

COMPARISON OF CONSTITUTIONS

CONSTITUTION OF 1867	PROPOSED CONSTITUTION OF 1968
<p>Sec. 5. Upon every occurrence or recurrence of a vacancy through death, resignation, removal, disqualification by reason of age or otherwise, or expiration of the term of fifteen years of any judge, or creation of the office of any judge, or in any other way, the Governor shall appoint a person duly qualified to fill said office, who shall hold the same until the election and qualification of his successor; except that when a vacancy shall exist in the office of Chief Judge of the Supreme Bench of Baltimore City, the Governor may designate an Associate Judge of said Supreme Bench as Chief Judge of said Supreme Bench, and such appointee as Chief Judge shall hold such office for the residue of the term for which he was last elected an Associate Judge of said Supreme Bench. His successor shall be elected at the first biennial general election for Representatives in Congress after the expiration of the term of fifteen years (if the vacancy occurred in that way) or the first such general election after one year after the occurrence of the vacancy in any other way than through expiration of such term. Except in case of reappointment of a judge upon expiration of his term of fifteen years, no person shall be appointed who will become disqualified by reason of age and thereby unable to continue to hold office until the prescribed time when his successor would have been elected.</p>	<p><i>See Section 5.15, Nomination and Appointment, p. 16.</i></p>
<p>Sec. 6. All Judges shall, by virtue of their offices, be Conservators of the Peace throughout the State; and no fees, or perquisites, commission, or reward of any kind; shall be allowed to any Judge in this State, besides his annual salary, for the discharge of any Judicial duty.</p>	<p>Section 5.22. Judicial Term of Office.</p> <p>The continuance in office of each judge shall be subject to approval or rejection at the next general election following the expiration of two years from the date of the occurrence of the vacancy to which he was appointed and at the general election every eight years thereafter. The continuance in office of each judge of the Court of Appeals and of the Intermediate Appellate Court shall be subject to approval or rejection by the voters of the entire State. The continuance in office of each judge of the Superior Court and of the District Court shall be subject to approval or rejection by the voters of the county or the district in which the office then exists. The Court of Appeals shall prescribe by rule for a poll by secret ballot of the lawyers of the area in which a judge stands for election regarding the desirability of his continuance in office. The Court of Appeals shall prescribe by rule for publication of the results of the poll. If the voters reject the continuance in office of a judge the office shall be vacant.</p>
<p>Sec. 7. No Judge shall sit in any case wherein he may be interested, or where either of the parties may be connected with him, by affinity or consanguinity, within</p>	<p>Section 5.24. Judicial Compensation.</p> <p>Each judge shall be compensated solely by the State for his judicial service. The compensation of a judge shall not be reduced during his continuance in office. Judges of the same court shall be paid the same compensation, including any pension based upon length of service, except that a uniform reduction in compensation may be made applicable to all judges of the same court appointed after the effective date of the reduction. A pension payable to a retired judge or to his surviving spouse, or to the surviving spouse of a deceased judge, pursuant to provisions in effect during his continuance in office, shall not be reduced.</p> <p><i>See also Section 5.25, Restriction of Non-Judicial Activities, p. 6.</i></p>