

February 12, 2014

The Honorable Mary Ellen Barbera,
Chief Judge
The Honorable Glenn T. Harrell, Jr.
The Honorable Lynne A. Battaglia
The Honorable Clayton Greene, Jr.
The Honorable Sally D. Adkins
The Honorable Robert N. McDonald
The Honorable Shirley M. Watts,
Judges
The Court of Appeals of Maryland
Robert C. Murphy Courts of Appeal Building
Annapolis, Maryland 21401

Your Honors:

The Rules Committee submits this, its One Hundred Eighty-Second Report and recommends that the Court adopt, on an emergency basis, the amendments to Rules 16-815 c. and 16-816 c. transmitted with this Report.

The recommended changes conform those Rules to an Administrative Order issued on November 21, 2013 that extended the deadline for judges and judicial appointees to file their annual financial disclosure statement from April 15 to April 30 of the year following the calendar year to which the statement pertains. A "housekeeping" amendment, deleting an obsolete provision from the Rules, is also recommended.

As pointed out in the Reporter's note attached to the proposed amendments to Rule 16-815 c., in Part II of the Committee's 178th Report, currently pending before the Court, Rules 16-815 and 16-816 have been revised and renumbered as Rules 18-703 and 18-704, respectively. At the appropriate time, the Committee will propose an amendment to those Rules to include the

new deadline and any other changes needed to conform the Rules to the Administrative Order.

Respectfully submitted,

Alan M. Wilner
Chair

AMW:cdc

MARYLAND RULES OF PROCEDURE
TITLE 16 - COURTS, JUDGES AND ATTORNEYS
CHAPTER 800 - MISCELLANEOUS

AMEND Rule 16-815 c. to delete an obsolete provision, to change the deadline for filing a financial disclosure statement from April 15 to April 30, and to change the date on which the State Court Administrator provides a certain notification, as follows:

Rule 16-815. FINANCIAL DISCLOSURE STATEMENT

. . .

c. Except as provided in paragraph d of this Rule:

~~1. The initial financial disclosure statement shall be filed on or before April 15, 1987 and shall cover the period beginning on January 1, 1986 and ending on December 31, 1986.~~

~~2. 1. A subsequent~~ The statement shall be filed annually on or before April ~~15~~ 30 of each year and shall cover the preceding calendar year or that portion of the preceding calendar year during which the judge held office.

~~3. 2.~~ A financial disclosure statement is presumed to have been filed unless the State Court Administrator, on ~~April 16~~ May 1, notifies a judge that the judge's statement for the preceding calendar year or portion thereof has not been received.

. . .

REPORTER'S NOTE

To conform to a determination by the Court of Appeals to change the deadline for filing financial disclosure statements from April 15 to April 30 of each year, amendments to Rules 16-815 c. and 16-816 c. are proposed for adoption on an emergency basis.

In addition to changing the filing deadline and the date on which the State Court Administrator provides notification of non-receipt of a statement, the proposed amendments delete from the Rules obsolete provisions pertaining to the filing of financial disclosure statements in the 1980's.

As part of the 178th Report, Part II, which is currently pending before the Court, Rules 16-815 and 16-816 have been revised and renumbered Rules 18-703 and 18-704, respectively. The new filing deadline and the new date on which the State Court Administrator provides notification of non-receipt of a financial disclosure statement will be incorporated into the revised Rules.

MARYLAND RULES OF PROCEDURE
TITLE 16 - COURTS, JUDGES AND ATTORNEYS
CHAPTER 800 - MISCELLANEOUS

AMEND Rule 16-816 c. to delete an obsolete provision, to change the deadline for filing a financial disclosure statement from April 15 to April 30, and to change the date on which the State Court Administrator provides a certain notification, as follows:

Rule 16-816. FINANCIAL DISCLOSURE STATEMENT - JUDICIAL APPOINTEES

. . .

c. Except as provided in paragraph d of this Rule:

~~(i) The initial financial disclosure statement shall be filed on or before April 15, 1989, and shall cover the period beginning on January 1, 1988, and ending on December 31, 1988.~~

~~(ii)~~ (i) A subsequent The statement shall be filed annually on or before April ~~15~~ 30 of each year, and shall cover the preceding calendar year or that portion of the preceding calendar year during which the judicial appointee held office.

~~(iii)~~ (ii) A financial disclosure statement is presumed to have been filed unless the State Court Administrator, on ~~April 16~~ May 1, notifies a judicial appointee that the judicial appointee's statement for the preceding calendar year or portion thereof has not been received.

. . .

REPORTER'S NOTE

See the Reporter's note to Rule 16-815.