

But if he is convicted, I do not see a provision for an appeal by him.

*(At this point, President H. Vernon Eney resumed the Chair.)*

DELEGATE GRANT: This is statutory. The continuation of the statutory law will continue this appellate jurisdiction.

THE CHAIRMAN: Delegate Grant.

DELEGATE GRANT: I understand, then, that notwithstanding the transitional provisions in here that the statutory law will continue appellate jurisdiction in the circuit courts from the magistrates court until such time as the four-tier system comes into effect, then appellate provisions will be vested in the Intermediate Court of Appeals or superior court.

THE CHAIRMAN: That is correct, but it is not during the transitional period. They provide continuance of law in effect on June 30, 1968. Since it is law on June 30, it is continued by that specific provision.

Are there any further questions as to section 18?

Are there any questions as to section 19?

Section 20?

Section 21?

*(There was no response.)*

Section 22?

Delegate Willoner.

DELEGATE WILLONER: Excuse me, I am on 23.

THE CHAIRMAN: As to 23, Delegate Case, do you have questions on 23?

DELEGATE CASE: 23, Mr. President.

THE CHAIRMAN: Delegate Willoner.

DELEGATE WILLONER: In discussing this earlier you referred to part-time officers. Did you consider substitute People's Court judges who I assume are full-time Municipal Court judges, but they are substitute People's Court judges? I understand in Montgomery and Prince George's County the term "full time judge" does not include the substitute.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: Mr. Chairman, I notice that you have specified counties and Baltimore City in which the full-time judges of courts of limited jurisdiction would be continued in office if their term of office did continue past December 31, 1969.

Am I correct up to now?

THE CHAIRMAN: Delegate Hardwicke.

DELEGATE HARDWICKE: That is correct.

DELEGATE CASE: What would happen if one or all of the eighteen other counties wished to adopt a system of full time courts of limited jurisdiction between now and December 31, 1969? Would this system be scrapped under the provision of this section 23?

THE CHAIRMAN: Delegate Case, may the Chair interrupt? You said each county adopted. You mean that the General Assembly provides for a county?

DELEGATE CASE: Yes, sir. That is a more accurate way of stating it.

The answer to your question is if such a full-time system were set up, those judges would be scrapped under the new constitution.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: So it can be perfectly clear to all the delegates, if Frederick County, for example, at this session of the legislature secured legislation which would establish in that county a full-time system of courts of limited jurisdiction, and the judges were appointed by the governor or selected in such a way as the legislature might provide, that that entire system would last only until December 31, 1969, at which time you would have to go through the whole procedure all over again.

THE CHAIRMAN: Delegate Hardwicke.

DELEGATE HARDWICKE: As a practical matter I would suggest that all the judges who were sitting in such a court would probably be continued as district court judges, if they were qualified. They would be subject to the provisions of the new constitution. They might not be continued.

The purpose is to prevent the counties from creating monstrosities of a lot of judges and clerks, and a tremendously large and expensive operation which we would have to take over when the District Courts come into effect on January 1, 1970.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: Well, let me make two additional comments: first the report of the State Bar Association, upon which this system was, in essence based, envisaged that there would be a cutoff date, and that