

# CONSTITUTIONAL CONVENTION OF MARYLAND

## PROPOSED CONSTITUTION OF 1968

shall consist of one judge of the Intermediate Appellate Court, one judge of the Superior Court, one judge of the District Court, one lay member, and one lawyer member. The Court of Appeals shall appoint the judicial members. The governor shall appoint the lay and lawyer members from among the qualified voters of the State. The term of each member shall be four years, but the General Assembly shall prescribe by law shorter terms for the three judicial members and one of the other members first appointed, in order to establish overlapping terms of office. A vacancy on the Commission shall be filled for the remainder of the term. No member shall receive compensation for his service.

### Section 5.27. Powers of Commission on Judicial Disabilities.

The Commission on Judicial Disabilities shall have the power to investigate complaints against any judge, to conduct hearings concerning the removal or retirement of a judge, to administer oaths and affirmations, to issue process to compel the attendance of witnesses and the production of evidence, and to require persons to testify and produce evidence by granting them immunity from prosecution or from penalty or forfeiture. The Commission shall have the power to recommend to the Court of Appeals the re-

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of Maryland. The members of the Commission shall be citizens and residents of this State. Three members of the Commission shall be appointed from among the judges of the Court of Appeals, the Circuit Court for the Counties and of the Supreme Bench of Baltimore City; one member shall be appointed from among those persons who are admitted to the practice of Law in the State, who have been so engaged for at least fifteen years, and who is not a judge of any Court; and one member shall represent the public, who shall not be a judge, active or retired, and who is not admitted to the practice of Law in this State. The term of office of each member shall be for four years commencing on January 1, except that of those persons first appointed to the Commission one shall be appointed for a term of one year, one for two years, one for three years, and two for four years and thereafter all terms shall be for four years. Whenever any member of the Commission appointed from among judges in the State ceases to be a judge, when any member appointed from among those admitted to the practice of Law becomes a judge, when any member representing the public becomes a judge or is admitted to the practice of Law in this State, or when any member ceases to be a resident of the State, in such case the membership of this member shall forthwith terminate. Any vacancies on the Commission shall be filled for the unexpired term by the Governor in the same manner as for making of appointments to the Commission and subject to the same qualifications which were applicable to the person causing the vacancy. No member of the Commission shall receive any compensation for his services as such but shall be allowed any expenses necessarily incurred in the performance of his duties as such member.

Sec. 4B. (a) A judge of the Court of Appeals, of the Circuit Courts for the Counties, of the Supreme Bench of Baltimore City, of the Orphans' Courts and all other judges elected or subject to election, and those appointed if the full term of the particular office is for not less than four years, (including a judge holding office on the date of adoption of this Amendment) may, in accordance with the procedure described in this section, be removed for misconduct in office, persistent failure to perform the duties of his office or conduct which shall prejudice the proper ad-