

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 reargument as hereinafter provided. In any case where there is an equal division or a three to two division of the Court a reargument before the full Court of seven judges shall be granted to the losing party upon application as a matter of right (*amended by Chapter 772, Acts of 1943, ratified Nov. 7, 1944; Chapter 99, Acts of 1956, ratified Nov. 6, 1956; Chapter 11, Acts of 1960, ratified Nov. 8, 1960; Chapter 551, Acts of 1976, ratified Nov. 2, 1976; Chapter 681, Acts of 1977, ratified Nov. 7, 1978; Chapter 103, Acts of 1994, ratified Nov. 8, 1994*).

**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 (*added by Chapter 10, Acts of 1966, ratified Nov. 8, 1966*).

**SEC. 14B.** No member of the General Assembly at which the addition of Section 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 (*added by Chapter 10, Acts of 1966, ratified Nov. 8, 1966*).

**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 (*amended by Chapter 99, Acts of 1956, ratified Nov. 6, 1956, Chapter 10, Acts of 1966, ratified Nov. 8, 1966*).

**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 (*amended by Chapter 10, Acts of 1966, ratified Nov. 8, 1966*).

**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 (*amended by Chapter 40, Acts of 1939, ratified Nov. 5, 1940; Chapter 99, Acts of 1956, ratified Nov. 6, 1956*).

**SEC. 18.** (a) The Court of Appeals from time to time shall adopt rules and regulations concerning the practice and procedure in and the administration of the appellate courts and in the other courts of this State, which shall have the force of law until rescinded, changed or modified by the Court of Appeals or otherwise by law. The power of courts other than the Court of Appeals to make rules of practice and procedure, or administrative

rules, shall be subject to the rules and regulations adopted by the Court of Appeals or otherwise by law (*amended by Chapter 772, Acts of 1943, ratified Nov. 7, 1944; Chapter 10, Acts of 1966, ratified Nov. 8, 1966; Chapter 789, Acts of 1969, ratified Nov. 3, 1970; Chapter 681, Acts of 1977, ratified Nov. 7, 1978; Chapter 523, Acts of 1980, ratified Nov. 4, 1980*).

(b) (1) The Chief Judge of the Court of Appeals shall be the administrative head of the Judicial system of the State. The Chief Judge of the Court of Appeals shall from time to time require, from each of the judges of the Circuit Courts, of the District Court and of any intermediate courts of appeal, reports as to the judicial work and business of each of the judges and their respective courts.

(2) Subject to paragraphs (3) and (4) of this subsection, the Chief Judge of the Court of Appeals may, in case of a vacancy, or of the illness, disqualification or other absence of a judge or for the purpose of relieving an accumulation of business in any court assign any judge except a judge of the Orphans' Court to sit temporarily in any court except an Orphans' Court.

(3) a retired judge of the Circuit Court for Montgomery County that sits as the Orphans' Court for Montgomery County may be assigned by the Chief Judge of the Court of Appeals, upon approval of a majority of the Court of Appeals, to do an act that a judge of the Orphans' Court for Montgomery County is authorized to perform.

(4) a retired judge of the Circuit Court for Harford County that sits as the Orphans' Court for Harford County may be assigned by the Chief Judge of the Court of Appeals, upon approval of a majority of the Court of Appeals, to do an act that a judge of the Orphans' Court for Harford County is authorized to perform.

(5) Any judge assigned by the Chief Judge of the Court of Appeals pursuant to this section has all the power and authority pertaining to a judge of the court to which the judge is so assigned; and the judge's power and authority shall continue with respect to all cases (including any motion, or other matters incidental thereto) which may come before the judge by virtue of such assignment until the judge's action thereon shall be completed. In the absence of the Chief Judge of the Court of Appeals, the provisions of this section shall be applicable to the senior judge present in the Court of Appeals. The powers of the Chief Judge set forth in this section shall be subject to any rule or regulation adopted by the Court of Appeals (*amended by Chapter 681, Acts of 1977, ratified Nov. 7, 1978; Chapter 523, Acts of 1980, ratified Nov. 4, 1980; Chapter 323, Acts of 1998, ratified Nov. 3, 1998*).

**SEC. 18A.** Vacant (*renumbered as sec. 18 by Chapter 681, Acts of 1977, ratified Nov. 7, 1978*).

#### Part IIA - Interim Provisions.

**SEC. 18B.** (a) For the purpose of implementing the amendments to this article, dealing with the selection and tenure of appellate court judges, the following provisions shall govern.

(b) Each judge of an appellate court who is in office for an elected term on the effective date of these amendments, unless he dies, resigns, retires, or is otherwise lawfully removed, shall continue in office until the general election next after the end of his elected term, or until