

Outline

HB0638

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- I. Life Expectancy and Workforce Longevity Has Increased since the Enactment of Article 4 Section 4 of the Maryland Constitution in 1851**
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INTRODUCTION

My name is Raphael J. Santini and I am a proud practicing attorney.

I have been involved with the Maryland Court System since 1979, over 46 years.¹

I am here today in support of HB0638.

I support HB0638 for the following seven reasons:

¹ [RAPHAEL J SANTINI RESUME 2-16-2026.pdf](#)

I. Life Expectancy and Workforce Longevity Have Increased since the Enactment of Article 4 Section 4 of the Maryland Constitution in 1851

Life expectancy in 1851 was around 40 years old.

Life expectancy today is around 80 years old.

SEE EXHIBIT 1 ².

² EXHIBIT 1: [Life Expectancy by Age, The Average Life Expectancy From 1800 to Today, United States of America - Mortality & Life Expectancy | Measured World](#)

II. The Judiciary Should Reflect the Public It Serves

Quoting from Baltimore Sun Article of December 13, 2025,

“Within the next two decades more than a quarter of Maryland residents will be 65 years or older.”

SEE EXHIBIT 2 ³.

³ EXHIBIT 2: [Maryland’s senior wave is coming — and oversight is already cracking](#)

III. Maryland is Surrounded by States That Have a Higher Judicial Retirement Age than Maryland

- The Judicial Retirement age of Pennsylvania is 75 years.
- The Judicial Retirement age of the District of Columbia is 74 years.
- The Judicial Retirement age of Virginia is 73 years.

As you will read, Virginia increased the Judicial retirement age from 70 to 73, which we are seeking in the HB0638.

SEE EXHIBIT 3 ⁴.

⁴ EXHIBIT 3: [033243-seniorjudges-001752.pdf](#), [Judicial Service in the District of Columbia Courts Frequently Asked Questions | jnc](#), [§ 51.1-305. Service retirement generally](#)

IV. Retaining Judicial Experience Enhances Legal Quality and Continuity

We live in challenging times, and current history has demonstrated that the Judiciary protects against the excesses of Executive Power.

Judges with extensive experience bring deep legal knowledge, institutional memory and case handling expertise to their service.

V. Accessibility of Judicial Positions for the Senior Attorneys

Most younger attorneys cannot afford to apply for Judicial Positions because of economic demands of families and lifestyles in their 30s, 40s, and early 50s.

In their later 50s the economic demands are less, which allows senior attorneys with a wealth of subject matter knowledge and experience an opportunity to give back to their profession by entering the Judiciary.

Increasing the retirement age by 3 years encourages those knowledgeable, experienced attorneys to leave their successful practices to join the judiciary. Under the current law, an attorney who becomes a judge after age 54 is excluded from receiving full retirement benefits.

VI. Increasing the Retirement Age from 70 to 73 Would Not Affect the Budget

Based on the Department of Legislative Services report for the Maryland General

Assembly for the 2025 session,

“The increase of the retirement age would not affect the judicial payroll.”

“It would likely reduce future state pension liabilities.”

SEE EXHIBIT 4 ⁵.

⁵ EXHIBIT 4: [2025 Regular Session - Fiscal and Policy Note for Senate Bill 74](#)

VII. **The Judicial Disabilities Commission**

If there are concerns that increasing the retirement age from 70 to 73 would create a noncompliant Judge, these concerns are resolved by our very active Judicial Disabilities Commission.

SEE EXHIBIT 5 ⁶.

⁶ EXHIBIT 5: [Commission on Judicial Disabilities | Annual Report FY 2025](#)

CONCLUSION

In conclusion, our society is constantly evolving, and our Maryland Constitution should reflect our society. SEE EXHBIT 6 ⁷.

HB0638 will help the people of Maryland and probably change history.

I am asking for a favorable decision on HB0638.

I thank you for your time.

I am happy to answer any questions.

⁷ Changes over time of the amount in controversy of the Maryland Constitution, [2025 Regular Session - Fiscal and Policy Note for Senate Bill 475](#); the FAA allows a private pilot's license up to age 80, [92-year-old wants pilot's license back to rescue abused dogs](#); Priests must retire at age 75, Code of Canon Law 538§3, [Code of Canon Law - Book II - The People of God - Liber II. De Populo Dei - Part II. \(Cann. 460-572\)](#); Federal Judges do not have a mandatory retirement age ; and 2/16/2026 Article on Delaying Retirement, [Dr. Oz is right about delaying retirement | GUEST COMMENTARY](#).

FOOTNOTE

1

RAPHAEL J. SANTINI, ESQUIRE

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Education

University of Baltimore School of Law

J.D. May of 1986

University of Baltimore Graduate School

M.A. December of 1986

University of Maryland at Baltimore County

B.A. 1981 in Political Science

Archbishop Curley High School

Graduated in 1975

Work Experience

Director of Legal Research Bureau (1979)

Internship District Court of Maryland (1980)

Pretrial Release Investigator in Baltimore County (1980)

Commissioner of District Court of Baltimore County (1980-1982)

Internship at Baltimore County State's Attorney Office (1984)

Law Clerk for Baltimore County's States Attorney's Office (1985-1986)

Assistant Public Defender (1988-1990)

Panel Public Defender (1987 and continuing)

Interpreter for the District Court (1986 and continuing at the request of the presiding Judge)

Private Practice of Law, Raphael J. Santini, P.A. (1988 and continuing)

Admitted to Practice Law

Maryland 1987

Washington, D.C. 1988

Federal Court 1988

Fourth Circuit Court of Appeals 2005

Supreme Court of the United States 2001

Prior or Current Organizational Memberships

Archbishop Curley High School, Trustee
Attorney Grievance Panel (Panel Member)
Baltimore City Bar Association Member
Baltimore City Hispanic Advisory Committee (Legal Advisor)
Baltimore City Lawyer Referral
Baltimore County Bar Association Member
Baltimore County Bench Bar Committee (2017-2020) (Vice Chairperson/Chairperson)
Baltimore County Fee Attribution Committee
Baltimore County Bar Association Diversity and Inclusion Committee (Vice Chairperson/Chairperson)
Baltimore County Hispanic Advisory Council (Speaker)
Baltimore County Lawyer Referral
Baltimore County Trial Court Judicial Nominating Committee (2019-2023)
Baltimore County Bar Association Membership Committee (Chairperson)
Baltimore County Criminal Defense Committee (Vice Chairperson/Chairperson)
Baltimore County Bar Association Memorial Committee
Governor's Commission for Hispanic Affairs (Member/Chairman)
Harford County Bar Association Member
Judicial Compensation Commission (2026 and continuing)
Justinian Society
Lawyers Disability Committee for Baltimore County
Maryland Board of Governors (2023-currently)
Maryland State Bar Association (President Elect and President) (2023-2025)
Maryland State Bar Association Local and Specialty Bar Committee
Maryland State Bar Association Diversity and Inclusion Committee
Maryland State Bar Association Budget and Finance Committee
Maryland State Bar Association Investment Committee Association
Maryland State Bar Association Liaison to the Solo and Small Firm Section Council
Maryland State Bar Association Liaison to Judicial Appointment Committee
Maryland State Bar Association Governance Selection Committee
Maryland State Bar Association Task Force on Judicial Security
Maryland State Bar Association on Excursions
Maryland State Bar Association Laws Committee
Maryland State Bar Association Member of the Bates / Vincent Foundation
Maryland Trail Lawyer Association
Maryland Criminal Defense Attorney Association
Notre Dame of Maryland University, Trustee
Super Lawyer (2017-2026)

Awards

Service Award for Legal Aid (1980-1981)
Baltimore County Executive Citation for Being a Member of Baltimore County Hispanic Advisory Council (1993)
El Heraldo De Maryland Professional of the Year (1994)
Governor Parris Glendening Citation for Being a Member and Speaker of the Governor's Commission on Hispanic Affairs (1996-1999)
Humanitarian and Community Service Award from Baltimore County (1999)
Widener University Delaware Law School Certificate of Appreciation (2017)
The Maryland General Assembly Office citations for being elected as MSBA President (2024)
Governor Wes Moore Citation of Appreciation for being President of MSBA (2025)
The Daily Record Hispanic Leadership Award (2025)
The Daily Record Icon Award (2025)
Maryland Hispanic Bar Association Outstanding Achievement Award (2025)

Languages

Spanish, Italian, and working on Hindi

Areas of Practice

-Criminal (DWI, etc.)
-Negligence Cases (Automobile Accidents, Worker's Compensation, Product Liability, Medical Malpractice, Excessive Force Cases, etc.)

EXHIBIT ONE

Life Expectancy by Age, 1850–2001

The expectation of life at a specified age is the average number of years that members of a hypothetical group of people of the same age would continue to live if they were subject throughout the remainder of their lives to the same mortality rate.

Calendar period	Age								
	0	10	20	30	40	50	60	70	80
White males									
1850 ¹	38.3	48.0	40.1	34.0	27.9	21.6	15.6	10.2	5.9
1890 ¹	42.50	48.45	40.66	34.05	27.37	20.72	14.73	9.35	5.40
1900–1902 ²	48.23	50.59	42.19	34.88	27.74	20.76	14.35	9.03	5.10
1909–1911 ²	50.23	51.32	42.71	34.87	27.43	20.39	13.98	8.83	5.09
1919–1921 ³	56.34	54.15	45.60	37.65	29.86	22.22	15.25	9.51	5.47
1929–1931	59.12	54.96	46.02	37.54	29.22	21.51	14.72	9.20	5.26
1939–1941	62.81	57.03	47.76	38.80	30.03	21.96	15.05	9.42	5.38
1949–1951	66.31	58.98	49.52	40.29	31.17	22.83	15.76	10.07	5.88
1959–1961 ⁵	67.55	59.78	50.25	40.98	31.73	23.22	16.01	10.29	5.89
1969–1971 ⁶	67.94	59.69	50.22	41.07	31.87	23.34	16.07	10.38	6.18
1979–1981	70.82	61.98	52.45	43.31	34.04	25.26	17.56	11.35	6.76
1990	72.7	63.5	54.0	44.7	35.6	26.7	18.7	12.1	7.1
1992	73.2	64.0	54.3	45.1	36.0	27.1	19.1	12.4	7.2
1993	73.1	63.8	54.2	44.9	35.9	27.0	18.9	12.3	7.1
1995	73.4	64.1	54.5	45.2	36.1	27.3	19.3	12.5	7.2
1997	74.3	65.0	55.3	45.9	36.7	27.7	19.6	12.7	7.4
1998	74.5	65.2	55.5	46.1	36.8	27.9	19.7	12.8	7.5
1999	74.6	65.3	55.6	46.2	36.9	28.0	19.8	12.9	7.5
2000	74.8	65.4	55.7	46.4	37.1	28.2	20.0	13.0	7.6
2001	75.0	65.6	56.0	46.6	37.3	28.4	20.2	13.2	7.7
White females									
1850 ¹	40.5	47.2	40.2	35.4	29.8	23.5	17.0	11.3	6.4
1890 ¹	44.46	49.62	42.03	35.36	28.76	22.09	15.70	10.15	5.75
1900–1902 ²	51.08	52.15	43.77	36.42	29.17	21.89	15.23	9.59	5.50
1909–1911 ²	53.62	53.57	44.88	36.96	29.26	21.74	14.92	9.38	5.35
1919–1921 ³	58.53	55.17	46.46	38.72	30.94	23.12	15.93	9.94	5.70
1929–1931	62.67	57.65	48.52	39.99	31.52	23.41	16.05	9.98	5.63
1939–1941	67.29	60.85	51.38	42.21	33.25	24.72	17.00	10.50	5.88
1949–1951	72.03	64.26	54.56	45.00	35.64	26.76	18.64	11.68	6.59
1959–1961 ⁵	74.19	66.05	56.29	46.63	37.13	28.08	19.69	12.38	6.67
1969–1971 ⁶	75.49	66.97	57.24	47.60	38.12	29.11	20.79	13.37	7.59
1979–1981	78.22	69.21	59.44	49.76	40.16	30.96	22.45	14.89	8.65
1990	79.4	70.1	60.3	50.6	41.0	31.6	23.0	15.4	9.0
1992	79.8	70.4	60.6	50.9	41.2	31.9	23.2	15.6	9.2
1993	79.5	70.1	60.3	50.6	41.0	31.7	23.0	15.3	8.9

1995	79.6	70.2	60.4	50.6	41.0	31.7	23.0	15.4	8.9
1997	79.9	70.5	60.7	50.9	41.3	32.0	23.2	15.5	9.1
1998	80.0	70.6	60.8	51.0	41.4	32.0	23.3	15.6	9.1
1999	79.9	70.5	60.6	50.9	41.3	31.9	23.2	15.5	9.0
2000	80.0	70.5	60.7	50.9	41.3	32.0	23.2	15.5	9.1
2001	80.2	70.8	60.9	51.2	41.6	32.3	23.5	15.7	9.3
All other males⁴									
1900–1902 ²	32.54	41.90	35.11	29.25	23.12	17.34	12.62	8.33	5.12
1909–1911 ²	34.05	40.65	33.46	27.33	21.57	16.21	11.67	8.00	5.53
1919–1921 ³	47.14	45.99	38.36	32.51	26.53	20.47	14.74	9.58	5.83
1929–1931	47.55	44.27	35.95	29.45	23.36	17.92	13.15	8.78	5.42
1939–1941	52.33	48.54	39.74	32.25	25.23	19.18	14.38	10.06	6.46
1949–1951	58.91	52.96	43.73	35.31	27.29	20.25	14.91	10.74	7.07
1959–1961 ⁵	61.48	55.19	45.78	37.05	28.72	21.28	15.29	10.81	6.87
1969–1971 ⁶	60.98	53.67	44.37	36.20	28.29	21.24	15.35	10.68	7.57
1979–1981	65.63	57.40	47.87	39.13	30.64	22.92	16.54	11.36	7.22
1990	67.0	58.5	49.0	40.3	31.9	23.9	17.0	11.4	7.0
1992	67.7	59.0	49.6	40.9	32.4	24.5	17.5	11.7	7.2
1993	67.3	58.6	49.2	40.6	32.2	24.3	17.3	11.5	6.9
1995	67.9	59.1	49.6	40.8	32.4	24.6	17.6	11.7	7.0
1997	69.8	60.9	51.4	42.5	33.7	25.5	18.3	12.4	7.9
1998	67.6	59.0	49.5	40.6	31.9	23.9	17.1	11.5	7.1
1999	67.8	59.2	49.6	40.7	31.9	24.0	17.2	11.6	7.2
2000	68.3	59.6	50.0	41.1	32.3	24.3	17.5	11.8	7.4
2001	68.6	59.8	50.3	41.4	32.5	24.4	17.5	11.7	7.3
All other females⁴									
1900–1902 ²	35.04	43.02	36.89	30.70	24.37	18.67	13.60	9.62	6.48
1909–1911 ²	37.67	42.84	36.14	29.61	23.34	17.65	12.78	9.22	6.05
1919–1921 ³	46.92	44.54	37.15	31.48	25.60	19.76	14.69	10.25	6.58
1929–1931	49.51	45.33	37.22	30.67	24.30	18.60	14.22	10.38	6.90
1939–1941	55.51	50.83	42.14	34.52	27.31	21.04	16.14	11.81	8.00
1949–1951	62.70	56.17	46.77	38.02	29.82	22.67	16.95	12.29	8.15
1959–1961 ⁵	66.47	59.72	50.07	40.83	32.16	24.31	17.83	12.46	7.66
1969–1971 ⁶	69.05	61.49	51.85	42.61	33.87	25.97	19.02	13.30	9.01
1979–1981	74.00	65.64	55.88	46.39	37.16	28.59	20.49	14.44	9.17
1990	75.2	66.6	56.8	47.3	38.1	29.2	21.3	14.5	8.8
1992	75.7	67.0	57.2	47.7	38.4	29.6	21.7	14.8	8.9
1993	75.5	66.7	56.9	47.4	38.2	29.5	21.4	14.5	8.7
1995	75.7	66.8	57.0	47.5	38.3	29.6	21.5	14.5	8.7
1997	76.7	67.8	58.0	48.4	39.1	30.3	22.1	15.1	9.4
1998	74.8	66.0	56.2	46.7	37.5	28.8	21.0	14.1	8.7
1999	74.7	66.0	56.2	46.6	37.4	28.7	20.9	14.0	8.6
2000	75.0	66.2	56.4	46.8	37.6	29.0	21.0	14.1	8.7
2001	75.5	66.6	56.8	47.2	38.0	29.3	21.5	14.7	9.2

1. Massachusetts only; white and nonwhite combined, the latter being about 1% of the total.

Source: U.S. Dept. of Commerce, Bureau of the Census, *Historical Statistics of the United States*.

2. Original Death Registration States.

3. Death Registration States of 1920.

4. Data for periods 1900–1902, 1929–1931, 1998, 1999, relate to blacks only.

5. Alaska and Hawaii included beginning in 1959.

6. Deaths of nonresidents of the United States excluded starting in 1970.

Sources: Department of Health and Human Services, National Center for Health Statistics; *National Vital Statistics Reports*, vol 52., no. 3, Sept. 18, 2003. Web: www.dhhs.gov .

Life Expectancy Then and Now: 1800 vs. Today

By [Sharon Basaraba](#) Updated on August 08, 2025

✓ Fact checked by [Nick Blackmer](#)

Key Takeaways

Life expectancy in the year 1800 was no older than 40 years globally. Modern life expectancies of around 78 years in the United States are largely due to improvements in infant mortality and public health measures such as vaccines.

Great improvements can be seen over the average life expectancy for someone living in prehistoric times, which was only about 30 years.

In 2023, the average life expectancy in the United States was 78.4 (75.8 years for males and 80.1 years for females).^[1] That's a big jump from the year 1800, when the average life expectancy was no higher than 40 years in any part of the world.^[2] Lower child mortality rates and modern disease prevention have helped contribute to our longer life expectancy.



Credit: Jose Luis Palaez Inc / Getty Images

1800s and Today

From the 1500s until the early 1800s, life expectancy throughout Europe hovered between 30 and 40 years. This was due in part to infant mortality rates that remained at 25% until 1800. ^[3]

However, from the mid-1800s onward, estimated life expectancy at birth doubled every 10 generations due to improved health care, sanitation, immunizations, access to clean water, and better nutrition. ^[4]

Lifespan vs. Life Expectancy

Lifespan is a measure of the actual length of an individual's life. **Life expectancy** is the average lifespan of an entire population, which can

Even so, diseases like rheumatic fever, typhoid, and scarlet fever still impacted life expectancy during the 1800s and early 1900s. But as science progressed and newly created vaccines offered protection against many of these and other illnesses, life expectancy began to rapidly increase.

Today, more than half the world's countries boast life expectancy figures of more than 75 years, according to data compiled by the Central Intelligence Agency.^[5]

Here is a short breakdown of average life expectancy from ancient times to the mid-18th century:

Era	Years	Average Life Expectancy
Neolithic Age	10,000–4500 BC	28–33 years
Bronze Age	3300–1200 BC	28–38 years
Ancient Greece and Rome	510–330 BC	20–35 years
Early Middle Ages	476–1000 AD	31 years
Pre-Columbian Mesoamerica	1175–1520 AD	24–32 years
Late Medieval Period	1300–1500 AD	30–33 years
Early modern Britain	1450–1750 AD	33–42 years
Industrial Age	1760–1860 AD	38–44 years

Sources listed under "Additional Reading"

Ancient Through Pre-Industrial Times

Life expectancy estimates from ancient to pre-industrial times haven't

Scientists note that the main factors limiting life expectancy were infant deaths and early deaths caused by malnutrition or disease. This included

population.^[6]

Similar losses were attributed to smallpox, which resulted in pandemics during the 11th century (attributed to the Crusades) and the 17th century (due to the immigration of European settlers into North America).^[7]

Widespread poverty also led to malnutrition and early death in ancient times in the same way as it does today.^[8]

Prehistoric Life Expectancy

Until fairly recently, little information existed about how long prehistoric people lived. Having access to too few fossilized human remains has made it difficult for historians to estimate the demographics (statistical characteristics) of these populations.

