

HOUSE BILL 1086

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1998 Regular Session  
8r1920  
CF 8r1921

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By: **Delegates Slade, Conway, Rawlings, Taylor, Dewberry, Harkins,  
Edwards, Franchot, Rosenberg, Kopp, Hecht, Jones, Dembrow, R.  
Baker, and McIntosh**

Introduced and read first time: February 13, 1998  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Circuit Courts - Efficiency and Equity**

3 FOR the purpose of creating and funding certain State standing master positions in  
4 the circuit courts; establishing certain procedures for the appointment of certain  
5 State standing masters; providing for the qualifications, duties, compensation,  
6 and pensions of certain masters; authorizing the Court of Appeals to adopt  
7 certain rules concerning certain State standing masters; providing for State  
8 interpreter services and jurors' expenses under certain circumstances; clarifying  
9 language; and generally relating to certain State standing masters and certain  
10 expenses related to the circuit courts.

11 BY adding to  
12 Article - Courts and Judicial Proceedings  
13 Section 2-510 and 2-511  
14 Annotated Code of Maryland  
15 (1995 Replacement Volume and 1997 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article - Courts and Judicial Proceedings  
18 Section 8-106  
19 Annotated Code of Maryland  
20 (1995 Replacement Volume and 1997 Supplement)

21 BY repealing and reenacting, without amendments,  
22 Article - State Personnel and Pensions  
23 Section 23-201(a)(1)  
24 Annotated Code of Maryland  
25 (1997 Replacement Volume)

26 BY repealing and reenacting, with amendments,  
27 Article - State Personnel and Pensions

1 Section 23-201(a)(2)  
2 Annotated Code of Maryland  
3 (1997 Replacement Volume)

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

6 **Article - Courts and Judicial Proceedings**

7 2-510.

8 (A) IN THE CIRCUIT COURTS IN EACH COUNTY FULL-TIME STATE STANDING  
9 MASTERS SHALL BE APPOINTED BY THE CIRCUIT ADMINISTRATIVE JUDGE OF A  
10 JUDICIAL CIRCUIT IN CONSULTATION WITH THE ADMINISTRATIVE OFFICE OF THE  
11 COURTS.

12 (B) STATE STANDING MASTERS APPOINTED UNDER THIS SECTION SHALL:

13 (1) REPORT TO AND PERFORM THE DUTIES AND THE ASSIGNMENTS  
14 DETERMINED BY THE CIRCUIT ADMINISTRATIVE JUDGE OF A JUDICIAL CIRCUIT;  
15 AND

16 (2) BE OFFICERS OF THE STATE.

17 (C) THE COMPENSATION OF STATE STANDING MASTERS SHALL:

18 (1) BE UNIFORM THROUGHOUT THE STATE;

19 (2) BE DETERMINED BY THE ADMINISTRATIVE OFFICE OF THE COURTS;  
20 AND

21 (3) BE INCLUDED IN THE STATE BUDGET FOR THE JUDICIARY  
22 DEPARTMENT OF MARYLAND BEGINNING IN FISCAL YEAR 2001.

23 (D) THIS SECTION DOES NOT REQUIRE A CURRENT POSITION OF STANDING  
24 MASTER TO BE CONVERTED TO A STATE STANDING MASTER.

25 (E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,  
26 STATE STANDING MASTERS SHALL BE MEMBERS OF THE STATE EMPLOYEES'  
27 PENSION SYSTEM.

28 (2) THIS SUBSECTION DOES NOT ALTER AN EXISTING PENSION, OR  
29 EXISTING RIGHTS UNDER A PENSION SYSTEM OTHER THAN THE STATE EMPLOYEES'  
30 PENSION SYSTEM, OF ANY CURRENT STANDING MASTER WHO IS CONVERTED TO A  
31 STATE STANDING MASTER POSITION.

32 (F) (1) STATE STANDING MASTERS SHALL PERFORM THEIR ASSIGNED  
33 DUTIES AND RESPONSIBILITIES ON A FULL-TIME BASIS.

1 (2) THE ADMINISTRATIVE OFFICE OF THE COURTS SHALL DETERMINE  
2 WHETHER OUTSIDE EMPLOYMENT IS PERMISSIBLE FOR STATE STANDING MASTERS,  
3 AND THE EXTENT TO WHICH IT MAY BE PERMISSIBLE.

4 (G) AN INDIVIDUAL WHO ASSISTS A STATE STANDING MASTER APPOINTED  
5 UNDER THIS SECTION SHALL BE AN EMPLOYEE OF THE CIRCUIT COURT IN WHICH  
6 THE INDIVIDUAL PROVIDES ASSISTANCE AND MAY NOT BE CONSIDERED AN  
7 EMPLOYEE OF THE STATE.

8 (H) THE COURT OF APPEALS MAY ADOPT RULES CONCERNING THE STATE  
9 STANDING MASTER POSITIONS DESCRIBED IN THIS SECTION.

10 2-511.

11 THERE SHALL BE INCLUDED IN THE STATE BUDGET FOR THE JUDICIARY  
12 DEPARTMENT OF MARYLAND AN AUTHORIZATION TO THE ADMINISTRATIVE OFFICE  
13 OF THE COURTS IN THE TOTAL AMOUNT NECESSARY TO PROVIDE INTERPRETER  
14 SERVICES REQUIRED TO BE PROVIDED BY FEDERAL OR STATE LAW IN A CIRCUIT  
15 COURT PROCEEDING.

