

rule making power the need or the desire for a specialist judge in a particular place? Is that your question?

DELEGATE B. MILLER: Yes.

DELEGATE MUDD: To appeal to a very competent standing committee on rules composed of sixteen talented judges and lawyers.

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: I note, Chairman Mudd, with great satisfaction your answer to this last question, and I am glad to see the Committee favors, I take it, the establishment of family courts in those areas where needed. But merely designating a judge is not enough, because the family court, to fulfill its responsibilities must be equipped—

THE CHAIRMAN: Delegate Bennett, are you going to ask a question?

DELEGATE BENNETT: Yes, sir.—must be equipped with adequate probation services. How will that be achieved under this proposal?

DELEGATE MUDD: Delegate Bennett, this is one very important feature in the court budget. And administrative judges and the need for another probation officer or psychiatrist or some such additional manpower in a particular area of the family court or juvenile court would be something that would be provided for in the judicial budget; and the request for that should be channeled through the administrative judge.

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: Would you also contemplate that probation service now being administered separately from the court system would likewise be transferred to the court system and taken over and financed and funded under the court system?

DELEGATE MUDD: Probation, did you say?

DELEGATE BENNETT: Yes, probation service.

DELEGATE MUDD: Yes. I can see that becoming an arm of the court in its administrative responsibility.

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: I hope that that will be given consideration at the time this article is discussed, because it is a pretty important issue, it is policy—

THE CHAIRMAN: Is this a question?

DELEGATE BENNETT: This is an expression of hope, sir.

THE CHAIRMAN: You may express that later, sir.

Delegate Scanlan.

DELEGATE SCANLAN: I have a question with respect to section 5.11, dealing with the commission. The Committee apparently has followed the recommendation of the Constitutional Convention in this area and deliberately restricted powers of the commissioners to those set forth in the section; is that not correct, Mr. Chairman?

DELEGATE MUDD: Yes, sir.

DELEGATE SCANLAN: Was any thought given to providing some flexibility by permitting additional powers that could be prescribed by rule in the future? There may come a day when commissioners, for example, will be thought competent enough to determine whether sufficient evidence exists to hold a man or to pass upon sufficiency of search warrants. Under this language that power could not be vested unless by amendment to the constitution, is that correct?

DELEGATE MUDD: Correct.

THE CHAIRMAN: Delegate Rybczynski.

DELEGATE RYBCZYNSKI: Mr. Chairman, is it not true that on your Committee you have a businessman from the Dundalk District of Baltimore County named William Rush? Is it not true he recently celebrated his forty-eighth birthday; and is it not true that he is a pleasant, intelligent, articulate—what else—aren't all these things true about him, and shouldn't we give him a round of applause?

DELEGATE MUDD: Exactly; except I did not think he was forty-eight.

*(Laughter and Applause.)*

THE CHAIRMAN: Delegate Rybczynski.

DELEGATE RYBCZYNSKI: I would like to ask another question.

DELEGATE MUDD: Do not make it that long.

DELEGATE RYBCZYNSKI: Delegate Mudd, with reference to the uniformity of the four tier system, plus the inclusion of the commissioners, who, I suppose in many respects would be like the masters we now