Research suggests that the average life expectancy of Paleolithic-era people (12,000 years ago and earlier) was around 33 years.^[9]

In 2006, scientists at Central Michigan University and the University of California, Riverside, chose to analyze what is known as the “relative age” of fossilized skeletons found in archeological digs throughout Africa, Europe, and elsewhere.^[10]

Relative age is the comparison of one fossil to another fossil to determine which is younger or older. Using carbon dating and other techniques, scientists can estimate how long two individuals living in the same time period may have survived.

After comparing the proportion of those who died at a younger age to

the shift the “Evolution of Grandparents,” marking the first time in human history that three generations may have co-existed.^[11]

In the same way that the Black Plague reversed life expectancy gains during the 14th century, pandemic diseases like the Spanish flu (1918–1920) and COVID-19 have done the same in the 20th and 21st centuries. Other factors like drug overdose, suicide, homicide, and heart disease have also had an impact. ^{[12][13]}

According to the Centers for Disease Control and Prevention (CDC), life expectancy in the United States declined two years in a row from 79 years in 2019 to 77 years in 2020 to 76.1 years in 2021. It was the biggest two-year decline in life expectancy since the years 1921 to 1923. ^[14]

The decline was largely driven by the COVID-19 pandemic, which accounted for 74% of the decline from 2019 to 2020 and 50% of the decline from 2020 to 2021. ^[14]

Other researchers predict that lifestyle factors like obesity may halt or even reverse the rise in life expectancy.




Epidemiologist S. Jay Olshanky warns that in the United States—where two-thirds of the population is overweight or obese—complications like heart disease and type 2 diabetes could very well reverse gains made in the first half of the 21st century. ^[15]

At the same time, increasing life expectancy in developed countries like the United States may bring both good and bad news. In short, by living longer, people are at greater risk of dying from aging-related illnesses like coronary artery disease, certain cancers, and Alzheimer's disease. Until cures are found, these conditions could very well create a “glass ceiling” for how long a person can live.

Many of these aging-related conditions can be prevented or delayed

United States of America Life Expectancy & Mortality (2026)

WHAT TO KNOW

-  Life expectancy at birth in 2026: 79.8 years—moderate by global standards.
-  Life expectancy has increased by 12 years since 1950.
-  Projected life expectancy in 2100: 89.2 years.

KEY STATISTICS FOR 2026

LIFE EXPECTANCY

79.8 years

INFANT MORTALITY

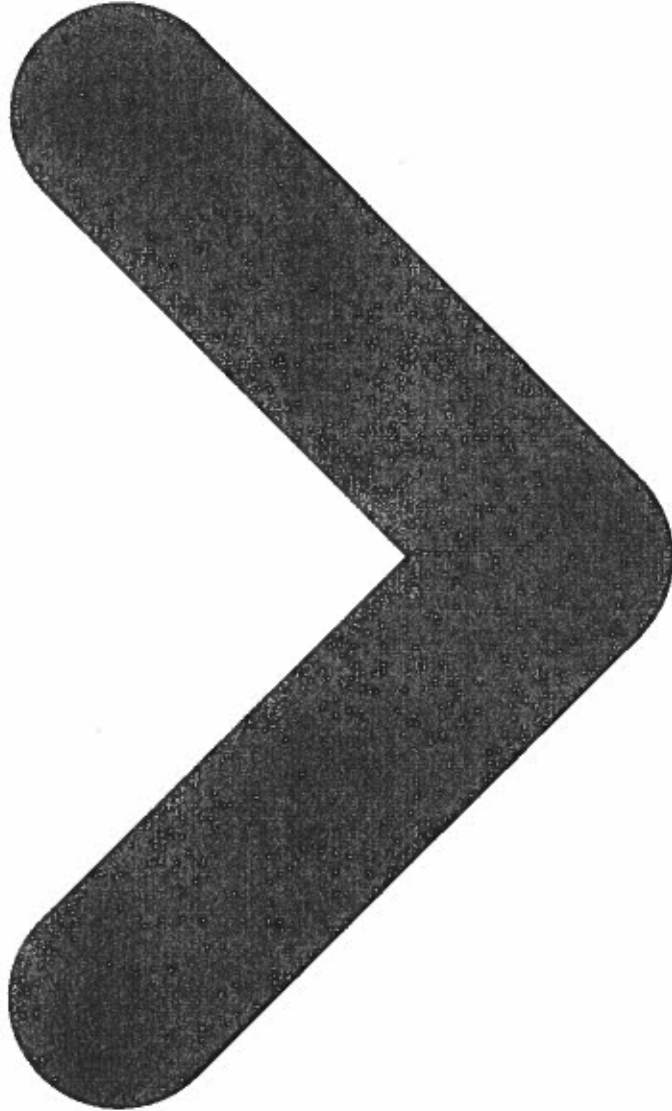
4.7 per 1,000 births

UNDER-5 MORTALITY

5.6 per 1,000 births

CRUDE DEATH RATE

9.0 per 1,000 people



Key
terms

LIFE EXPECTANCY



Chart



Table

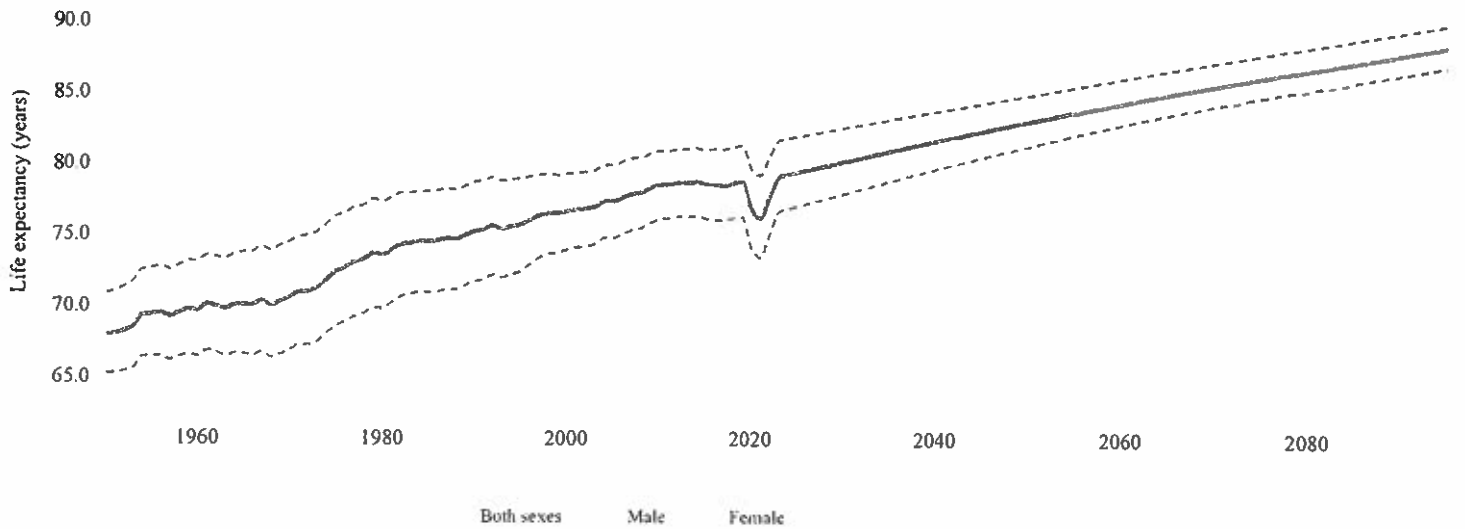


Export



How long do people live? ⓘ

Average number of years a newborn is expected to live



BOTH SEXES IN 2026

79.8 years

MALE IN 2026

77.4 years

Projection

FEMALE IN 2026

82.2 years

Life expectancy has risen by 12 years since 1950, reflecting improvements in healthcare, nutrition, and living conditions.

EXHIBIT TWO

12/31/2021

Here are other Trump administration headlines from Tuesday.

Abrego Garcia update: A newly unsealed order in the criminal case against Marylander Kilmor Abrego Garcia shows that high-level Justice Department officials pushed for his indictment after he was mistakenly deported and then ordered returned to the U.S.

Abrego Garcia has pleaded not guilty in federal court in Tennessee to charges of human smuggling. He is seeking to have the case dismissed on the grounds that the prosecution is vindictive — a way for President Donald Trump's administration to punish him for the embarrassment of his mistaken deportation.

CFPB funding to continue: The White House cannot lapse in its funding of the Consumer Financial Protection Bureau, a federal district court judge ruled on Tuesday, only days before funds at the bureau would have likely run out and the consumer finance agency would have no money to pay its employees.

Judge Amy Berman ruled that the CFPB should continue to get its funds from the Federal Reserve, despite the Fed operating at a loss, and that the White House's new legal argument about how the CFPB gets its funds is not valid.

At the heart of this case is whether Russell Vought, President Donald Trump's budget director and the acting director of the CFPB, can effectively shut down the agency and lay off all of the bureau's employees.

The CFPB has largely been inoperable since President Trump was sworn into office nearly a year ago.

Its employees are mostly forbidden from doing any work, and most of the bureau's operations this year has been to unwind the work it did under President Joe Biden and even under Trump's first term.

— Associated Press

of course," he said.

It was that kind of year. AI-infected, exhausting and slightly nonsensical. To catalog the events of 2021, The Baltimore Sun is going back to the basics — our ABCs. From A to Z, here's what happened this past year in Maryland and beyond.

A K for State Sen. Darya Attar charged with extortion in October by the feds, who allege she resorted to blackmail and intimidation to prevent an ex-consultant and political rival from harming her campaigns. The Baltimore City Democrat has pleaded not guilty and, in a motion to dismiss the charges in December.

Turn to MOMENTS, Page 2

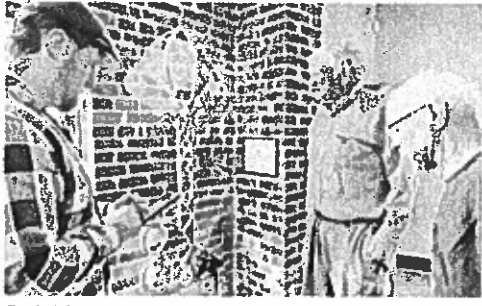


The Ravens released longtime kicker Justin Tucker left, in May after more than a dozen female massage therapists accused him of inappropriate sexual behavior. The Baltimore Museum of Art scooped up the exhibit, "Amy Sherard: American Sublime," right.



Vincent Schiraldi spent a sometimes tumultuous two-year run at the helm of Maryland's juvenile corrections facilities and programs before leaving the post in June.

Unique NYE celebrations



Frederick hosts an annual key drop on New Year's Eve. The symbolic key honors town native Francis Scott Key, the author of "The Star-Spangled Banner." From left, Adam Lawrence, co-chair of the key drop, adjusts the light intensity, while Jeff Fishman, past president of the Frederick Civitan Club, and Leonard Brown, an engineer who added over 300 lights, look toward the 80-pound sculpture at the Frederick Visitor Center. **KARL MERTON FERRON/STAFF**

INSIDE

While Easton serves up its crab drop each NYE, other cities around the U.S. celebrate with fruits, veggies and cheese. **Page 6**

Maryland towns, such as Frederick, left choose strange objects to ring in the New Year. **Page 6**

Remembering the Marylanders who died in 2021, from trailblazers in the arts and education to leaders in journalism, finance, public service and sports. **Page 7**

COMING THURSDAY

Take a look back at the year's events through photos from Baltimore Sun staffers.

2023 when the announced increase in value for the same group was 20.6%.

"Property values are still rising, but at a more sustainable pace," Bob Yeager, director of SDAI, said in a statement. "After the rapid increases seen during the post-COVID recovery, this moderation is an impor-

Denise Lewis, president of Maryland Realtors, sees the slower growth as a good thing for both buyers and sellers.

"We're still thriving... property values are still increasing," she said. "But we really feel that, espe-

Turn to 2026, Page 7

Flu surge sending patients to hospitals, stressing area ERs

By Bridget Byrne

An early, severe surge of flu cases is sending patients to emergency rooms in Central Maryland hospitals and creating "capacity challenges," medical professionals say.

One regional provider is directing patients with non-emergency needs to urgent care clinics over ER visits, while experts are encouraging more people to get vaccinated in the face of a particularly harmful strain, influenza A variant H3N2.

The season is starting earlier than last year, and we imagine that we're going to see additional cases occur coming out of the Christmas holiday and then followed by New Year's," said Jean Murray, Luminis Health's director of infection prevention and epidemiology. Luminis Health operates Anne Arundel Medical Center and Doctors Community Medical Center in Lanham.

Maryland is in a period of high respiratory illness activity, according to the most recent data available on the Maryland Department of Health Influenza Dashboard.

Between Sept. 28 and Tuesday, 1,261 people in Maryland have been hospitalized and seven adults have died.

At this time last year, there were fewer than 500 such hospitalizations, according to the 2021-2025 Annual Maryland Influenza Season Summary.

Luminis Health officials noticed an increase in flu visits shortly after Thanksgiving, Murray said. This time last year, there were roughly 20 people hospitalized with the flu between the two locations, but currently, there are 54, she said.

The University of Maryland Medical System, which operates 11 hospitals

Turn to FLU, Page 6

SPOTLIGHT ON MARYLAND

State's senior wave is coming — and oversight systems are already cracking

By Gary Collins and Steve Earley
Spotlight on Maryland

Maryland's future is already written into its population charts. Within the next two decades, more than a quarter of the state's residents will be 65 or older, marking a transformation largely driven by the aging Baby Boomer generation and one that

state leaders openly acknowledge will reshape everything from housing to health care.

What remains far less clear is whether Maryland is prepared, not in theory, but in practice, to protect its most vulnerable older residents amid a prevalence of unlicensed assisted living facilities going unchecked by state regulators.

A spotlight on Maryland investigation has found more than 115 suspected unlicensed assisted living facilities in Baltimore, despite a 2023 law that made it a felony to operate such facilities. Some lawyers and advocates have referred to it as senior "trafficking."

State enforcement of the current law has been slow. Until Spotlight's first report

on Nov. 11, the state had only sent one referral to the attorney general's office since 2023. Late last month, after multiple reports about unlicensed assisted living facilities, the attorney general received its first referral of the year. There have been zero prosecutions since the legislative change in 2023.

State data obtained by The Baltimore Sun

shows Maryland's 65 and older population will grow from about 1 million people today to roughly 1.44 million by 2040, increasing from 16% of the population to more than 26%.

By the middle of the century, that growth begins to level off, but only after decades of unprecedented

Turn to SYSTEMS, Page 7

Fatalities on roadways down in Baltimore City

Crashes in Baltimore City have continued a downward trend in the last year, bringing along with it the number of roadway fatalities. Advocates and experts credit the city's advances in traffic safety and accountability. **Page 3**

1 dead, 1 hurt in separate fires in Balto. County

One person died and another was injured in separate fires late Monday. The Baltimore County Fire Department said crews found a vehicle on fire and one person suffered life-threatening injuries. **Page 3**

Professor to make 'Jeopardy!' appearance

A Carroll County professor will again compete on "Jeopardy!" The 33-year-old teaches music at McDaniel College, Carroll Community College and Towson University. The former "Jeopardy!" champion has won two games in the past. **Page 5**

READER POLL

Heading into the new year, how do you feel about the direction of state and U.S. politics?

Vote at baltimoresun.com/readerpoll or by scanning this QR code with your phone.

The Baltimore Sun reader poll is an unscientific survey in which website users volunteer their opinions on the subject of the poll.



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who also served in a prominent national church, died at Med-Star Union Memorial Hospital.

Feb. 9: Beverly Byron, 92 Ms Byron represented West-cro Maryland, including Hagerstown and Cumberland, in the U.S. House of Representatives for 14 years. She died of heart failure.

Feb. 11: Frank S. Turner, 77 The first African American from Howard County to

from apparent carbon monoxide poisoning. He ran the family-owned business with his two sons, Pete and Nicholas, his daughter, Christine, and other family members. The business was founded in 1971.

April 8: Vicki Brick Zupanic, 43 The CEO of Brick Bishes Fitness Services and a standout athlete at McDonough School and the University of Maryland, died

May 4: Julia Alexander, 57 Ms Alexander concluded an 11-year tenure last fall as the first female director of the Walters Art Museum. She died at Greater Baltimore Medical Center after suffering a heart attack.

May 22: Jim "Henny" Henneman, 89 A staple at Orioles games since the team arrived in 1954, Mr. Henneman covered them for The Baltimore Sun, among other

Aug. 1: Samuel Jordan, 70 The fierce advocate for Baltimore's long-proposed Red Line transit project died at his home in Baltimore after being hospitalized for leukemia.

Aug. 9: Mark R. Fetting, 70 The former CEO of Baltimore-based Legco Mason during the 2008 recession loved Broadway musicals and had deep roots in the city. He died of a heart attack

consultant in his career before being elected to the House of Delegates in November 2010.

Nov. 6: Anthony Burksdale, 53 Mr. Burksdale was a former Baltimore Police official who was serving as the city's deputy mayor for public safety. A cause of death was not disclosed, though Mr. Burksdale had long struggled with heart issues. The West Baltimore native was credited

to The Baltimore native and actor known for his role in "The Wire" died by suicide. Ransone attended the Carver Center for Arts and Technology in Towson from 1993 to 1997 before attending the School of Visual Arts in Manhattan. In 2003, Ransone played Zuggy Sobokan in season 2 of "The Wire." The HBO drama series centered on Baltimore's drug trade and policing.

2026

from Page 1

cially for first-time homebuyers, a little slower pace in growth can help reduce bidding pressure, so that they're not having to give away the farm to get a house."

Buyers will have more time to plan, Lewis said, and sellers are still seeing rising prices — though not as aggressive of a rise as previous years.

The state appraises its more than 2 million property accounts once every three years, splitting properties in each county and Baltimore City into three groups. One group gets reassessed every year.

Property owners in Group 2 can expect to receive their assessment notices soon — they were mailed on Tuesday. Appeals must be filed within 45 days of the notice date. Each reassessment notice will indicate whether the property is the owner's principal residence and will show the status of their homestead tax credit application.

Statewide, homes jumped an average of 13.2% in value in the new

assessment, while commercial properties rose 11% over the three-year period.

In Baltimore City, residential assessments rose 13.4%, slightly above the statewide average, while commercial properties increased by 7.1%. In Baltimore County, residential properties increased by 12.4%, and commercial properties by 11.3%.

There could be several reasons for that, Lewis said — the city could be coming off a lower evaluation baseline, while the county may have had a higher, more stable evaluation, making its growth appear slower. There's been more reinvestment in various downtown neighborhoods, she said, along with new construction in the form of higher share, multi-family and mixed use development, as well as additional investor and commercial activity in the city as compared to the county.

However, both city and county rates decreased compared to last year's combined residential and commercial assessments for Group 1 properties.

If an owner's property value goes up because of

the reassessment, the increase will be phased in equally over the next three years. However, state law caps the taxable portion of the rise at 10% annually, and many local governments have capped increases at lower percentages.

Baltimore City and Baltimore County, for instance, both have 4% annual caps on taxable assessments. Anne Arundel County has a 2% taxable assessment cap while Carroll, Howard and Harford counties all have a 5% taxable assessment cap. The annual county assessment caps only apply to owner-occupied properties.

