

of the circuit court in each county and circuit. These judges shall be selected in accordance with Sections 3 and 5 of this Article.

(b) There shall be at least four circuit court judges resident in each circuit, and at least one circuit court judge shall be resident in each county. There shall be at least two such judges resident in Anne Arundel County, at least three resident in Baltimore County, at least four resident in Prince George's County, and at least five resident in Montgomery County.

(c) The senior judge in length of service in each circuit shall be the chief judge of the circuit. The other judges shall be associate judges.

(d) Except as otherwise provided by law, one judge shall constitute a quorum for the transaction of any business.

(e) The terms of the circuit courts shall be determined by law.

(f) A person is not ineligible for appointment or election as a judge because he was a member of the General Assembly at a time when the number or salary of judges were increased or decreased.

**SEC. 21A.**<sup>120</sup> If the amendments to sections 3 and 21 of Article IV proposed by House Bill 972, Senate Bill 390 (1976) and the amendments to those sections proposed by House Bill 1048 (1976) are ratified by the voters at the election in Nov. 1976, the amendments to those sections proposed in House Bill 972, Senate Bill 390 (1976) shall take effect.

**SEC. 22.**<sup>121</sup> Where any Term is held, or trial conducted by less than the whole number of said Circuit Judges, upon the decision or determination of any point, or question, by the Court, it shall be competent to the party, against whom the ruling or decision is made, upon motion, to have the point, or question reserved for the consideration of the three Judges of the Circuit, who shall constitute a court in *banc* for such purpose; and the motion for such reservation shall be entered of record, during the sitting, at which such decision may be made; and the several Circuit Courts shall regulate, by rules, the mode and manner of presenting such points, or questions to the court in *banc*, and the decision of the said Court in *banc* shall be the effective decision in the premises, and conclusive, as against the party, at whose motion said points, or questions were reserved; but such decision in *banc* shall not preclude the right of Appeal, or writ of error to the adverse party, in those cases, civil or criminal, in which appeal, or writ of error to the Court of Appeals may be allowed by Law. The right of having questions reserved shall not, however, apply to trials of Appeals from judgments of the District Court, nor to criminal cases below the grade of felony, except when the punishment is confinement in the Penitentiary; and this Section shall be subject to such provisions as may hereafter be made by Law.

**SEC. 23.**<sup>122</sup> The Judges of the respective Circuit Courts of this State shall render their decisions, in all cases argued before them, or submitted for their judgment, within two months after the same shall have been so argued or submitted.

**SEC. 24.**<sup>123</sup> The salary of each Chief Judge and of each Associate Judge of the Circuit Court shall not be diminished during his continuance in office.

**SEC. 25.**<sup>124</sup> There shall be a Clerk of the Circuit Court for each County and Baltimore City, who shall be elected by a plurality of the qualified voters of said County or City, and shall hold this office for four years from the time of his election, and until his successor is elected and qualified, and be re-eligible, subject to be removed for wilful neglect of duty or other misdemeanor in office, on conviction in a Court of Law. In case of a vacancy in the office of Clerk of a Circuit Court, the Judges of that Court may fill the vacancy until the general election for Delegates to the General Assembly, to be held next thereafter, when a successor shall be elected for the term of four years.

**SEC. 26.**<sup>125</sup> The Clerks shall appoint, subject to the confirmation of the Judges of their respective Courts, as many deputies under them, as the Judges shall deem necessary, to perform, together with themselves, the duties of the office, who shall be removable by the Judges for incompetency, or neglect of duty, and whose compensation shall be determined by law. In Washington County, all deputy clerks and other employees of the office of the clerk shall be appointed and be removable according to the merit system procedure established by law for these deputies and clerks. All deputy clerks and other employees of the office of the Clerk of the Criminal Court of Baltimore City, excepting the Clerks, shall be selected pursuant to and be removable according to a procedure established by law for these deputies and clerks.

#### Part IV—Courts of Baltimore City

**SEC. 27.**<sup>126</sup> Vacant.

**SEC. 28.**<sup>127</sup> Vacant.

**SEC. 29.**<sup>128</sup> Vacant.

**SEC. 30.**<sup>129</sup> Vacant.

**SEC. 31.**<sup>130</sup> Vacant.

**SEC. 31A.**<sup>131</sup> Vacant.

**SEC. 32.**<sup>132</sup> Vacant.

**SEC. 33.**<sup>133</sup> Vacant.

**SEC. 34.**<sup>134</sup> Vacant.

**SEC. 35.**<sup>135</sup> Vacant.

<sup>120</sup>Added by Chapter 542, Acts of 1976, ratified Nov. 2, 1976.

<sup>121</sup>Amended by Chapter 681, Acts of 1977, ratified Nov. 7, 1978.

<sup>122</sup>Amended by Chapter 523, Acts of 1980, ratified Nov. 4, 1980.

<sup>123</sup>Amended by Chapter 99, Acts of 1956, ratified Nov. 6, 1956.

<sup>124</sup>Amended by Chapter 99, Acts of 1956, ratified Nov. 6, 1956; Chapter 523, Acts of 1980, ratified Nov. 4, 1980.

<sup>125</sup>Amended by Chapter 376, Acts of 1972, ratified Nov. 7, 1972; Chapter 889, Acts of 1974, ratified Nov. 5, 1974; Chapter 523, Acts of 1980, ratified Nov. 4, 1980.

<sup>126</sup>Repealed by Chapter 523, Acts of 1980, ratified Nov. 4, 1980.

<sup>127</sup>Amended by Chapter 889, Acts of 1974, ratified Nov. 5, 1974. Repealed by Chapter 523, Acts of 1980, ratified Nov. 4, 1980.

<sup>128</sup>Amended by Chapter 889, Acts of 1974, ratified Nov. 5, 1974. Repealed by Chapter 523, Acts of 1980, ratified Nov. 4, 1980.

<sup>129</sup>Amended by Chapter 889, Acts of 1974, ratified Nov. 5, 1974. Repealed by Chapter 523, Acts of 1980, ratified Nov. 4, 1980.

<sup>130</sup>Amended by Chapter 889, Acts of 1974, ratified Nov. 5, 1974. Repealed by Chapter 523, Acts of 1980, ratified Nov. 4, 1980.

<sup>131</sup>Added by Chapter 116, Acts of 1924, ratified Nov. 2, 1926. Repealed by Chapter 617, Acts of 1968, ratified Nov. 5, 1968.

<sup>132</sup>Amended by Chapter 889, Acts of 1974, ratified Nov. 5, 1974. Repealed by Chapter 523, Acts of 1980, ratified Nov. 4, 1980.

<sup>133</sup>Amended by Chapter 889, Acts of 1974, ratified Nov. 5, 1974. Repealed by Chapter 523, Acts of 1980, ratified Nov. 4, 1980.

<sup>134</sup>Amended by Chapter 889, Acts of 1974, ratified Nov. 5, 1974. Repealed by Chapter 523, Acts of 1980, ratified Nov. 4, 1980.

<sup>135</sup>Amended by Chapter 889, Acts of 1974, ratified Nov. 5, 1974. Repealed by Chapter 523, Acts of 1980, ratified Nov. 4, 1980.