

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Mary Ellen Barbera
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Judiciary Committee
FROM: Sara Elalamy
410-260-1561
House Bill 35
RE: Judges - Selection and Retention
DATE: February 17, 2021
(2/24)
POSITION: Support

Find attached information for House Bill 35 regarding the selection and election of judges.

Attached:

1. List of incumbent judges defeated in a contested election from 1956 to present which includes demographics.
2. Chart reflecting number of women and minority judges over time from 1981 to present.
3. Demographic breakdown chart from 1981 to present.
4. Distribution of Judges – Race and Sex - present.
5. Appellate Judges Who Have Lost a Retention Election 1861- present.

cc. Hon. Jon S. Cardin
Judicial Council
Legislative Committee
Kelley O'Connor

**SUCCESSFUL CHALLENGES TO SITTING JUDGES
(1956-2020)**

<u>CHALLENGER</u>	<u>DEMOGRAPHICS</u>	<u>DEFEATED INCUMBENT</u>	<u>DEMOGRAPHICS</u>	<u>CIRCUIT COURT</u>	<u>YEAR</u>
Harlan, Edwin	WM	Mundy, Cornelius P.	WM	Baltimore City	1956
Raine, John E., Jr.	WM	None		Baltimore County	1956
Dorf, Paul A.	WM	Wolf, Edwin J.	WM	Baltimore City	1968
Howard, Joseph C.	BM	Kenney, Thomas J.	M (Race Not Available)	Baltimore City	1968
Murphy, James W.	WM	Solter, George D.	Not Available	Baltimore City	1970
Mattingly, Joseph A.	WM	Weiner, Joseph D.	Not Available	St. Mary's	1972
Williams, Bruce C.	WM	Biener, Karl F.	WM	Anne Arundel	1976
Clark, Richard J.	WM	Nalley, Robert C.	WM	Charles	1980
Cole, Jr., Donaldson C.	WM	Evans, William B.	WM	Cecil	1980
Murphy, Jr., William H.	BM	Figginski, M. Albert	WM	Baltimore City	1980

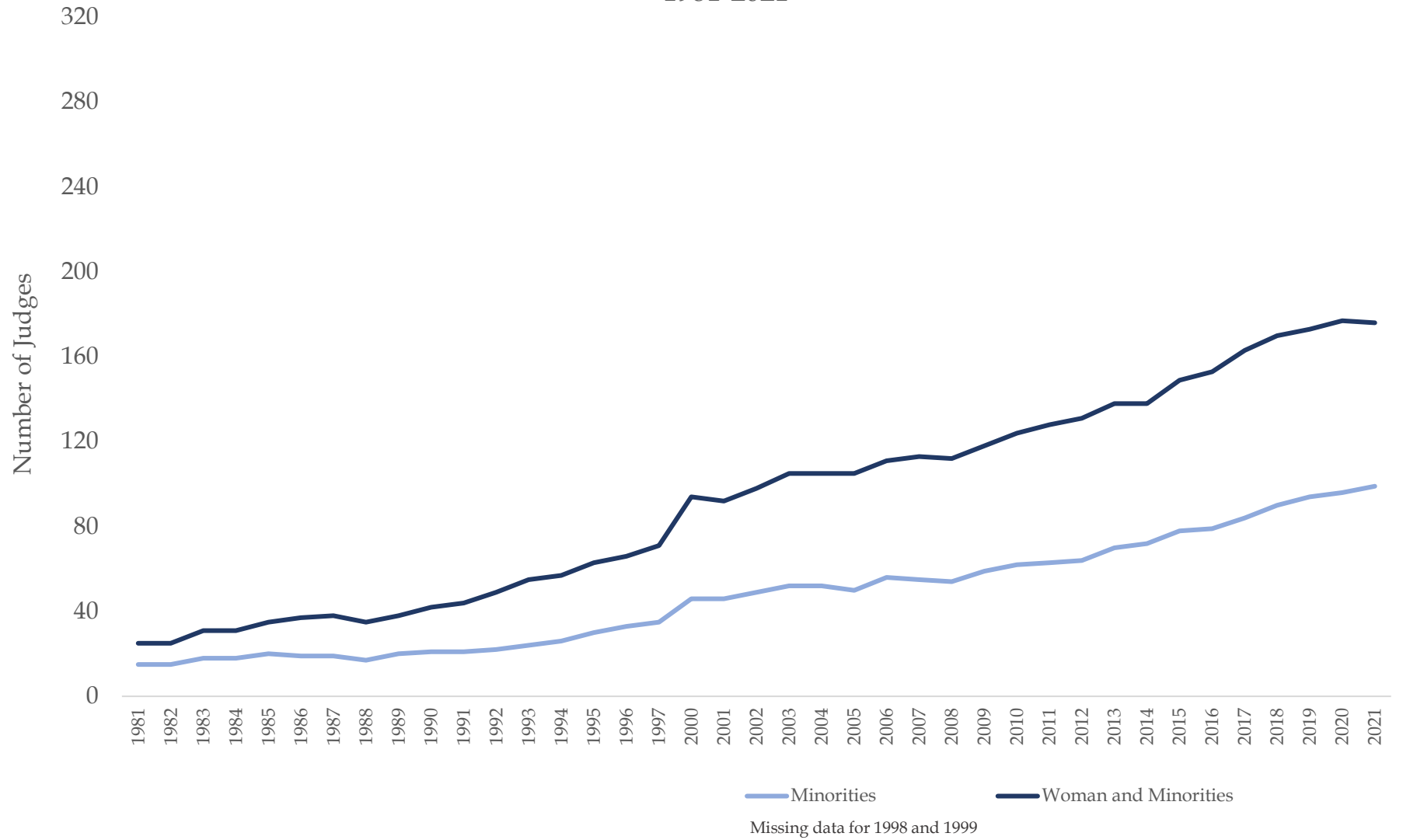
**SUCCESSFUL CHALLENGES TO SITTING JUDGES
(1956-2020)**