Some of the more significant changes occurred outside the Baltimore region.

Washington County in Western Maryland had the most significant increase in combined residential and commercial property values across the state, at 19.5%. Its residential property values increased by 22.8%, the highest in the state. The county is one of Maryland's "best kept secrets," Lewis said — it's seeing "spillover" from neighboring Frederick

County, where homes are less affordable and attainable for some.

Talbot County, a rural Eastern Shore county, had the largest jump in commercial property values in the state, increasing by 21.9%. Its residential property values also increased by 18.2%, and Lewis, of Maryland Realtors, said it's a strong second home market.

Other counties with high percentage changes in combined residential and commercial properties were Frederick (16.6%) and Wicomico (16.1%). Queen Anne's County and Carroll County both saw 15.8% increases in combined commercial and residential property values.

The 2026 assessments were based on an evaluation of 57,543 sales that occurred within that group over the last three years. A majority — 92.7% — of residential properties in Group 2 saw increases in property value. Any loss in value will be fully reflected in the 2026 tax year.

Have a news tip? Contact Natalie Jones at najones@baltsun.com

Reassessment Group 2 change in full cash value from 2023 to 2026

How does the value of properties in the newly reassessed Group 2 properties are reassessed every three years) compare with the last time the group was reassessed?

Area/County	Residential	Commercial
Annapolis	14.4%	10.9%
Anne Arundel	11.3%	11.2%
Carroll	15.8%	15.8%
Cecil	15.1%	14.0%
Chesapeake	12.7%	12.8%
Frederick	16.6%	16.6%
Harford	15.8%	15.8%
Howard	15.8%	15.8%
Montgomery	13.6%	13.6%
Prince George's	10.2%	10.2%
Queen Anne's	15.8%	15.8%
St. Mary's	13.0%	13.0%
Solomons	12.0%	12.0%
Talbot	18.2%	21.9%
Washington	22.8%	19.5%
Wicomico	16.1%	16.1%
Worcester	10.8%	10.8%
Statewide	13.2%	11.0%

Note: Maryland Department of General Services (DGS) property assessment data is based on a combination of 2023 and 2024 data. The data is based on a combination of 2023 and 2024 data. The data is based on a combination of 2023 and 2024 data. The data is based on a combination of 2023 and 2024 data.

SYSTEMS

from Page 1

strain on systems already showing cracks.

"Our senior population is growing significantly," said Del. Bonnie Cullison, the Democratic vice chair of the Maryland House Health and Government Operations Committee (HGO), during an early December interview with Spotlight on Maryland. Cullison's committee is tasked with overseeing assisted living regulations and long-term care policies.

Yet months of investigative reporting by Spotlight on Maryland show that, as the state braces for longevity, it continues to struggle with basic enforcement, allowing what observers allege is a shadow network of unlicensed assisted living homes to operate largely unchecked.

Critics universally claim those failures expose older adults to neglect, exploitation and, in some cases, deadly conditions.

Del. Brian Chisholm, an Anne Arundel County Republican and a member of HGO, did not hesitate when asked if Maryland is ready for the wave of older adults approaching retirement and long-term care.

course not."

Chisholm said the demographic shift threatens to collide with another reality: a shrinking tax base, as many residents exit the workforce, which will likely reduce the revenue needed to fund oversight and care.

Spotlight on Maryland has documented how some vulnerable adults are moved from hospitals and other locations into unlicensed assisted living facilities that operators often label as "supportive housing" to avoid regulations. These homes fall into the gray areas between agencies, allowing their owners to bypass inspections, staffing requirements and safety standards imposed on licensed facilities. Chisholm said the issue is well known inside Annapolis, even if it is rarely addressed head-on.

"It's known, but not really spoken out loud," Chisholm said. "[They say] you don't really understand the whole complexity of the problem; it's been there for seven years." A 10-year roadmap.

In January 2024, Maryland Gov. Wes Moore acknowledged the scale of Maryland's aging challenge

by ordering the Department of Aging to produce a 10-year roadmap for the state. The resulting plan, dubbed Longevity Ready Maryland, was released in July with generalized language about preparing for a future in which older adults begin to outnumber younger residents.

The Maryland Department of Aging acknowledged Spotlight on Maryland's request for an interview but said it could not make an official available to answer questions until 2026. In an emailed response, communications director Barbara Sigler said that the agency launched "Longevity Ready Maryland," a 10-year plan backed by the Moore-Miller administration that focuses on helping seniors age in place, supporting caregivers and strengthening the workforce through better data and technology.

Sigler said the department does not regulate assisted living or nursing homes, describing its role as an advocate rather than an enforcement agency. She said complaints about unlicensed assisted living facilities are referred to investigative agencies and pointed to existing resources available to sen-

iors, including Maryland Access Point, the Long-Term Care Ombudsman and public guardianship.

Meanwhile, the agency's planning document calls for "complete streets" to make roadways safer for seniors, "all-payer health equity approaches," and "supportive communities initiatives." It frames aging as a shared societal issue touching nearly every sector of government.

What it does not do is directly confront the most persistent and documented failures in Maryland's senior care system.

The plan contains no specific enforcement benchmarks for identifying and shutting down unlicensed assisted living homes. It does not outline staffing needs for inspection units, timelines for closing regulatory loopholes, or safeguards to prevent hospitals and agencies from placing seniors into illegally operated facilities.

Instead, it emphasizes collaboration, modeling and long-term vision, which critics like Chisholm say feel disconnected from the immediate risks both seniors and the state face. Chisholm said that disconnect matters as Maryland's senior population is

expected to surge.

Unlicensed operators thrive in the gaps between agencies, relying on the same "community based" and "supportive housing" language now echoed throughout the state's longevity framework. Without clear definitions and enforcement authority, advocates have warned for months that similar plans could inadvertently legitimize the very pathways that allow abuse to persist.

Maryland's own aging projections suggest the state has little time to change course. As the population ages, demand for affordable housing, qualified healthcare workers, transportation, and oversight will only intensify.

Details in the data: National and state data indicate that over the next three decades, people aged 65 and older could account for roughly 20-22% of Maryland's total population, a sharp increase from approximately 15.16% by 2040.

Maryland's biggest suburbs outside Washington, D.C., in Montgomery and Prince George's counties, are expected to see 4.2% and 5.3% increases, respec-

tively. Both counties have senior populations exceeding half a million residents.

The burden is not evenly shared.

Smaller rural Maryland counties, such as Carroll and Calvert, may see high growth rates among older cohorts even if their overall populations remain flat, data suggest. Lawmakers like Chisholm said this could strain local systems that are less resourced than their suburban counterparts.

"I think, unfortunately, we are going to be looking at budget deficits, after budget deficit, after budget deficit," Chisholm said. "If we really do want to keep our families together and keep our senior citizens here and staying with their families, we are going to have to change the trajectory of how we are doing things in the state of Maryland."

"Right now, we are a house of cards," Chisholm added.

Send news tips to gen@lmsa.org or contact Spotlight on Maryland's hotline at (410) 467-4670. Spotlight on Maryland is a collaboration between The Baltimore Sun, FOX45 News and WJLA in Washington, D.C.

EXHIBIT THREE

Senior Judges

What are senior judges?

The Pennsylvania Constitution requires that judges must retire at age 75, but retired judges may, with the approval of the state court administrator, continue to serve the Commonwealth as senior judges.

This judicial service helps ease court backlogs by targeting areas that specifically need help, whether it be from an increased caseload, an unexpected judicial vacancy or a case in which a county needs an outside judge because judges in a county have a conflict of interest. Senior judges bring a wealth of experience and understanding of the system and have the flexibility to be used for short-or-long-term assignments anywhere in the state cost effectively. Because of compensation and service limits, senior judges often hear cases without pay, providing pro bono work to the Commonwealth. It is estimated that in fiscal year 2014-15, the use of senior judges in the Courts of Common Pleas alone saved taxpayers more than \$5.3 million.

To be eligible for senior certification, a jurist must meet the following requirements:

- have served as a magisterial district judge, judge or justice, whether or not continuously or on the same court, by election or appointment for an aggregate period equaling 10 years
- be at least 65 years of age on the date he or she begins senior service or have a combination of years of judicial service plus age that totals at least 70 for magisterial district judges or at least 80 for judges and justices.

Revised January 2017

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Judicial Service in the District of Columbia Courts Frequently Asked Questions

How long do District of Columbia judges serve?

Judges are appointed to either the Superior Court of the District of Columbia ("Superior Court") or the District of Columbia Court of Appeals ("Court of Appeals") for an initial term of fifteen years. At the end of this term, judges may apply and be reappointed to successive terms. The Commission on Judicial Disabilities and Tenure (CJDT) evaluates judges seeking reappointment. Judges may retire at any age after ten years of service, and are eligible for retirement benefits based on a combination of age and years of service. All judges must retire from active service by age 74, but may apply for appointment as a senior judge.

How are District of Columbia judges reappointed?

Judges who have served a full term, and have not reached the mandatory retirement age, may apply for reappointment to a full term. The CJDT evaluates all judges seeking reappointment, and makes recommendations to the President. Senate confirmation of reappointment is not required if the CJDT determines the judge to be well-qualified for reappointment. A judge retired for reasons other than disability may apply for appointment as a senior judge. The CJDT also evaluates all judges seeking senior status, and makes recommendations to the appropriate Chief Judge. Senior judges are evaluated for reappointment every four years until age 74, at which point they are evaluated every two years.

How are judges assigned to cases?

The Court of Appeals is the highest court of the District of Columbia. Its judges review all final orders and judgments from Superior Court, and orders and decisions of District of Columbia governmental administrative agencies, boards, and commissions. Cases before the Court of Appeals are decided by randomly selected three-judge panels, unless the court has agreed to hear a matter en banc. Superior Court is a court of general jurisdiction, with its judges presiding over cases spanning the full range of civil and criminal matters. Superior Court is divided by subject matter into the Civil Division, Criminal Division, Family Court, Probate Division, Tax Division, and the Domestic Violence Unit. The Chief Judge assigns each Associate Judge to a division, and there is some rotation in assignments within the divisions as determined by the Chief Judge. Associate Judges are expected to willingly serve in each of the Divisions of the Court.

What is the compensation provided to District of Columbia judges?

Salaries for judges of the District of Columbia courts are identical to those of federal judges. Information about federal judicial salaries is available here: <http://www.uscourts.gov/judges-judgeships/judicial-compensation>. The District of Columbia judges' retirement plan is administered by the U.S. Department of Treasury. Detailed information about the judicial retirement plan is at the U.S. Department of Treasury website: http://www.treasury.gov/about/organizational-structure/offices/Mgt/Documents/PO84004_2014-03800%20File_R%20-%201.pdf.

Are District of Columbia judges required to submit financial reports?

Yes. By statute, judges of both courts are required to submit to the CJDT annual, detailed financial reports covering their own and their spouse's income. The reports are available for public inspection upon request. The

financial reporting requirements for judges and their spouses were changed and expanded for reports filed in or after 2017.

Are District of Columbia judges subject to performance evaluations?

Yes. In addition to the review undertaken by the CJDT described above, the Judicial Evaluation Committee of the DC Bar conducts performance evaluations. The Committee solicits input only from attorneys who appeared before the judge being evaluated. Judges are evaluated in their second, sixth, tenth, and thirteenth years of service.

Senior judges are evaluated in the second year of a four-year term, and once during a two-year term. Judges receive copies of the evaluation results, and the Chief Judge of each court receives the results of the evaluations of all judges in his or her court. In addition, the CJDT receives the evaluations of senior judges and of judges in their sixth, tenth, and thirteenth years of service.

Are judges allowed to continue participating in personal, extrajudicial activities?

The Code of Judicial Conduct of the District of Columbia establishes standards for the ethical conduct of judges and judicial candidates. Prospective judicial applicants should carefully review each of the Canons, which describe, among other items, the standards and limitations for participation in extrajudicial activities. Applicants should particularly note that Canon 4, addressing political and campaign activity, expressly applies to judicial candidates. The Code of Judicial Conduct is on the District of Columbia Courts' website: <https://www.dccourts.gov/about/code-of-judicial-conduct>.

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Code of Virginia
Title 51.1. Pensions, Benefits, and Retirement
Chapter 3. Judicial Retirement System

§ 51.1-305. Service retirement generally.

A. Normal retirement. -- Any member in service at his normal retirement date with five or more years creditable service may retire upon written notification to the Board setting forth the date the retirement is to become effective.

B. Early retirement. -- Any member in service who has either (i) attained his fifty-fifth birthday with five or more years of creditable service or (ii) in the case of a member of any of the previous systems immediately prior to July 1, 1970, complied with the requirements for retirement set forth under the provisions of such previous system as in effect immediately prior to July 1, 1970, may retire upon written notification to the Board setting forth the date the retirement is to become effective.

B1. Mandatory retirement. -- Any member who attains 73 years of age shall be retired 20 days after the convening of the next regular session of the General Assembly following his seventy-third birthday.

C. Deferred retirement for members terminating service. -- Any member who terminates service after five or more years of creditable service may retire under the provisions of subsection A or B of this section, if he has not withdrawn his accumulated contributions prior to the effective date of his retirement or if he has five or more years of creditable service for which his employer has paid the contributions and such contributions cannot be withdrawn. For the purposes of this subsection, any requirements as to the member being in service shall not apply.

D. Effective date of retirement. -- The effective date of retirement shall be after the last day of service of the member, but shall not be more than 90 days prior to the filing of the notice of retirement.

E. Notification of retirement. -- In addition to the notice to the Board required by this section, the same notice shall be given by the member to his appointing authority. If a member is physically or mentally unable to submit written notification of his intention to retire, the member's appointing authority may submit notification to the Board on his behalf.

1970, c. 779, § 51-167; 1977, c. 620; 1982, c. 427; 1986, c. 474; 1988, c. 222; 1990, c. 832; 1992, c. 694; 2005, c. 288; 2011, c. 483; 2015, cc. 762, 773; 2016, c. 667.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

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EXHIBIT FOUR

Department of Legislative Services
 Maryland General Assembly
 2025 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 74 (Senator Muse)
 Judicial Proceedings

Judges – Mandatory Retirement Age

This proposed constitutional amendment, if approved by the voters at the next general election, would raise the mandatory retirement age, from 70 to 75, for justices of the Supreme Court of Maryland and judges of the Appellate Court of Maryland, circuit courts, and the District court.

Fiscal Summary

State Effect: If approved by the voters at referendum, State pension liabilities likely *decrease* by approximately \$24.0 million and the normal cost decreases by \$1.3 million. Therefore, State pension contributions (general funds) likely decrease by \$4.6 million beginning in FY 2029; out-years reflect actuarial assumptions. No effect on revenues.

(\$ in millions)	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	0	0	0	(4.55)	(4.69)
Net Effect	\$0.00	\$0.00	\$0.00	\$4.55	\$4.69

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: Specified provisions of Article IV of the Maryland Constitution institute mandatory retirement for all circuit, District, and appellate court judges at age 70. However, retired judges, except retired orphans' court judges, may be

appointed on a temporary basis by the Chief Justice of the Supreme Court of Maryland to serve as a judge on any court except an orphans' court, regardless of age. Exceptions allow former circuit court judges in Harford and Montgomery counties to perform acts that a judge of the orphans' court in their respective counties is authorized to perform.

Most judges within the State are appointed and retained through a hybrid process. At all four court levels (the Supreme Court of Maryland, the Appellate Court of Maryland, circuit courts, and the District Court), the Governor appoints a qualified member of the Maryland Bar in the case of a vacancy or the creation of a new judgeship. For both appellate courts, these appointments must be confirmed by the Maryland Senate and the judge or justice holds the office until the first general election following the expiration of one year from the date of the occurrence of the vacancy. At the general election, the incumbent judge's or justice's name is placed on the ballot without opposition and citizens vote for or against the retention of the judge for a 10-year term. For the District Court, judges are appointed by the Governor and serve 10-year terms upon confirmation by the Senate; when they reach the end of their term, they must be reappointed by the Governor with the Senate's consent.

Circuit court judges are also appointed by the Governor and must stand for election at the first general election following the expiration of one year after the occurrence of the vacancy. However, unlike the justices/judges on the appellate courts, they are elected to 15-year terms (which begin following their election) and may face a contested election in which any member of the Maryland Bar who meets the minimum constitutional requirements may challenge the incumbent judges by filing as a candidate.

There is no salary scale for judges or justices; rather, their compensation is dictated by the court on which they sit, not their tenure in that position.

Judges' Retirement System

All circuit, District, and appellate court judges and justices are members of the Judges' Retirement System (JRS) as a condition of their employment. The employee contribution for JRS members is 8% of compensation, but after 16 years of service members cease making employee contributions and earning service credit.

Eligibility requirements for normal service retirements under JRS differ for members who joined before July 1, 2012, and those who joined on or after that date. Members who joined prior to that date vest immediately and are eligible to retire at age 60. Members who joined on or after that date vest after 5 years and are also eligible to retire at age 60. A full-service retirement is equal to two-thirds of the salary of a judge sitting in a similar position as the retiree at the time of termination of employment or retirement; retirees with fewer than 16 years of service in JRS receive a prorated benefit based on their years of service.

As of June 30, 2024, there were 322 active members of JRS with an average age of 57.7. At that time, the average age at retirement for JRS retirees was 65.6 years.

State Expenditures: The proposed constitutional amendment does not alter the total number of sitting judges, and reduced turnover among judges as a result of longer terms on the bench has no effect on judicial compensation, which is not linked to tenure. Therefore, the proposed constitutional amendment has no direct effect on the State's judicial payroll.

Longer Terms for Sitting Judges

The proposed constitutional amendment allows current judges who remain in service and who reach age 70 *on or after* November 2026 to remain in office until age 75 instead of having to retire at age 70. Judges who complete 16 years of service before reaching age 70 already maximize their pension benefit. Thus, the proposed constitutional amendment only adds to pension liabilities for judges that do not, or will not, complete 16 years of service prior to reaching age 70.

The proposed constitutional amendment is subject to approval by the voters at the November 3, 2026 general election. If approved, the amendment would take effect shortly thereafter, when the Governor issues a proclamation that it was adopted. Based on age and tenure information for the 322 active members of JRS:

- 27 judges reach age 70 before the amendment takes effect and have to retire, so the bill does not affect them;
- 45 judges reach age 70 after the amendment takes effect but before accruing the full 16 years of service (assuming they continue serving until age 70); and
- 250 attain the full 16 years of service before reaching age 70 (assuming they continue serving that long).

Pension Costs

For this analysis, the General Assembly's consulting actuary adjusted the retirement assumptions for JRS and amortized new accrued liabilities over 11 years, consistent with the State Retirement and Pension System's amortization policy. Specifically, the actuary delayed the 100% retirement assumption *at* age 70 (the current age of mandatory retirement) to 100% retirement *by* age 75, phased in with 25% of judges retiring by ages 70 or 71, 50% retiring by ages 72 or 73, and 75% retiring by age 74.

Based on these assumptions, the proposed constitutional amendment has two offsetting effects on pension costs, but the net effect is a reduction in State pension costs. It likely *increases* pension costs for the estimated 45 current judges who will turn 70 before earning the maximum 16 years of service credit in JRS. These judges may earn up to 5 more years

of service credit in JRS under the proposed constitutional amendment. However, the proposed amendment likely *reduces* pension costs by allowing 295 judges to defer their retirement for up to 5 years, thereby reducing their total pension payments.

The actuary has determined that any additional service credit earned by sitting judges able to work for more years is more than offset by actuarial savings generated by deferred benefit payments to all judges who reach age 70 after the constitutional amendment is enacted. Therefore, there is likely a net savings to the State in the form of reduced pension liabilities and employer contributions due to members working longer at an advanced age.

