

HOUSE BILL 428

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6lr2504

CF 6lr2494

By: Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

Introduced and read first time: January 22, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Former Judge – Temporary Assignment**

3 FOR the purpose of altering the eligibility for a former judge to be recalled for temporary
4 assignment; and generally relating to former judges and temporary assignments.

5 BY repealing and reenacting, without amendments,
6 Article – Courts and Judicial Proceedings
7 Section 1–302(a) and (b)
8 Annotated Code of Maryland
9 (2020 Replacement Volume and 2025 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article – Courts and Judicial Proceedings
12 Section 1–302(c)
13 Annotated Code of Maryland
14 (2020 Replacement Volume and 2025 Supplement)

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

17 **Article – Courts and Judicial Proceedings**

18 1–302.

19 (a) In this section, “former judge” means a judge who previously served in a court.

20 (b) Except as provided in subsection (c) of this section, the Chief Justice of the
21 Supreme Court of Maryland may assign any former judge to sit temporarily in any court if
22 the temporary assignment is approved by the administrative judge of the circuit in which
23 the former judge is to be assigned and if the former judge:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(1) Has served in the aggregate at least 2 years as a judge, except that in Talbot County, the former judge shall have served in the aggregate at least 1 year as a judge;

4 (2) Has been approved for assignment by a majority of the justices of the
5 Supreme Court of Maryland;

8 (4) Has consented to the assignment.

9 (c) A former judge may not be recalled for temporary assignment if the judge:

10 (1) Was removed or involuntarily retired from judicial office pursuant to
11 the Constitution or laws of this State;

12 (2) Voluntarily retired by reason of disability;

(4) Was censured by the Supreme Court of Maryland upon recommendation of the Commission on Judicial Disabilities; or

18 (5) Is engaged in the practice of law.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2026.