

IN THE COURT OF APPEALS OF MARYLAND
ADMINISTRATIVE ORDER PERTAINING TO
FURLOUGH AND TEMPORARY SALARY REDUCTION
AND REDUCTION IN GRANT/SUBSIDY PLAN FOR JUDICIAL
BRANCH EMPLOYEES

WHEREAS, The State of Maryland is experiencing a fiscal crisis of extraordinary proportions, which has created an ongoing emergency for State operations, and which is expected to worsen during calendar year 2009, as has been recognized, in part, by recent actions of the Executive Branch, requiring Executive Branch employees to take furlough days and undergo a temporary salary reduction; and

WHEREAS, It is necessary that State-funded employees of the Judiciary in regular, temporary, and contractual status participate in a furlough plan and undergo a temporary salary reduction and it is also necessary that court positions supported through Judicial Branch grants or subsidies undergo equivalent reductions;

NOW, THEREFORE, I, Robert M. Bell, 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 this 18th day of December, 2008, ORDER:

1. That State-funded employees in the Judicial Branch of Government who are paid by the Central Payroll Bureau of the State Comptroller of Government in

regular, temporary, or contractual positions, including law clerks and judicial appointees, and all court employees or appointees supported in part or in full through Judicial Branch grants or subsidies shall participate in this plan.

2. That State-funded employees, including law clerks and judicial appointees, paid by the Central Payroll Bureau are subject to the following policy:

(a) All employees shall be required to forgo the equivalent of two days of pay as a temporary salary reduction.

(b) Employees earning salaries of less than \$40,000 will not be required to take furlough hours.

(c) Employees earning salaries of \$40,000-\$59,999 will be required to take 16 furlough hours on or after January 14, 2009 and before June 30, 2009.

(d) Employees earning salaries of \$60,000 and over will be required to take 24 furlough hours on or after January 14, 2009 and before June 30, 2009.

(e) Salary or salaries means gross annual salary or salaries as of January 14, 2009, not including overtime, acting capacity, or shift differentials.

3. That the Judicial Branch shall be closed the day after Christmas, Friday December 26, 2008, and the day after New Year's Day, Friday, January 2, 2009, thus allowing the State to achieve additional savings due to reduced operating expenses over the long holiday weekends. Employees covered by this Order shall receive paid administrative leave on those two days.

4. That Judicial Branch grants or subsidies supporting in full or in part Court positions shall be reduced by sums that would reflect the actions taken with respect to equivalent State-funded positions paid by the Central Payroll Bureau.

5. That under the Constitution of Maryland, this Administrative Order does not apply to judges (including recalled judges) of the Court of Appeals, Court of Special Appeals, Circuit Courts, and the District Court, and to elected Clerks of the Circuit Courts.

6. That an employee may not work during a furlough day except that, in the event of an emergency, the appointing authority may revoke a furlough day, pay the employee for that day, and identify another day as a furlough day.

7. That an employee subject to being furloughed shall select his or her own furlough time, subject to supervisory approval.

8. That for all purposes other than salary or wages, an employee on a furlough day shall be deemed to be on paid leave.

9. That a furlough may be taken in four-hour increments.

10. That an employee may take no more than eight furlough hours during any work week.

11. That unless authorized in writing by the employee's supervisor during a work week in which furlough time is scheduled, an employee may not work in excess of the employee's normal work week reduced by furlough time taken during such work week.

12. That the State Court Administrator shall take all actions necessary or desirable to implement this furlough program for employees of the Court of Appeals, Court of Special Appeals, Circuit Court Clerks' Offices, Administrative Office of the Courts, Rules Committee, State Board of Law Examiners, Mediation and Conflict Resolution Office, State Law Library, and all other court-related agencies.

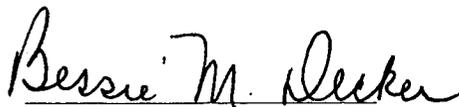
13. That the County Administrative Judge of each of the Circuit Courts shall be responsible to implement this plan for employees and appointees in their respective courts who are subject to this order.

14. That the Chief Judge of the District Court shall take all actions necessary or desirable to implement this furlough program for employees of the District Court.



Robert M. Bell
Chief Judge of the Court of Appeals

Filed: December 18, 2008



Bessie M. Decker
Clerk
Court of Appeals of Maryland