

Originally the Clerk's salary was greater than the Judges due to the fact the Clerk was the only full time officer in various Court Houses.

The term to which the Clerk is now elected is four years, until 1922 the term of office was six years.

There are over six-hundred items in the ten volume Annotated Code of Maryland Laws which the Clerk is responsible for administering, besides various local County, City, Federal functions and acting on the behalf of the public as the State Representative in the Counties.

The office is self-supporting from fees for service rendered in all but one or two Courts.

Change of the Clerks status to an appointive Chief Deputy, subject to a Chief Clerk to be named by the Court would remove from the citizens of Maryland a local service and leave a void not contemplated by the framers of the new Constitution and would remove from the voters the right to select their representative to perform the duty which the elected Clerk now performs.

Nepotism on the part of Judges is the order of the day in one of the Circuit Courts of the State.

The Maryland Court Clerk's Association opposes the proposal of the Constitutional Revision Committee to relegate the Clerk to an appointed officer subject to the whims of a Judge on the ground that the proposal does not give full and experienced consideration to the duties of Clerk of the Circuit Court.

There should be clear and sharp division of the duties of the Court and the Administrative heads of the Court in each County.

It is clearly demonstrated, in those Counties where there is more than one Judge, the administrator is never certain which Judge is controlling when they can not agree among themselves. The general day to day duties of the elected Clerk of Court which the Court never sees are equal to, or greater than those directly connected with Judge's duties.

BY DIRECTION OF THE
EXECUTIVE COMMITTEE

W. WAVERLY WEBB, Chairman

HOME RULE

A SUMMARY OF REMARKS BY JOHN A. DONAHO, PRESIDENT, JOHN A. DONAHO AND ASSOCIATES, INC., CONSULTANTS TO GOVERNMENTS, BEFORE THE COMMITTEE ON POLITICAL SUBDIVISIONS AND LOCAL LEGISLATION OF THE CONSTITUTIONAL CONVENTION COMMISSION.

For purposes of clarity, the following presentation is divided into two principal areas: "General Principles," concerning home rule; and "Constitutional Reform," a critique of major problems segments concerning the present constitutional and statutory provisions.

I GENERAL PRINCIPLES

1. Home rule is a basic principal or

tenet of United States government. It is rooted in the theory that people have a right to determine the form of government which best meets their needs, and that the problems of government should be dealt with at the level where the functions can be most effectively discharged. The best expression of home rule is through a locally drafted and enacted charter.