
By: Delegates T. Murphy and Montague

Introduced and read first time: January 26, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Judges - Court Administration - Appointment of Substitute Judges**

3 FOR the purpose of providing that the administrative judge of certain courts shall, within
4 a certain period of time, appoint a substitute judge to a case if a judge who is
5 specially assigned to a criminal proceeding will be absent from the bench for a
6 certain period of time; defining certain terms; and generally relating to the
7 appointment of substitute judges in criminal proceedings.

8 BY adding to

9 Article - Courts and Judicial Proceedings

10 Section 1-801 to be under the new subtitle "Subtitle 8. Miscellaneous Provisions"

11 Annotated Code of Maryland

12 (1995 Replacement Volume and 1995 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Courts and Judicial Proceedings**

16 SUBTITLE 8. MISCELLANEOUS PROVISIONS.

17 1-801.

18 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
19 INDICATED.

20 (2) "JUDGE" MEANS:

21 (I) A JUDGE OF THE DISTRICT COURT; AND

22 (II) A JUDGE OF A CIRCUIT COURT.

23 (3) "ADMINISTRATIVE JUDGE" MEANS:

24 (I) FOR A DISTRICT COURT PROCEEDING, THE ADMINISTRATIVE

25 JUDGE FOR THE DISTRICT IN WHICH THE PROCEEDING IS BEING HEARD; AND

2

1 (II) FOR A CIRCUIT COURT PROCEEDING, THE CIRCUIT
2 ADMINISTRATIVE JUDGE FOR THE COUNTY IN WHICH THE PROCEEDING IS BEING
3 HEARD.

4 (B) IF A JUDGE WHO IS SPECIALLY ASSIGNED TO A CRIMINAL PROCEEDING
5 WILL BE ABSENT FROM THE BENCH FOR A PERIOD OF AT LEAST 30 DAYS AFTER A
6 SCHEDULED COURT DATE IN THE CASE, THE ADMINISTRATIVE JUDGE SHALL, UPON
7 REQUEST OF THE DEFENDANT, APPOINT A SUBSTITUTE JUDGE WITHIN 30 DAYS
8 AFTER THE LAST SCHEDULED COURT DATE OR, IF THE DEFENDANT IS IN CUSTODY,
9 AS SOON AS PRACTICABLE.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 1996.