

IN THE COURT OF APPEALS OF MARYLAND

R U L E S O R D E R

WHEREAS, The State of Maryland is experiencing a fiscal emergency of extraordinary proportions, which is expected to worsen during calendar year 2010; and

WHEREAS, The Judiciary wishes to do what it can to help meet this challenge while continuing to serve the people of this State; and

WHEREAS, The Chief Judge has promulgated an Administrative Order titled, "Temporary Salary Reduction, Furlough, Reduction in Service and Reduction in Subsidy Plan for Judicial Branch Employees," which will produce substantial cost savings for State government; now, therefore,

This Court having considered proposed amendments to Rule 16-104, Judicial Leave, at an open meeting, notice of which was posted as prescribed by law, and finding that an emergency does in fact exist with reference to the proposed Rule change, it is this 15th day of December, 2009,

Court of Appeals of Maryland

MARYLAND RULES OF PROCEDURE
TITLE 16 - COURTS, JUDGES, AND ATTORNEYS
CHAPTER 100 - COURT ADMINISTRATIVE STRUCTURE,
JUDICIAL DUTIES, ETC.

AMEND Rule 16-104 to decrease the number of days of annual leave for calendar year 2010 only, as follows:

Rule 16-104. JUDICIAL LEAVE

. . .

b. Annual Leave.

. . .

2. Calendar Year ~~2009~~ 2010.

A. Subject to the provisions of subsection b 2 B and section f of this Rule, in calendar year ~~2009~~ 2010 a judge is entitled to annual leave of not more than ~~22~~ 17 working days. The leave accrues as of the first day of the calendar year except that (1) during the first year of a judge's initial term of office, annual leave accrues at the rate of ~~1.83~~ 1.42 days per month accounting from the date the judge qualifies for office, and (2) during calendar year ~~2009~~ 2010, if the judge retires in that year, annual leave accrues at the rate of ~~1.83~~ 1.42 days per month to the date the judge retires.

B. For each day, up to ~~five~~ ten days, that a judge contributes to the State of Maryland an amount equal to the average daily compensation, after federal and state tax and FICA

withholdings, of a judge serving on the court or level of court on which the judge serves, based on a 22-day work month, as calculated by the State Court Administrator, the judge shall be entitled to one additional day of annual leave. The judge shall make the contribution prior to taking the additional day of annual leave in the manner determined by the State Court Administrator.

. . .