If the constitutional amendment is approved by the voters in November 2026, the change in retirement age would first be recognized with the June 30, 2027 actuarial valuation, which determines pension contribution rates for fiscal 2029. Thus, there is no fiscal effect until fiscal 2029. The actuary estimates that pension liabilities decrease by \$24.0 million, and the normal cost decreases by \$1.3 million. Amortizing the reduction in liabilities over 11 years and adding the full normal cost savings results in first-year savings in State pension contributions of \$4.6 million, with savings continuing to accrue in future years according to actuarial assumptions. JRS contributions are paid with general funds. To the extent that actual retirement patterns differ from the assumptions used in this analysis, the fiscal effects will differ.

All judges appointed for the first time following the approval of the amendment would be eligible for the longer terms, but they are subject to a five-year vesting period and, therefore, would not be eligible for retirement during the time period covered by this fiscal and policy note. To the extent that the proposed constitutional amendment causes future judges to work past the age of 70, it likely reduces future State pension liabilities and contributions due to deferred retirements.

Additional Comments: Judges are entitled to unlimited paid sick leave for any period of an illness or temporary disability that precludes them from carrying out their judicial duties. To the extent that older judges may be more likely to use their unlimited sick leave benefits, and thereby would need to be replaced on the bench during their absence, personnel expenditures for the Judiciary (Administrative Office of the Courts) may increase. This analysis does not reflect those potential costs because they cannot be reliably quantified.

Additional Information

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

Designated Cross File: None.

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

Fiscal Note History: First Reader - January 22, 2025
km/jkb

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EXHIBIT FIVE



STATE OF MARYLAND
COMMISSION ON JUDICIAL DISABILITIES

ANNUAL REPORT
FOR
FISCAL YEAR 2025
(July 1, 2024 – June 30, 2025)

Submitted by:

Maryland Commission on Judicial Disabilities
P. O. Box 340
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I. INTRODUCTION.

Pursuant to Maryland Rule 18-411(i), an Annual Report is prepared by the Maryland Commission on Judicial Disabilities (“Commission”) for submission to the Supreme Court of Maryland regarding the Commission’s operations, including statistical data with respect to complaints received and processed, subject to materials declared confidential under Maryland Rule 18-407. This report is publicly available in accord with Maryland Rule 18-407(c).

The Commission is the primary disciplinary body charged with investigating complaints that allege judicial misconduct, or disability/impairment (mental and/or physical) of Maryland’s judicial officers, as empowered by the Maryland Constitution.

The work of the Commission plays a vital role in maintaining public confidence in, and preserving the integrity and impartiality of, the judiciary. The Commission, by providing a forum for citizens with complaints against judges, helps maintain the balance between judicial independence and public accountability. The Commission also helps to improve and strengthen the judiciary by creating a greater awareness of proper judicial conduct.

The laws creating and governing the Commission’s work are as follows:

- Maryland Constitution, Art. IV, §§4A and 4B;
- Annotated Code of Maryland, Courts and Judicial Proceedings, §§13-401 through 13-403;
- Maryland Rules 18-401 through 18-442; and
- Maryland Code of Judicial Conduct, Maryland Rules, Title 18, Chapter 100.

Copies of the laws governing the Commission are available through the Commission’s website at www.mdcourts.gov/cjd/index.html.

II. HISTORY AND STRUCTURE OF THE COMMISSION.

The Commission was established by a constitutional amendment in 1966 in response to a growing need for an independent body to assist in monitoring the conduct of Maryland’s judges. Subsequent constitutional amendments strengthened the Commission, clarified its powers, and added four (4) additional public members to the Commission. The Constitution requires the Supreme Court of Maryland to adopt rules for the implementation and enforcement of the Commission’s powers and the procedures before the Commission.

The Maryland Constitution, Art. IV, §4B(a)(1)(i) & (ii) & 2, gives the Commission the following specific powers to:

(i) Investigate complaints against any judge of the Supreme Court of Maryland, any intermediate court of appeal, the circuit courts, the District Court of Maryland, or the Orphans' court; and

(ii) Conduct hearings concerning such complaints, administer oaths and affirmations, issue process to compel the attendance of witnesses and the production of evidence, and require persons to testify and produce evidence by granting them immunity from prosecution or from penalty or forfeiture.

(iii) Issue a reprimand and the power to recommend to the Supreme Court of Maryland the removal, censure, or other appropriate disciplining of a judge or, in an appropriate case, retirement.

Further, the Maryland Rules give the Commission the authority to dismiss complaints (with or without a letter of cautionary advice), issue reprimands, enter into conditional diversion agreements with judges, and if the Commission finds by clear and convincing evidence that the judge has a disability or impairment, or has committed sanctionable conduct, to refer the matter to the Supreme Court of Maryland. If the Commission finds a judge has committed sanctionable conduct and that dismissal (with or without a letter of cautionary advice), or a conditional diversion agreement is not appropriate, it shall either issue a reprimand to the judge, if the proceeding was conducted pursuant to Rule 18-427(b)(2)(A) or (B), or refer the matter to the Supreme Court of Maryland.

The Commission Members consist of eleven (11) persons: three (3) judges, one (1) from the Appellate Court, one (1) from the Circuit Courts, and one (1) from the District Court; three (3) lawyers, with each admitted to practice law in Maryland and having at least seven (7) years of experience; and five (5) members of the public, none of whom are active or retired judges, admitted to practice law in Maryland, or persons having a financial relationship with, or receive compensation from, a judge or lawyer licensed in Maryland. All Commission Members are appointed by the Governor, with the advice and consent of the State Senate, and are citizens and residents of Maryland. Membership is limited to two (2), four (4)-year terms, or, if initially appointed to fill a vacancy, for no more than a total of ten (10) years.

Effective July 1, 2007, the Supreme Court of Maryland established by rule the Judicial Inquiry Board ("Board"), thereby creating a "two-tier" structure within the Commission. The Board consists of seven (7) persons: two (2) judges, two (2) lawyers, and three (3) public members who are not lawyers or judges. As of July 1, 2019, Board Members are appointed by the Supreme Court of Maryland for terms of up to four (4) years. Prior to July 1, 2019, Board Members were appointed by the Commission and were limited to two (2), four (4)-year terms, or, if initially appointed to fill a vacancy, for no more than a total of ten (10) years.

Complaints against Maryland judges are investigated by the Commission's Investigative Counsel ("Investigative Counsel"). The Board monitors the investigations conducted by Investigative Counsel. The Board reviews investigative materials and Investigative Counsel's reports and recommendations before submitting its own reports and recommendations to the Commission Members in all matters except recommendations for dismissals without a letter of cautionary advice (which go directly to the Commission from

Investigative Counsel). The Commission Members accept or reject the Board's recommendations and act consistent with the powers and authority granted to the Commission. The Commission directly reviews and makes determinations regarding cases recommended for dismissal without a letter of cautionary advice in addition to matters previously reviewed by the Board.

III. THE COMMISSION'S JURISDICTION - WHAT THE COMMISSION CAN AND CANNOT DO.

The Commission is authorized to investigate complaints only against judges of the Supreme Court of Maryland, Appellate Court of Maryland, Circuit Courts, District Court, Orphans' Courts, and any Senior Maryland judge during the period that the judge has been approved to sit. The Commission:

1. Has no authority to investigate complaints against Magistrates (formerly masters), Examiners, Administrative Law Judges, Federal Judges, lawyers, police, court personnel, State's Attorneys, or Public Defenders.
2. Does not have appellate authority and therefore cannot review, reverse, change, or modify a legal decision or other court action taken by a judge;
3. Cannot affect the progress or outcome of a case; and
4. Cannot require a judge's recusal or disqualify a judge from presiding over a particular case.

Pursuant to Maryland Rule 18-402, complaints investigated by the Commission are those involving a judge's alleged sanctionable conduct, disability or impairment. They are defined as follows:

1. **Sanctionable conduct** means misconduct while in office, the persistent failure by a judge to perform the duties of the judge's office, or conduct prejudicial to the proper administration of justice. A judge's violation of the binding obligations of the Maryland Code of Judicial Conduct promulgated by Title 18, Chapter 100 may constitute sanctionable conduct.

Sanctionable conduct does not include the following by a judge, unless the judge's conduct also involves fraud or corrupt motive or raises a substantial question as to the judge's fitness for office:

- making an erroneous finding of fact;

- reaching an incorrect legal conclusion;
 - misapplying the law; or
 - failure to decide matters in a timely fashion, unless such failure is habitual.
2. **Disability** means a mental or physical disability that seriously interferes with the performance of a judge's duties and is, or is likely to become, permanent.
 3. **Impairment or impaired** means a mental or physical condition, including an addiction, that has seriously interfered with the performance of a judge's duties but may be remediable and, if remedied, is not likely to become permanent.

IV. THE COMPLAINT PROCESS.

The complaint is a written communication under oath or supported by an affidavit alleging that a judge has a disability, impairment or has committed sanctionable conduct. Any individual, including a party or witness in a court case, lawyer, member of the public, judge, person who works for or assists the court, or other person, can file a complaint with the Commission; this individual is considered the "Complainant" and the judge is considered the "Respondent." The Complainant can submit a complaint online on the Commission's website, download a complaint form from the website, receive a form from the Commission's office, or provide a written communication with the required information.

Allegations may be dismissed, prior to investigation, if they do not allege facts which, if true, would constitute a disability, impairment, or sanctionable conduct, and therefore do not constitute a complaint. Investigative Counsel will open a file for each properly filed complaint, send a letter to Complainant acknowledging receipt of the complaint and explain the procedure for investigating and processing the complaint. In addition, Investigative Counsel may make an inquiry and open a file after receiving information from any source that indicates a judge may have a disability or impairment, or have committed sanctionable conduct.

If the allegations are not dismissed, or an inquiry is completed without a dismissal, Investigative Counsel conducts an investigation and thereafter reports to the Board or Commission the results of the investigation, including one of the following recommendations:

- dismiss the complaint and terminate the investigation, with or without a letter of cautionary advice;
- reprimand;
- conditional diversion agreement;
- the filing of charges; or
- retirement of the judge based upon a finding of disability.

If the matter proceeds to the Board, upon receiving the Investigative Counsel's report and recommendation, the Board reviews the report and recommendation and could authorize a further investigation, or meet informally with the judge, including convening a peer review panel to confer regarding the complaint and options for the judge to consider. Upon completion of the foregoing, the Board prepares a report to the Commission with any of the following recommendations:

- dismiss the complaint and terminate the investigation, with or without a letter of cautionary advice;
- a conditional diversion agreement;
- a reprimand;
- retirement; or
- upon a determination of probable cause that the judge has a disability or impairment or has committed sanctionable conduct, the filing of charges.

The Commission Members review all matters received from Investigative Counsel and the Board, and can take action, with or without proceeding on charges, after reviewing the reports, including recommendations, and any response filed by the judge. If the Commission Members direct Investigative Counsel to file charges against a judge alleging that the judge committed sanctionable conduct, or has a disability or impairment, the charges are served upon the judge and a hearing is scheduled as to the charges. Formal hearings are conducted in accord with the Maryland Rules of Evidence.

If, after the hearing, the Commission Members find by clear and convincing evidence that the judge committed sanctionable conduct or has a disability or impairment, the Commission will issue its findings and, if necessary, refer the case to the Supreme Court of Maryland with recommendations as to disposition. The Supreme Court of Maryland can take any one of the following actions: (1) impose the sanction recommended by the Commission or any other sanction permitted by law; (2) dismiss the proceeding; or (3) remand for further proceedings as specified in the order of remand.

V. CONFIDENTIALITY.

Except to the extent admitted into evidence before the Commission, the following matters are confidential: (A) Investigative Counsel's work product and, subject to Rules 18-422(b)(3)(A), 18-424(d)(3) and 18-433(c), reports prepared by Investigative Counsel not submitted to the Commission; (B) proceedings before the Board, including any peer review proceeding; (C) any materials reviewed by the Board during its proceedings that were not submitted to the Commission; (D) deliberations of the Board and Commission; and (E) records of the Board's and Commission's deliberations.

Charges alleging sanctionable conduct and all subsequent proceedings before the Commission on those charges are open to the public upon the first to occur of (A) the resignation or voluntary retirement of the judge, (B) the filing of a response by the judge to the charges, or (C) expiration of the time for filing a response. Charges alleging disability or impairment, and all proceedings before the Commission on those charges, are confidential.

VI. MEMBERS.

COMMISSION MEMBERS (Appointed by the Governor of Maryland):

Judge Members:

Honorable Anne K. Albright, Chair- Appellate Court
Honorable Lisa Hall Johnson, Vice-Chair- District Court
Honorable Yolanda A. Tanner- Circuit Court

Attorney Members:

Chaz R. Ball, Esquire
Tara A. Barnes, Esquire
Marisa A. Trasatti, Esquire

Public Members:

Kimberly A. Howell
Dr. Alphonsus C. Korie (*replaced Tahira M. Hussain*)
Andrea M. Fulton Rhodes
Elizabeth A. Solar
Gerard Young (*replaced Sophia D. Jones*)

JUDICIAL INQUIRY BOARD MEMBERS (Appointed by the Supreme Court of Maryland):

Judge Members:

Honorable Mark S. Chandlee, Chair- Circuit Court
Honorable Aileen E. Oliver, Vice-Chair- District Court

Attorney Members:

Kimberly Jones, Esquire
Stephanie J. Robinson, Esquire

Public Members:

Victor W. Freeland
The Honorable Susan R. Hoffmann
Dr. Demetrios J. Kalliongis (*replaced Dr. Gina Jordan*)

VII. MEETINGS/OPERATIONS.

The Commission Members held eleven (11) regularly scheduled meetings in FY25; four (4) were virtual and seven (7) were in-person.

The Board Members held eleven (11) regularly scheduled meetings in FY25; nine (9) were virtual and two (2) were in-person.

VIII. TRAININGS/OUTREACH

The Commission continues to educate the judiciary and legal community on the Commission, the rules governing judicial discipline, and current trends.

1. The Commission Chair, Commission Vice-Chair, Board Chair, Investigative Counsel, and Executive Counsel conducted a Judicial Ethics training for Trial and Appellate Court Judges in August 2024.
2. The Commission Chair, Commission Vice-Chair, Board Chair, Investigative Counsel, and Executive Counsel conducted a Judicial Ethics training for Orphans' Court Judges in October 2024.
3. Investigative Counsel and Deputy Assistant Investigative Counsel conducted a Judicial Ethics training for new judges in November 2024.
4. Investigative Counsel and Executive Counsel conducted a training on Judicial Discipline in Maryland for members of the Buenos Aires judiciary in February 2025.
5. The Commission Chair, Commission Vice-Chair, and Investigative Counsel participated in two (2) sessions at a judicial conference in April 2025.
6. The Commission Chair, Commission Vice-Chair, Investigative Counsel, Deputy Investigative Counsel, and Executive Counsel conducted a Judicial Ethics training for Trial and Appellate Court Judges in April 2025.
7. The Commission Chair, Commission Vice-Chair, Investigative Counsel, and Executive Counsel conducted a virtual Judicial Ethics session for the Circuit Court for Baltimore City bench in May 2025.
8. The Commission Chair, Commission Vice-Chair, Investigative Counsel, and Executive Counsel conducted a Judicial Ethics presentation for a judges' association in June 2025.
9. The Commission Chair, Board Chair, Investigative Counsel and Executive Counsel conducted a Judicial Ethics session in June 2025, at the Maryland State Bar Association's Legal Summit.
10. The Commission Chair, Investigative Counsel, Deputy Assistant Investigative Counsel and Executive Counsel participated in several meetings during the Rules Committee process relating to proposed rules affecting the Commission and judicial discipline.

The Commission conducted an internal training for Staff, Judicial Inquiry Board and Commission Members in November 2024.

IX. SUMMARY OF COMMISSION ACTIVITY IN FY25.

During Fiscal Year 2025 (July 1, 2024 through June 30, 2025), the Commission opened files for Six Hundred Forty-Five (645) verified complaints; Four Hundred Ninety-Six (496) of the complaints were received online.

Nine (9) complaints were filed by attorneys, thirty-seven (37) by inmates, eight (8) by Investigative Counsel, thirteen (13) by judges, and five hundred seventy-eight (578) were filed by members of the general public.

Complaints against Circuit Court Judges totaled three hundred sixty-eight (368); two hundred thirty-nine (239) complaints were filed against District Court Judges; nine (9) complaints were filed against Appellate Court of Maryland Judges; four (4) complaints were filed against Supreme Court of Maryland Justices; twenty-one (21) complaints were filed against Orphans' Court Judges; and four (4) complaints did not identify the level of court. There were fifty (50) complaints against thirty-six (36) Senior Judges sitting in various jurisdictions and courts.

The types of matters involved include:

- Family law (divorce, custody, visitation, etc.) – one hundred ninety-one (191) complaints;
- Peace and Protective Orders – forty-five (45) complaints;
- Criminal – one hundred thirty-two (132) complaints;
- Traffic - nineteen (19) complaints;
- Civil - one hundred ninety-nine (199) complaints;
- Juvenile - six (6) complaints;
- Probate - fourteen (14) complaints;
- Sexual Harassment - zero (0) complaints; and
- Miscellaneous or other Non-Courtroom related matters – thirty-nine (39) complaints.

A District Court judge retired during the investigative phase of a complaint.

An Orphans' Court judge resigned during the investigative phase of a complaint.

DISPOSITIONS

A **Dismissal with a Letter of Cautionary Advice** is issued by the Commission in a case where sanctionable conduct that may have been committed by a judge can be sufficiently addressed by the issuance of a letter of caution (formerly a warning). The contents of the letter are private and confidential. This is not a form of discipline. The Commission issued four (4) Letters of Cautionary Advice for the following matters:

- 1) A Senior judge's jokes and comments to potential jurors were not courteous and the judge did not promptly maintain a current address as required by Maryland Rule 19-802(e).

MD Rules implicated: 18-101.1, 18-101.2(a), and 18-102.8.

- 2) A Circuit Court judge's election campaign page/social media appeared to use the prestige of judicial office to endorse businesses/organizations.

MD Rules implicated: 18-101.1, 18-101.2, 18-101.3, 18-103.1(c) and 18-104.4(b).

- 3) A Circuit Court judge issued search warrants based on information relating to a person with whom there was a previous personal interaction/connection.

MD Rules implicated: 18-101.1, 18-101.2, 18-102.5, and 18-102.11.

- 4) A Circuit Court judge made comments during interviews that could have appeared political and/or partial.

MD Rules implicated: 18-101.1, 18-101.2, and 18-103.1.

A **Conditional Diversion Agreement** is entered into by the Commission and the judge where sanctionable conduct that may have been committed by the judge was not so serious, offensive, or repeated as to justify the filing of charges. The agreement contains specific conditions the judge must remain in compliance with until fully satisfied. This is not a form of discipline.

The Commission entered into three (3) Conditional Diversion Agreements. These were with a District Court judge, a Senior Judge, and a Circuit Court judge.

Four (4) Conditional Diversion Agreements were successfully terminated during FY25.

A **Reprimand** can be issued by the Commission in a case where the judge has committed sanctionable conduct that justifies some form of discipline but was not serious, offensive, or repetitious as to justify the filing of charges. A Reprimand is a form a discipline.

The Commission did not issue a Reprimand in FY25.

Charges are issued by Investigative Counsel at the direction of the Commission upon a finding of probable cause to believe that a judge has a disability or impairment or has committed sanctionable conduct. Charges of sanctionable conduct are made public. Charges were filed in two (2) cases in FY25.

