

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 428

(Chair, Judiciary Committee)(By Request - Maryland
Judicial Conference)

Judiciary

Judicial Proceedings

Courts - Former Judge - Temporary Assignment

This bill allows a former judge who previously won an election to judicial office to be recalled for temporary assignment, even if the judge’s most recent service as a judge was terminated by losing an election.

Fiscal Summary

State Effect: The bill does not directly affect the overall workload or finances of the Judiciary.

Local Effect: The bill does not directly affect the overall workload or finances of the circuit courts.

Small Business Effect: None.

Analysis

Current Law/Background: Generally, the Chief Justice of the Supreme Court of Maryland may assign any former judge to sit temporarily in any court if the assignment is approved by the administrative judge of the circuit in which the former judge is to be assigned and other specified requirements are met.

Former judges may not be recalled for temporary assignment if the judge (1) was removed or involuntarily retired from judicial office pursuant to the Constitution or State law; (2) voluntarily retired by reason of disability; (3) had the most recent service as a judge terminated by reason of defeat for election to judicial office or by rejection of confirmation

by the Senate; (4) was censured by the Supreme Court of Maryland upon recommendation of the Commission on Judicial Disabilities; or (5) is engaged in the practice of law.

The proposed fiscal 2027 budget as introduced includes approximately \$11.1 million in funding for retired judges; the Judiciary uses these judges to supplement current judicial resources. The Judiciary advises that the bill provides increased flexibility to select from an expanded pool of eligible judges to fill temporary assignments and meet occasional operational needs.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 542 (Chair, Judicial Proceedings Committee)(By Request - Maryland Judicial Conference) - Judicial Proceedings.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - February 15, 2026
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