

FOR the purpose of permitting the Chief Judge of the District Court to assign a district court commissioner to serve in a county other than that in which the commissioner resides in certain circumstances; and providing that an assignment under this Act may only be made in extraordinary circumstances and may not last longer than a certain period.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 2-607
Annotated Code of Maryland
(1980 Replacement Volume and 1983 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Courts and Judicial Proceedings

2-607.

(a) The administrative judge of each district, with the approval of the Chief Judge of the District Court, may appoint the number of commissioners necessary to perform the functions of the office within each county. In multiple-county districts, the administrative judge shall obtain the recommendation of the resident judge in each county as to the number of commissioners required in the county and as to the persons to be appointed.

(b) Commissioners shall be adult residents of the counties in which they serve, but they need not be lawyers. Each commissioner shall be paid the compensation fixed by law, hold office at the pleasure of the Chief Judge of the District Court, and has the powers and duties prescribed by law. Except without additional compensation, unless otherwise fixed by law, a classified employee of the District Court, who is an adult, may be granted, in the same manner, commissioner powers and duties in the county where he is employed.

(c) A commissioner shall receive applications and determine probable cause for the issuance of charging documents. He shall advise arrested persons of their constitutional rights, set bond or commit persons to jail in default of bond or release them on personal recognizance if circumstances warrant, and conduct investigations and inquiries into the circumstances of any matter presented to him in order to determine if probable cause exists for the issuance of a charging document, warrant, or criminal summons and, in general, perform all the functions of committing magistrates as exercised by the justices of the peace prior to July 5, 1971. There shall be in each county, at all times, one or more commissioners available for the convenience of the public and police in obtaining charging documents, warrants, or criminal summonses and to advise arrested persons of their rights as required by law.