

to close, with the understanding that the majority Chairman would have a like opportunity. I have no other particular speakers to call upon, although I have something myself to add.

THE CHAIRMAN: The Chair recognizes Delegate Mudd.

DELEGATE MUDD: May I yield three minutes, Mr. Chairman, to Delegate Hargrove?

THE CHAIRMAN: The Chair recognizes Delegate Hargrove.

For what purpose does Delegate Malkus rise?

DELEGATE MALKUS: I will be back later, Mr. President. I want to ask the Chairman if he would yield to a question.

THE CHAIRMAN: The Chair recognizes Delegate Hargrove.

DELEGATE HARGROVE: Mr. Chairman, fellow delegates, I rise to oppose the amendment of the minority report. I think there is more perhaps to a unified court system than the courts themselves. We have not touched on one very important aspect of our present court system, which in my opinion needs uniformity more than any other.

I think generally what we are talking about when we talk about a unified system is a reform of the lowest court system.

We of the majority did not go about this report in a haphazard manner. We had the benefit of many studies. I would only suggest, in addition to what Delegate Hodge Smith has said, that one of our delegates, Delegate Case, made a complete study, and the Commission made a complete study of the inferior court system in this State and recommended what the majority report suggests.

However, there is one other area which I would like to point out, that of procedure.

From the superior court and into the lower courts, the monetary jurisdiction of the courts varies from county to county, from \$100 to \$3,000. A lawyer who practices law in the State of Maryland, only to step over an imaginary line, such as from Baltimore City to Anne Arundel County and the various counties, and he does not know how to practice law. This is one of the very important aspects of reform.

I cannot imagine that if we allow the state legislature to create inferior courts that if sufficient pressure were put on

the legislators they would not create a lower court for claims, which could be placed in a functional division. If this were not the case, again we would be back to the practice of whether or not a \$500 suit or a \$600 suit could be filed in Peoples' Court of Baltimore County, and one would have to look to the statute, which in many instances is very obscure as to jurisdiction, to determine the proper court.

THE CHAIRMAN: Delegate Hargrove, you have a little less than a minute.

DELEGATE HARGROVE: We need in this State a unified system. The proposal of the majority gives us that system. It gives us a system which provides for functional divisions, and many innovations which we do not have today. I submit it will provide us with a very complete and adequate system for many years to come. Thank you.

THE CHAIRMAN: Delegate Johnson, Delegate Mudd has left to him now only three minutes of controlled debate. The Chair suggests that now would be the time for you to conclude your debate or call on someone else to do so.

DELEGATE JOHNSON: Thank you very much, Mr. Chairman.

Unfortunately, fellow delegates, you are being asked to consider a matter that really is not reluctant to the question. The majority implies it is the minority's intention to destroy the unified judicial court system. That is certainly not the case. That is certainly not our intention, and even if it were we could not do so by adopting the language in the majority report, which we have approved, and urge.

Our amendment, section 5.01 would read as follows: "The judicial power of the State is vested in a unified judicial system, composed of the Court of Appeals, the Intermediate Appellate Court, the Superior Court, the District Court and other courts, as may be provided by law."

Now, I do not nor does the minority, distrust the legislature. The legislature is going to have to determine the jurisdiction that will be allowed to each specific court by virtue of this article.

If the majority is afraid that the legislature will create a proliferation of other magistrate or inferior courts, then I would submit they should be equally concerned about the fact that the legislature may withhold certain jurisdiction. All the legislature would have to do is not grant juris-