

CONSTITUTIONAL CONVENTION OF MARYLAND

PROPOSED CONSTITUTION OF 1968

CONSTITUTION OF 1867

specifically required by this Constitution to be prescribed by rule. As used in this article, rule shall mean a rule prescribed by the Court of Appeals. In the event of a conflict between a rule and a law, the later in time shall prevail to the extent of the conflict.

to prevent delays and promote brevity in all records and proceedings brought into said Courts, and to abolish and avoid all unnecessary costs and expenses in the prosecution of appeals therein; and the said Judges shall make such reduction in the fees and expenses of the said Courts, as they may deem advisable. It shall also be the duty of said Judges of the Court of Appeals to devise, and promulgate by rules, or orders, forms and modes of framing and filing bills, answers, and other proceedings and pleadings in Equity; and also forms and modes of taking and obtaining evidence, to be used in Equity cases; and to revise and regulate, generally, the practice in the Courts of Equity of this State, so as to prevent delays, and to promote brevity and conciseness in all pleadings and proceedings therein, and to abolish all unnecessary costs and expenses attending the same. And all rules and regulations hereby directed to be made, shall, when made, have the force of Law, until rescinded, changed, or modified by the said Judges, or the General Assembly.

Sec. 18A. . . . The Court of Appeals from time to time shall make rules and regulations to revise the practice and procedure in the appellate courts and in the other courts of this State, which shall have the force of law until rescinded, changed or modified by the Court of Appeals or otherwise by law. The power of the courts other than the Court of Appeals to make rules of practice and procedure shall be subject to the rules and regulations prescribed by the Court of Appeals or otherwise by law.

Part II. Court of Appeals.

Sec. 14. The Court of Appeals shall be composed of seven judges, one from the First Appellate Judicial Circuit consisting of Cecil, Kent, Queen Anne's, Caroline, Talbot, Dorchester, Wicomico, Worcester and Somerset counties; one from the Second Appellate Judicial Circuit consisting of Baltimore and Harford counties; one from the Third Appellate Judicial Circuit, consisting of Allegany, Frederick, Garrett, Montgomery and Washington counties; one from the Fourth Appellate Judicial Circuit, consisting of Prince George's, Calvert, Charles and St. Mary's counties; one from the Fifth Appellate Judicial Circuit, consisting of Anne Arundel, Carroll and Howard counties; and two from the Sixth Appellate Judicial Circuit, consisting of Baltimore City. . . .

Section 5.04. Composition.

The Court of Appeals shall consist of seven judges, one of whom shall serve as chief judge. Five judges shall constitute a quorum, and the concurrence of four shall be necessary to decide a case.