

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2001 Legislative Session

Bill No. CB-28-2001

Chapter No. 35

Proposed and Presented by Council Member Hendershot

Introduced by Council Member Hendershot

Co-Sponsors _____

Date of Introduction July 10, 2001

BILL

1 AN ACT concerning

2 Court System

3 For the purpose of revising and repealing various provisions of the Court System Subtitle to
4 conform to State law and the Maryland Rules of Procedure.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 7. COURT SYSTEM.

7 Sections 7-163, 7-168, 7-170, and 7-184,

8 The Prince George's County Code

9 (1999 Edition, 2000 Supplement).

10 BY repealing:

11 SUBTITLE 7. COURT SYSTEM.

12 Sections 7-101, 7-102, 7-103, 7-105, 7-106, 7-107,

13 7-108, 7-109, 7-110, 7-111, 7-112, 7-113,

14 7-115, 7-116, 7-117, 7-118, 7-119, 7-120,

15 7-121, 7-122, 7-123, 7-124, 7-125, 7-126,

16 7-127, 7-128, 7-129, 7-130, 7-131, 7-133,

17 7-134, 7-135, 7-136, 7-137, 7-138, 7-139,

18 7-140, 7-141, 7-142, 7-143, 7-144, 7-145,

19 7-146, 7-147, 7-148, 7-149, 7-150, 7-151,

20 7-152, 7-153, 7-154, 7-155, 7-156, 7-157,

21 7-158, 7-159, 7-160, 7-161, 7-162, 7-164,

7-165, 7-166, 7-167, 7-169, 7-171, 7-172,
 7-173, 7-174, 7-175, 7-176, 7-177, 7-178,
 7-179, 7-180, 7-181, 7-182, 7-183, and
 7-185,

The Prince George's County Code
 (1999 Edition, 2000 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 7-163, 7-168, 7-170, and 7-184 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

SUBTITLE 7. COURT SYSTEM.

DIVISION 2. DOMESTIC RELATIONS CAUSES.

Sec. 7-163. Master for domestic relations causes; appointment; salary.

A majority of the judges of [T]the circuit court [of Prince George's County is authorized and empowered to designate, and] may appoint [and employ, as provided in the budget of Prince George's County,] one or more [qualified persons to be known as the master or] masters for domestic relations causes in accordance with Courts and Judicial Proceedings Article, Section 2-501, and Maryland Rule 2-541. [of the circuit court of Prince George's County for the purpose of hearing such cases of a domestic relations nature and performing other similar and related duties as may be from time to time prescribed by said court. On a finding that a defendant is in willful contempt of court for failure to provide child support, the master may order the immediate detention of the defendant subject to an immediate review by a judge if requested. The review shall be conducted not later than 72 hours after receipt of the request. Persons so employed] Masters shall be members of the bar of the State of Maryland. [and shall receive an annual salary provided by the County Executive of Prince George's County in such amount as he may from time to time prescribe after consultation with the court; and the clerk of the circuit court for Prince George's County shall reimburse the said County Executive and county council for salary so paid from the costs collected pursuant to Section 7-166 of this Subtitle.] Masters shall receive compensation, fees, and costs prescribed by the judges.

DIVISION 3. JURORS.

Sec. 7-168. Juror compensation [Levy for pay].

[The county commissioners shall annually at their levy-laying session in March, estimate

1 the sum of money probably necessary to pay jurors attending the circuit court for said county
2 during the next fiscal year, and shall levy the same as an appropriation for such purpose.]

3 (a) A juror shall receive no less than \$15.00 per diem, or the State per diem, whichever is
4 greater, for each day the juror attends court.

5 (b) "Day" is defined as the length of time in any 24-hour period during which the juror is
6 required to be in attendance at or in proximity to the court in which the juror has been called as a
7 juror.

8 (c) If the State per diem is less than the per diem allowed in subsection (a), the County
9 shall fund and pay the difference.

