

SENATE BILL 322

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2001 Regular Session
11r1691
CF 11r1150

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

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:

1 **Article - Courts and Judicial Proceedings**

2 [13-102.

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

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

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

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

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

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

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

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

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

36 (6) Examine the condition of the dockets and the practices and
37 procedures of the courts of the seventh judicial circuit and make recommendations for
38 their future operation;

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

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

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

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

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

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

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

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

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

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

26 13-102.

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

34 (B) THE COURT ADMINISTRATOR, WITH THE APPROVAL OF THE COUNTY
35 ADMINISTRATIVE JUDGE, SHALL APPOINT EMPLOYEES NECESSARY TO ENABLE THE
36 ADMINISTRATOR TO PERFORM THE DUTIES ASSIGNED TO THE POSITION. EACH
37 COUNTY GOVERNMENT SHALL PROVIDE COMPENSATION FOR THE EMPLOYEES,

1 TOGETHER WITH EXPENSES FOR THE PROPER PERFORMANCE OF ASSIGNED DUTIES
2 OF THE COURT ADMINISTRATOR AND EMPLOYEES APPOINTED UNDER THIS SECTION.

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

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