

Article IV – Judiciary Department

Section 14

BY proposing an addition to the Constitution of MarylandArticle XVIII – Provisions of Limited DurationSection 4

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, (Three-fifths of all the members elected to each of the two Houses concurring), That it be proposed that the Constitution of Maryland read as follows:

Article IV – Judiciary Department

14.

The ~~SUPREME~~ Court ~~{of Appeals}~~ shall be composed of seven judges, one from the first appellate judicial circuit consisting of CAROLINE, Cecil, DORCHESTER, Kent, Queen Anne's, [Caroline,] SOMERSET, Talbot, [Dorchester,] Wicomico, AND Worcester [and Somerset] counties; one from the Second Appellate Judicial Circuit consisting of Baltimore and Harford counties; one from the Third Appellate Judicial Circuit, consisting of Allegany, CARROLL, Frederick, Garrett, [Montgomery] HOWARD, and Washington counties; one from the Fourth Appellate Judicial Circuit, consisting of Prince George's COUNTY [, Calvert, Charles and St. Mary's counties]; one from the Fifth Appellate Judicial Circuit, consisting of Anne Arundel, CALVERT, CHARLES, AND ST. MARY'S COUNTIES [Carroll and Howard counties]; [and two] ONE from the Sixth Appellate Judicial Circuit, consisting of Baltimore City; AND ONE FROM THE SEVENTH APPELLATE JUDICIAL CIRCUIT, CONSISTING OF MONTGOMERY COUNTY. The Judges of the ~~SUPREME~~ Court ~~{of Appeals}~~ shall be residents of their respective Appellate Judicial Circuits. The term of each Judge of the ~~SUPREME~~ Court ~~{of Appeals}~~ shall begin on the date of his qualification. One of the Judges of the ~~SUPREME~~ Court ~~{of Appeals}~~ shall be designated by the Governor as the Chief Judge. The jurisdiction of the ~~SUPREME~~ 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 ~~SUPREME~~ 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 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.