

## Article - State Government

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§9-1605.

(a) An administrative law judge:

(1) shall be a special appointment in the State Personnel Management System;

(2) may be removed, suspended, or demoted by the Chief Administrative Law Judge for cause, after notice and an opportunity to be heard;

(3) shall receive the compensation provided in the State budget; and

(4) may not perform duties inconsistent with the duties and responsibilities of an administrative law judge.

(b) An administrative law judge may not be responsible to or subject to the supervision or direction of an officer, employee, or agent engaged in the performance of investigative, prosecuting, or advisory functions for an agency.

(c) In any contested case conducted by an administrative law judge, the administrative law judge may:

(1) authorize the issuance of subpoenas for witnesses;

(2) administer oaths;

(3) examine an individual under oath; and

(4) compel the production of documents or other tangible things.

(d) (1) Without good cause, a person may not refuse an order by any administrative law judge to:

(i) appear for a hearing;

(ii) testify under oath; or

(iii) produce any relevant evidence, including documents or other tangible things.

(2) (i) An administrative law judge may apply, upon affidavit, to any judge of a circuit court for an order, returnable in not less than 2 nor more than 5 days, to show cause why a person should not be committed to jail for refusal to comply with an order issued under paragraph (1) of this subsection.

(ii) On the return of an order issued under subparagraph (i) of this

paragraph, if the judge hearing the matter determines that the person is guilty of refusal to comply with the order of the administrative law judge, the judge may commit the offender to jail as in cases of civil contempt.

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