

THE CHAIRMAN: Delegate Cardin.

DELEGATE CARDIN: Delegate Mudd, can you tell us in what other state this system is used and what experience has been gathered from that?

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: I do not have the figures in front of me on that. Just a minute. May I check?

I am informed we have no figures on that. It is the basic concept of our recommendation that whoever has the responsibility must have the power to obtain those assistants who will be most helpful in the function to be served.

THE CHAIRMAN: Delegate Cardin.

DELEGATE CARDIN: May I also ask if you can explain to me what the federal system is in appointing the chief judges in the various tiers, or how they arrive at their position?

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: I do not know how that is accomplished.

THE CHAIRMAN: The Chair can answer that. At the circuit court of appeals level and the district court level, there is no chief judge appointed. The senior judge becomes acting chief judge, Delegate Cardin.

DELEGATE CARDIN: I am only trying to relate this to some other area. I would like to know actually whether we are innovating this in Maryland, or whether we are borrowing on some other experience. This is my problem. Is there any court in which this system applies?

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: I would yield to Delegate James.

THE CHAIRMAN: Delegate James.

DELEGATE JAMES: If I am not mistaken, this is comparable to the Jersey system, where they have an up-and-down straight line system of administration. It has been in effect there for some years.

THE CHAIRMAN: The Chair would concur in that comment of Delegate James. I think it was put into effect by Justice Vanderbilt.

DELEGATE MUDD: Thank you, Delegate James.

THE CHAIRMAN: Are there any other delegates desiring to speak in favor of the

amendment? Any delegates desire to speak in opposition to the amendment? Delegate Henderson.

DELEGATE HENDERSON: I hope I am not violating the rule by speaking twice on the same matter, but I thought it might be helpful to just run over very briefly the existing rule of the Court of Appeals, to give you some idea of what kind of duties an administrative judge is supposed to perform. In this rule, assignment and reassignment of any judges to sit in any specific case or cases for any specific system, as the business may require; assignment of cases for trial or hearing; designation of days when the judges sit; preparation of the budget; ordering and purchase of all equipment and supplies, and for the court and its ancillary services such as magistrates, auditors, court stenographers, jury commissioners, staff of the medical and probation officers, including all court personnel other than the personnel comprising the clerks of office; supervision and responsibility for the employment, discharge and classification of all court personnel, and his ancillary services, and so on.

It is a big job, and a big administrative job that we have in mind here.

THE CHAIRMAN: Delegate Henderson, the Chair was not clear on what you said at the beginning of your statement. What you were reading were the administrative duties of the present chief judge under the present constitution or under the contemplated one?

DELEGATE HENDERSON: I am quoting from the present rule of the Court of Appeals of Maryland outlining the duties of an administrative judge.

THE CHAIRMAN: Under the present Constitution?

DELEGATE HENDERSON: Under the present Constitution.

THE CHAIRMAN: Delegate Cardin.

DELEGATE CARDIN: I wonder if Delegate Henderson would yield to a question.

THE CHAIRMAN: Delegate Henderson, do you yield to a question?

DELEGATE HENDERSON: Yes.

THE CHAIRMAN: Delegate Cardin.

DELEGATE CARDIN: Would you explain to me how, if in any way, the responsibilities of chief judge would differ if the governor appointed the other chief judges.