
By: **Delegates Montague, Doory, and Dobson**
Introduced and read first time: February 21, 2002
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Orphans' Court Judges - Pensions**

3 FOR the purpose of altering the annual pension or salary for certain retired judges of
4 the Orphans' Court for Baltimore City; providing that this Act does not apply to
5 the salary or compensation of an incumbent judge of the Orphans' Court for
6 Baltimore City; and generally relating to the pension of certain judges of the
7 Orphans' Court for Baltimore City.

8 BY repealing and reenacting, with amendments,
9 Article - Estates and Trusts
10 Section 2-108(d)
11 Annotated Code of Maryland
12 (2001 Replacement Volume and 2001 Supplement)

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

15 **Article - Estates and Trusts**

16 2-108.

17 (d) (1) (i) Each associate judge of the Court of Baltimore City shall receive
18 an annual compensation of \$50,000, and the Chief Judge shall receive an annual
19 compensation of \$60,000.

20 (ii) Each associate judge who was in active service on or after
21 January 1, 1984 shall be paid after the termination of active service, if he is then at
22 least 60 years of age or when he shall attain 60 years of age, a pension or salary
23 calculated at the rate of [~~\$2,500~~] \$5,000 annually for each year, or a part of a year, of
24 active service; but the maximum pension or salary for the service by an associate
25 judge may not exceed [~~\$25,000~~] \$50,000 annually.

26 (iii) Each Chief Judge who was in active service on or after January
27 1, 1984, shall be paid, after the termination of active service, if he is then at least 60
28 years of age or when he shall attain 60 years of age, a pension or salary calculated at

1 the rate of [~~\$3,000~~] \$6,000 annually for each year, or a part of a year of active service;
2 but the maximum pension or salary for the service by a Chief Judge may not exceed
3 [~~\$30,000~~] \$60,000 annually. The pension or salary shall be paid by the City of
4 Baltimore in the same manner as the salaries of the judges of the Court for the City
5 are paid.

6 (2) The surviving spouse of every elected judge of the Court of Baltimore
7 City shall be paid one half of the pension to which his spouse was entitled at the time
8 of his death, or would have become entitled to by reason of attaining 60 years of age.
9 In each instance, the pension shall be paid to the spouse until remarriage or death.
10 The provisions of this subsection shall not apply in the case of a spouse who was
11 married to a sitting judge for a period of less than three years prior to his death, and
12 to a retired judge for a period less than three years before his retirement.

13 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III,
14 Section 35 of the Constitution of Maryland, this Act may not be construed to extend or
15 apply to the salary or compensation of a judge of the Orphans' Court for Baltimore
16 City in office on the effective date of this Act, but the provisions of this Act concerning
17 the salary or compensation of a judge of the Orphans' Court for Baltimore City shall
18 take effect at the beginning of the next following term of office.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2002.