<u>CHALLENGER</u>	<u>DEMOGRAPHICS</u>	<u>DEFEATED INCUMBENT</u>	<u>DEMOGRAPHICS</u>	<u>CIRCUIT COURT</u>	<u>YEAR</u>
Johnson, Kenneth L.	BM	Perrott, James A.	WM	Baltimore City	1982
Ward, Thomas	WM	Ward, Peter D.	WM	Baltimore City	1982
Gelfman, Lenore R.	WF	Staton, Donna Hill	BF	Howard	1996
Dugan, Robert N.	WM	Wright, Jr., Alexander	BM	Baltimore County	2000
Cavanaugh, Patrick	WM	Wright, Jr., Alexander	BM	Baltimore County	2002
Goetzke, Paul G.	WM	Bruce, David S.	WM	Anne Arundel	2004
Harris, Jr., Paul F.	WM	Warren, Rodney	BM	Anne Arundel	2004
Asti, Alison L.	WF	Jarashow, Ronald A.	WM	Anne Arundel	2010
Simpson, Jr., Thomas R.	WM	Spencer, Jerome R.	WM	Charles	2014
Rolle, Scott L.	WM	O'Connor, Danny B.	WM	Frederick	2014

**SUCCESSFUL CHALLENGES TO SITTING JUDGES
(1956-2020)**

<u>CHALLENGER</u>	<u>DEMOGRAPHICS</u>	<u>DEFEATED INCUMBENT</u>	<u>DEMOGRAPHICS</u>	<u>CIRCUIT COURT</u>	<u>YEAR</u>
Turner, Ingrid M.	BF	*One of the sitting judges withdrew after the primary.		Prince George's	2016
Oesterreicher, Maria L.	WF	Titus, Richard R.	WM	Carroll	2018
Adkins-Tobin, Diane E.	WF	Kreis, Jr., Lawrence F.	WM	Harford	2018
Gibbs, Makeba	BF	Devine, Patrick J.	WM	Charles	2020
Coleman, Quincy L.	BM	Kuchno, John J.	WM	Howard	2020
Weatherspoon, Gladys M.	BF	McCarthy, Jared M.	WM	Prince George's	2020
Ademiluyi, April T.	BF	*One of the sitting judges withdrew after the primary.		Prince George's	2020

