

Prince George's Wicomico, and I think, Baltimore County.

Does that answer the question, Delegate Sollins?

THE CHAIRMAN: Delegate Sollins.

DELEGATE SOLLINS: I think you said yes, is that correct, Delegate Della?

THE CHAIRMAN: Delegate Hardwicke.

DELEGATE HARDWICKE: Mr. Chairman, I think Delegate Sollins hit at the problem. You will notice that all of these courts referred to in lines 32 and 33 are existing courts and if we strike those lines and insert the words "any county" then courts set up in the various counties including Baltimore County or other counties by December 31, 1969, will be perpetuated in the new constitution. That is contrary to our intention. It is a device to perpetuate persons in office and courts whom we do not intend to perpetuate in office, and I urge you to vote against this amendment.

THE CHAIRMAN: Is there any further discussion, Delegate Mudd?

DELEGATE MUDD: Mr. Chairman and fellow delegates, I am not sufficiently informed apparently to ask meaningful questions of the substitute sponsor of this amendment, but without being informed as I should be, I do recognize this as an amendment to do violence to the judicial article and our concept of the district court, and I therefore oppose it as entirely inconsistent with the thought that our Committee has had and the whole idea of improving the system of courts of limited jurisdiction. This amendment would permit much more than proponent Della has suggested. It would not require that these courts set up between now and the effective date of December 31, 1969, be peopled with judges who comply with the eligibility requirements of section 5.14. It is an attempt to blanket into the district court system as of December 31, 1969, any full-time judge of any court of any county designated as a People's Court, which obviously is a dangerous and far-reaching possibility and we therefore resist the amendment.

THE CHAIRMAN: Is there any further discussion?

Delegate Weidemeyer.

DELEGATE WEIDEMEYER: Mr. President, what puzzles me a little bit and may be somebody can tell me, is whether the judge of the Housing Court of Balti-

more County is a constitutional or a statutory judge created by the General Assembly, or is he created by ordinance of the Baltimore County Council?

THE CHAIRMAN: Delegate Hardwicke, can you respond to the inquiry?

DELEGATE HARDWICKE: Delegate Weidemeyer, this court is established by the General Assembly.

THE CHAIRMAN: Is there any further discussion?

Delegate Grant.

DELEGATE GRANT: I have two questions, number 1 is, are all the courts now enumerated populated with judges who would be qualified to become district judges, that is, are they attorneys as required by the article?

THE CHAIRMAN: Delegate Hardwicke.

DELEGATE HARDWICKE: Delegate Grant, the courts listed in lines 31, 32 and 33 require full-time judges established by the constitution as full-time judges. They are lawyers; they meet the requirements of judges on the district court. The other judges, the part-time judges and so forth, do not. This language has been thought out very carefully. These judges in the enumerated courts do meet the requirements of district judges. We do not know what could be done if we struck this out and used the phraseology "any county" in lieu of the enumerated counties.

THE CHAIRMAN: Delegate Grant.

DELEGATE GRANT: My second question would be concomitant. Even if such courts were set up, if the judges did not meet the qualifications of the district judge, could they then become district courts?

THE CHAIRMAN: Delegate Hardwicke.

DELEGATE HARDWICKE: They might or they might not. The problem is that this would be an attempt, if a great number of judges were set up in these courts, to cause them to be automatically transferred over to the district courts so that they would retain and have constitutional status under the new constitution.

THE CHAIRMAN: Delegate Grant.

DELEGATE GRANT: Do I interpret it then that you mean this to be a grandfather clause which would outweigh the requirements which are set up in the constitution for the qualifications of a judge.