. In other estates, however, disputes arise, and then Orphans' Court judges hold formal hearings. In hearings, the Orphans' Court judges – like any other trial court judges – must consider the evidence submitted (including testimony) and apply the appropriate Maryland laws in order to resolve the dispute. All judicial decisions require the agreement of at least two of the three judges.

6. Marc Knapp (“Judge KNAPP”) was elected to be an Associate Judge on the Anne Arundel County Orphans' Court in November of 2022, along with JUDGE A and JUDGE B. All three judges began their current term of service on the Orphans' Court in December of 2022.

7. The Orphans' Court shares office space with the Anne Arundel Register of Wills, which contracts security officers for the building. The Court is open twice a week.

8. In his capacity as an Associate Judge on the Orphans' Court, Judge KNAPP was frequently involved in court proceedings and in-chambers conferences with JUDGE A and JUDGE B, regarding legal decisions surrounding the administration of wills, estates, and other probate law issues for the people of Anne Arundel County.

9. Orphans' Court judges are members of the judiciary and are guided by the Maryland Code of Judicial Conduct, including the rules governing judicial integrity and the avoidance of impropriety.

II. UNLAWFUL INTERCEPTION OF ORAL COMMUNICATIONS

10. On June 4, 2024, Judge KNAPP, JUDGE A, and JUDGE B were in judicial chambers at the Anne Arundel County Orphans' Court, deliberating regarding a matter before the Court.

11. Judge KNAPP recorded JUDGE A and JUDGE B as the three judges engaged in confidential judicial deliberations.

12. JUDGE A and JUDGE B did not know that Judge KNAPP was recording the deliberations, and did not consent to being recorded.

III. MISCONDUCT IN OFFICE

13. The Grand Jury Incorporates paragraphs 1 – 12 of this Indictment as though fully set forth.

COUNT 1 – UNLAWFUL INTERCEPT

14. On or about June 4, 2024, at Anne Arundel County, Maryland, MARC KNAPP did willfully intercept an oral communication, without the knowledge or consent of the intercepted parties, to wit: Judge KNAPP recorded himself and JUDGES A and/or B using an electronic device during the course of judicial deliberations, in violation of §10-402(a)(1) of the Courts and Judicial Proceedings Article and against the peace, government and dignity of the State.

CJIS Code 1-5595

Courts and Judicial Proceedings Article §10-402(a)(1)

Penalty 5 years and/or \$10,000

COUNT 2- MISCONDUCT IN OFFICE

15. On or about June 4, 2024, at Anne Arundel County, Maryland, MARC KNAPP, in violation and perversion of his duties as an Associate Judge on the Anne Arundel County Orphans' Court, did corruptly commit misconduct in office by knowingly, willfully, and intentionally acting in his official capacity as an Orphans' Court judge, recording judicial deliberations and other comments made by JUDGES A and/or B, without obtaining their consent, in violation of the common law of Maryland and against the peace, government and dignity of the State.

Common Law
CJIS Code 2-0645 Misconduct in Office
Penalty: Anything not cruel and unusual

TRUE BILL
FOREMAN OF THE GRAND JURY

BY: _____

BY: _____

Sarah R. David, Deputy State Prosecutor
Maryland Office of the State Prosecutor

BY: _____

Stephanie L. Haddad, Assistant State Prosecutor
Maryland Office of the State Prosecutor