

STATE JOINT TRAVEL REGULATIONS

JUDICIAL BRANCH TRAVEL POLICY

I. Scope

This policy applies to all travel for Official Business undertaken by judges, officials, employees, and other individuals traveling on behalf of the Judicial Branch. Reimbursement specific to judges' travel, except judges of the Orphans' Court, is further regulated by Courts and Judicial Proceedings Article, §1-706. This policy does not apply to judges of the Orphans' Court, except as provided in Section III. H.

II. Definitions

In this Policy, the following terms have the meaning indicated:

- A. "Alternative Work Schedule" (AWS) means an authorized alternative work day as part of your regular work week.
- B. "Commute Miles" means the normal daily roundtrip distance traveled between an individual's residence and his/her principal Office assignment.
- C. "Commute Time" means the time it normally takes for an employee to travel roundtrip from his or her residence to his or her primary or assigned Office.
- D. "Foreign Per Diem Rate" means the rate at which judges, officials, employees, and other individuals are reimbursed for expenses incurred for meals and Incidental Expenses while in Out-of-Country Travel Status.
- E. "Incidental Expenses" – The General Services Administration Per Diem Meal and Incidental Expenses (GSA Rates) and the U.S. Department of State Foreign Per Diem rates (US State Department Rates) both include an allotment for Incidental Expenses while in Out-of-State and Out-of-Country Travel Status, respectively. These are defined as fees and tips given to porters, baggage carriers, or hotel staff.
- F. "In-State Travel" means travel within Maryland, Northern Virginia and the District of Columbia.
- G. "Non-Employee Volunteer, Applicant, or Speaker" means a non-employee who is on approved travel on behalf of the Maryland Judiciary. Non-employees are not required to record Commute Miles.
- H. "Office" means the normal or assigned place of business of a judge, official, employee or other individual.
- I. "Official Business" means the authorized duties and responsibilities of an individual's position.

- J.** “Out-of-Country Travel” means authorized travel outside of the United States.
- K.** “Out-of-State Travel” means authorized travel destinations outside of Maryland, Northern Virginia and the District of Columbia.
- L.** “Per Diem Meal and Incidental Expense Allowance”, also known as “Per Diem Rate” means the rate at which judges, officials, employees, and other individuals are reimbursed for expenses incurred for meals and Incidental Expenses while in Out-of-State or Out-of-Country Travel Status.
- M.** “Policy Exceptions” must be approved by the Chief Judge of the Court of Appeals, or the State Court Administrator, or designee.
- N.** “Pool Vehicle” means a vehicle owned by the Judiciary that is available for regular use for Official Business by employees in a unit.
- O.** “Reimbursable Miles” means total miles driven in a day while on Official Business, *less* Commute Miles.
- P.** “Request for Reimbursement” means the completion and submission of the Judiciary Branch Expense Account Form.
- Q.** “Routine Business Travel” means authorized travel for Official Business on a daily basis or periodic basis to a job site other than the individual’s assigned Office.
- R.** “Standard Meal Allowance” means the total amount at which judges, officials, employees, and other individuals are reimbursed for meals incurred while in Travel Status.
- S.** “Time in Travel Status” means from the time a judge, official, employee or other individual begins Travel Status until the time their Travel Status ends. The Judiciary does not pay for normal Commute Time. For timesheet purposes, normal Commute Time must be deducted when recording Time in Travel Status.
- T.** “Travel Status” means a judge, official, employee or other individual engaged in traveling on Official Business for the Judiciary. Travel Status begins at the time you start your Official Business travel and ends when you have finished your travel. Travel Status does not include commuting from a place of residence to a principal Office location. Employees are considered to be in Travel Status on the first and last days of overnight travel.
- U.** “Unit” means the State Board of Law Examiners, the Maryland State Law Library, the Commission on Judicial Disabilities, the Maryland Court of Appeals Standing Committee on Rules of Practice and Procedure.
- V.** “Work Day” means a regularly scheduled day or Alternative Work Schedule (AWS) day worked in a pay period.

III. Policy

A. General

Each judge, official, employee, and any other person subject to this policy is to exercise restraint and prudence when incurring travel-related expenses to control costs. Expenses deemed unnecessary or excessive will not be reimbursed. Any exceptions to this policy require the approval of the Chief Judge of the Court of Appeals or the State Court Administrator, or designee.

B. Travel Plan Administrator

The Judicial Branch shall designate an individual in the Administrative Office of the Courts as the Judiciary's Travel Plan Administrator. This individual will be responsible for the administration and enforcement of this policy.

C. Travel Coordinator

The Judicial Branch shall designate an individual in the Administrative Office of the Courts as the Judiciary's Travel Coordinator to assist employees with travel arrangements and out-of-state conference enrollments, and to serve as the coordinator with outside travel agencies, airlines, vendors and hotels.

