
By: Delegate Benson

Introduced and read first time: January 25, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **District Court - Clerks**

3 FOR the purpose of requiring salaries for certain constitutional officers of the District
4 Court of Maryland to be set in a certain manner; requiring the Chief Judge of the
5 District Court to appoint County Clerks of Court for certain jurisdictions by a
6 certain time in order to comply with a certain constitutional requirement; requiring
7 County Clerks of Court to be designated County Clerks of Court only, in order to
8 comply with a certain constitutional requirement; making certain technical changes;
9 and generally relating to certain clerks of the District Court.

10 BY repealing and reenacting, with amendments,
11 Article - Courts and Judicial Proceedings
12 Section 2-601 and 2-602
13 Annotated Code of Maryland
14 (1995 Replacement Volume and 1995 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Courts and Judicial Proceedings**

18 2-601.

19 (a) There shall be a chief clerk of the District Court, 4 assistant chief clerks, a
20 supervising auditor, a chief administrative clerk in each district, [a clerk in each county]
21 24 COUNTY CLERKS OF COURT, ONE IN BALTIMORE CITY AND ONE IN EACH COUNTY,
22 and other clerical and administrative employees necessary to conduct the business of the
23 court.

24 (b) Except as provided in § 2-602 of this subtitle or otherwise by law, the clerical,
25 administrative, and constabular employees of the District Court shall be appointed by the
26 Chief Judge of the District Court on the recommendation of the administrative judge for
27 the district and shall be in the classified service of the State Personnel Management
28 System.

29 (C) THE SALARY OF EACH COUNTY CLERK SHALL BE SET AT THE HIGHEST
30 STATE SALARY GRADE AND STEP THAT DOES NOT EXCEED THE SALARY OF THE
31 CLERK OF THE CIRCUIT COURT FOR THAT COUNTY.

1 2-602.

2 (a) The chief clerk, the assistant chief clerks, and the supervising auditor are
3 appointed by and serve at the pleasure of the Chief Judge of the District Court.

4 (b) A chief administrative clerk is appointed by the Chief Judge of the District
5 Court, upon the recommendation of the administrative judge of the district and serves at
6 the pleasure of the Chief Judge of the District Court.

7 (c) The chief clerk, the assistant chief clerks, the supervising auditor, and the
8 chief administrative clerks of the districts shall be in the personnel system of the judicial
9 branch, subject to the classification authority of the Chief Judge of the Court of Appeals,
10 and, SUBJECT TO PARAGRAPH (D) OF THIS SUBSECTION, shall receive the
11 compensation prescribed by the General Assembly.

12 (D) THE SALARY OF A CHIEF ADMINISTRATIVE CLERK SHALL BE SET AT THE
13 SALARY OF AN ASSISTANT CHIEF CLERK OF THE DISTRICT COURT.

14 SECTION 2. AND BE IT FURTHER ENACTED, That for the purpose of
15 fulfilling the constitutional requirement that there be a clerk of the District Court in each
16 county, the Chief Judge of the District Court shall appoint County Clerks of Court for
17 each of the following jurisdictions within 30 days of the effective date of this Act if they
18 are not filled on the effective date of this Act: Anne Arundel County, Baltimore City,
19 Baltimore County, Harford County, Montgomery County, and Prince George's County.

20 SECTION 3. AND BE IT FURTHER ENACTED, That, for the purpose of
21 fulfilling the constitutional requirement that there be a clerk of the District Court in each
22 county, County Clerks of Court appointed under Section 2 of this Act and the County
23 Clerks of Court for all other jurisdictions shall have the designation County Clerk of
24 Court and shall have no other designation.

25 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 1996.