- 1) After Charges were filed, the Supreme Court of Maryland approved a Suspension and Agreement for Discipline by Consent. (Judge Jennifer Etheridge, CJD 2023-077).
- 2) Charges and Amended Charges were filed in a matter during FY25 against an Orphans' Court Judge. (Judge Marc Knapp, CJD 2024-033, et al.)
- 3) Charges were filed in a matter during FY25 against an Orphans' Court Judge. (Judge Vickie Gipson, CJD 2024-051, et al.)

The Supreme Court of Maryland issued its opinion in *Matter of Ademiluyi*, 488 Md. 45

(2024) in FY25.

The Judicial Inquiry Board concluded there was no good cause for further investigation of two (2) stale complaints and directed they be dismissed.

The Judicial Inquiry Board convened one (1) Peer Review Panel.

The remaining complaints in Fiscal Year 2025 were dismissed because the allegations set forth in the complaints were either found to be insufficient, unsubstantiated, duplicative, or the conduct complained about did not constitute sanctionable conduct.

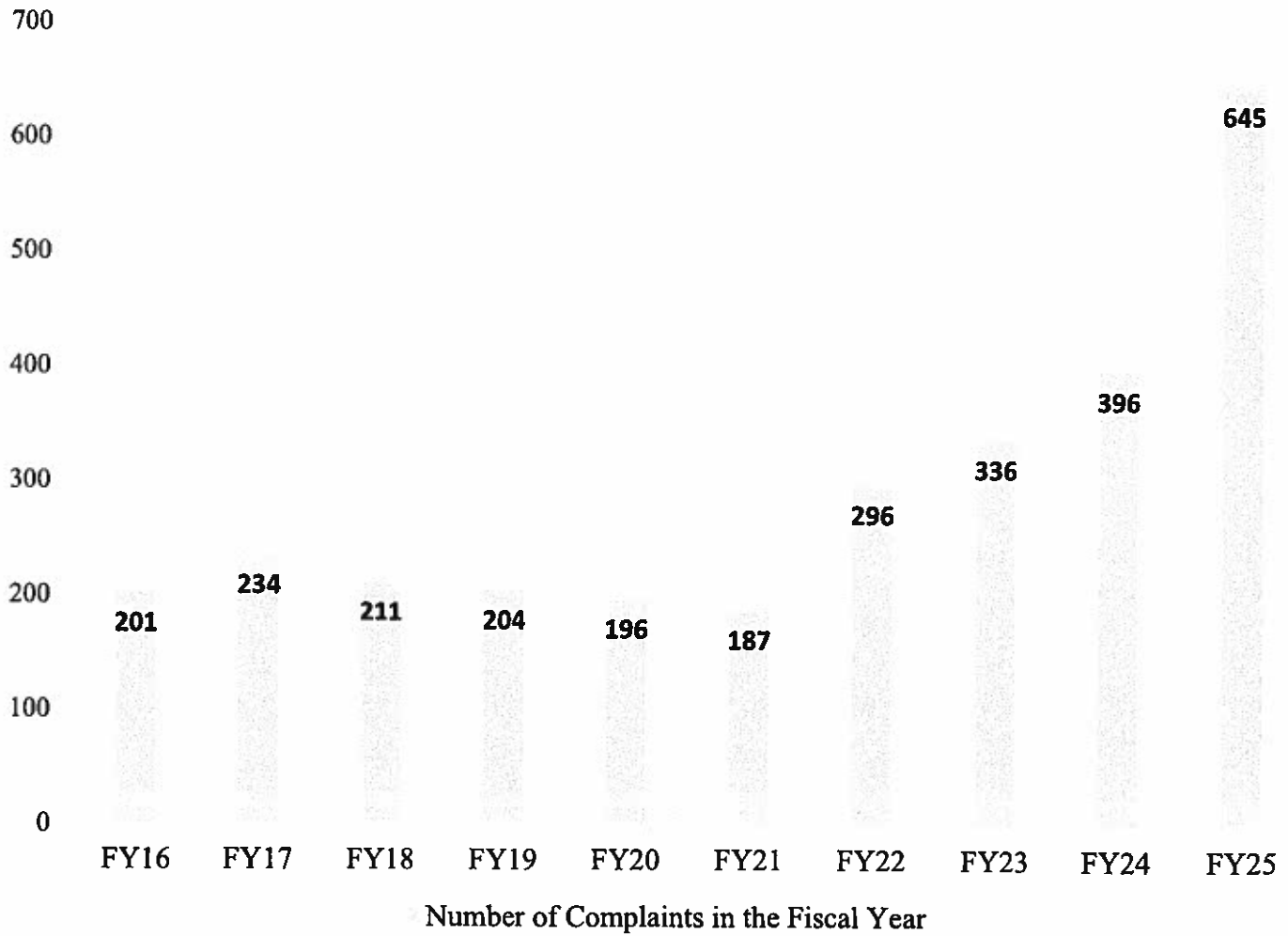
X. COMPARISON CHARTS OF COMMISSION ACTIVITY.

The data included in the following charts was based on information from the Commission's case files.

COMPLAINTS RECEIVED

TEN (10) YEAR COMPARISON CHART

Complaints Received FY16 - FY25

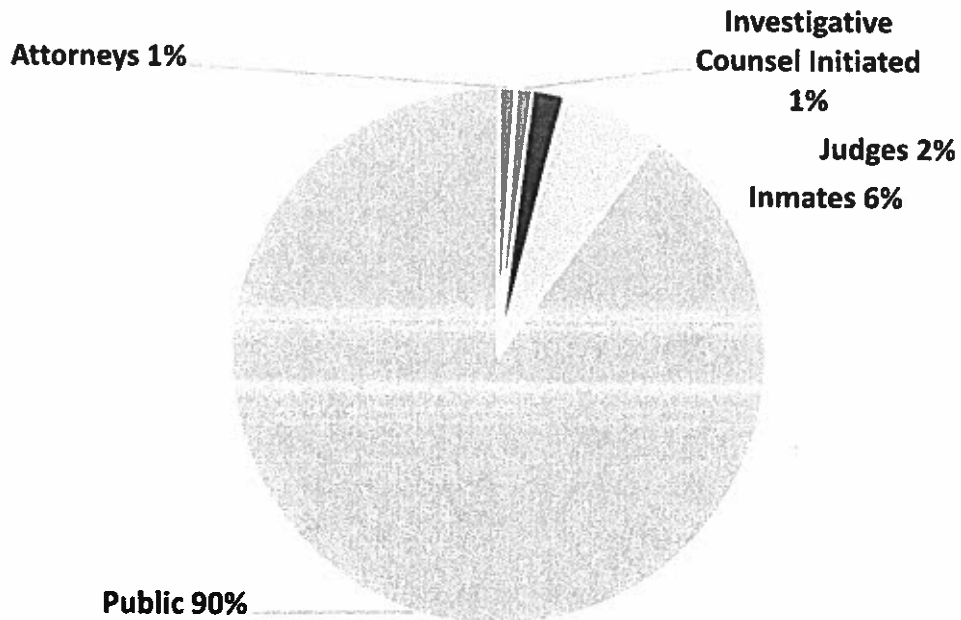


SOURCES OF COMPLAINTS

TEN (10) YEAR COMPARISON CHART

Fiscal Year	Attorneys	Investigative Counsel Initiated Inquiries	Inmates	Judges	Public	Total
2015-2016	16	10	30	0	145	201
2016-2017	11	13	32	10	168	234
2017-2018	8	5	39	0	159	211
2018-2019	7	5	28	0	164	204
2019-2020	4	11	32	0	149	196
2020-2021	10	16	26	0	135	187
2021-2022	4	15	40	3	234	296
2022-2023	12	12	44	1	267	336
2023-2024	5	3	42	4	342	396
2024-2025	9	8	37	13	578	645

FY25 SOURCES OF COMPLAINTS



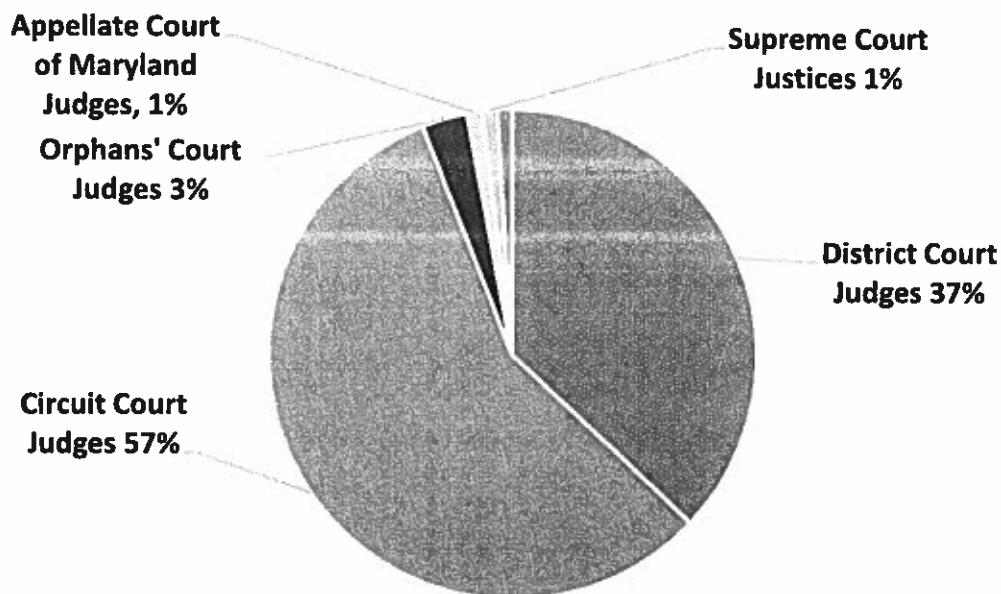
COMPLAINTS BY COURT

TEN (10) YEAR COMPARISON CHART

Fiscal Year	District Court Judges	Circuit Court Judges	Orphans' Court Judges	Appellate Court of Maryland Judges	Supreme Court Justices	Other/Unknown	Total
2015-2016	57	125	12	1	6	0	201
2016-2017	68	152	11	1	2	0	234
2017-2018	49	150	7	2	3	0	211
2018-2019	63	136	1	1	3	0	204
2019-2020	50	123	12	2	8	1	196
2020-2021	44	131	9	0	3	0	187
2021-2022	89	176	12	10	9	0	296
2022-2023	96	219	17	3	1	0	336
2023-2024	141	217	29	6	3	0	396
2024-2025	239	368	21	9	4	4	645

Per the Maryland Judiciary, in FY25, the allocated position totals were 124 District Court Judges, 176 Circuit Court Judges, 63 Orphans' Court Judges, 15 Appellate Court of Maryland Judges, and 7 Supreme Court Justices, with 20 vacancies (9-Circuit Court, 9-District Court and 2-Orphans' Court), for a total of 405. In addition, 181 retired Judges and Justices were designated to sit as Senior Judges and Justices.

FY25 COMPLAINTS BY COURT



SUBJECT MATTERS OF COMPLAINTS

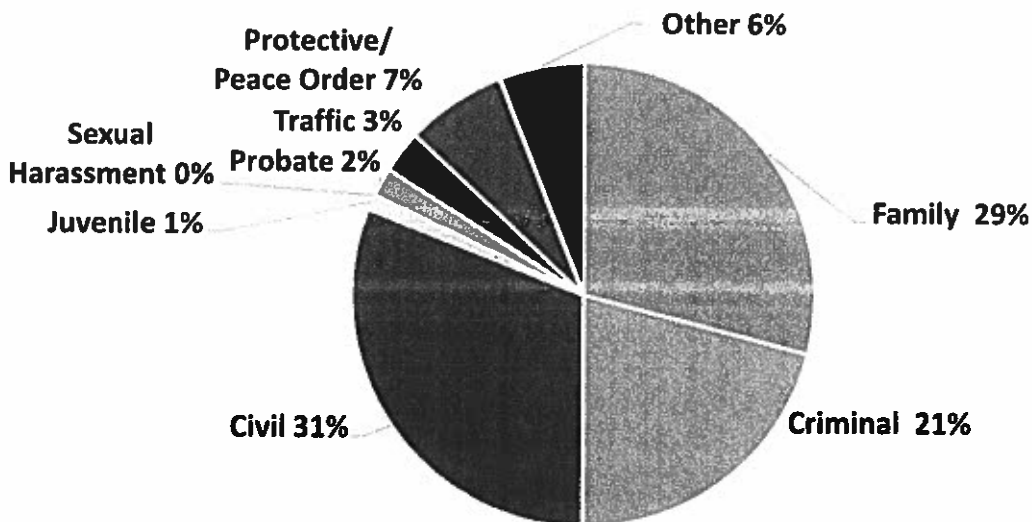
TEN (10) YEAR COMPARISON CHART

Fiscal Year	Family	Criminal	Civil	Juvenile	Sexual Harassment	Probate	Traffic	Protective/Peace Ord.	Other	Total
2015-2016	32	51	116						2	201
2016-2017	28	63	106						37	234
2017-2018	30	54	116						11	211
2018-2019	43	41	114						6	204
2019-2020	43	52	94		1				6	196
2020-2021	38	42	89		1				17	187
2021-2022	69	83	88	1	1	8	8	20	18	296
2022-2023	88	80	94	3	1 *	17	9	33	11*	336
2023-2024	93	85	148	1	0	21	4	14	30	396
2024-2025	191	132	199	6	0	14	19	45	39	645

Statistics regarding sexual Harassment complaints have been compiled since FY20. Statistics regarding Juvenile, Probate, Traffic, and Protective/Peace Order complaints have been compiled since October 2021 in FY22.

*Updated following the FY23 Annual Report.

FY25 SUBJECT MATTER OF COMPLAINTS



COMPLAINTS BY JURISDICTION

County	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25
Allegany	4	2	7	1	3	8	2	5
Anne Arundel	27	10	13	19	19	42	44	69
Baltimore City	29	25	27	18	40	72	54	108
Baltimore County	10	21	22	31	37	42	41	69
Calvert	7	2	3	1	1	13	2	11
Caroline	4	1	0	0	1	0	4	6
Carroll	4	1	1	3	4	5	12	22
Cecil	1	9	7	6	14	4	7	11
Charles	2	4	2	6	3	8	7	25
Dorchester	3	1	0	0	7	1	1	1
Frederick	6	4	5	4	7	7	12	21
Garrett	0	0	0	1	2	0	1	1
Harford	14	13	15	15	15	19	20	39
Howard	11	12	5	7	13	7	12	21
Kent	1	1	0	1	0	0	0	1
Montgomery	25	28	27	23	36	40	54	72
Prince George's	45	48	36	34	48	43	81	103
Queen Anne's	2	1	1	1	1	0	3	2
Somerset	0	2	0	1	1	5	1	3
St. Mary's	4	2	3	2	2	5	4	3
Talbot	0	1	0	2	1	1	1	2
Washington	3	8	5	3	8	4	15	27
Wicomico	2	5	6	4	10	5	6	4
Worcester	0	0	1	1	4	1	2	3
Appellate	5	3	10	3	19	4	9	13
Unknown	0	0	0	0	0	0	1	3
Total	209	204	196	187	296	336	396	645

EXHIBIT 6

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

Senate Bill 475

(Senator Ramirez)

Judicial Proceedings

Courts - Civil Jury Trials - Amount in Controversy

This bill makes the statutory changes necessary to implement the constitutional amendment proposed by Senate Bill 474 of 2015. The bill prohibits a party in a civil action from requesting a jury trial if the amount in controversy does not exceed \$30,000, exclusive of attorney's fees if attorney's fees are recoverable by law or contract. The bill may not be construed to affect any requirement under Maryland Rule 2-325 for withdrawal of an election for jury trial after a party files a demand electing a trial by jury. The bill is contingent on the adoption by the voters of a constitutional amendment (Senate Bill 474 of 2015) increasing the amount in controversy in civil proceedings in which the right to trial by jury may be limited by legislation. The bill takes effect on the date of the proclamation by the Governor that the constitutional amendment has been adopted by the voters. The bill applies prospectively to civil actions filed on or after the bill's effective date.

Fiscal Summary

State Effect: Because the bill eliminates the availability of a jury trial for cases where the amount in controversy is less than \$30,000, cases that might otherwise have gone to circuit courts for jury trials remain in the District Court. The number of cases affected by the bill cannot be readily determined at this time. However, it is assumed that any increase in caseload for the District Court can be handled with existing resources.

Local Effect: Potential decrease in expenditures for circuit courts due to the decrease in the number of jury trials as a result of the bill. Revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: The right to a jury trial in Maryland is established in Articles 5 and 23 of the Maryland Declaration of Rights. Article 5 preserves the right of the inhabitants of Maryland to a jury trial as it existed in the English Common Law on July 4, 1776. Article 23 inviolably preserves the right to a jury trial in civil proceedings where the amount in controversy exceeds \$15,000. A party may not demand a jury trial if the amount in controversy does not exceed \$15,000, exclusive of any attorney's fees if attorney's fees are recoverable by law or contract.

The District Court of Maryland has exclusive original jurisdiction for a civil case in which the amount in controversy does not exceed \$5,000, exclusive of prejudgment or postjudgment interest, costs, and attorney's fees if attorney's fees are recoverable by law or contract.

The District Court has concurrent jurisdiction with the circuit courts in a civil case in which the amount in controversy exceeds \$5,000, but does not exceed \$30,000, exclusive of prejudgment or postjudgment interest, costs, and attorney's fees if attorney's fees are recoverable by law or contract, and the plaintiff may elect to file the case in the District Court or a circuit court. However, if the plaintiff files the case in the District Court and the amount in controversy exceeds \$15,000, a defendant may demand a jury trial and the case must be transferred to the circuit court.

The circuit courts have exclusive jurisdiction in civil cases in which the amount in controversy exceeds \$30,000, exclusive of prejudgment or postjudgment interest, costs, and attorney's fees if attorney's fees are recoverable by law or contract.

Background: Under the English Common Law, parties to civil cases at law were entitled to a trial by jury, regardless of the amount in controversy. Article X, Section 4 of the Maryland Constitution as drafted at the 1850 Convention stated, "The trial by jury of all issues of fact in civil proceedings, in the several courts of law in this State, where the amount in controversy exceeds the sum of five dollars, shall be inviolably preserved." This was the first instance in which an amount in controversy was stipulated in reference to the entitlement to a trial by jury in civil cases at law. In 1970, the amount was changed to \$500. In 1977, the provision was moved to its current location in Article 23 of the Declaration of Rights. The amount in controversy was changed to \$5,000 in 1992, and then to \$10,000 in 1998.

In *Davis v. Slater*, 383 Md. 599 (2004), the Court of Appeals found that these prior constitutional amendments changing the amount in controversy provision contained in Article 23 of the Declaration of Rights did not abrogate Article 5(a) of the

Declaration of Rights and the applicable amount in controversy for determining the right to a jury trial in a civil case was \$5. In response to that decision, Chapter 422 of 2006, a constitutional amendment, was passed by the General Assembly and ratified by the voters to provide that the General Assembly may limit the right to trial by jury to a civil case in which the amount in controversy exceeds \$10,000. Chapter 575 of 2006 was also enacted, contingent on ratification of Chapter 422, to provide that a party in a civil action may not demand a jury trial if the amount in controversy does not exceed \$10,000, exclusive of any applicable attorney's fees.

