

Hughes gives Byrnes post on city court

3 others picked; choice could solve district problem

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Annapolis—Governor Hughes appointed State Senator John Carroll Byrnes (D, Baltimore) to the Supreme Bench yesterday, filling a vacant judgeship and perhaps resolving a city reapportionment dilemma at the same time.

The appointment means that Mr. Byrnes, whose old Senate district in Northeast Baltimore is being absorbed by two others in this year's reapportionment process, will not have to run for reelection in a district represented by an incumbent.

But Mr. Byrnes's successor in the Senate, who will be appointed by Governor Hughes based on a recommendation by the city Democratic Central Committee, would have to challenge either Senator Julian L. Lapidus or Senator J. Joseph Curran, Jr., unless Democratic leaders choose a caretaker to serve the rest of the Byrnes term and then step aside.

Governor Hughes appointed three other persons to Circuit Court judgeships yesterday. They are:

- John F. Fader II, of Baltimore county. A District Court judge since 1977, Mr. Fader was named to a circuit judgeship created by the General Assembly last year.

- Irma S. Raker, of Montgomery county. Also a District Court judge, Mrs. Raker was an assistant state's attorney and member of the county task force on domestic violence. She replaces Judge Joseph M. Mathias, who retired.

- Arthur M. Ahalt, of Prince Georges county. Mr. Ahalt, a member of the law firm of Goldstein and Ahalt in College Park, succeeds Judge Samuel W. H. Meloy, who retired.

The Ahalt appointment was somewhat of a surprise in county legal circles, because the governor chose the 39-year-old lawyer over District Court Judges Irving H. Fisher and Graydon S. McKee III, who were also recommended for the post by the local judicial nominating commission.

Mr. Byrnes also replaces a retired jurist, Albert L. Sklar, who left the Supreme Bench late last year.

A senator since 1970, Mr. Byrnes said yesterday that he would miss the General Assembly. "There will be some withdrawal pains, I suppose," he said.

"But I am very excited to continue what I regard as a lifelong commitment to the law, only now from the court," he added. "I really wanted to be at the trial court level. I think the courtroom is an in-

BYRNES TRANSFERRED TO BENCH

JUDGES, from D1

tellectually challenging place to be."

The 42-year-old senator, a member of the city law firm of Gordon, Feinblatt, Rothman, Hoffberger and Hollander, said he would talk soon with his law partners and with Judge Robert L. Karwacki, administrative judge of the Supreme Bench, about when he will assume his new duties.

Mr. Byrnes had feared that political speculation fueled by legislative redistricting might cost him a chance at a Supreme Bench judgeship, which he sought unsuccessfully in 1979, if it began to appear that Governor Hughes was considering him for political reasons.

The choice of a new senator will be made by the three members of the central committee from Mr. Byrnes's district, who are expected to give preference to any delegates from that district interested in the job.

Delegate Dennis C. McCoy, who represents the current Byrnes district, said last night the vacancy provided a "rare opportunity" that he found "very tempting," particularly because the new Lapidus district is weighted with voters he now represents.

"But I don't know whether I want to go from being chairman of the city House delegation at the beginning of a very important legislative session to take a back bench in the Senate," he added.

Delegate Gerald J. Curran, also from the Byrnes district, said he would not be a candidate because

the new reapportionment map would move him into the district represented by Senator Curran, his cousin.

Delegate Frank C. Robey, the third member from the Byrnes district, said last night he was "not closing any doors" but probably would not become a candidate for the Senate seat.

The three delegates huddled last night over their desks in the House, apparently trying to reach a consensus on how to deal with the vacancy.

If none of the three delegates decides to make a bid for the Senate appointment, Delegate Curran suggested, the central committee may be left with the prospect of appointing a "caretaker" for this session.

Mr. McCoy, however, objected to the idea of a caretaker, saying he would propose a candidate for the job if he decided not to seek it himself.

Louise Murphy, one of the three central committee members who will make the choice, said last night, "Right now I'm just so excited I don't know exactly what we'll do."

District Judge Arrie W. Davis and Mary Ellen Rinehardt, a city legal aide lawyer, were the other candidates being considered for the Supreme Bench.

William M. Nickerson, a Baltimore lawyer, A. Owen Hennegan, a Towson lawyer, and Walter R. Tabler, executive director of the state Health Claims Arbitration Board, had been recommended with Mr. Fader for the Baltimore county judgeship.



JOHN CARROLL BYRNES
from Senate seat to judge's bench