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By: **Senator McFadden**

Introduced and read first time: January 26, 2006

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Orphans' Court Judges - Retirement Allowances**

3 FOR the purpose of increasing to a certain amount the annual retirement allowances  
4 of the associate judges and the Chief Judge of the Orphans' Court for Baltimore  
5 City; providing that this Act does not apply to the salaries or compensation of  
6 the incumbent associate judges and the Chief Judge of the Orphans' Court for  
7 Baltimore City; and generally relating to the annual retirement allowances of  
8 the associate judges and the Chief Judge of the Orphans' Court for Baltimore  
9 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 2005 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 \$62,500, and the Chief Judge shall receive an annual  
21 compensation of \$72,500.

22 (ii) Each associate judge who was in active service on or after  
23 January 1, 1984 shall be paid after the termination of active service, if he is then at  
24 least 60 years of age or when he shall attain 60 years of age, a pension or salary  
25 calculated at the rate of [\$2,500] \$3,125 annually for each year, or a part of a year, of  
26 active service; but the maximum pension or salary for the service by an associate  
27 judge may not exceed [\$25,000] \$31,250 annually.

1 (iii) Each Chief Judge who was in active service on or after January  
2 1, 1984, shall be paid, after the termination of active service, if he is then at least 60  
3 years of age or when he shall attain 60 years of age, a pension or salary calculated at  
4 the rate of [\$3,000] \$3,625 annually for each year, or a part of a year of active service;  
5 but the maximum pension or salary for the service by a Chief Judge may not exceed  
6 [\$30,000] \$36,250 annually. The pension or salary shall be paid by the City of  
7 Baltimore in the same manner as the salaries of the judges of the Court for the City  
8 are paid.

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

16 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §  
17 35 of the Maryland Constitution, this Act may not be construed to extend or apply to  
18 the salary or compensation of the Chief Judge and associate judges of the Orphans'  
19 Court for Baltimore City in office on the effective date of this Act, but the provisions  
20 of this Act concerning the salary or compensation of the Chief Judge and associate  
21 judges of the Orphans' Court for Baltimore City shall take effect at the beginning of  
22 the next following term of office.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2006.