In response to that decision, Chapter 422 of 2006, a constitutional amendment, was passed by the General Assembly and ratified by the voters to specify that the General Assembly may limit the right to trial by jury to a civil case in which the amount in controversy exceeds \$10,000. Chapter 575 of 2006 was also enacted, contingent on ratification of Chapter 422, to specify that a party in a civil action may not demand a jury trial if the amount in controversy does not exceed \$10,000, exclusive of any applicable attorney's fees. Voters in the 2010 general election ratified a constitutional amendment to raise this limit to \$15,000 (Chapter 480 of 2010). Chapter 225 of 2010 was also enacted, contingent on ratification of Chapter 480, to specify that a party in a civil action may not demand a jury trial if the amount in controversy does not exceed \$15,000, exclusive of any applicable attorney's fees.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 23, 2015
mel/kdm

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MARYLAND



92-year-old man wants his pilot's license back

Westminster man wants to help abused dogs: 'Flying is in my blood'

By Lorraine Mirabella

When dogs, cats or the occasional baby goat need to board John Davis' single engine, high-wing plane, the Westminster pilot removes the back seat to create space for crates or for large breeds like Great Danes that sit on their own.

Davis, a "Pilots N Paws" volunteer who has been flying his Cessna 172XP for two decades, said the rescue animals make surprisingly cooperative passengers. At 3,000 feet, even yapping puppies quiet down and nod off. On the descent, again at 3,000 feet, internal clocks seem to buzz the animals awake.

"They pop up like, 'Oh, are we there yet?'" Davis said.

But Davis' hope of piloting future flights and saving dogs took a nosedive in July. The FAA denied his medical certification application, saying he fell short of medical standards following an October aviation medical examiner appointment. Davis filed an appeal.

A few years back, the retired NASA aerospace engineer decided he would only fly the aircraft with a co-pilot. He is 92. Davis finds himself with plenty of company, one of 14,473 U.S. pilots age 80 and over with active certificates as of December, Federal Aviation Administration data shows. Certificates show medical exams are up to date.

"For a 92-year-old, this man is pretty spry, you would never know it," said Michele McGuire, a fellow pilot and Westminster resident who spent 16 years flying missions with Davis for Pilots N Paws.

The South Carolina-based nonprofit rescues and flies abandoned, injured or abused animals around the country from shelters to permanent homes. Davis and McGuire have traveled to about 100 airfields along the East Coast and rescued more than 600 dogs.

Davis filed an appeal to overturn the FAA's decision, with another doctor's



Westminster resident John Davis is appealing the FAA's denial of his pilot license renewal after nearly 30 years of flying a Cessna 172 XP. LLOYD FOX/STAFF

support. He contends that an assisted living facility in Westminster, where he lived for two years, misdiagnosed and overmedicated him with an antipsychotic medication, which, under FAA rules, disqualifies him from flying. Davis disagreed with his treatment and medication regimen, so he moved out of the facility in September and lives on his own.

Davis dismisses the idea of being too old to fly. While commercial airline pilots must retire at 65, the FAA sets no maximum age for private or general aviation pilots. Davis is a young pup when looking at the history of ageless pilots.

For example, Harry Moyer, the Guinness World Records' oldest qualified male pilot, flew on his 100th birthday in 2020. Robina Asti, recognized that same year as the world's oldest active female pilot and flight instructor, gave her final lesson at 99. Brig. Gen. Charles E. McGee, the oldest living Tuskegee Airman in 2021, was still flying at 102. Asti died in 2021, and McGee died in 2022, and Moyer was invited in August as a guest at the USS Hornet - Sea, Air and Space Museum in California.

Davis belongs to a group of aviators known as UFOs. The United Flying Octogenarians, 1,700 global members all have acted as a certificated pilot in command on or after their 80th birthday, its website says.



John Davis rescues dogs as a volunteer pilot for Pilots N Paws. COURTESY OF JOHN DAVIS

Davis disputes the FAA denial for medical reasons.

Representatives of Brightview Westminster Ridge, where Davis was being seen by a psychiatric nurse according to medical records, did not respond to several requests for comment. The FAA, contacted by The Sun, said it is not responding to media inquiries during the government shutdown.

Besides listing Seroquel use, the FAA denied Davis' airman medical certificate "due to your history of atrial fibrillation, coronary heart disease that has required treatment, heart valve

as someone can fly safely. Exams assess current health and medical history and look for any issues with vision, night vision, hearing and processing time.

On Aug. 5, Davis' physician — not his aviation examiner — wrote a letter to the FAA's Aerospace Medical Certification Division saying his patient is "stable" and "mentally fit."

The letter says Davis was first prescribed Seroquel in November 2023 after a series of distressing events, including a car crash in which his niece was killed. It described the medication as a "situational response, and not part of a chronic or ongoing psychiatric condition." The medication was discontinued in March 2024, the letter said.

"He is not experiencing depressive episodes, suicidal ideation or any other mental health concerns," Dr. Ernesto Mendoza's letter said. "He remains mentally fit and demonstrates no psychiatric limitations that would interfere with the responsibilities and safety requirements of an airman."

Mendoza did not respond to requests for comment. "Flying is in my blood."

For now, Davis is grounded, unless he's a passenger. His \$200,000 plane sits in a hangar at Carroll County Regional Airport, where it's being repaired. He's been hunting down parts, and with a pilot friend, has removed pieces that lay nearby, awaiting a mechanic.

For Davis, flying is freedom.

"It's wonderful," says Davis, an Army veteran who served as a first lieutenant in Greenland and Fort Benning. "You can go so many places. Flying is in my blood."

Davis, a dog lover who used to raise Great Danes and German Shorthaired Pointers, lights up when talk turns to Pilots N Paws.

The online forum links rescue groups and shelters with people in other parts of the country seeking pets. Pilots respond to posts and volunteer for and arrange trips. Since its founding in 2008, the group has flown 250,000 animals, some abandoned, some injured in natural disasters. They're mostly dogs and some cats, but have included sea turtles, birds, reptiles and once an injured dolphin.

Flights by 6,000 pilots in all 50 states allow for much quicker trips than by auto from areas with high numbers of abused animals to areas with high numbers of permanent homes, said Kate Quinn, Pilots N Paws executive director. "John really stands out over the years for his loyalty to the mission and helping the organization to grow," Quinn said. "He seems like the Energizer Bunny."

She added that pilots fit the mission well as they tend to be planners and good at thinking on their feet, and she said people in the rescue world "really come to cherish the pilots and stay close and keep in touch."

McGuire had been Davis' hangar neighbor at the Carroll County airport and recruited him years ago to volunteer. At first, he was a student — he didn't get his pilot's license until age 69 — and would accompany her, before becoming licensed.

"It's a good reason to fuel up the planes," McGuire said. "It was always a good feeling."

Davis recalled one close call, thanks to heavy fog.

"Sometimes, you look at the weather, and you see it's five miles behind, 10 miles behind," said Davis. Once, while returning from a mission, "the next thing you know, I'm in complete whiteout. The ground can't see it because it's fog, which doesn't show up on radar."

An air traffic controller assured him of clear weather below, and "I took it on down, and the rest of the trip was a cup of tea," Davis said.

He flew even while in the assisted living home he and his daughter chose after his wife, Linda, of 35 years died in 2021. Because his two daughters live out of state, the idea was to get help with laundry, meals and everyday tasks. When independent living was full, he said he opted for assisted living.

Along with working on the appeal, Davis spends his time meeting friends and tending to his aircraft. He hopes to be back in the sky, in control.

"It's like the end of something," he said. "It does hurt. There's no getting around it. This meant a lot to me."

Have a news tip? Contact Lorraine Mirabella at lmirabella@baltisun.com and (410) 332-6622.

Health care price hike frustrates Md. enrollees



Maryland to provide extra SNAP support amid federal



CODE OF CANON LAW

BOOK II. THE PEOPLE OF GOD

- **PART II. THE HIERARCHICAL CONSTITUTION OF THE CHURCH**
 - **SECTION II. PARTICULAR CHURCHES AND THEIR GROUPINGS**
 - **TITLE III. THE INTERNAL ORDERING OF PARTICULAR CHURCHES (Cann. 460 - 572)**
 - **CHAPTER I. THE DIOCESAN SYNOD**
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PART II. THE HIERARCHICAL CONSTITUTION OF THE CHURCH

SECTION II. PARTICULAR CHURCHES AND THEIR GROUPINGS

TITLE III.

THE INTERNAL ORDERING OF PARTICULAR CHURCHES (Cann. 460 - 572)

CHAPTER I.

THE DIOCESAN SYNOD

Can. 460 A diocesan synod is a group of selected priests and other members of the Christian faithful of a particular church who offer assistance to the diocesan bishop for the good of the whole diocesan community according to the norm of the following canons.

Can. 461 §1. A diocesan synod is to be celebrated in individual particular churches when circumstances suggest it in the judgment of the diocesan bishop after he has heard the presbyteral council.

§2. If a bishop has the care of several dioceses or has the care of one as the proper bishop but of another as administrator, he can convoke one diocesan synod for all the dioceses entrusted to him.

Can. 462 §1. The diocesan bishop alone convokes a diocesan synod, but not one who temporarily presides over a diocese.

§2. The diocesan bishop presides over a diocesan synod. He can, however, delegate a vicar general or episcopal vicar to fulfill this responsibility for individual sessions of the synod.

Can. 463 §1. The following must be called to a diocesan synod as members of the synod and are obliged to participate in it:

1/ a coadjutor bishop and auxiliary bishops;

2/ vicars general, episcopal vicars, and the judicial vicar;

3/ canons of the cathedral church;

4/ members of the presbyteral council;

5/ lay members of the Christian faithful, even members of institutes of consecrated life, chosen by the pastoral council in a manner and number to be determined by the diocesan bishop or, where this council does not exist, in a manner determined by the diocesan bishop;

6/ the rector of the diocesan major seminary;

7/ vicars forane;

8/ at least one presbyter from each vicariate forane, chosen by all those who have the care of souls there; also another presbyter must be chosen who, if the first is impeded, is to take his place;

9/ some superiors of religious institutes and of societies of apostolic life which have a house in the diocese, chosen in a number and manner determined by the diocesan bishop.

§2. The diocesan bishop can also call others to a diocesan synod as members of the synod; they can be clerics, members of institutes of consecrated life, or lay members of the Christian faithful.

§3. If the diocesan bishop has judged it opportune, he can invite as observers to the diocesan synod other ministers or members of Churches or ecclesial communities which are not in full communion with the Catholic Church.

Can. 464 If a member of the synod is prevented by a legitimate impediment, the member cannot send a proxy to attend it in his or her name. The member, however, is to inform the diocesan bishop of this impediment.

Can. 465 All proposed questions are subject to the free discussion of the members during sessions of the synod.

Can. 466 The only legislator in a diocesan synod is the diocesan bishop; the other members of the synod possess only a consultative vote. Only he signs the synodal declarations and decrees, which can be published by his authority alone.

Can. 467 The diocesan bishop is to communicate the texts of the synodal declarations and decrees to the metropolitan and the conference of bishops.

Can. 468 §1. The diocesan bishop is competent to suspend or dissolve a diocesan synod according to his prudent judgment.

§2. When an episcopal see is vacant or impeded, a diocesan synod is interrupted by the law itself until the succeeding diocesan bishop has decided that it is to be continued or has declared it terminated.

CHAPTER II.

THE DIOCESAN CURIA

Can. 469 The diocesan curia consists of those institutions and persons which assist the bishop in the governance of the whole diocese, especially in guiding pastoral action, in caring for the administration of the diocese, and in exercising judicial power.

Can. 470 The appointment of those who exercise offices in the diocesan curia pertains to the diocesan bishop.

Can. 471 All those who are admitted to offices in the curia must:

1/ promise to fulfill their function faithfully according to the manner determined by law or by the bishop;

2/ observe secrecy within the limits and according to the manner determined by law or by the bishop.

Can. 472 The prescripts of Book VII, Processes, are to be observed regarding cases and persons which belong to the exercise of judicial power in the curia. The prescripts of the following canons, however, are to be observed regarding those things which pertain to the administration of the diocese.

Can. 473 §1. A diocesan bishop must take care that all the affairs which belong to the administration of the whole diocese are duly coordinated and are ordered to attain more suitably the good of the portion of the people of God entrusted to him.

§2. It is for the diocesan bishop himself to coordinate the pastoral action of the vicars general or episcopal vicars. Where it is expedient, a moderator of the curia can be appointed who must be a priest and who, under the authority of the bishop, is to coordinate those things which pertain to the treatment of administrative affairs and to take care that the other members of the curia properly fulfill the office entrusted to them.

§3. Unless in the judgment of the bishop local circumstances suggest otherwise, the vicar general or if there are several, one of the vicars general, is to be appointed moderator of the curia.

§4. Where the bishop has judged it expedient, he can establish an episcopal council, consisting of the vicars general and episcopal vicars, to foster pastoral action more suitably.

Can. 474 For validity, acts of the curia which are to have juridic effect must be signed by the ordinary from whom they emanate; they must also be signed by the chancellor of the curia or a notary. The chancellor, moreover, is bound to inform the moderator of the curia concerning such acts.

Art. 1.

VICARS GENERAL AND EPISCOPAL VICARS

Can. 475 §1. In each diocese the diocesan bishop must appoint a vicar general who is provided with ordinary power according to the norm of the following canons and who is to assist him in the governance of the whole diocese.

§2. As a general rule, one vicar general is to be appointed unless the size of the diocese, the number of inhabitants, or other pastoral reasons suggest otherwise.

Can. 476 Whenever the correct governance of a diocese requires it, the diocesan bishop can also appoint one or more episcopal vicars, namely, those who in a specific part of the diocese or in a certain type of affairs or over the faithful of a specific rite or over certain groups of persons possess the same ordinary power which a vicar general has by universal law, according to the norm of the following canons.

Can. 477 §1. The diocesan bishop freely appoints a vicar general and an episcopal vicar and can freely remove them, without prejudice to the prescript of can. 406. An episcopal vicar who is not an auxiliary bishop is to be appointed only for a time to be determined in the act of appointment.

§2. When a vicar general is absent or legitimately impeded, a diocesan bishop can appoint another to take his place; the same norm applies to an episcopal vicar.

Can. 478 §1. A vicar general and an episcopal vicar are to be priests not less than thirty years old, doctors or licensed in canon law or theology or at least truly expert in these disciplines, and recommended by sound doctrine, integrity, prudence, and experience in handling matters.

§2. The function of vicar general and episcopal vicar can neither be coupled with the function of canon penitentiary nor be entrusted to blood relatives of the bishop up to the fourth degree.

Can. 479 §1. By virtue of office, the vicar general has the executive power over the whole diocese which belongs to the diocesan bishop by law, namely, the power to place all administrative acts except those, however, which the bishop has reserved to himself or which require a special mandate of the bishop by law.

§2. By the law itself an episcopal vicar has the same power mentioned in §1 but only over the specific part of the territory or the type of affairs or the faithful of a specific rite or group for which he was appointed, except those cases which the bishop has reserved to himself or to a vicar general or which require a special mandate of the bishop by law.

§3. Within the limit of their competence, the habitual faculties granted by the Apostolic See to the bishop and the execution of rescripts also pertain to a vicar general and an episcopal vicar, unless it has been expressly provided otherwise or the personal qualifications of the diocesan bishop were chosen.

Can. 480 A vicar general and an episcopal vicar must report to the diocesan bishop concerning the more important affairs which are to be handled or have been handled, and they are never to act contrary to the intention and mind of the diocesan bishop.

Can. 481 §1. The power of a vicar general and an episcopal vicar ceases at the expiration of the time of the mandate, by resignation, by removal made known to them by the diocesan bishop, without prejudice to cann. 406 and 409, and at the vacancy of the episcopal see.

§2. When the function of the diocesan bishop is suspended, the power of a vicar general and an episcopal vicar is suspended also unless they are bishops.

Art. 2.

THE CHANCELLOR, OTHER NOTARIES, AND THE ARCHIVES

Can. 482 §1. In every curia a chancellor is to be appointed whose principal function, unless particular law establishes otherwise, is to take care that acts of the curia are gathered, arranged, and safeguarded in the archive of the curia.

§2. If it seems necessary, the chancellor can be given an assistant whose title is to be vice-chancellor.

§3. By reason of being chancellor and vice-chancellor they are notaries and secretaries of the curia.

Can. 483 §1. Besides the chancellor, other notaries can be appointed whose writing or signature establishes authenticity for any acts, for judicial acts only, or for acts of a certain case or affair only.

§2. The chancellor and notaries must be of unimpaired reputation and above all suspicion. In cases in which the reputation of a priest can be called into question, the notary must be a priest.

Can. 484 It is the duty of notaries:

1/ to draw up the acts and instruments regarding decrees, dispositions, obligations, or other things which require their action;

2/ to record faithfully in writing what has taken place and to sign it with a notation of the place, day, month, and year;

3/ having observed what is required, to furnish acts or instruments to one who legitimately requests them from the records and to declare copies of them to be in conformity with the original.

Can. 485 The chancellor and other notaries can be freely removed from office by the diocesan bishop, but not by a diocesan administrator except with the consent of the college of consultors.

Can. 486 §1. All documents which regard the diocese or parishes must be protected with the greatest care.

§2. In every curia there is to be erected in a safe place a diocesan archive, or record storage area, in which instruments and written documents which pertain to the spiritual and temporal affairs of the diocese are to be safeguarded after being properly filled and diligently secured.

§3. An inventory, or catalog, of the documents which are contained in the archive is to be kept with a brief synopsis of each written document.

Can. 487 §1. The archive must be locked and only the bishop and chancellor are to have its key. No one is permitted to enter except with the permission either of the bishop or of both the moderator of the curia and the chancellor.

§2. Interested parties have the right to obtain personally or through a proxy an authentic written copy or photocopy of documents which by their nature are public and which pertain to their personal status.

Can. 488 It is not permitted to remove documents from the archive except for a brief time only and with the consent either of the bishop or of both the moderator of the curia and the chancellor.

Can. 489 §1. In the diocesan curia there is also to be a secret archive, or at least in the common archive there is to be a safe or cabinet, completely closed and locked, which cannot be removed; in it documents to be kept secret are to be protected most securely.

§2. Each year documents of criminal cases in matters of morals, in which the accused parties have died or ten years have elapsed from the condemnatory sentence, are to be destroyed. A brief summary of what occurred along with the text of the definitive sentence is to be retained.

Can. 490 §1. Only the bishop is to have the key to the secret archive.

§2. When a see is vacant, the secret archive or safe is not to be opened except in a case of true necessity by the diocesan administrator himself.

§3. Documents are not to be removed from the secret archive or safe.

Can. 491 §1. A diocesan bishop is to take care that the acts and documents of the archives of cathedral, collegiate, parochial, and other churches in his territory are also diligently preserved and that inventories or catalogs are made in duplicate, one of which is to be preserved in the archive of the church and the other in the diocesan archive.

§2. A diocesan bishop is also to take care that there is an historical archive in the diocese and that documents having historical value are diligently protected and systematically ordered in it.

§3. In order to inspect or remove the acts and documents mentioned in §§1 and 2, the norms established by the diocesan bishop are to be observed.

Art. 3.

THE FINANCE COUNCIL AND THE FINANCE OFFICER

Can. 492 §1. In every diocese a Finance council is to be established, over which the diocesan bishop himself or his delegate presides and which consists of at least three members of the Christian faithful truly expert in Financial affairs and civil law, outstanding in integrity, and appointed by the bishop.

§2. Members of the Finance council are to be appointed for Five years, but at the end of this period they can be appointed for other Five year terms.

§3. Persons who are related to the bishop up to the fourth degree of consanguinity or affinity are excluded from the Finance council.

Can. 493 In addition to the functions entrusted to it in Book V, The Temporal Goods of the Church, the Finance council prepares each year, according to the directions of the diocesan bishop, a budget of the income and expenditures which are foreseen for the entire governance of the diocese in the coming year and at the end of the year examines an account of the revenues and expenses.

Can. 494 §1. In every diocese, after having heard the college of consultors and the Finance council, the bishop is to appoint a Finance officer who is truly expert in Financial affairs and absolutely distinguished for honesty.

