
By: **Senator McFadden**

Introduced and read first time: February 21, 2002

Assigned to: Rules

Re-referred to: Judicial Proceedings, March 4, 2002

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 22, 2002

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City - Orphans' Court Judges - Salary ~~and Pensions~~**

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

10 BY repealing and reenacting, with amendments,
11 Article - Estates and Trusts
12 Section 2-108(d)
13 Annotated Code of Maryland
14 (2001 Replacement Volume and 2001 Supplement)

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

17 **Article - Estates and Trusts**

18 2-108.

19 (d) (1) (i) Each associate judge of the Court of Baltimore City shall receive
20 an annual compensation of [[\$50,000] \$55,000, and the Chief Judge shall receive an
21 annual compensation of [[\$60,000] \$65,000.

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

7 (iii) Each Chief Judge who was in active service on or after January
8 1, 1984, shall be paid, after the termination of active service, if he is then at least 60
9 years of age or when he shall attain 60 years of age, a pension or salary calculated at
10 the rate of ~~{\$3,000}~~~~-\$6,000~~ annually for each year, or a part of a year of active service;
11 but the maximum pension or salary for the service by a Chief Judge may not exceed
12 ~~{\$30,000}~~~~-\$60,000~~ annually. The pension or salary shall be paid by the City of
13 Baltimore in the same manner as the salaries of the judges of the Court for the City
14 are paid.

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

22 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III,
23 Section 35 of the Constitution of Maryland, this Act may not be construed to extend or
24 apply to the salary or compensation of the Chief Judge and the associate judges of the
25 Orphans' Court for Baltimore City in office on the effective date of this Act, but the
26 provisions of this Act concerning the salary or compensation of the Chief Judge and
27 the associate judges of the Orphans' Court for Baltimore City shall take effect at the
28 beginning of the next following term of office.

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