

CONSTITUTIONAL CONVENTION OF MARYLAND

CONSTITUTION OF 1867	PROPOSED CONSTITUTION OF 1968
<p>14A was proposed, if otherwise qualified, shall be ineligible for appointment or election as a judge of any intermediate court of appeal, established by law by the General Assembly pursuant to said Section 14A, by reason of his membership in such General Assembly.</p>	<p>late Court may sit in divisions. At least three judges shall sit in each case.</p>
<p>Sec. 15. Any judge of the Court of Appeals or of an intermediate court of appeal who heard the cause below either as a trial judge or as a judge of any intermediate court of appeal as the case may be shall not participate in the decision. In every case an opinion, in writing, shall be filed within three months after the argument, or submission of the cause; and the judgment of the Court of Appeals shall be final and conclusive.</p>	<p><i>See Section 5.02, Jurisdiction, p. 55.</i></p>
<p>Sec. 16. Provision shall be made by Law for publishing Reports of all causes, argued and determined in the Court of Appeals and in the intermediate courts of appeal, which the judges thereof, respectively, shall designate as proper for publication.</p>	<p>Section 5.33. Clerks of Court. The chief judge of each court shall appoint, to serve at his pleasure, a chief clerk of that court. There shall be in each county a clerk of the Superior Court who shall be selected as prescribed by law. There shall be in each county a clerk of the District Court whose appointment and term shall be prescribed by rule.</p>
<p>Sec. 17. There shall be a Clerk of the Court of Appeals, who shall be appointed by and shall hold his office at the pleasure of said Court of Appeals.</p>	<p>Section 5.03. Rule-Making Power. The Court of Appeals shall have power to prescribe rules governing practice and procedure in all courts; governing the admission of persons to practice law in this State and their discipline; and governing the administration of the courts, officers of the judicial branch, and officers of the executive branch to the extent that their duties directly relate to the enforcement of judicial orders. The General Assembly shall have concurrent power to regulate by law the matters enumerated in this section, except when these matters are specifically required by this Constitution to be prescribed by rule. As used in this article, rule shall mean a rule prescribed by the Court of Appeals. In the event of a conflict between a rule and a law, the later in time shall prevail to the extent of the conflict.</p>
<p>Sec. 18. It shall be the duty of the Judges of the Court of Appeals to make and publish rules and regulations for the prosecution of appeals to the appellate Courts, whereby they shall prescribe the periods within which appeals may be taken, what part or parts of the proceedings in the Court below shall constitute the record on appeal, and the manner in which such appeals shall be brought to hearing or determination, and shall regulate, generally, the practice of said Court of Appeals and any intermediate courts of appeal so as to prevent delays, and promote brevity in all records and proceedings brought into said Courts, and to abolish and avoid all unnecessary costs and expenses in the prosecution of appeals therein; and the said Judges shall make such reduction in the</p>	