D. Use of Privately-Owned Vehicles – Reimbursable Miles

Reimbursement is based on mileage incurred for all Official Business Travel when using a privately-owned vehicle, which includes and applies to work days, after-hours travel, and travel on weekends and holidays. Attendance at Judiciary sponsored programs are eligible for travel reimbursement. Attendance at State-sponsored retirement programs held In-State, authorized in accordance with the Maryland Judiciary Policies and Procedures, are eligible for mileage reimbursement. For the ease of administrative procedures, the Judiciary will utilize the Privately-Owned Mileage Reimbursement Rates as indicated by the Department of Budget and Management (DBM Rates), which can be accessed from the Judiciary's website on its Travel Policy page.

- 1.** All daily mileage in excess of Commute Miles to and from work, when the excess miles are for Official Business or Routine Business Travel, is reimbursable. Please note that if the Official Business or Routine Business Travel mileage does not exceed the total Commute Miles, there is no reimbursement.
- 2.** An active judge performing trial court duties in any location other than his/her Office is entitled to mileage reimbursement, excluding Commute Miles. A Recalled/ Senior Judge will be reimbursed for mileage driven from home to and from his/her temporarily assigned location.

3. A Non-Employee Volunteer, Applicant, or Speaker who is on approved travel on behalf of the Judiciary may be entitled to mileage reimbursement. They do not need to record Commute Miles. The eligibility for reimbursement of travel expenses must be approved in advance by the State Court Administrator, or designee. This written approval must be submitted with the Judiciary Branch Expense Account Form.
4. All parking charges, ferry, bridge, tunnel and road tolls actually incurred in connection with travel related to Official Business are reimbursable. No receipts are required for bridge, tunnel or road tolls. Receipts for ferries and parking must be attached to the request for reimbursement, except from parking meters where no receipt is provided.

E. Travel-Related Expense Reimbursement

Reimbursement is authorized only for necessary travel and related expenses. Reimbursement requests are to be submitted no more than 90 days after the first date of subject travel, or after the expense was incurred. Any exceptions to this must be approved by the State Court Administrator, or designee, and attached in writing to the request. All reimbursement requests must be fully and accurately recorded and submitted on the Judicial Branch Expense Account Form, which can be found on the Judiciary's website on its Travel Policy page, or provided by a Judiciary sponsored department. <http://www.courts.state.md.us/administration/travel.html>

A judge, official, employee or any other person traveling on Official Business Travel for the Judiciary is expected to exercise the same care when incurring expenses as would a prudent person traveling for personal reasons. Travel for business should be conducted at a minimum cost for achieving the success of the mission. Travelers shall request reservations as far in advance as possible and shall utilize the lowest logical air/rail fares available.

1. Public Transportation

- a. Taxi or van fares, whichever is less costly, to and from airports, railroad or bus terminals are reimbursable. Tips associated with the aforementioned are reimbursable up to 15%. Receipts (including any associated tips) must be attached to the request for reimbursement.
- b. Rental cars may be used only when means of public transportation are not available, more costly, or impractical. Use of a rental car must be pre-approved by the Chief Judge of the Court of Appeals, or the Chief Judge of the District Court for employees of the District Court, or the State Court Administrator, or designee. This approval must be in writing, and must be attached to the request for reimbursement, along with the receipts.

2. Meals

- a. For ease of administration, the Judiciary will utilize the Standard Meal Allowance established by the Department of Budget and Management for In-State Travel

(DBM Rates), the Per Diem Meal and Incidental Expense Allowance by U.S. General Services Administration for Out-of-State Travel (GSA Rates), and the Foreign Per Diem Rates by the U.S. Department of State for Out-of-Country Travel (US State Department Rates), which can be accessed through the Judiciary's website on its Travel Policy page. Please note that receipts are not required for meal reimbursements and should not be submitted with the request for reimbursement. The cost of meals, up to the established rates, will be reimbursed.

DBM Per Diem Rate- <http://www.courts.state.md.us/administration/travel.html>

GSA Rates- <http://dbm.maryland.gov/Pages/MealTipReimbursement.aspx>

US State Department Rates- https://aoprals.state.gov/web920/per_diem.asp

- b. If a judge, official, employee, or other payee is in Travel Status, meals are reimbursable at the applicable rates and as outlined in the following chart.
- Overnight travel:** For overnight travel, you are considered in Travel Status on the days you travel to and from your destination.
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| First day in Travel Status | 75% of Per Diem Rate, less meals provided |
| Full day(s) in Travel Status | 100% of Per Diem Rate, less meals provided |
| Last day in Travel Status | 75% of Per Diem Rate, less meals provided |

The applicable Per Diem Rate is allowed as set forth above. If the registration fee for a conference, convention, seminar or training session provides for the cost of meals, such meals are not reimbursable. Meals provided as part of a Judiciary sponsored event or training are not reimbursable. Meals, such as breakfast, that are provided as part of the cost of lodgings, are not reimbursable. Meals that are not reimbursable should be deducted from the applicable Per Diem Rate. Eligibility for the Per Diem Rate is based upon Time in Travel Status. Employees are considered to be in Travel Status on the first and last days of overnight travel.

