

DIVISION OF HUMAN RESOURCES

2.10 POLICY ON TEMPORARY EMPLOYMENT

(a) Purpose and Scope

- (1) **Purpose.** The purpose of this policy is to establish a uniform practice for the administration of temporary employment in the Maryland Judiciary.
- (2) **Scope**
 - (A) This policy applies to:
 - (i) temporary employees who are paid through the Central Payroll Bureau of the Comptroller; and
 - (ii) temporary employees of the State Board of Law Examiners, the Thurgood Marshall State Law Library, the Commission on Judicial Disabilities, and the Supreme Court of Maryland Standing Committee on Rules of Practice and Procedure.
 - (B) This policy does not apply to:
 - (i) regular and contractual employees who are paid through the Central Payroll Bureau of the Comptroller; and
 - (ii) regular and contractual employees of the State Board of Law Examiners, the Thurgood Marshall State Law Library, the Commission on Judicial Disabilities, and the Standing Committee on Rules of Practice and Procedure.
 - (iii) locally funded employees in the circuit courts;
 - (iv) employees of the Attorney Grievance Commission and the Client Protection Fund;
 - (v) employees of the Register of Wills or the Orphans' Court; and
 - (vi) justices, judges and limited-term law clerks.

(b) Definitions

- (1) **Administrative Head:**
 - (A) For the Supreme Court of Maryland, the Clerk of the Court for all employees under the Clerk's supervision and the Chief Justice for all other employees of that Court;
 - (B) For the Appellate Court of Maryland, the Clerk of the Court for all employees under the Clerk's supervision and the Chief Judge for all other employees of that Court;
 - (C) For the circuit courts, the Clerk of the Court for all employees under the Clerk's supervision, and the County Administrative Judge for all state employees under their supervision;
 - (D) For the District Court, the Chief Judge of the District Court, the Chief Clerk, or the Administrative Clerk or Administrative Commissioner for all employees under their supervision;
 - (E) For the Administrative Office of the Courts (AOC), the State Court Administrator;
 - (F) For the District Court Headquarters, the director of the department where the employee works;
 - (G) For units, the head of the unit where the employee works; or,
 - (H) Any person who serves as the authorized designee, by express written designation, of any of the foregoing persons.
- (2) **Judiciary Human Resources Division (JHRD)** – The division within the AOC that is responsible for, but not limited to, the following functions for State employees in the Maryland Judiciary: human resources policy development, administration, and interpretation; talent acquisition; employment

and orientation services; employee benefits; position classification and salary administration; and employer-employee relations.

- (3) **Position** – A set of duties and responsibilities performed for a job.
- (4) **Regular Employee** – An employee holding a regular budgeted position paid through the Central Payroll Bureau of the Comptroller, not including elected officials, employees of a Register of Wills office, contractual and temporary positions, and those held by justices, judges, magistrates, and law clerks.
- (5) **Temporary Employee** – An employee whose condition of employment is not governed by a personal services contract, and whose position is not specifically budgeted, and whose period of employment is not to exceed one year from the date of hire.
- (6) **Unit** – The State Board of Law Examiners, the Thurgood Marshall State Law Library, the Commission on Judicial Disabilities, and the Supreme Court of Maryland Standing Committee on Rules of Practice and Procedure.

(c) Policy Statement

The Maryland Judicial Branch of Government employs individuals in a temporary capacity, not to exceed one year, when a court or office lacks adequate resources to address increased workloads, to cover unexpected extended absences of regular employees, or for other reasons as determined by the Chief Justice of the Supreme Court of Maryland or the State Court Administrator. The use of temporary employment is limited and is based upon sufficient justification from the Administrative Head to the State Court Administrator.

(d) Employment Status and Leave

Temporary Judicial Branch employees are at-will employees and are not entitled to progressive discipline, grievance rights, paid leave (except for certain types of administrative leave under the *Policy on Leave* and any other leave to which the employee may be entitled by law or policy), retirement benefits, or other such benefits afforded a regular employee. All temporary employees will be required to sign the At-Will form at the start of their employment with the Maryland Judiciary. Temporary employees will be considered internal candidates for purposes of recruitment and selection for regular budgeted Judiciary positions.

(e) Interpretive Authority

The JHRD is responsible for the interpretation of this policy.

(f) Exceptions

The Chief Justice of the Supreme Court of Maryland or the State Court Administrator may make exceptions to any provision of this policy at any time.

(g) Not a Contract

This policy does not constitute or create an express or implied contract. It is not intended to, and does not, create contractual obligations with respect to any matter it covers.