Number of Women and Minority Judges Over Time 1981-2021*



Judge Demographics 1981-2021 for Filled Judgeship Positions

Year	White Men	White Women	African American Men	African American Women	Asian/ Pacific Islander Men	Asian/ Pacific Islander Women	American Indian/Alaska Native Men	American Indian/Alaska Native Women	Hispanic Men	Hispanic Women	Multi-racial Men	Multi-racial Women	Minority Men	Minority Women	Total Minorities	Women and Minorities	Total Filled Judgeships*
1981	179	10	14	1									14	1	15	25	204
1982	177	10	14	1									14	1	15	25	202
1983	181	13	17	1									17	1	18	31	212
1984	180	13	17	1	0	0	0	0	0	0			17	1	18	31	211
1985	180	15	19	1	0	0	0	0	0	0			19	1	20	35	215
1986	179	18	18	1	0	0	0	0	0	0			18	1	19	37	216
1987	179	19	18	1	0	0	0	0	0	0			18	1	19	38	217
1988	181	18	16	1	0	0	0	0	0	0			16	1	17	35	216
1989	181	18	19	1	0	0	0	0	0	0			19	1	20	38	219
1990	184	21	20	1	0	0	0	0	0	0			20	1	21	42	226
1991	181	23	20	1	0	0	0	0	0	0			20	1	21	44	225
1992	184	27	20	2	0	0	0	0	0	0			20	2	22	49	233
1993	178	31	22	2	0	0	0	0	0	0			22	2	24	55	233
1994	178	31	23	3	0	0	0	0	0	0			23	3	26	57	235
1995	171	33	24	5	0	0	0	0	0	1			24	6	30	63	234
1996	177	33	24	7	0	0	0	0	0	2			24	9	33	66	243
1997	172	36	26	7	0	0	0	0	0	2			26	9	35	71	243
1998**																	
1999**																	
2000	173	48	31	14	0	0	0	0	0	1			31	15	46	94	267
2001	169	46	30	14	0	0	0	0	0	2			30	16	46	92	261
2002	166	49	28	18	0	0	0	0	0	2	1	0	29	20	49	98	264
2003	167	53	28	19	1	1	0	0	0	2	1	0	30	22	52	105	272
2004	161	53	28	19	2	3	0	0	0	0	0	0	30	22	52	105	266
2005	162	55	27	19	1	1	0	0	0	2	0	0	28	22	50	105	267
2006	167	55	28	24	1	1	0	0	0	2	0	0	29	27	56	111	278
2007	170	58	26	24	1	1	1	0	0	2	0	0	28	27	55	113	283
2008	160	58	25	24	1	1	1	0	0	2	0	0	27	27	54	112	272
2009	163	59	26	27	1	1	1	0	0	2	1	0	29	30	59	118	281
2010	153	62	28	28	1	1	1	0	0	2	1	0	31	31	62	124	277
2011	152	65	25	30	1	1	1	0	1	3	1	0	29	34	63	128	280
2012	146	67	27	30	0	1	1	0	1	3	1	0	30	34	64	131	277
2013	142	68	27	35	0	2	1	0	1	3	1	0	30	40	70	138	280
2014	139	66	27	36	0	2	1	0	1	4	1	0	30	42	72	138	277
2015	138	71	28	40	1	2	1	0	1	3	2	0	33	45	78	149	287
2016	137	74	29	40	1	2	1	0	1	3	2	0	34	45	79	153	290
2017	146	79	32	42	1	2	0	0	2	3	2	0	37	47	84	163	309
2018	140	80	32	48	1	2	0	0	3	2	2	0	38	52	90	170	310
2019	133	79	32	51	1	3	0	0	3	2	2	0	38	56	94	173	306
2020	138	81	29	54	2	3	0	0	4	2	2	0	37	59	96	177	315
2021	130	77	29	57	2	3	0	0	4	2	2	0	37	62	99	176	306

*Filled Judgeships does not include vacancies at time of demographic count; current full complement of judges = 320

** Data not available for 1998 and 1999

Only Black or White reported until 1984

Multiracial reported beginning 2002

Appointments through:

1/8/21

DISTRIBUTION OF JUDGES - RACE AND SEX MARYLAND JUDICIARY

	Auth. Total	Actual	Vacant	White		African-American		Asian/Pacific Islander		Amer. Indian/Alaskan Native		Hispanic		Multi-Racial	
				Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
							2								
Court of Appeals	7	7	0	3	2		2								
Court of Special Appeals	15	15	0	9	3	1	1							1	
Total Appellate	22	22	0	12	5	1	3	0	0	0	0	0	0	1	0
First Circuit	9	9	0	6	3										
Second Circuit	8	8	0	4	3	1									
Third Circuit	26	25	1	12	8	1	3					1			
Fourth Circuit	9	8	1	5	2									1	
Fifth Circuit	22	20	2	10	7	2	1								
Sixth Circuit	30	29	1	15	9		4		1						
Seventh Circuit	35	34	1	11	2	5	16								
Eighth Circuit	35	35	0	13	5	4	11		1				1		
Total Circuit	174	168	6	76	39	13	35	0	2	0	0	0	2	1	0
							1								
Headquarters	1	1	0	1											
District 1	28	24	4	9	8	3	3		1						
District 2	6	6	0	2	2	2									
District 3	6	5	1	2	3										
District 4	7	7	0	2	3	1	1								
District 5	19	18	1	5	2	2	9								
District 6	13	13	0	2	5	2	1	1				2			
District 7	10	10	0	5	2	2	1								
District 8	15	14	1	6	3	1	3	1							
District 9	4	4	0	1	2	1									
District 10	7	7	0	1	3	1	1					1			
District 11	5	4	1	3								1			
District 12	3	3	0	3											
Total District	124	116	8	42	33	15	19	2	1	0	0	4	0	0	0
GRAND TOTAL	320	306	14	130	77	29	57	2	3	0	0	4	2	2	0

Appellate Judges Who Have Lost a Retention Election 1861- Present

1. John Carroll LeGrand (1861)
2. William Hallam Tuck (1861)
3. George Mitchell Russum (1897)
4. James A. C. Bond (1899)
5. Glenn H. Worthington (1909)
6. William C. Walsh (1926)
7. William H. Forsythe (1942)