§2. The Finance officer is to be appointed for a Five year term but can be appointed for other Five year terms at the end of this period. The finance officer is not to be removed while in this function except for a grave cause to be assessed by the bishop after he has heard the college of consultors and the Finance council.

§3. It is for the Finance officer to administer the goods of the diocese under the authority of the bishop in accord with the budget determined by the Finance council and, from the income of the diocese, to meet expenses which the bishop or others designated by him have legitimately authorized.

§4. At the end of the year, the Finance officer must render an account of receipts and expenditures to the Finance council.

CHAPTER III.

THE PRESBYTERAL COUNCIL AND THE COLLEGE OF CONSULTORS

Can. 495 §1. In each diocese a presbyteral council is to be established, that is, a group of priests which, representing the presbyterium, is to be like a senate of the bishop and which assists the bishop in the governance of the diocese according to the norm of law to promote as much as possible the pastoral good of the portion of the people of God entrusted to him.

§2. In apostolic vicariates and prefectures, the vicar or prefect is to establish a council of at least three missionary presbyters whose opinion, even by letter, he is to hear in more serious matters.

Can. 496 The presbyteral council is to have its own statutes approved by the diocesan bishop, attentive to the norms issued by the conference of bishops.

Can. 497 In what pertains to the designation of members of the presbyteral council:

- 1/ the priests themselves are freely to elect about half, according to the norm of the following canons and of the statutes;
- 2/ according to the norm of the statutes, some priests must be ex officio members, that is, members who are to belong to the council by reason of the office entrusted to them;
- 3/ the diocesan bishop is freely entitled to appoint others.

Can. 498 §1. The following have the right of election, both active and passive, in constituting a presbyteral council:

- 1/ all secular priests incardinated in the diocese;
- 2/ secular priests not incardinated in the diocese and priests who are members of some religious institute or society of apostolic life, who reside in the diocese and exercise some office for the good of the diocese.

§2. To the extent that the statutes provide for it, the same right of election can be conferred on other priests who have a domicile or quasi-domicile in the diocese.

Can. 499 The manner of electing members of the presbyteral council must be determined in the statutes in such a way that, insofar as possible, the priests of the presbyterium are represented, taking into account especially the different ministries and various regions of the diocese.

Can. 500 §1. It is for the diocesan bishop to convoke the presbyteral council, preside over it, and determine the questions to be treated by it or receive proposals from the members.

§2. The presbyteral council possesses only a consultative vote; the diocesan bishop is to hear it in affairs of greater importance but needs its consent only in cases expressly defined by law.

§3. The presbyteral council is not able to act without the diocesan bishop who alone has charge of making public those things which have been established according to the norm of §2.

Can. 501 §1. Members of the presbyteral council are to be designated for a time determined in the statutes, in such a way, however, that the entire council or some part of it is renewed within five years.

§2. When a see is vacant, the presbyteral council ceases and the college of consultors fulfills its functions.

Within a year of taking possession, a bishop must establish the presbyteral council anew.

§3. If the presbyteral council does not fulfill the function entrusted to it for the good of the diocese or gravely abuses it, the diocesan bishop, after having consulted with the metropolitan, or, if it concerns the metropolitan see itself, with the suffragan bishop senior in promotion, can dissolve it but must establish it anew within a year.

Can. 502 §1. From among the members of the presbyteral council and in a number not less than six nor more than twelve, the diocesan bishop freely appoints some priests who are to constitute for five years a college of consultors, to which belongs the functions determined by law. When the five years elapse, however, it continues to exercise its proper functions until a new college is established.

§2. The diocesan bishop presides over the college of consultors. When a see is impeded or vacant, however, the one who temporarily takes the place of the bishop or, if he has not yet been appointed, the priest who is senior in ordination in the college of consultors presides.

§3. The conference of bishops can establish that the functions of the college of consultors are to be entrusted to the cathedral chapter.

§4. In an apostolic vicariate and prefecture, the council of the mission mentioned in can. 495, §2 has the functions of the college of consultors unless the law establishes otherwise.

CHAPTER IV.

CHAPTERS OF CANONS

Can. 503 A chapter of canons, whether cathedral or collegial, is a college of priests which performs more solemn liturgical functions in a cathedral or collegial church. In addition, it is for the cathedral chapter to fulfill the functions which the law or the diocesan bishop entrusts to it.

Can. 504 The erection, alteration, or suppression of a cathedral chapter is reserved to the Apostolic See.

Can. 505 Each and every chapter, whether cathedral or collegial, is to have its own statutes, drawn up through a legitimate capitular act and approved by the diocesan bishop. These statutes are neither to be changed nor abrogated except with the approval of the same diocesan bishop.

Can. 506 §1. The statutes of a chapter are to determine the constitution of the chapter and the number of canons, always without prejudice to the laws of its foundation. They are to define those things which the chapter and individual canons are to do in the performance of divine worship and ministry. They are to determine the meetings in which the affairs of the chapter are handled and establish the conditions required for the validity and liceity of those affairs, without prejudice to the prescripts of universal law.

§2. The statutes are also to define the compensation, whether stable or to be given on the occasion of the performance of some function, and, attentive to the norms issued by the Holy See, the insignia of the canons.

Can. 507 §1. One of the canons is to preside over the chapter; other offices are also to be constituted according to the norm of the statutes, after the practice prevailing in the region has been taken into consideration.

§2. Other offices can be entrusted to clerics who do not belong to the chapter; through these offices they assist the canons according to the norm of the statutes.

Can. 508 §1. By virtue of office, the canon penitentiary of a cathedral church and of a collegial church has the ordinary faculty, which he cannot delegate to others, of absolving in the sacramental forum outsiders within the diocese and members of the diocese even outside the territory of the diocese from undeclared latae sententiae censures not reserved to the Apostolic See.

§2. Where there is no chapter, the diocesan bishop is to appoint a priest to fulfill the same function.

Can. 509 §1. After having heard the chapter, it is for the diocesan bishop, but not a diocesan administrator, to confer each and every canonry, both in a cathedral church and in a collegial church; every contrary privilege is revoked.

It is for the same bishop to confirm the person elected by the chapter to preside over it.

§2. A diocesan bishop is to confer canonries only upon priests outstanding in doctrine and integrity of life, who have laudably exercised the ministry.

Can. 510 §1. Parishes are no longer to be joined to a chapter of canons; the diocesan bishop is to separate from a chapter those parishes which are united to it.

§2. In a church which is at the same time parochial and capitular, a pastor is to be designated, whether chosen from among the members of the chapter or not. This pastor is bound by all the duties and possesses the rights and faculties which are proper to a pastor according to the norm of law.

§3. It is for the diocesan bishop to establish definite norms which fittingly integrate the pastoral duties of the pastor and the functions proper to the chapter, taking care that the pastor is not a hindrance to capitular functions nor the chapter to parochial functions. The diocesan bishop, who above all is to take care that the pastoral needs of the faithful are aptly provided for, is to resolve conflicts if they occur.

§4. Alms given to a church which is at the same time parochial and capitular are presumed given to the parish unless it is otherwise evident.

CHAPTER V.

THE PASTORAL COUNCIL

Can. 511 In every diocese and to the extent that pastoral circumstances suggest it, a pastoral council is to be constituted which under the authority of the bishop investigates, considers, and proposes practical conclusions about those things which pertain to pastoral works in the diocese.

Can. 512 §1. A pastoral council consists of members of the Christian faithful who are in full communion with the Catholic Church—clerics, members of institutes of consecrated life, and especially laity—who are designated in a manner determined by the diocesan

bishop.

§2. The Christian faithful who are designated to a pastoral council are to be selected in such a way that they truly reflect the entire portion of the people of God which constitutes the diocese, with consideration given to the different areas of the diocese, social conditions and professions, and the role which they have in the apostolate whether individually or joined with others.

§3. No one except members of the Christian faithful outstanding in firm faith, good morals, and prudence is to be designated to a pastoral council.

Can. 513 §1. A pastoral council is constituted for a period of time according to the prescripts of the statutes which are issued by the bishop.

§2. When the see is vacant, a pastoral council ceases.

Can. 514 §1. A pastoral council possesses only a consultative vote. It belongs to the diocesan bishop alone to convoke it according to the needs of the apostolate and to preside over it; it also belongs to him alone to make public what has been done in the council.

§2. The pastoral council is to be convoked at least once a year.

CHAPTER VI.

PARISHES, PASTORS, AND PAROCHIAL VICARS

Can. 515 §1. A parish is a certain community of the Christian faithful stably constituted in a particular church, whose pastoral care is entrusted to a pastor (*parochus*) as its proper pastor (*pastor*) under the authority of the diocesan bishop.

§2. It is only for the diocesan bishop to erect, suppress, or alter parishes. He is neither to erect, suppress, nor alter notably parishes, unless he has heard the presbyteral council.

§3. A legitimately erected parish possesses juridic personality by the law itself.

Can. 516 §1. Unless the law provides otherwise, a quasi-parish is equivalent to a parish; a quasi-parish is a definite community of the Christian faithful in a particular church, entrusted to a priest as its proper pastor but not yet erected as a parish because of particular circumstances.

§2. When certain communities cannot be erected as parishes or quasi-parishes, the diocesan bishop is to provide for their pastoral care in another way.

Can. 517 §1. When circumstances require it, the pastoral care of a parish or of different parishes together can be entrusted to several priests *in solidum*, with the requirement, however, that in exercising pastoral care one of them must be the moderator, namely, the one who is to direct the joint action and to answer for it to the bishop.

§2. If, because of a lack of priests, the diocesan bishop has decided that participation in the exercise of the pastoral care of a parish is to be entrusted to a deacon, to another person who is not a priest, or to a community of persons, he is to appoint some priest who, provided with the powers and faculties of a pastor, is to direct the pastoral care.

Can. 518 As a general rule a parish is to be territorial, that is, one which includes all the Christian faithful of a certain territory. When it is expedient, however, personal parishes are to be established determined by reason of the rite, language, or nationality of the Christian faithful of some territory, or even for some other reason.

Can. 519 The pastor (*parochus*) is the proper pastor (*pastor*) of the parish entrusted to him, exercising the pastoral care of the community committed to him under the authority of the diocesan bishop in whose ministry of Christ he has been called to share, so that for that same community he carries out the functions of teaching, sanctifying, and governing, also with the cooperation of other presbyters or deacons and with the assistance of lay members of the Christian faithful, according to the norm of law.

Can. 520 §1. A juridic person is not to be a pastor. With the consent of the competent superior, however, a diocesan bishop, but not a diocesan administrator, can entrust a parish to a clerical religious institute or clerical society of apostolic life, even by erecting it in a church of the institute or society, with the requirement, however, that one presbyter is to be the pastor of the parish or, if the pastoral care is entrusted to several *in solidum*, the moderator as mentioned in can. 517, §1.

§2. The entrusting of a parish mentioned in §1 can be made either perpetually or for a specific, predetermined time. In either case it is to be made by means of a written agreement between the diocesan bishop and the competent superior of the institute or society, which expressly and accurately defines, among other things, the work to be accomplished, the persons to be assigned to the parish, and the Financial arrangements.

Can. 521 §1. To become a pastor validly, one must be in the sacred order of the presbyterate.

§2. Moreover, he is to be outstanding in sound doctrine and integrity of morals and endowed with zeal for souls and other virtues; he is also to possess those qualities which are required by universal or particular law to care for the parish in question.

§3. For the office of pastor to be conferred on someone, his suitability must be clearly evident by some means determined by the diocesan bishop, even by means of an examination.

Can. 522 A pastor must possess stability and therefore is to be appointed for an indefinite period of time. The diocesan bishop can appoint him only for a specific period if the conference of bishops has permitted this by a decree.

Can. 523 Without prejudice to the prescript of can. 682, §1, the provision of the office of pastor belongs to the diocesan bishop, and indeed by free conferral, unless someone has the right of presentation or election.

Can. 524 A diocesan bishop is to entrust a vacant parish to the one whom he considers suited to fulfill its parochial care, after weighing all the circumstances and without any favoritism. To make a judgment about suitability, he is to hear the vicar forane and conduct appropriate investigations, having heard certain presbyters and lay members of the Christian faithful, if it is warranted.

Can. 525 When a see is vacant or impeded, it belongs to the diocesan administrator or another who governs the diocese temporarily:

1/ to install or confirm presbyters who have been legitimately presented or elected for a parish;

2/ to appoint pastors if the see has been vacant or impeded for a year.

Can. 526 §1. A pastor is to have the parochial care of only one parish; nevertheless, because of a lack of priests or other circumstances, the care of several neighboring parishes can be entrusted to the same pastor.

§2. In the same parish there is to be only one pastor or moderator in accord with the norm of can. 517, §1; any contrary custom is reprobated and any contrary privilege whatsoever is revoked.

Can. 527 §1. The person who has been promoted to carry out the pastoral care of a parish obtains this care and is bound to exercise it from the moment of taking possession.

§2. The local ordinary or a priest delegated by him places the pastor in possession; he is to observe the method accepted by particular law or legitimate custom. The same ordinary, however, can dispense from that method for a just cause; in this case, the notification of the dispensation to the parish replaces the taking of possession.

§3. The local ordinary is to prescribe the time within which possession of a parish must be taken. When this has elapsed without action, he can declare the parish vacant unless there was a just impediment.

Can. 528 §1. A pastor is obliged to make provision so that the word of God is proclaimed in its entirety to those living in the parish; for this reason, he is to take care that the lay members of the Christian faithful are instructed in the truths of the faith, especially by giving a homily on Sundays and holy days of obligation and by offering catechetical instruction. He is to foster works through which the spirit of the gospel is promoted, even in what pertains to social justice. He is to have particular care for the Catholic education of children and youth. He is to make every effort, even with the collaboration of the Christian faithful, so that the message of the gospel comes also to those who have ceased the practice of their religion or do not profess the true faith.

§2. The pastor is to see to it that the Most Holy Eucharist is the center of the parish assembly of the faithful.

He is to work so that the Christian faithful are nourished through the devout celebration of the sacraments and, in a special way, that they frequently approach the sacraments of the Most Holy Eucharist and penance. He is also to endeavor that they are led to practice prayer even as families and take part consciously and actively in the sacred liturgy which, under the authority of the diocesan bishop, the pastor must direct in his own parish and is bound to watch over so that no abuses creep in.

Can. 529 §1. In order to fulfill his office diligently, a pastor is to strive to know the faithful entrusted to his care.

Therefore he is to visit families, sharing especially in the cares, anxieties, and griefs of the faithful, strengthening them in the Lord, and prudently correcting them if they are failing in certain areas. With generous love he is to help the sick, particularly those close to death, by refreshing them solicitously with the sacraments and commending their souls to God; with particular diligence he is to seek out the poor, the afflicted, the lonely, those exiled from their country, and similarly those weighed down by special difficulties. He is to work so that spouses and parents are supported in fulfilling their proper duties and is to foster growth of Christian life in the family.

§2. A pastor is to recognize and promote the proper part which the lay members of the Christian faithful have in the mission of the Church, by fostering their associations for the purposes of religion. He is to cooperate with his own bishop and the presbyterium of the diocese, also working so that the faithful have concern for parochial communion, consider themselves members of the diocese and of the universal Church, and participate in and sustain efforts to promote this same communion.

Can. 530 The following functions are especially entrusted to a pastor:

1/ the administration of baptism;

2/ the administration of the sacrament of confirmation to those who are in danger of death, according to the norm of can. 883, n. 3;

3/ the administration of Viaticum and of the anointing of the sick, without prejudice to the prescript of can. 1003, §§2 and 3, and the imparting of the apostolic blessing;

4/ the assistance at marriages and the nuptial blessing;

5/ the performance of funeral rites;

6/ the blessing of the baptismal font at Easter time, the leading of processions outside the church, and solemn blessings outside the church;

7/ the more solemn eucharistic celebration on Sundays and holy days of obligation.

Can. 531 Although another person has performed a certain parochial function, that person is to put the offerings received from the Christian faithful on that occasion in the parochial account, unless in the case of voluntary openings the contrary intention of the donor is certain. The diocesan bishop, after having heard the presbyteral council, is competent to establish prescripts which provide for the allocation of these openings and the remuneration of clerics fulfilling the same function.

Can. 532 In all juridic affairs the pastor represents the parish according to the norm of law. He is to take care that the goods of the parish are administered according to the norm of cann. 1281-1288.

Can. 533 §1. A pastor is obliged to reside in a rectory near the church. Nevertheless, in particular cases and if there is a just cause, the local ordinary can permit him to reside elsewhere, especially in a house shared by several presbyters, provided that the performance of parochial functions is properly and suitably provided for.

§2. Unless there is a grave reason to the contrary, a pastor is permitted to be absent from the parish each year for vacation for at most one continuous or interrupted month; those days which the pastor spends once a year in spiritual retreat are not computed in the time of vacation. In order to be absent from the parish for more than a week, however, a pastor is bound to inform the local ordinary.

§3. It is for the diocesan bishop to establish norms which see to it that during the absence of the pastor, a priest endowed with the necessary faculties provides for the care of the parish.

Can. 534 §1. After a pastor has taken possession of his parish, he is obliged to apply a Mass for the people entrusted to him on each Sunday and holy day of obligation in his diocese. If he is legitimately impeded from this celebration, however, he is to apply it on the same days through another or on other days himself.

§2. A pastor who has the care of several parishes is bound to apply only one Mass for the entire people entrusted to him on the days mentioned in §1.

§3. A pastor who has not satisfied the obligation mentioned in §§1 and 2 is to apply as soon as possible as many Masses for the people as he has omitted.

Can. 535 §1. Each parish is to have parochial registers, that is, those of baptisms, marriages, deaths, and others as prescribed by the conference of bishops or the diocesan bishop. The pastor is to see to it that these registers are accurately inscribed and carefully preserved.

n §2. In libro baptizatorum adnotentur quoque adscriptio Ecclesiae sui iuris vel ad aliam transitus, necnon confirmatio, item quae pertinent ad statum canonicum christifidelium, ratione matrimonii, salvo quidem praescripto can. 1133, ratione adoptionis, ratione suscepti ordinis sacri, necnon professionis perpetuae in instituto religioso emissae; eaeque adnotationes in documento accepti baptismi semper referantur.

§3. Each parish is to have its own seal. Documents regarding the canonical status of the Christian faithful and all acts which can have juridic importance are to be signed by the pastor or his delegate and sealed with the parochial seal.

§4. In each parish there is to be a storage area, or archive, in which the parochial registers are protected along with letters of bishops and other documents which are to be preserved for reason of necessity or advantage. The pastor is to take care that all of these things, which are to be inspected by the diocesan bishop or his delegate at the time of visitation or at some other opportune time, do not come into the hands of outsiders.

§5. Older parochial registers are also to be carefully protected according to the prescripts of particular law.

Can. 536 §1. If the diocesan bishop judges it opportune after he has heard the presbyteral council, a pastoral council is to be established in each parish, over which the pastor presides and in which the Christian faithful, together with those who share in pastoral care by virtue of their office in the parish, assist in fostering pastoral activity.

§2. A pastoral council possesses a consultative vote only and is governed by the norms established by the diocesan bishop.

Can. 537 In each parish there is to be a finance council which is governed, in addition to universal law, by norms issued by the diocesan bishop and in which the Christian faithful, selected according to these same norms, are to assist the pastor in the administration of the goods of the parish, without prejudice to the prescript of can. 532.

Can. 538 §1. A pastor ceases from office by removal or transfer carried out by the diocesan bishop according to the norm of law, by resignation made by the pastor himself for a just cause and accepted by the same bishop for validity, and by lapse of time if he had been appointed for a definite period according to the prescripts of particular law mentioned in can. 522.

§2. A pastor who is a member of a religious institute or is incardinated in a society of apostolic life is removed according to the norm of can. 682, §2.

