

SENATE BILL 209

G1

7lr1475

By: **Senator Gladden**

Introduced and read first time: January 29, 2007

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Circuit Court – Jury Staff**

3 FOR the purpose of authorizing the administrative judge of the Circuit Court for
4 Baltimore City to appoint a jury commissioner and employ staff; repealing
5 certain provisions that subject the jury commissioner’s office to the personnel
6 merit system of the office of the clerk of the Circuit Court for Baltimore City;
7 providing that the jury commissioner designated in the jury plan for Baltimore
8 City shall be the individual appointed by the administrative judge; providing for
9 the construction and application of this Act; and generally relating to the
10 position of jury commissioner of the Circuit Court for Baltimore City.

11 BY repealing and reenacting, with amendments,
12 Article – Courts and Judicial Proceedings
13 Section 2–5A–06(a) and 8–205
14 Annotated Code of Maryland
15 (2006 Replacement Volume)

16 BY adding to
17 Article – Courts and Judicial Proceedings
18 Section 2–513
19 Annotated Code of Maryland
20 (2006 Replacement Volume)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Courts and Judicial Proceedings**

2 2-5A-06.

3 (a) The following positions shall be subject to the personnel merit system:

4 (1) Any position to which an appointment by a clerk of the Supreme
5 Bench of Baltimore City is authorized on or before June 30, 1982;

6 (2) Any position to which an appointment by a judge of the Supreme
7 Bench of Baltimore City is authorized on or before June 30, 1982, and that was
8 assigned to any of the following:

9 (i) The civil assignment commissioner's office;

10 (ii) [The jury commissioner's office;

11 (iii)] The criminal assignment commissioner's office; or

12 [(iv)] (III) The juvenile court clerk's office;

13 (3) The six positions of deputy clerk of the proposed Circuit Court for
14 Baltimore City that are created for the purpose of transferring the clerks of the several
15 courts of the Supreme Bench to the office of the clerk of the Circuit Court for
16 Baltimore City; and

17 (4) Any position that is created or redesignated as a permanent
18 position and assigned to the clerk of the Circuit Court for Baltimore City after
19 January 1, 1983.

20 **2-513.**

21 (A) (1) **IN ACCORDANCE WITH THE MARYLAND RULES AND THE JURY**
22 **PLAN FOR BALTIMORE CITY, THE ADMINISTRATIVE JUDGE OF THE CIRCUIT**
23 **COURT FOR BALTIMORE CITY MAY APPOINT A JURY COMMISSIONER AND**
24 **EMPLOY STAFF.**

25 (B) **THE JURY COMMISSIONER AND THE EMPLOYEES OF THE JURY**
26 **COMMISSIONER DESCRIBED UNDER THIS SECTION ARE ENTITLED TO THE**
27 **SALARY PROVIDED IN THE BUDGET OF BALTIMORE CITY.**

1 8-205.

2 (a) Each jury plan shall designate a jury commissioner.

3 (b) **(1) [The] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
4 jury commissioner for a circuit court shall be:

5 [(1)] **(I)** The clerk of the circuit court; or

6 [(2)] **(II)** Another individual designated in the manner set forth in the
7 jury plan.

8 **(2) IN BALTIMORE CITY, THE JURY COMMISSIONER SHALL BE**
9 **THE INDIVIDUAL APPOINTED BY THE ADMINISTRATIVE JUDGE OF THE CIRCUIT**
10 **COURT.**

11 (c) A jury plan may designate, or allow a jury judge to designate, an
12 individual to serve as acting jury commissioner if the jury commissioner is temporarily
13 unavailable or unable to perform duties.

14 (d) The jury commissioner for a circuit court shall manage jury selection and
15 service, under the control and supervision of the jury judge for the circuit court.

16 (e) A jury commissioner, other than a clerk, is entitled to the compensation
17 set by law.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act does not relieve
19 Baltimore City of its duty to provide staff for the jury functions of the Circuit Court for
20 Baltimore City.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be
22 construed to assume any liability incurred by Baltimore City in connection with
23 providing jury functions of the circuit court.

24 SECTION 4. AND BE IT FURTHER ENACTED, That this Act is not intended
25 and may not be construed to reduce the number of positions in the office of the clerk of
26 the Circuit Court for Baltimore City.

27 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 July 1, 2007.