

CONSTITUTIONAL CONVENTION OF MARYLAND

PROPOSED CONSTITUTION OF 1968

CONSTITUTION OF 1867

**Selection and Tenure of Judges**

**Section 5.13. Judicial Circuits.**

The State shall be divided by law into circuits of the Court of Appeals and into circuits of the Intermediate Appellate Court.

**Section 5.14. Eligibility for Nomination and Appointment.**

A judge shall have been a citizen of the State and shall have been authorized to practice law in the State for at least five years immediately preceding his nomination. A nominee for judge of the Court of Appeals or of the Intermediate Appellate Court shall be a resident of the circuit where that court vacancy exists. A nominee for judge of the Superior Court shall be a resident of the county where the vacancy exists. A nominee for judge of the District Court shall be a resident of the district where the vacancy exists.

all cases, from the judgment of Justices of the Peace, as hath been heretofore exercised, or shall be hereafter prescribed by Law.

Sec. 43. In the event of a vacancy in the office of a Justice of the Peace, the Governor shall appoint a person to serve, as Justice of the Peace, for the residue of the term; and in case of a vacancy in the office of Constable, the County Commissioners of the county in which the vacancy occurs, or the Mayor and City Council of Baltimore, as the case may be, shall appoint a person to serve as Constable for the residue of the term.

*See Art. IV, Sec. 14 at Section 5.04 for circuits of the Court of Appeals.*

*See Art. IV, Sec. 14A at Sections 5.06 and 5.07 for circuits of the Intermediate Court of Appeals.*

Sec. 2. The Judges of all of the said Courts shall be citizens of the State of Maryland, and qualified voters under this Constitution, and shall have resided therein not less than five years, and not less than six months next preceding their election, or appointment, as the case may be, in the city, county, judicial circuit, intermediate appellate judicial circuit or appellate judicial circuit for which they may be, respectively, elected, or appointed. They shall be not less than thirty years of age at the time of their election, or appointment, and shall be selected from those who have been admitted to practice Law in this State, and who are most distinguished for integrity, wisdom and sound legal knowledge.

Sec. 21. . . . [Each circuit judge] shall be a resident of the county in which he shall hold office, and who shall be elected by the voters thereof, to be styled judges of the Circuit Court, to be elected or appointed as herein provided. The number of judges for any of the circuits or for any of the counties, may be increased or decreased by the General Assembly from time to time, and any vacancy so created shall be filled as provided in Section 5 of this Article except that in the third, fourth, fifth, sixth, and seventh judicial circuits there shall never be less than one judge for each county and in all of the circuits there shall never be less than four for each circuit. The senior judge in length of