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By: **Southern Maryland Delegation**

Introduced and read first time: January 17, 2001

Assigned to: Judiciary

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A BILL ENTITLED

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)

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

25 **Article - Courts and Judicial Proceedings**

26 [13-102.

27 (a) There is an administrative office of courts of the seventh judicial circuit,  
28 headed by an administrator. The administrator is appointed by and holds office

1 during the pleasure of the judges of the seventh judicial circuit. He shall devote time  
2 to his official duties as the judges prescribe. He shall have the salary and allowances  
3 prescribed and set by the county governments of Prince George's, St. Mary's, Calvert,  
4 and Charles Counties. His salary shall be paid one half by Prince George's County,  
5 and one sixth by each of St. Mary's, Calvert, and Charles Counties.

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

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

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

14 (1) Exercise general administrative supervision of the courts of the  
15 seventh judicial circuit, exclusive of the offices of the several clerks of the courts and  
16 their employees;

17 (2) Serve as personnel officer of the seventh judicial circuit and in that  
18 capacity recommend to the judges (i) job descriptions and classifications for every  
19 employee of the courts of the seventh judicial circuit; (ii) appropriate salary scales and  
20 standard procedures for procurement and promotion of personnel of the courts of the  
21 seventh judicial circuit; (iii) regulations governing hours of work, leaves of absence  
22 and other conditions of employment of the courts of the seventh judicial circuit;

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

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

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

32 (6) Examine the condition of the dockets and the practices and  
33 procedures of the courts of the seventh judicial circuit and make recommendations for  
34 their future operation;

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

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

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

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

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

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

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

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

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

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

23 13-102.

24 (A) IN EACH COUNTY OF THE SEVENTH JUDICIAL CIRCUIT, THERE MAY BE A  
25 COURT ADMINISTRATOR. THE COURT ADMINISTRATOR SHALL BE APPOINTED BY THE  
26 COUNTY ADMINISTRATIVE JUDGE AFTER CONSULTATION WITH THE CIRCUIT  
27 ADMINISTRATIVE JUDGE AND SHALL HOLD OFFICE AT THE PLEASURE OF THE  
28 COUNTY ADMINISTRATIVE JUDGE. THE COURT ADMINISTRATOR SHALL DEVOTE  
29 TIME AND ATTENTION TO THE TASKS, DUTIES, AND RESPONSIBILITIES THAT THE  
30 COUNTY ADMINISTRATIVE JUDGE PRESCRIBES.

31 (B) THE COURT ADMINISTRATOR, WITH THE APPROVAL OF THE COUNTY  
32 ADMINISTRATIVE JUDGE, SHALL APPOINT EMPLOYEES NECESSARY TO ENABLE THE  
33 ADMINISTRATOR TO PERFORM THE DUTIES ASSIGNED TO THE POSITION. EACH  
34 COUNTY GOVERNMENT SHALL PROVIDE COMPENSATION FOR THE EMPLOYEES,  
35 TOGETHER WITH EXPENSES FOR THE PROPER PERFORMANCE OF ASSIGNED DUTIES  
36 OF THE COURT ADMINISTRATOR AND EMPLOYEES APPOINTED UNDER THIS SECTION.

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

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