

SENATE BILL 239

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3lr1464
CF HB 83

By: **The President (By Request – Maryland Judiciary) and Senators Garagiola and Pipkin**

Introduced and read first time: January 18, 2013

Assigned to: Judicial Proceedings and Budget and Taxation

Committee Report: Favorable

Senate action: Adopted

Read second time: March 12, 2013

CHAPTER _____

1 AN ACT concerning

2 **Judgeships – Court of Special Appeals, Circuit Courts, and District Court**

3 FOR the purpose of altering the number of judges of the Court of Special Appeals;
4 altering the number of resident judges of the circuit court in certain judicial
5 circuits; altering the number of associate judges of the District Court in certain
6 districts; altering the number of District Court judges to be appointed from a
7 certain county; and generally relating to judgeships in certain courts.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 1–402, 1–503, and 1–603
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2012 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 1–402.

17 (a) The Court of Special Appeals consists of [13] **15** judges, one of whom
18 shall be designated by the Governor as Chief Judge.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (b) Except as otherwise provided in this section, the judges of the Court of
 2 Special Appeals shall be selected, appointed, retained, removed from office, or retired
 3 as provided in Article IV of the Maryland Constitution with respect to judges of the
 4 Court of Appeals. One judge of the Court of Special Appeals shall be a resident
 5 respectively of each of the appellate judicial circuits defined in Article IV, § 14 of the
 6 Maryland Constitution. When election to judicial office is required by the Constitution,
 7 each of these judges shall be elected by the qualified voters of his circuit of residence.
 8 The remaining judges of the Court of Special Appeals may be residents of any part of
 9 the State and, when election to judicial office is required by the Constitution, shall be
 10 elected by the qualified voters of the entire State. The term of a judge of the Court of
 11 Special Appeals begins on the date of his qualification for office.

12 1-503.

13 (a) In each county in the first seven judicial circuits there shall be the
 14 number of resident judges of the circuit court set forth below, including the judge or
 15 judges provided for by the Constitution:

16	(1)	Allegany	2
17	(2)	Anne Arundel.....	12
18	(3)	Baltimore County	18
19	(4)	Calvert.....	[2] 3
20	(5)	Caroline.....	1
21	(6)	Carroll	[3] 4
22	(7)	Charles	4
23	(8)	Cecil.....	[3] 4
24	(9)	Dorchester.....	1
25	(10)	Frederick.....	[4] 5
26	(11)	Garrett	1
27	(12)	Harford.....	5
28	(13)	Howard.....	5
29	(14)	Kent.....	1
30	(15)	Montgomery	22

1 (16) Prince George’s 23

2 (17) Queen Anne’s 1

3 (18) St. Mary’s 3

4 (19) Somerset..... 1

5 (20) Talbot 1

6 (21) Washington 5

7 (22) Wicomico [3] 4

8 (23) Worcester 3

9 (b) In Baltimore City there shall be 33 resident judges of the Circuit Court
 10 for Baltimore City.

11 1–603.

12 (a) The court is composed of a Chief Judge and the number of associate
 13 judges provided for in subsection (b) of this section. If the Chief Judge is relieved of the
 14 Judge’s duties as Chief Judge but not removed from office as a judge of the District
 15 Court, the Chief Judge shall serve for the remainder of the Judge’s term of office as a
 16 District Court judge, as a resident judge of the Judge’s district and county of residence,
 17 without reference to the maximum number of judges for that district prescribed in
 18 subsection (b) of this section.

19 (b) In each of the districts provided for in § 1–602 of this subtitle, there shall
 20 be the following number of associate judges of the District Court:

21 (1) District 1 — [27] 28

22 (2) District 2 — 6, two to be appointed from Wicomico County and two
 23 to be appointed from Worcester County

24 (3) District 3 — 6, two to be appointed from Cecil County

25 (4) District 4 — [5] 6, two to be appointed from Calvert County and
 26 [two] THREE to be appointed from Charles County

27 (5) District 5 — [15] 16

28 (6) District 6 — [11] 12

1 (7) District 7 — 9

2 (8) District 8 — 13

3 (9) District 9 — 4

4 (10) District 10 — 7, two to be appointed from Carroll County and five
5 to be appointed from Howard County

6 (11) District 11 — 5, three to be appointed from Frederick County and
7 two to be appointed from Washington County

8 (12) District 12 — 3, two to be appointed from Allegany County

9 (c) In each district comprising more than one county, there shall be at least
10 one District Court judge resident and holding court in each county in the district.

11 (d) To assure that the services of the District Court are readily and
12 practicably available in all areas of District 8 and to assure that these services are
13 provided to all citizens of District 8 with a minimum of inconvenience and a maximum
14 of availability, there shall be a court facility physically located in each of the following
15 areas of that district, and at least one judge shall sit regularly in each location:

16 (1) The Towson area;

17 (2) The Catonsville area; and

18 (3) The Essex area.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 July 1, 2013.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.