10 **DIVISION 4. JUVENILE CAUSES.**

11 **Sec. 7-170. Master for juvenile causes; appointment; salary; substitute.**

12 [(a)]A majority of the judges of [T] the circuit court [for Prince George's County] may
13 [designate and employ] appoint one or more [persons to be known as] masters for juvenile
14 causes [of the circuit court of Prince George's County, who] in accordance with Courts and
15 Judicial Proceedings Article, Section 3-813, and Maryland Rule 2-541. Masters shall be
16 members of the bar of the State of Maryland. Masters shall receive compensation, fees, and
17 costs prescribed by the judges. [at an annual salary to be established and paid by the County
18 Executive and County Council after consultation with the County administrative judge for the
19 circuit court. The duties of the masters for juvenile causes shall be as prescribed by the judges of
20 the circuit court including, but not limited to, the authority to order temporary detention and
21 commitment and, if appropriate, to require security for the appearance of any respondent. Any
22 order of commitment must be ratified by a judge or the circuit court within thirty (30) days or it
23 shall expire, and nothing herein contained may be construed to permit a master of said court to
24 order further commitment. In all cases, proceedings before the master shall be recorded by
25 stenographic transcript or mechanical recording and the record shall be filed with the case. In
26 delinquency cases, any party as defined in Section 3-801, Courts and Judicial Proceedings
27 Article, Annotated Code of Maryland, aggrieved by a finding of fact of the master, may note an
28 exception to the finding within ten (10) days. The case shall be heard de novo by a judge of the
29 circuit court. In all other cases, any party as well as the petitioner, aggrieved by a finding of fact
30 of the master, may note an exception to the finding within ten (10) days. Exceptions to findings
31 of fact shall be ruled on by a judge of the circuit court after reviewing the transcribed record of

1 the proceedings before the master. In delinquency cases, any party or the State's Attorney
2 aggrieved by a final recommendation of the master may note an exception to such
3 recommendation within ten (10) days. In all other cases, any party as well as the petitioner,
4 aggrieved by a final recommendation of the master, may note an exception to the
5 recommendation within ten (10) days. Exceptions to recommendations of the master, after
6 hearing, shall be ruled on by a judge of the circuit court.

7 (b) The circuit court also may designate and employ one or more persons to be known as
8 substitute masters for juvenile causes of the circuit court of Prince George's County, who shall be
9 members of the bar of the State of Maryland at a per diem wage to be established and paid by the
10 County Executive and County Council. Substitute masters, when serving, shall have the same
11 duties and powers as the masters of juvenile causes.]

12 **DIVISION 6. STATE'S ATTORNEY.**

13 **Sec. 7-184. Personnel under merit system.**

14 All employees appointed by the state's attorney [or assigned to him by the county
15 commissioners for Prince George's County,] shall be subject to [said county's merit] the County's
16 personnel system as to qualifications, compensation, and all other regulations, with the exception
17 of the deputy and assistant state's attorneys and the administrative assistant to the state's attorney,
18 as provided by State law.

19 SECTION 2. BE IT FURTHER ENACTED by the County Council of Prince George's
20 County, Maryland, that Sections 7-101, 7-102, 7-103, 7-105, 7-106, 7-107, 7-108, 7-109, 7-110,
21 7-111, 7-112, 7-113, 7-115, 7-116, 7-117, 7-118, 7-119, 7-120, 7-121, 7-122, 7-123, 7-124,
22 7-125, 7-126, 7-127, 7-128, 7-129, 7-130, 7-131, 7-133, 7-134, 7-135, 7-136, 7-137, 7-138,
23 7-139, 7-140, 7-141, 7-142, 7-143, 7-144, 7-145, 7-146, 7-147, 7-148, 7-149, 7-150, 7-151,
24 7-152, 7-153, 7-154, 7-155, 7-156, 7-157, 7-158, 7-159, 7-160, 7-161, 7-162, 7-164, 7-165,
25 7-166, 7-167, 7-169, 7-171, 7-172, 7-173, 7-174, 7-175, 7-176, 7-177, 7-178, 7-179, 7-180,
26 7-181, 7-182, 7-183, and 7-185 of the Prince George's County Code be and the same are hereby
27 repealed:

28 **SUBTITLE 7. COURT SYSTEM.**

29 **DIVISION 1. CIRCUIT AND APPELLATE COURTS.**

30 **[Subdivision 1. Terms.]**

31 **[Sec. 7-101. Jury terms of court.**

1 There shall be two regular terms of the circuit courts for the several counties of Prince
 2 George's, Calvert, St. Mary's and Charles, composing the Seventh Judicial Circuit of this state, to
 3 which jurors shall be summoned, and said terms shall be held at the following times: for Prince
 4 George's County, at Upper Marlboro, on the first Monday of April and October in each year; for
 5 Calvert County, at Prince Frederick, on the first Monday of May and the Wednesday next after
 6 the first Monday in November in each year; for St. Mary's County, at Leonardtown, on the third
 7 Monday of March and September in each year, and for Charles County, at LaPlata on the third
 8 Monday of May and November in each year.]

