

IN THE COURT OF APPEALS OF MARYLAND
ORDER APPROVING PROCESS OF APPLICATION FOR CERTIFICATION OF
FORMER JUDGES FOR RECALL

WHEREAS, in an order dated December 14, 2017, the Court of Appeals approved a process for former judges to apply for certification for recall as a senior judge and approved an application form for that purpose; and

WHEREAS, the Court has determined that the application form provided in that order should be revised, effective January 1, 2021,

NOW, THEREFORE, it is ORDERED, by the Court of Appeals of Maryland, this 9th day of December 2020, that judges submitting an application after January 1, 2021 for certification or recertification for recall as a senior judge shall complete and submit the application for certification approved by the Court of Appeals and attached to this Order;

A current copy of the application form shall be maintained on mdcourts.gov, the website of the Judicial Branch; and

The process for application for certification for recall as a senior judge set forth in the December 14, 2017 order shall otherwise remain in effect.

/s/ Mary Ellen Barbera
The Honorable Mary Ellen Barbera

/s/ Robert N. McDonald
The Honorable Robert N. McDonald

/s/ Shirley M. Watts
The Honorable Shirley M. Watts

/s/ Michele D. Hotten
The Honorable Michele D. Hotten

/s/ Joseph M. Getty
The Honorable Joseph M. Getty

/s/ Brynja M. Booth
The Honorable Brynja M. Booth

/s/ Jonathan Biran
The Honorable Jonathan Biran

Filed: December 9, 2020

/s/ Suzanne C. Johnson
Clerk
Court of Appeals of Maryland

Pursuant to Maryland Uniform Electronic Legal Materials Act
(§§ 10-1601 et seq. of the State Government Article) this document
is authentic.



Suzanne Johnson
2020-12-09 11:13-05:00

Suzanne C. Johnson, Clerk

Application for Certification for Recall as a Senior Judge

Name:

Address:

Telephone:

Cell:

Court Assignment Prior to Retirement or Resignation:

I wish to serve on the following court(s) and have requested approval of the administrative judge(s) in each such jurisdiction:

As a condition of being certified for recall as a senior judge, a former judge must complete the following application before an initial assignment, and every three years thereafter, if the judge wishes to continue to serve as a senior judge. In particular circumstances, the Court of Appeals may require the former judge to provide additional information. Completed applications and any supplements will be considered personnel records subject to Maryland Code, General Provisions Article, §4-311.

1. *Capacity.* As you know, a judge must be able to preside in a courtroom, perhaps for hours at a time; interact with attorneys, court personnel, and members of the public; comprehend and process a substantial amount of information (which may be presented in written, digital, or oral formats); analyze and decide complex issues; and respond to situations with discretion, appropriate judgment, emotional and mental discipline, and restraint while under pressure.

A. Do you know of any reason why you might not be able to perform the duties and functions of a judge in a competent, ethical, and professional manner?

___ Yes

___ No

B. If yes, please explain.

2. *Conduct and Integrity.* Under the State Constitution, lawyers who serve as judges in Maryland courts are to be “most distinguished for integrity, wisdom and sound legal judgment.”

Maryland Constitution, Article IV, §2; Code of Judicial Conduct, Maryland Rule 18-100.1 et seq.

- A. Please indicate whether any of the following circumstances apply to you since your appointment as a judge (other than circumstances you disclosed in a prior application for certification):

___ arrested, indicted, or have been the subject of a violation of federal, state, county, or municipal law (other than a motor vehicle offense for which a fine of \$100 or less was imposed).

___ disciplined or cited for a breach of ethics or unprofessional conduct (regardless of whether the disposition would be considered discipline).

___ been the respondent in a protective order, peace order, or a petition seeking such an order.

___ been the subject of a complaint alleging sexual harassment or a complaint alleging discrimination on the basis of race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, or political affiliation.

___ failed to file federal and state tax returns and pay required taxes in a timely manner.

- B. If any of the above circumstances applies to you, please explain. (You may attach additional pages, if necessary).

3. *Disqualifications.* Under Maryland law, a former judge may not be recalled for assignment if the judge:

- Was removed or involuntarily retired from judicial office
- Voluntarily retired by reason of disability
- Had the most recent service as a judge terminated by reason of defeat for election to judicial office or by rejection of confirmation by the Senate
- Was censured by the Court of Appeals upon recommendation of the Commission on Judicial Disabilities
- Is engaged in the practice of law

Courts & Judicial Proceedings Article, §1-302(c).

By my signature below, I affirm that none of the above circumstances applies to me.

I affirm that the information provided in this application is true, to the best of my knowledge, information, and belief.

_____/_____/_____
Date

Signature