

the constitution to reflect since we have gone into so much other detail and indicated to the legislature that as to the court itself we are interested in specialties; that a specialist would be wise, as for example in a juvenile court and in other courts as it becomes necessary.

Let us consider not just the over-all field of law but every field of endeavor. Every field of endeavor is breaking itself down into specialties. The only field which considers itself competent in every section is that of the law.

What happens? In September of every year in the City of Baltimore all of the judges rotate. This means that a judge who has spent a year developing himself in the rules of the law court finds himself the following year in the equity court. He becomes an expert in that field. He then finds himself rotated to the criminal court.

This I suggest to you is a thing which should go into the past in a major jurisdiction that handles tens of thousands of cases a year.

I strongly suggest to you that this would be a good way of seeing to it that where a judge becomes very proficient in a certain field that he will stay in that field. I heard one comment when I mentioned this before to the effect that a judge would become very tired within a certain field. This happens in every field of endeavor where an engineer stays entirely in the electrical field or a medical man stays in one very small narrow field. But he becomes an expert and I think an expert on a bench would not do any harm, but would do much good.

THE CHAIRMAN: Does any other delegate desire to speak in opposition?

Delegate Marion.

DELEGATE MARION: Mr. Chairman, I think most of us come down to this Convention with the desire not to write into the constitution things which were unnecessary and which were self-evident. I respectfully submit this is one of those provisions.

I would assume that the language of the proposed amendment would have implicit in it that a judge could be assigned to a functional division on a rotational basis as well as a nonrotational basis. If that is true, then I think implicit in the language of the proposed section is what Delegate Bennett suggests that we adopt implicitly.

I suggest for that reason that it is unnecessary that we defeat the amendment.

THE CHAIRMAN: Does any person desire to speak in favor?

*(There was no response.)*

Is there any other discussion against?

*(There was no response.)*

Are you ready for the question?

*(Call for the question.)*

The Clerk will sound the quorum bell.

The question arises on the adoption of Amendment No. 10 to Committee Recommendation JB-1. A vote Aye is a vote in favor of Amendment No. 10. A vote No is a vote against.

Cast your votes.

Have all delegates voted? Does any delegate desire to change his vote?

*(There was no response.)*

The Clerk will record the vote.

There being 5 votes in favor and 106 against, the motion is lost. The amendment is rejected.

Are there any other amendments to section 5.08?

*(There was no response.)*

If not, we will revert to section 5.01. I ask the page to distribute the amendment marked BE. Amendment No. 11. The Clerk will read the amendment.

READING CLERK: Amendment No. 11 to Committee Recommendation JB-1 by Delegates Fox and Carson: On page 1, section 5.01 Judicial Power in line 14 strike out the word "District" and insert in lieu thereof the word "General"; and in all other places where the term "District Court" appears in Article V insert in lieu thereof the term "General Court".

THE CHAIRMAN: The amendment having been seconded, the Chair recognizes Delegate Fox to speak to the amendment.

DELEGATE FOX: Mr. Chairman and members of the Committee of the Whole, I will not take but just a moment of your time. I think this is a very simple proposition. I see no reason to have two courts in the State of Maryland that have the same name and widely divergent jurisdictions. This is going to cause considerable confusion in Maryland.