

HOUSE BILL 428

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6lr2504
CF SB 542

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

Introduced and read first time: January 22, 2026

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 27, 2026

CHAPTER _____

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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

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

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

10 (3) Meets the standards established by this section as well as any
11 additional standards established by rule of the Supreme Court of Maryland; and

12 (4) Has consented to the assignment.

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

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

16 (2) Voluntarily retired by reason of disability;

17 (3) Had the most recent service as a judge terminated by reason of defeat
18 for election to judicial office, **UNLESS THE JUDGE PREVIOUSLY WON ELECTION TO**
19 **JUDICIAL OFFICE**, or by rejection of confirmation by the Senate;

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

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

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