

IN THE COURT OF APPEALS OF MARYLAND  
AMENDING ADMINISTRATIVE ORDER ON STATUS AND *PER DIEM*  
OF RECALLED JUDGES

WHEREAS, an Administrative Order, dated May 2, 2007, established that, effective July 1, 2007, all former judges recalled for temporary assignment would be paid a *per diem* for each day, or part of a day, for which the judge is in attendance at court, whether courtroom or non-courtroom time or for other judicial functions, such as committee work or judicial education, approved in advance by the Chief Judge of the Court of Appeals; and

WHEREAS, Pursuant to that Administrative Order, and a June 11, 2007, Administrative Office of the Courts report to the Court of Appeals, it was determined that, effective January 1, 2008, all former judges approved for recall would be treated as temporary employees rather than independent contractors; and

WHEREAS, Clarifications as to the procedures for recalled judges are appropriate;

NOW, THEREFORE, I, Robert M. Bell, Chief Judge of the Court of Appeals and administrative head of the Judicial Branch, pursuant to the authority conferred by Article IV, § 18, of the Maryland Constitution, do hereby order this 20th day of August, 2008, that:

1. All former judges approved for recall must be willing to accept whatever cases or matters they are assigned, except in cases of conflict of interest or other such circumstances; and
2. All former judges approved for recall and serving on the circuit courts or the District Court, in multi-judge jurisdictions, must ensure that no other judge on that court needs assistance before leaving for the day; and

3. If a recalled judge participates in judicial education or the Maryland Judicial Conference by serving on a panel, as a presenter, coordinator, moderator, faculty, etc., or is specifically authorized to attend by the Chief Judge of the Court of Appeals, then that judge will be compensated on a *per diem* basis. Otherwise, a recalled judge will not receive compensation for attendance; however, a recalled judge will be reimbursed for mileage, and that judge will be reimbursed for meals provided that he or she is eligible for overnight lodging; and
  
4. If a recalled judge is appointed to a Judiciary committee by the Chief Judge of the Court of Appeals, the Chief Judge of the Court of Special Appeals, the Chair of the Conference of Circuit Judges, or the Chief Judge of the District Court, time spent at such committee meetings will be compensated on a *per diem* basis. In order for time spent at any other committee meetings to be compensable, it will require the written approval of the Chief Judge of the Court of Appeals.

/s/ Robert M. Bell  
Robert M. Bell  
Chief Judge of the Court of Appeals

Filed: August 20, 2008

/s/ Bessie M. Decker  
Bessie M. Decker  
Clerk  
Court of Appeals of Maryland