



Sen. Walter M. Baker is among the lawmakers who haven't decided whether to seek re-election. 'Sometimes you feel like you wear out your welcome,' Baker says.

A time to move on?

BY EARL KELLY

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Some key legislators indicated late on the last day of the General Assembly session on Monday night that this could be their last session as all 188 seats in the state Senate and House of Delegates go up for grabs in November.

One, the Senate Judicial Proceedings Committee, Sen. Walter M. Baker, D-Upper Eastern Shore, said he hasn't decided to seek re-election.

"Sometimes you feel like you wear out your welcome," the conservative Baker, 74, said late Monday night. "The General Assembly is moving to the left."

Baker also may face a strong challenge by Republican millionaire businessman E.J. Pipkin, who has erected campaign billboards throughout the Upper Eastern Shore district that Baker has represented for 24 years.

While the Baltimore and Washington areas remain strongly Democratic, Baker

said, the outlying regions such as his native Cecil County are increasingly Republican. Baker noted that, from the bottom of the Eastern Shore peninsula up to his home in Cecil, and across the top of the state to West Virginia, he is the only Democrat in the state Senate.

While Baker was tentative

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when discussing whether to leave or stay, House Speaker Pro Tem Del. Thomas E. Dewberry, D-Baltimore County, sent a clearer signal.

Late Monday night, House Speaker Casper R. Taylor Jr., D-Allegany, asked House members who will not return next year to stand for recognition, and Dewberry was one of a handful who stood.

Speculation has centered on whether Dewberry will become the Chief Administrative Law Judge of the Office of Administrative Hearings. When asked on Saturday, Dewberry, who is senior hearing examiner at the Public Service Commission, said he has talked with Governor Parris N. Glendening about the position.

The incumbent, Chief Administrative Law Judge John W. Hardwicke, 75, has served as the OAH's only chief judge since the Legislature created the agency in 1989.

Hardwicke continues to serve in the chief judge's slot even though his second six-year term expired at the end of December. A Glendening spokesman said recently that no decision has been made on whether Hardwicke or someone else will be appointed to fill the position.

Dewberry said he expects Glendening to announce his decision "within a month or two."

The OAH took center stage this session when Del. Joseph F. Vallario Jr., D-Prince George's and chairman of the House Judiciary Committee, introduced a bill to overhaul the office. Among other things, the bill would have called for the governor, not the chief administrative judge, to appoint the approximately 60 associate ALJs. The bill also would have created four regional offices across the state and increased ALJ pay.

Baker, who opposed many of the changes except for the pay increase, introduced a similar Senate bill but killed it in his Judicial Proceedings Committee.

Other issues

The constitutional judiciary — as opposed to administrative judges — received some unwanted attention this session when a bill was introduced to limit to one year following sentencing the time in which judges could revise offenders' sentences.

This was a top priority for Lt. Gov. Kathleen Kennedy Townsend, who tes-

tified that the current system allows violent criminals to skirt part of their sentences. Judges countered by testifying that the existing system helps them induce defendants to enroll in rehabilitation and education programs.

Senate President Thomas V. Mike Miller Jr. killed the bill after Baker's committee passed it. Miller killed it by never calling it for a full Senate vote. The Maryland State Bar Association said it would study the current system's effectiveness before the General Assembly reconvenes in January.

While the judiciary avoided the effort to limit judges' revisory powers, it saw mixed results on the changes requested by Chief Judge Robert M. Bell.

Foremost among the judiciary's successes this year was the move toward "24/7" peace orders — permitting district court commissioners to issue civil peace orders when the courts are closed. The move will require a popular vote to amend the state constitution, which the legislature authorized. Also, Bell succeeded in having the Clients' Security Trust Fund renamed the Client Protection Fund of the Bar of Maryland.

On the other hand, a bill to have interpreters at civil cases as well as criminal cases was withdrawn at the judiciary's request. Also, the Legislature refused to abolish the use of alternate jurors in civil cases. Instead of having alternates, Bell sought to have all jury members engage in deliberations.

The Legislature also refused to raise judges' pay, and for the third straight year failed to create additional judgeships.

Bell didn't ask for the additional judges this year, but a bill introduced by Vallario would have created some new district court judgeships.

Vallario withdrew the bill without a vote and said, "No money."

Workloads show a need to expand the 143-judge circuit court by 22 judges, and the 108-judge district court by 14 judges.

Bell also got a 2.6 percent increase in the judiciary's budget, bringing the total up to \$285 million, according to the Department of Legislative Services — not the 11 percent increase Bell sought.

Miller, sometimes a sharp critic of the judiciary, said in the closing minutes of Monday night's session that he thinks the Legislature will approve the judiciary's pay raise and will add new judgeships in the next session, providing the economy recovers as expected.

"Next year will be the year," Miller said.