

IN THE COURT OF APPEALS OF MARYLAND
ADMINISTRATIVE ORDER ON THE UTILIZATION OF LAW CLERKS

WHEREAS, Each judge of the Court of Appeals and the Court of Special Appeals of Maryland is provided, through State funding, one or more full-time law clerks each year; and

WHEREAS, Each circuit court judge throughout the State of Maryland is provided, through State funding, a full-time law clerk each year; and

WHEREAS, Each District Court judge throughout the State of Maryland is provided, through State funding, with the assistance of shared full-time law clerks each year; and

WHEREAS, The purpose of clerkships is two-fold: to provide judges with the legal assistance necessary to conduct the work of their chambers and to provide new attorneys with an intensive introduction to the practice of law, litigation, and observation of clerk and court procedures; and

WHEREAS, Law clerks in the Maryland Judiciary are eligible to receive State health insurance benefits; are eligible to participate in supplemental retirement plans (401K and/or 457 Deferred); are eligible for all regular State employee holidays, if the judges' workloads permit; and, although they do not accumulate annual, sick, personal, or compensatory leave, are eligible for eighty (80) hours of paid leave upon completion of their term of service; and

WHEREAS, Law clerks are hired to serve at the pleasure of the judges, who may allow their clerks to take up to eighty (80) hours of paid leave during the year in lieu of the above; and

WHEREAS, Courts throughout the State utilize retired judges available for recall to handle pending dockets during judicial absences; and

WHEREAS, Judges who are recalled require the assistance of law clerks to provide the support upon which judges rely to ensure the efficient administration of justice; and

WHEREAS, Law clerks, as new lawyers, stand to benefit from the experience of working with more than one judge during their term of service;

NOW, THEREFORE, I, Mary Ellen Barbera, 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 1st day of July, 2015, that

1. Law clerks shall be entitled to eighty (80) hours of paid leave upon completion of their term of service, or may, at the discretion of their respective judges, schedule up to eighty (80) hours of paid leave during the course of their year of employment; but not both; and
2. Judges who are provided law clerks paid through State funding shall make their law clerks available, subject to the workloads of their respective chambers, to assist recalled judges handling Court dockets and other matters, including trials, during the absence of sitting judges.

/s/ Mary Ellen Barbera
Mary Ellen Barbera
Chief Judge of the Court of Appeals

Filed: July 2, 2015

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