- c. A copy of the agenda (if published) must be provided with the reimbursement request for any conference, seminar or training which is not held at the JECC, and for which meal reimbursement is requested.
- d. Reimbursement will not be made for alcoholic beverages.
- e. Invoices will not be paid for food served during normal staff meetings. A meeting must be for a specific (non-routine) business need to be considered eligible for reimbursement and must follow the per diem allowances. These situations must be approved by your Administrative Official for reasonableness and business purpose prior to scheduling or arranging for food. Reimbursement requests are subject to final approval by the State Court Administrator, or designee.
- f. The Chief Judge of the Court of Appeals or the State Court Administrator, or designee, may give special consideration for reimbursements above the established guidelines.

3. Lodging

- a. A claim for reimbursement shall only include expenses incurred by individuals employed by the Judiciary, or for non-employees on Official Business for the Judiciary. The latter must be approved in advance by the State Court Administrator, or designee, in writing, which must be attached to the request for reimbursement.
- b. Reimbursement for overnight lodging is available only when the judge, official, employee, or other individual is more than fifty miles from their Office or assigned place of business, unless otherwise approved by the State Court Administrator, or designee, in writing, which must be attached to the request for reimbursement. The Judiciary's Travel Coordinator must be contacted for assistance. Information regarding the authorized distances can be found on the Judiciary's website on its Travel Policy page.

4. Miscellaneous Expenses

Miscellaneous business expenses, such as those incurred for telephone and internet usage while in Travel Status, are reimbursable. Receipts are required for all miscellaneous expenses and must be attached to the request for reimbursement.

5. Tips and Gratuities

Tips for porter fees up to \$1 per bag are reimbursable. If traveling In-State, no receipts are required for tips for baggage assistance. If traveling Out-of-State or Out-of-County, the GSA Rates and the US State Department Rates include Incidental Expenses; and, therefore, tips for porters cannot be claimed in addition. See definition of Incidental Expenses. Tips for taxis, vans, shuttles and airport limousines are reimbursable up to 15%. Receipts for taxis, vans, shuttles, and airport limousines, etc. should include the tip. Tips for housekeeping services are NOT reimbursable. All applicable Per Diem Rates and the Standard Meal Allowances cover tips for meals. Tips for meals will not be separately reimbursed.

6. Parking

Parking charges are reimbursable. Receipts must be submitted with the request for reimbursement, except from parking meters when no receipt is provided.

F. Out-of-State or Out-of-Country Travel

1. All Out-of-State Travel requires the written approval of the Chief Judge of the Court of Appeals, or the Chief Judge of the District Court for employees of the District Court, or the State Court Administrator, or designee, prior to the travel. No reimbursement is authorized for Out-of-State Travel performed without prior written approval. The approval must be attached to the request for reimbursement. The Judiciary will utilize the GSA Rates. This information can be accessed through the Judiciary's website on its Travel Policy page. <http://www.gsa.gov/portal/category/100120>

Employees who request to use their private vehicles in lieu of airfare for Out-of-State business travel will be reimbursed for mileage at no more than the cost of the most reasonable airfare found at the time their travel was approved, which should be supported by price documentation. Any additional travel time needed to travel by private vehicle to the business location will not be considered regular work time. Requests to travel by private vehicle must be preapproved in writing by the Administrative Official.

2. All Out-of-Country Travel requires the written approval of the Chief Judge of the Court of Appeals, or the State Court Administrator, or designee, prior to the travel. No reimbursement is authorized for Out-of-Country Travel performed without prior written approval, which must be attached to the request for reimbursement. The Judiciary will utilize the US State Department Rates. This information can be accessed through the Judiciary's website on its Travel Policy page. https://aoprals.state.gov/web920/per_diem.asp

G. Use of Judiciary-Owned Vehicles

1. Authorization

If Judiciary-owned Pool Vehicles are available for travel, these vehicles should be used. The State Court Administrator, or designee, may authorize and require travel by privately-owned vehicles.

2. Reporting on Mileage

All Commute Miles and official mileage in a Judiciary-owned fleet vehicle are to be recorded on the appropriate vehicle log provided by the applicable Judiciary Fleet Administration, unless other arrangements are approved by the Chief Judge of the Court of Appeals or the State Court Administrator, or designee.

3. Reimbursement

A judge, official, employee, or other payee using a Judiciary-owned vehicle for which gas was provided, is not entitled to reimbursement for mileage.

H. Orphans' Court - Orientation and Educational Programs

A judge of the Orphans' Court may apply for reimbursement for travel directly related to attendance at a meeting as a member of the Conference of Orphans' Court Judges, or attendance at a mandatory orientation program, or attendance at a continuing education course offered by the Judicial Institute.

NOTE: Information and guidelines regarding the assignment of Judiciary vehicles are contained in the Judiciary's Vehicle Fleet Administration Policies and Procedures Manual.