

IN THE COURT OF APPEALS OF MARYLAND

ADMINISTRATIVE ORDER PERTAINING TO
SMOKING IN JUDICIAL BRANCH FACILITIES

WHEREAS, Scientific evidence documents that smoke from cigarettes, cigars, and pipes is harmful to the health both of individuals who do not smoke and those who do;

WHEREAS, Scientific evidence further indicates that environmental tobacco smoke (second hand smoke) is a cause of cancer in nonsmokers and may worsen cardiac, respiratory and allergic conditions in both individuals who do not smoke and those who do;

WHEREAS, The Governor of Maryland, acting on behalf of the Executive Branch of Government, has prohibited smoking in all State-owned or leased Executive Branch buildings, facilities, and offices and in all government operated shuttle buses utilized in the Executive Branch;

WHEREAS, The Presiding Officers of the General Assembly of Maryland have restricted smoking in the Legislative Services Building in Annapolis, and are now considering whether to prohibit or curtail smoking in that part of the State House under the control of the General Assembly, as well as in the Senate and House Office Buildings in Annapolis;

WHEREAS, It is the responsibility of the Judicial Branch of State Government to promote a healthy and safe environment for all persons, including its officers and employees who work or conduct business in or visit State-owned, leased, or occupied Judicial Branch facilities.

NOW, THEREFORE, I, Robert C. Murphy, Chief Judge of the Court of Appeals and Administrative Head of the Judicial Branch, do hereby this 9th day of November, 1992, ORDER:

A. That the following policy is adopted to ensure a healthful environment in all State-owned, leased, or occupied buildings, facilities, or offices in which Judicial Branch officials or employees are housed. It shall be applicable to all Judges, Clerks of the Circuit Courts of Maryland, employees of those offices, and all other offices in which Judicial Branch personnel are employed, whether compensated by the State or local government.

All such Judicial Branch officials and personnel, and all individuals doing business at or visiting these Judicial Branch buildings, facilities, and offices are prohibited from smoking or carrying any lighted tobacco products in those areas.

B. That to implement the policy established under this Order the State Court Administrator shall develop procedures for:

1. Making officials and employees, and other individuals affected by the policy, aware of it;

2. Disseminating information on smoking cessation programs available to officials and employees of the Judicial Branch who wish to quit; and

3. Resolving conflicts that may arise, with priority given to the needs of nonsmoking individuals.

C. That all officials and employees of the Judicial Branch share in the responsibilities of adhering to and enforcing the policy established under this Order and have responsibility to bring the policy to the attention of individuals visiting, or otherwise using facilities of the Judicial Branch.

D. That an official or employee of the Judicial Branch who is found to have violated the policy shall be subject to appropriate disciplinary action.

E. That this Order shall become effective at the beginning of the workday on November 16, 1992.

Robert C. Murphy
Chief Judge

Filed: November 9, 1992


Alexander L. Cummings, Clerk
Court of Appeals of Maryland