

SENATE BILL 322

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2001 Regular Session
1lr1691
CF 1lr1150

By: **Senators Green, Currie, Dorman, Dyson, Exum, Lawlah, Madden,
Middleton, Miller, and Pinsky**

Introduced and read first time: January 30, 2001

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 14, 2001

CHAPTER 142

1 AN ACT concerning

2 **Circuit Courts - Court Administrators - Seventh Judicial Circuit**

3 FOR the purpose of repealing provisions of law establishing an administrative office
4 of the courts of the seventh judicial circuit and the position of administrator;
5 authorizing a court administrator in each county of the seventh judicial circuit;
6 providing for the appointment and tenure of a court administrator; requiring a
7 court administrator to devote time and attention to the tasks, duties, and
8 responsibilities that the county administrative judge prescribes; authorizing a
9 court administrator to appoint certain employees; requiring each county
10 government to provide compensation for the employees and certain expenses;
11 prohibiting a court administrator from engaging in the practice of law; and
12 generally relating to court administrators in the seventh judicial circuit.

13 BY repealing

14 Article - Courts and Judicial Proceedings

15 Section 13-102

16 Annotated Code of Maryland

17 (1998 Replacement Volume and 2000 Supplement)

18 BY adding to

19 Article - Courts and Judicial Proceedings

20 Section 13-102

21 Annotated Code of Maryland

22 (1998 Replacement Volume and 2000 Supplement)

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

3 **Article - Courts and Judicial Proceedings**

4 [13-102.

5 (a) There is an administrative office of courts of the seventh judicial circuit,
6 headed by an administrator. The administrator is appointed by and holds office
7 during the pleasure of the judges of the seventh judicial circuit. He shall devote time
8 to his official duties as the judges prescribe. He shall have the salary and allowances
9 prescribed and set by the county governments of Prince George's, St. Mary's, Calvert,
10 and Charles Counties. His salary shall be paid one half by Prince George's County,
11 and one sixth by each of St. Mary's, Calvert, and Charles Counties.

12 (b) The administrator, with the approval of the judges of the seventh judicial
13 circuit, shall appoint employees necessary to enable him to perform his duties. Prince
14 George's County shall set and pay compensation and allowances for the employees,
15 together with expenses for the proper operation of the office.

16 (c) The administrator may not engage directly or indirectly in the practice of
17 law.

18 (d) The administrator, under the supervision and direction of the judges of the
19 seventh judicial circuit, shall:

20 (1) Exercise general administrative supervision of the courts of the
21 seventh judicial circuit, exclusive of the offices of the several clerks of the courts and
22 their employees;

23 (2) Serve as personnel officer of the seventh judicial circuit and in that
24 capacity recommend to the judges (i) job descriptions and classifications for every
25 employee of the courts of the seventh judicial circuit; (ii) appropriate salary scales and
26 standard procedures for procurement and promotion of personnel of the courts of the
27 seventh judicial circuit; (iii) regulations governing hours of work, leaves of absence
28 and other conditions of employment of the courts of the seventh judicial circuit;

29 (3) Formulate and submit to the judges of the seventh judicial circuit
30 recommendations for improvement of the judicial system;

31 (4) In cooperation with the Administrative Office of the Courts of the
32 State, collect and compile statistical data and other information on work of all offices
33 related to and serving courts of the seventh judicial circuit and transmit this material
34 to the judges of the circuit;

35 (5) Examine the administrative and business methods and systems
36 employed in the offices related to and serving the courts of the seventh judicial circuit
37 for possible improvements;

1 (6) Examine the condition of the dockets and the practices and
2 procedures of the courts of the seventh judicial circuit and make recommendations for
3 their future operation;

4 (7) Prepare and submit budget estimates of appropriations necessary for
5 maintenance and operation of the courts of the seventh judicial circuit and of offices
6 related to and serving the courts as the judges direct;

7 (8) File requests for permission to spend funds appropriated for courts of
8 the seventh judicial circuit and for offices related to and serving the seventh judicial
9 circuit as the judges direct and approve all proper vouchers for expenditure of funds;

10 (9) Secure and maintain space for courtrooms and office facilities and
11 purchase, exchange, and distribute equipment and supplies for judges and offices,
12 officers, and employees of courts of the seventh judicial circuit;

13 (10) Collect and compile statistical data and other information on the
14 expenditures and receipts of the courts of the seventh judicial circuit and related
15 offices and make periodical reports of this information to the judges;

16 (11) Consult with and assist officers and employees of the courts of the
17 seventh judicial circuit;

18 (12) Investigate complaints concerning operation of the courts of the
19 seventh judicial circuit and make appropriate recommendations to the judges;

20 (13) Prepare and publish every other year the report on activities of the
21 administrative office of the seventh judicial circuit;

22 (14) Perform additional duties assigned by the judges.

23 (e) The county government for each of Calvert, Charles, St. Mary's, and Prince
24 George's Counties shall make levies and appropriations necessary to provide for
25 payment of the salaries, compensation, expenses, and other costs properly incurred
26 under or by the provisions of this section.

27 (f) The authority of the judges of the seventh judicial circuit to appoint other
28 administrative or clerical personnel is not limited by any provision of this section.]

29 13-102.

30 (A) IN EACH COUNTY OF THE SEVENTH JUDICIAL CIRCUIT, THERE MAY BE A
31 COURT ADMINISTRATOR. THE COURT ADMINISTRATOR SHALL BE APPOINTED BY THE
32 COUNTY ADMINISTRATIVE JUDGE AFTER CONSULTATION WITH THE CIRCUIT
33 ADMINISTRATIVE JUDGE AND SHALL HOLD OFFICE AT THE PLEASURE OF THE
34 COUNTY ADMINISTRATIVE JUDGE. THE COURT ADMINISTRATOR SHALL DEVOTE
35 TIME AND ATTENTION TO THE TASKS, DUTIES, AND RESPONSIBILITIES THAT THE
36 COUNTY ADMINISTRATIVE JUDGE PRESCRIBES.

1 (B) THE COURT ADMINISTRATOR, WITH THE APPROVAL OF THE COUNTY
2 ADMINISTRATIVE JUDGE, SHALL APPOINT EMPLOYEES NECESSARY TO ENABLE THE
3 ADMINISTRATOR TO PERFORM THE DUTIES ASSIGNED TO THE POSITION. EACH
4 COUNTY GOVERNMENT SHALL PROVIDE COMPENSATION FOR THE EMPLOYEES,
5 TOGETHER WITH EXPENSES FOR THE PROPER PERFORMANCE OF ASSIGNED DUTIES
6 OF THE COURT ADMINISTRATOR AND EMPLOYEES APPOINTED UNDER THIS SECTION.

7 (C) THE COURT ADMINISTRATOR MAY NOT ENGAGE DIRECTLY OR
8 INDIRECTLY IN THE PRACTICE OF LAW.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2001.