

COMPARISON OF CONSTITUTIONS

CONSTITUTION OF 1867	PROPOSED CONSTITUTION OF 1968
<p>Baltimore City. The Judges of the Court of Appeals shall be residents of and be elected by the qualified voters of their respective Appellate Judicial Circuits. The term of each Judge of the Court of Appeals shall begin on the date of his qualification except that each of the judges of the Court of Appeals in office at the time this amendment to the Constitution takes effect shall continue to hold office for the balance of the term for which he was elected or appointed or until he shall have attained the age of seventy years, whichever may first happen. 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 their sittings elsewhere upon sufficient cause. The salary of each Judge of the Court of Appeals shall be that now or hereafter prescribed by the General Assembly and shall not be diminished during his continuance in office. Five of the judges shall constitute a quorum, and five judges shall sit in each case unless the Court shall direct that an additional judge or judges sit for any case. The concurrence of a majority of those sitting shall be sufficient for the decision of any cause, and an equal division of those sitting in a case has the effect of affirming the decision appealed from if there is no application for re-argument as hereinafter provided. In any case where there is an equal division or a three to two division of the Court a re-argument before the full Court of seven judges shall be granted to the losing party upon application as a matter of right.</p> <p>Sec. 14A. The General Assembly may by Law create such intermediate courts of appeal, as may be necessary. The General Assembly may prescribe the intermediate appellate jurisdiction of these courts of appeal, and all other powers necessary for the operation of such courts.</p> <p>Sec. 14B. No member of the General Assembly at which the addition of Section</p>	<p><i>See Section 5.14, Eligibility for Nomination and Appointment, p. 47.</i></p> <p>Section 5.05. Chief Judge of Court of Appeals.</p> <p>The governor shall fill a vacancy in the office of chief judge of the Court of Appeals by designating one of the judges of the Court of Appeals to be chief judge for the remainder of his service on the Court, or until he resigns the office of chief judge. The associate judge senior in service on the Court of Appeals shall have the powers and duties of the office when the chief judge is absent, or when the Court of Appeals determines that he is unable to serve, or when the office is vacant.</p> <p>Section 5.02. Jurisdiction.</p> <p>The Court of Appeals shall be the highest court of the State and shall have the appellate jurisdiction prescribed by law and the original jurisdiction prescribed by this Constitution.</p> <p><i>See Section 5.24, Judicial Compensation, p. 51.</i></p> <p><i>See Section 5.04, Composition, p. 54, for quorum.</i></p> <p>Section 5.06. Jurisdiction.</p> <p>The Intermediate Appellate Court shall have the jurisdiction prescribed by law.</p> <p><i>See Section 5.13, Judicial Circuits, p. 54.</i></p> <p>Section 5.07. Composition.</p> <p>The Intermediate Appellate Court shall consist of five judges, unless the number is increased by law. The Intermediate Appel-</p>