

(Senate Bill 1262)

AN ACT concerning

District Courts - Constables Service of Process

FOR the purpose of authorizing and requiring constables of the respective District Courts under direction of the administrative judge to serve process, including warrants and summonses for witnesses, in civil, criminal, and traffic cases; and allowing service by mail of certain process by mail to witnesses under certain conditions.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 2-604(a), 2-605(b), and 2-606
Annotated Code of Maryland
(1974 Volume and 1977 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Courts and Judicial Proceedings

2-604.

(a) The Chief Judge of the District Court, upon the recommendation of the administrative judge of each district, shall appoint the number of constables required to serve [civil] process of the District Court within that district. The administrative judge shall assign the constables to the various courts or divisions of courts within his district so that every court or division of a court has at least one constable.

2-605.

(b) All criminal and traffic process, including warrants and summonses for witnesses, shall be served by ~~MAIL, OR BY~~ the CONSTABLES OF THE RESPECTIVE DISTRICTS, OR BY THE sheriffs of the respective counties or by state or local police as ~~provided by rule~~ THE ADMINISTRATIVE JUDGE OF THE DISTRICT COURT SHALL DIRECT. SHALL DIRECT. HOWEVER, SUMMONSES TO WITNESSES IN THESE CASES MAY BE SERVED BY MAIL, RATHER THAN BY PERSONAL SERVICE, IF THE ADMINISTRATIVE JUDGE OF THE DISTRICT DIRECTS.

2-606.

A constable shall obey and execute all [civil] process directed to him from any judge of the District Court of Maryland concerning any matter within the court's jurisdiction and shall return the process according to its command. He shall serve and levy all executions issued by a