§3. When a pastor has completed seventy-Five years of age, he is requested to submit his resignation from office to the diocesan bishop who is to decide to accept or defer it after he has considered all the circumstances of the person and place. Attentive to the norms established by the conference of bishops, the diocesan bishop must provide suitable support and housing for a retired pastor.

Can. 539 When a parish becomes vacant or when a pastor is prevented from exercising his pastoral function in the parish by reason of captivity, exile or banishment, incapacity or ill health, or some other cause, the diocesan bishop is to designate as soon as possible a parochial administrator, that is, a priest who takes the place of the pastor according to the norm of can. 540.

Can. 540 §1. A parochial administrator is bound by the same duties and possesses the same rights as a pastor unless the diocesan bishop establishes otherwise.

§2. A parochial administrator is not permitted to do anything which prejudices the rights of the pastor or can harm parochial goods.

§3. After he has completed his function, a parochial administrator is to render an account to the pastor.

Can. 541 §1. When a parish becomes vacant or a pastor has been impeded from exercising his pastoral function and before the appointment of a parochial administrator, the parochial vicar is to assume the governance of the parish temporarily. If there are several vicars, the one who is senior in appointment or, if there are no vicars, a pastor determined by particular law assumes this governance.

§2. The one who has assumed the governance of a parish according to the norm of §1 is immediately to inform the local ordinary about the vacancy of the parish.

Can. 542 Priests to whom the pastoral care of some parish or of different parishes together is entrusted in solidum according to the norm of can. 517, §1:

1/ must be endowed with the qualities mentioned in can. 521;

2/ are to be appointed or installed according to the norm of the prescripts of cann. 522 and 524;

3/ obtain pastoral care only from the moment of taking possession; their moderator is placed in possession according to the norm of the prescripts of can. 527, §2; for the other priests, however, a legitimately made profession of faith replaces taking possession.

Can. 543 §1. If the pastoral care of some parish or of different parishes together is entrusted to priests in solidum, each of them is obliged to perform the tasks and functions of pastor mentioned in cann. 528, 529, and 530 according to the arrangement they establish. All of them have the faculty of assisting at marriages and all the powers to dispense granted to a pastor by law; these are to be exercised, however, under the direction of the moderator.

§2. All the priests who belong to the group:

1/ are bound by the obligation of residence;

2/ are to establish through common counsel an arrangement by which one of them is to celebrate a Mass for the people according to the norm of can. 534;

3/ the moderator alone represents in juridic affairs the parish or parishes entrusted to the group.

Can. 544 When a priest from the group mentioned in can. 517, §1 or its moderator ceases from office as well as when one of them becomes incapable of exercising his pastoral function, the parish or parishes whose care is entrusted to the group do not become vacant. It is for the diocesan bishop, however, to appoint another moderator; before someone is appointed by the bishop, the priest in the group who is senior in appointment is to fulfill this function.

Can. 545 §1. Whenever it is necessary or opportune in order to carry out the pastoral care of a parish fittingly, one or more parochial vicars can be associated with the pastor. As co-workers with the pastor and sharers in his solicitude, they are to offer service in the pastoral ministry by common counsel and effort with the pastor and under his authority.

§2. A parochial vicar can be assigned either to assist in exercising the entire pastoral ministry for the whole parish, a determined part of the parish, or a certain group of the Christian faithful of the parish, or even to assist in fulfilling a specific ministry in different parishes together.

Can. 546 To be appointed a parochial vicar validly, one must be in the sacred order of the presbyterate.

Can. 547 The diocesan bishop freely appoints a parochial vicar, after he has heard, if he has judged it opportune, the pastor or pastors of the parishes for which the parochial vicar is appointed and the vicar forane, without prejudice to the prescript of can. 682, §1.

Can. 548 §1. The obligations and rights of a parochial vicar, besides being defined in the canons of this chapter, diocesan statutes, and the letter of the diocesan bishop, are more specifically determined in the mandate of the pastor.

§2. Unless the letter of the diocesan bishop expressly provides otherwise, a parochial vicar is obliged to assist the pastor in the entire parochial ministry by reason of office, except for the application of the Mass for the people, and to substitute for the pastor if the situation arises according to the norm of law.

§3. A parochial vicar is to report to the pastor regularly concerning proposed and existing pastoral endeavors in such a way that the pastor and the vicar or vicars, through common efforts, are able to provide for the pastoral care of the parish for which they are together responsible.

Can. 549 Unless the diocesan bishop has provided otherwise according to the norm of can. 533, §3 and unless a parochial administrator has been appointed, the prescripts of can. 541, §1 are to be observed when the pastor is absent. In this case, the vicar is also bound by all the obligations of the pastor, except the obligation of applying Mass for the people.

Can. 550 §1. A parochial vicar is obliged to reside in the parish or, if he has been appointed for different parishes jointly, in one of them. Nevertheless, for a just cause the local ordinary can allow him to reside elsewhere, especially in a house shared by several presbyters, provided that this is not detrimental to the performance of his pastoral functions.

§2. The local ordinary is to take care that some manner of common life in the rectory is fostered between the pastor and the vicars where this can be done.

§3. A parochial vicar possesses the same right as a pastor concerning the time of vacation.

Can. 551 The prescripts of can. 531 are to be observed in regards to openings which the Christian faithful give to a vicar on the occasion of the performance of pastoral ministry.

Can. 552 The diocesan bishop or diocesan administrator can remove a parochial vicar for a just cause, without prejudice to the prescript of can. 682, §2.

CHAPTER VII.

VICARS FORANE

Can. 553 §1. A vicar forane, who is also called a dean, an archpriest, or some other name, is a priest who is placed over a vicariate forane.

§2. Unless particular law establishes otherwise, the diocesan bishop appoints the vicar forane, after he has heard the priests who exercise ministry in the vicariate in question according to his own prudent judgment.

Can. 554 §1. For the office of vicar forane, which is not tied to the office of pastor of a certain parish, the bishop is to select a priest whom he has judged suitable, after he has considered the circumstances of place and time.

§2. A vicar forane is to be appointed for a certain period of time determined by particular law.

§3. The diocesan bishop can freely remove a vicar forane from office for a just cause in accord with his own prudent judgment.

Can. 555 §1. In addition to the faculties legitimately given to him by particular law, the vicar forane has the duty and right:

1/ of promoting and coordinating common pastoral activity in the vicariate;

2/ of seeing to it that the clerics of his district lead a life in keeping with their state and perform their duties diligently;

3/ of seeing to it that religious functions are celebrated according to the prescripts of the sacred liturgy, that the beauty and elegance of churches and sacred furnishings are maintained carefully, especially in the eucharistic celebration and custody of the Most Blessed Sacrament, that the parochial registers are inscribed correctly and protected appropriately, that ecclesiastical goods are administered carefully, and finally that the rectory is cared for with proper diligence.

§2. In the vicariate entrusted to him, the vicar forane:

1/ is to see to it that, according to the prescripts of particular law and at the times stated, the clerics attend lectures, theological meetings, or conferences according to the norm of can. 279, §2;

2/ is to take care that spiritual supports are available to the presbyters of his district, and likewise to be concerned especially for those who find themselves in more difficult circumstances or are beset by problems.

§3. The vicar forane is to take care that the pastors of his district whom he knows to be gravely ill do not lack spiritual and material aids and that the funeral rites of those who have died are celebrated worthily. He is also to make provision so that, on the occasion of illness or death, the registers, documents, sacred furnishings, and other things which belong to the Church are not lost or removed.

§4. A vicar forane is obliged to visit the parishes of his district according to the determination made by the diocesan bishop.

CHAPTER VIII.

RECTORS OF CHURCHES AND CHAPLAINS

Art. 1.

RECTORS OF CHURCHES

Can. 556 Rectors of churches are understood here as priests to whom is committed the care of some church which is neither parochial nor capitular nor connected to a house of a religious community or society of apostolic life which celebrates services in it.

Can. 557 §1. The diocesan bishop freely appoints the rector of a church, without prejudice to the right of election or presentation if someone legitimately has it; in that case, it is for the diocesan bishop to confirm or install the rector.

§2. Even if a church belongs to some clerical religious institute of pontifical right, the diocesan bishop is competent to install the rector presented by the superior.

§3. The rector of a church which is connected with a seminary or other college which is governed by clerics is the rector of the seminary or college unless the diocesan bishop has determined otherwise.

Can. 558 Without prejudice to the prescript of can. 262, a rector is not permitted to perform the parochial functions mentioned in can. 530, nn. 1-6 in the church entrusted to him unless the pastor consents or, if the matter warrants it, delegates.

Can. 559 A rector can perform liturgical celebrations, even solemn ones, in the church entrusted to him, without prejudice to the legitimate laws of the foundation, and provided that, in the judgment of the local ordinary, they do not harm parochial ministry in any way.

Can. 560 When the local ordinary considers it opportune, he can order a rector to celebrate in his church particular functions, even parochial ones, for the people and to make the church available for certain groups of the Christian faithful to conduct liturgical celebrations there.

Can. 561 No one is permitted to celebrate the Eucharist, administer the sacraments, or perform other sacred functions in the church without the permission of the rector or another legitimate superior; this permission must be granted or denied according to the norm of law.

Can. 562 The rector of a church, under the authority of the local ordinary and observing the legitimate statutes and acquired rights, is obliged to see to it that sacred functions are celebrated worthily in the church according to the liturgical norms and prescripts of the canons, that obligations are fulfilled faithfully, that goods are administered diligently, that the maintenance and beauty of sacred furnishings and buildings are provided for, and that nothing whatever occurs which is in any way unfitting to the holiness of the place and the reverence due to a house of God.

Can. 563 Without prejudice to the prescript of can. 682, §2, the local ordinary, for a just cause and according to his own prudent judgment, can remove the rector of a church from office, even if he had been elected or presented by others.

Art. 2.

CHAPLAINS

Can. 564 A chaplain is a priest to whom is entrusted in a stable manner the pastoral care, at least in part, of some community or particular group of the Christian faithful, which is to be exercised according to the norm of universal and particular law.

Can. 565 Unless the law provides otherwise or someone legitimately has special rights, a chaplain is appointed by the local ordinary to whom it also belongs to install the one presented or to confirm the one elected.

Can. 566 §1. A chaplain must be provided with all the faculties which proper pastoral care requires. In addition to those which are granted by particular law or special delegation, a chaplain possesses by virtue of office the faculty of hearing the confessions of the faithful entrusted to his care, of preaching the word of God to them, of administering Viaticum and the anointing of the sick, and of conferring the sacrament of confirmation on those who are in danger of death.

§2. In hospitals, prisons, and on sea journeys, a chaplain, moreover, has the faculty, to be exercised only in those places, of absolving from *latae sententiae* censures which are neither reserved nor declared, without prejudice, however, to the prescript of can. 976.

Can. 567 §1. The local ordinary is not to proceed to the appointment of a chaplain to a house of a lay religious institute without consulting the superior, who has the right to propose a specific priest after the superior has heard the community.

§2. It is for the chaplain to celebrate or direct liturgical functions; nevertheless, he is not permitted to involve himself in the internal governance of the institute.

Can. 568 As far as possible, chaplains are to be appointed for those who are not able to avail themselves of the ordinary care of pastors because of the condition of their lives, such as migrants, exiles, refugees, nomads, sailors.

Can. 569 Military chaplains are governed by special laws.

Can. 570 If a non-parochial church is connected to the seat of a community or group, the chaplain is to be the rector of that church, unless the care of the community or of the church requires otherwise.

Can. 571 In the exercise of his pastoral function, a chaplain is to preserve a fitting relationship with the pastor.

Can. 572 In what pertains to the removal of a chaplain, the prescript of can. 563 is to be observed.

(ⁿ: indicates that the text corresponds to a new version or a new paragraph)

Cf: Apostolic Letter issued 'Motu Proprio' "De concordia inter Codices" modifying some norms of the Code of Canon Law (31 May 2016)

[Earlier version]

Can. 535 §2. In the baptismal register are also to be noted confirmation and those things which pertain to the canonical status of the Christian faithful by reason of marriage, without prejudice to the prescript of can. 1133, of adoption, of the reception of sacred orders, of perpetual profession made in a religious institute, and of change of rite. These notations are always to be noted on a baptismal certificate.

Why Is There a Mandatory Retirement Age for Judges?

Explore the rationale behind judicial retirement ages, a systemic policy designed to maintain the judiciary's effectiveness and uphold public confidence.



LegalClarity Team

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Many judicial systems across the United States use a mandatory retirement age for judges. This policy requires judges to step down once they reach a certain age, though the specific rules differ depending on where the court is located. These requirements reflect different ways of balancing the value of judicial experience with the need to maintain a healthy and effective court system.

Distinction Between Federal and State Courts

Rules for how long a judge can serve depend on whether they are in the federal or state court system. Under Article III of the U.S. Constitution, federal judges such as Supreme Court, circuit, and district judges serve during good behavior. This means they do not have a mandatory retirement age, and they generally keep their positions unless they are removed through impeachment.¹

However, not all federal judges serve for life. Others, such as magistrate and bankruptcy judges, are appointed for fixed terms rather than serving indefinitely.¹

Many state court systems take a different approach by setting mandatory retirement ages. These rules are usually found in state constitutions or local laws. For example, some states require their judges to retire when they reach age 70, making the age at which a judge must step down a matter of state-level policy.²

Safeguarding Judicial Competence

The main reason for mandatory retirement is to make sure the judiciary remains capable and effective. Having a set age for retirement creates a uniform rule for everyone, which avoids the difficult process of trying to remove an individual judge for health or age-related reasons. This approach helps the court avoid disciplinary actions or legislative investigations into a judge's ability to do their job.

The U.S. Supreme Court has supported this idea, ruling that states can justify mandatory retirement rules to ensure that judges are mentally fit and capable of handling their demanding tasks. The court found that such rules are a reasonable way for a state to maintain the quality and integrity of its legal system.²

Beyond competence, mandatory retirement is also used to promote judicial vitality and prevent the court system from becoming stagnant. Regular turnover on the bench ensures that judicial viewpoints do not become disconnected from current societal values or modern legal theories.

When vacancies are created through mandatory retirement, it provides opportunities for new appointments. These new judges often bring fresh legal interpretations, diverse backgrounds, and different life experiences to the bench. This infusion of new perspectives helps ensure that the judiciary remains reflective of the society it serves.

Upholding Public Trust in the Legal System

Ensuring that judges are capable and bringing in new perspectives helps maintain public confidence in the legal system. A judiciary with mandatory retirement ages can appear more accountable and responsive to the public.

Regular turnover helps prevent the perception that the courts are an untouchable institution run by the same people forever. When the public believes that judges are both qualified and in touch with modern realities, trust in the fairness of the courts is strengthened. This predictable transition of power also provides a sense of stability within the legal system.

Understanding Senior Status for Judges

Mandatory retirement does not always mean a judge must stop working entirely. In the federal system, Article III judges can choose to take senior status instead of fully retiring. This means they leave regular active service but can still participate in court work, usually with a smaller caseload.¹

When a judge takes senior status, it creates a vacancy that allows a new judge to be appointed to their seat. This helps the court system keep experienced judges available while also opening up positions for new appointees. To qualify for senior status, a federal judge must be at least 65 years old and meet specific combinations of age and years of service that total 80, such as:²

- Being age 65 with 15 years of service.
- Being age 66 with 14 years of service.
- Being age 67 with 13 years of service.
- Being age 68 with 12 years of service.
- Being age 69 with 11 years of service.
- Being age 70 with 10 years of service.

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Dr. Oz is right about delaying retirement

By Sreedhar Potarazu

I have known Dr. Mehmet Oz as Mehmet for more than 20 years, and despite the criticism he attracts, he is one of the best communicators we have in health care.

So when he, now as administrator of the Centers for Medicare and Medicaid Services, urges Americans to consider delaying retirement, we should listen. His argument isn't merely about economics but about the issues of health, purpose and community. His central point is that working one more year beyond the current average retirement age can keep people healthier, more connected and contributing to society — and maybe it should be more than one year.

Our lifespans have increased dramatically over the past century. In 1900, the average life expectancy in the United States was under 50 years; by the early 21st century, it had climbed into the high 70s, and low 80s, and the number of people living past 100 has more than doubled in recent decades. What's more, many of the very old people I see in my clinical practice aren't merely surviving — they're thriving. I care for patients well into their 90s who are independent, vibrant and enthusiastic about life, and I have even seen people in their 100s living well and engaged with their families and communities. These are not anomalies; they reflect broader trends in longevity that should shape how we think about retirement and aging.

Yet increased lifespan has not brought financial peace for everyone. The cost of health care in the U.S. has soared — national health expenditures reached more than \$8.1 trillion in 2024, accounting for roughly 18% of GDP. Medicare is an extraordinary program that provides a foundation of coverage for older Americans, but it doesn't cover everything. Traditional Medicare has significant out-of-pocket costs, and those without supplemental insurance can face bills that eat



Dr. Mehmet Oz, administrator of the Centers for Medicare & Medicaid Services. MARK SCHEFFELBEIN/AP

up a large share of limited retirement income.

Approximately one-third of older adults with traditional Medicare report being underinsured, struggling with copayments, deductibles and prescription costs that lead many to delay filing prescriptions or forgo care altogether. If retirees have no income because they left the workforce too early, they may lack the financial means to pay for supplemental coverage and necessary medications, undermining the very purpose of retirement security.

Encouraging fitness and exercise is another cornerstone of the healthy-aging debate. The best science we have shows that physical activity, healthy diets and maintenance of body weight are among the major modifiable factors that extend lifespan — the years lived in good health — even as frail lifespan increases. Leaders in both the public and private sectors should model these behaviors. Yet when we see public figures in their sips who are frail or visibly overweight, the

unspoken message rings hollow: If we are Americans to embrace extended careers and the health benefits that come with active engagement, leaders themselves must embody the ideals of fitness and vitality.

There's also a profound social dimension to this issue. We are in the midst of what public health authorities have called a loneliness epidemic, social isolation and lack of meaningful connections are widespread and have real health effects. The World Health Organization reports that strong social connections are linked to better health and reduced risk of early death, while loneliness contributes to hundreds of thousands of deaths globally each year. Research also shows that acts of kindness and volunteerism — serving others — are associated with lower mortality and better physical functioning into old age. Encouraging people to stay in the workforce longer, especially in roles that foster human connection, can counter isolation and keep older adults socially

integrated, purposeful and healthy.

Nutrition and chronic disease prevention cannot be overlooked either. The prevalence of chronic conditions such as obesity, diabetes and hypertension continues to rise, imposing both human suffering and economic strain. Nearly 6 in 10 U.S. adults report at least one chronic condition, and these conditions are costly to both individuals and the health care system. By promoting healthier eating habits and better control of pre-diabetes, we can reduce disease burden, improve quality of life and help more Americans remain productive well into their later years.

Finally, there is a fair policy debate to be had about the sustainability of entitlement systems. Social Security and Medicare were designed for a different era and demographic patterns — including migration changes — affect long-term solvency. If, as some argue, we reforecast spending to prioritize those who have contributed to

the system rather than extending benefits to those who have not, the fiscal strain on these programs would be lighter and more secure for future retirees.

Today, the reality is that there are family members of immigrant communities claiming benefits from their children when they never contributed themselves as workers, which is taking away from other taxpayers who have

In an era of tighter lives, evolving health challenges and strained public resources, Dr. Oz's call to rethink retirement age is not merely a policy prescription but is an invitation to reconsider how we live, work and support one another across the lifespan. By working longer in ways that promote health, community and purpose, we not only strengthen the fabric of our society but honor the dignity of aging in the full sense.

Sreedhar Potarazu is a physician, former health care CEO and retirement policy reform advocate.