16 8-106.

17 (a) [As used in this section, unless otherwise indicated, "mileage allowance"  
18 means the rate for each mile or fraction of a mile over five miles actually traveled by  
19 a juror going to and from court each day over the shortest practicable route.] IN THIS  
20 SECTION "DAY" MEANS THE LENGTH OF TIME IN ANY 24-HOUR PERIOD DURING  
21 WHICH A JUROR IS REQUIRED TO BE IN ATTENDANCE AT OR IN PROXIMITY TO THE  
22 COURT IN WHICH THE JUROR HAS BEEN CALLED AS A JUROR.

23 (b) A juror shall receive [the] A STATE per diem amount [stated in this  
24 section] OF \$10 for each day the juror attends court [as a juror in:

25 (1) Allegany County--\$15 expense money; a juror who resides outside  
26 the corporate limits of Cumberland shall receive 12 cents per mile or fraction of a mile  
27 actually traveled going to and from court each day over the shortest practicable route.

28 (2) Anne Arundel County--\$15 expense money.

29 (3) Baltimore City--\$10 expense money; no mileage allowance, no  
30 overtime.

31 (4) Baltimore County-- the expense money as set by the judges of the  
32 Circuit Court of Baltimore County.

33 (5) Calvert County--\$20 expense money plus an additional \$5 expense  
34 money if his service extends past 6:00 p.m. and a second additional \$5 if his service  
35 extends past 9:00 p.m. on any day.

36 (6) Caroline County--\$15 expense money; mileage allowance in  
37 accordance with the Standard State Travel Regulations; no overtime.

- 1 (7) Carroll County--\$15 expense money.
- 2 (8) Cecil County--\$20 expense money; 15 cents mileage allowance. If a  
3 juror's service extends past 6:00 p.m. on any day, he shall receive an additional day's  
4 pay.
- 5 (9) Charles County--\$15 expense money plus an additional \$5 expense  
6 money if his service extends past 6:00 p.m. and a second additional \$5 if his service  
7 extends past 9:00 p.m. on any day.
- 8 (10) Dorchester County--\$15 expense money.
- 9 (11) Frederick County--\$20 expense money.
- 10 (12) Garrett County--\$15 expense money; mileage allowance at the  
11 standard county rate, no overtime.
- 12 (13) Harford County--\$20 expense money plus additional expense money  
13 as set by the County Council.
- 14 (14) Howard County--\$10 expense money plus an additional \$10 expense  
15 money if the service of the juror extends past 1:00 p.m.
- 16 (15) Kent County--\$15 expense money; 15 cents mileage allowance. If a  
17 juror's service extends past 6:00 p.m. on any day, he shall receive an additional day's  
18 pay.
- 19 (16) Montgomery County--\$15 expense money plus an additional \$5  
20 expense money if the juror's service extends past 6:00 p.m.
- 21 (17) Prince George's County--\$15 expense money.
- 22 (18) Queen Anne's County--\$15 expense money; mileage allowance as set  
23 by the County Commissioners; if a juror's service extends past 6:00 p.m. on any day,  
24 the juror shall receive an additional \$15 expense money.
- 25 (19) St. Mary's County--\$15 expense money plus an additional \$5  
26 expense money if his service extends past 6:00 p.m. and a second additional \$5 if his  
27 service extends past 9:00 p.m. on any day.
- 28 (20) Somerset County--\$15 expense money; no mileage allowance; no  
29 overtime. If a juror resides on Smith Island, the juror shall receive \$10 travel  
30 allowance.
- 31 (21) Talbot County--\$15; no mileage allowance; no overtime.
- 32 (22) Washington County--\$15 expense money, plus an additional \$5  
33 expense money if his service extends past 6:00 p.m.; mileage allowance as set by the  
34 County Commissioners.
- 35 (23) Wicomico County--\$15 expense money; no mileage allowance.

1 (24) Worcester County--\$15 expense money; mileage allowance as set by  
2 the County Commissioners].

3 (c) The government of each county [shall levy each year a sum sufficient to  
4 pay jurors the amounts due them] MAY SUPPLEMENT THE STATE PER DIEM AMOUNT  
5 BY LOCAL ORDINANCE.

6 (d) [A juror's compensation or expense money may not be less than the  
7 amount provided on July 1, 1969, by the county in which the juror serves.] THERE  
8 SHALL BE INCLUDED IN THE STATE BUDGET FOR THE JUDICIARY DEPARTMENT OF  
9 MARYLAND AN AUTHORIZATION TO THE ADMINISTRATIVE OFFICE OF THE COURTS  
10 IN THE TOTAL AMOUNT NECESSARY TO PAY JURORS FOR EXPENSE MONEY.

11 **Article - State Personnel and Pensions**

12 23-201.

13 (a) Except as provided in subsection (b) of this section, §§ 23-202 through  
14 23-205 of this subtitle apply only to:

15 (1) a regular employee whose compensation is provided by State  
16 appropriation or paid from State funds;

17 (2) an appointed or elected official of the State, including:

18 (i) a clerk of the circuit court;

19 (ii) a register of wills;

20 (iii) a State's Attorney; [and]

21 (iv) a sheriff; AND

22 (V) A STATE STANDING MASTER;

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be  
24 construed to preempt presently existing county per diem juror expenses and that  
25 counties may continue to provide per diem expenses in excess of the State per diem  
26 amount established under Section 1 of this Act without enacting local ordinances.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 1998.