

**SEC. 7.** No Judge shall sit in any case wherein he may be interested, or where either of the parties may be connected with him, by affinity or consanguinity, within such degrees as now are, or may hereafter be prescribed by Law, or where he shall have been of counsel in the case.

**SEC. 8.**<sup>106</sup> (a) The parties to any cause may submit the same to the Court for determination without the aid of a jury.

(b) In all cases of presentments or indictments for offenses that are punishable by death, on suggestion in writing under oath of either of the parties to the proceedings that the party cannot have a fair and impartial trial in the court in which the proceedings may be pending, the court shall order and direct the record of proceedings in the presentment or indictment to be transmitted to some other court having jurisdiction in such case for trial.

(c) In all other cases of presentment or indictment, and in all suits or actions at law or issues from the Orphans' Court pending in any of the courts of law in this State which have jurisdiction over the cause or case, in addition to the suggestion in writing of either of the parties to the cause or case that the party cannot have a fair and impartial trial in the court in which the cause or case may be pending, it shall be necessary for the party making the suggestion to make it satisfactorily appear to the court that the suggestion is true, or that there is reasonable ground for the same; and thereupon the court shall order and direct the record of the proceedings in the cause or case to be transmitted to some other court, having jurisdiction in the cause or case, for trial. The right of removal also shall exist on suggestion in a cause or case in which all the judges of the court may be disqualified under the provisions of this Constitution to sit. The court to which the record of proceedings in such suit or action, issue, presentment or indictment is transmitted, shall hear and determine that cause or case in the same manner as if it had been originally instituted in that court. The General Assembly shall modify the existing law as may be necessary to regulate and give force to this provision.

**SEC. 9.**<sup>107</sup> The Judge, or Judges of any Court, may appoint such officers for their respective Courts as may be found necessary. The General Assembly may provide, by Law, for compensation for all such officers; and the said Judge or Judges shall, from time to time, investigate the expenses, costs and charges of their respective courts, with a view to a change or reduction thereof, and report the result of such investigation to the General Assembly for its action.

**SEC. 10.**<sup>108</sup> (a) (1) The Clerks of the Courts shall have charge and custody of records and other papers and shall perform all the duties which appertain to their offices, as are regulated by Law. (2) The office and business of the Clerks, in all their departments, shall be subject to and governed in accordance with rules adopted by the Court of Appeals pursuant to Section 18 of this article.

(b) The offices of the Clerks shall be funded through the State budget. All fees, commissions, or other revenues

established by Law for these offices shall be State revenues, unless provided otherwise by the General Assembly.

**SEC. 11.**<sup>109</sup> The election for Judges, herein before provided, and all elections for Clerks, Registers of Wills, and other officers, provided in this Constitution, except State's Attorneys, shall be certified, and the returns made, by the Clerks of the Circuit Courts of the Counties, and the Clerk of the Superior Court of Baltimore City, respectively, to the Governor, who shall issue commissions to the different persons for the offices to which they shall have been, respectively, elected; and in all such elections for offices other than judges of an appellate court, the person having the greatest number of votes, shall be declared to be elected.

**SEC. 12.**<sup>110</sup> In case of any contested election for Judges, Clerks of the Courts of Law, and Registers of Wills, the Governor shall send the returns to the House of Delegates, which shall judge of the election and qualification of the candidates at such election; and if the judgment shall be against the one who has been returned elected, or the one who has been commissioned by the Governor, the House of Delegates shall order a new election within thirty days.

**SEC. 13.** All Public Commissions and Grants shall run thus: "The State of Maryland, etc.," and shall be signed by the Governor, with the Seal of the State annexed; all writs and process shall run in the same style, and be tested, sealed and signed, as heretofore, or as may hereafter be, provided by Law; and all indictments shall conclude, "against the peace, government and dignity of the State."

**SEC. 13A.**<sup>111</sup> Vacant.

### *Part II—Courts of Appeal.*

**SEC. 14.**<sup>112</sup> The Court of Appeals shall be composed of seven judges, one from the First Appellate Judicial Circuit consisting of Cecil, Kent, Queen Anne's, Caroline, Talbot, Dorchester, Wicomico, Worcester and Somerset counties; one from the Second Appellate Judicial Circuit consisting of Baltimore and Harford counties; one from the Third Appellate Judicial Circuit, consisting of Allegany, Frederick, Garrett, Montgomery and Washington counties; one from the Fourth Appellate Judicial Circuit, consisting of Prince George's, Calvert, Charles and St. Mary's counties; one from the Fifth Appellate Judicial Circuit, consisting of Anne Arundel, Carroll and Howard counties; and two from the Sixth Appellate Judicial Circuit, consisting of Baltimore City. The Judges of the Court of Appeals shall be residents of their respective Appellate Judicial Circuits. The term of each Judge of the Court of Appeals shall begin on the date of his qualification. One of the Judges of the Court of Appeals shall be designated by the Governor as the Chief Judge. The jurisdiction of the Court of Appeals shall be co-extensive with the limits of the State and such as now is or may hereafter be prescribed by law. It shall hold its sessions in the City of Annapolis at such time or times as it shall from time to time by rule prescribe. Its session or sessions shall continue not less than ten months in each year, if the business before it shall so require, and it shall be competent for the judges temporarily to transfer

<sup>106</sup> Amended by Chapter 364, Acts of 1874, ratified Nov. 2, 1875; Chapter 524, Acts of 1980, ratified Nov. 4, 1980.

<sup>107</sup> Amended by Chapter 523, Acts of 1980, ratified Nov. 4, 1980.

<sup>108</sup> Amended by Chapter 722, Acts of 1986, ratified Nov. 4, 1986; Chapter 62, Acts of 1990, ratified Nov. 6, 1990.

<sup>109</sup> Amended by Chapter 551, Acts of 1975, ratified Nov. 2, 1976.

<sup>110</sup> Amended by Chapter 681, Acts of 1977, ratified Nov. 7, 1978.

<sup>111</sup> Added by Chapter 796, Acts of 1943, ratified Nov. 7, 1944. Repealed by Chapter 681, Acts of 1977, ratified Nov. 7, 1978.

<sup>112</sup> Amended by Chapter 772, Acts of 1943, ratified Nov. 7, 1944; Chapter 99, Acts of 1956, ratified Nov. 6, 1956; Chapter 11, Acts of 1960, ratified Nov. 8, 1960; Chapter 551, Acts of 1976, ratified Nov. 2, 1976; Chapter 681, Acts of 1977, ratified Nov. 7, 1978.