9 **[Sec. 7-102. Nonjury terms.**

10 There shall be two other and intermediate terms of each of said court, to which jurors shall
 11 not be summoned, to be held at the several places mentioned, and at the following times; for
 12 Prince George's County, on the third Monday of January and June; for Calvert County, on the
 13 first Monday of July and February; for St. Mary's County, on the first Monday in June and
 14 December, and for Charles County, on the third Monday of February and July of each year.]

15 **[Sec. 7-103. Intermediate terms.**

16 The judges of the circuit courts for said counties may, in their discretion, appoint
 17 intermediate terms for the transaction of equity or other business not requiring a jury, to which
 18 terms the process may also be made returnable.]

19 **[Subdivision 3. Speedy Judgment Act.]**

20 **[Sec. 7-105. Procedure.**

21 (a) Affidavit; judgment. In any action hereafter brought in any circuit court in the Seventh
 22 Judicial Circuit of Maryland arising ex contractu, if the plaintiff or his agent shall file at the time
 23 of bringing his action an affidavit setting out distinctly his cause of action and the sum he claims
 24 to be due, exclusive of all set-offs and just grounds of defense, and shall serve the defendant with
 25 copies of his declaration and of said affidavit, he shall be entitled to a judgment for the amount
 26 so claimed, with interest and costs, forty days after such service unless the defendant shall file a
 27 plea which if in bar is accompanied by an affidavit of defense denying the right of plaintiff as to
 28 the whole or some specified part of his claim specially stating also, in precise and distinct terms,
 29 the ground of his defense, which must be such, as would, if true, be sufficient to defeat the
 30 plaintiff's claim in whole or in part; and where the defendant shall have acknowledged in his
 31 affidavit of defense his liability for a part of the plaintiff's claim as aforesaid, the plaintiff, if he

1 so elects may have judgment entered in his favor for the amount so confessed to be due, such
 2 judgment to be a bar to any further amount not so confessed. Any judge of the circuit court is
 3 hereby authorized, either in vacation or term time to enter judgment under this Section where no
 4 affidavit of defense is filed and to hear motion for judgment and to enter judgment thereon where
 5 insufficient affidavits are filed unless:

6 (1) The defendant files a demurrer as hereinafter provided to the declaration filed
 7 under this Section: or

8 (2) The plaintiff and defendant in a case file a written agreement with the court
 9 stipulating that the time in which the defendant must file a plea, affidavit of defense, or demurrer
 10 be extended.

11 (b) Demurrer filed. If the defendant files a demurrer which is in accordance with Section 9
 12 of Article 75 of the Annotated Code of Maryland within twenty days after service of process
 13 under this Section, then the affidavit of defense required hereunder need not be filed until after
 14 the hearing on demurrer, but if such demurrer is overruled, said affidavit of defense shall be filed
 15 not more than twenty days after the order of court overruling such demurrer.

16 (c) Time extended. If the plaintiff and defendant in any case brought under the provisions
 17 of this Section file a written agreement with the court stipulating that the time herein provided
 18 within which the defendant must file a plea, affidavit of defense or demurrer be extended, then
 19 such agreement shall be binding upon the plaintiff, the defendant, and the court. No provision of
 20 this Section to the contrary shall be construed to deprive the court of jurisdiction to try the case
 21 on its merits if the defendant files his plea, affidavit of defense, or demurrer in compliance with
 22 the provisions of such written agreement.

23 (d) Notice. Notice shall be given at the bottom of the declaration and in the summons in
 24 such cases where the plaintiff intends to claim the benefits of this Section.]

25 **[Sec. 7-106. Testamentary cases.**

26 The provisions of this rule shall not apply to defendants who are representatives of a
 27 decedent's estate, except when the affidavit filed with the declaration sets forth that the contract
 28 sued on was made directly with such representative, or that a promise to pay was made by him.]

29 **[Sec. 7-107. Corporate defendant.**

30 When the defendant is a corporation, the affidavit of defense may be made by an officer,
 31 agent or attorney of such corporation.]

1 **[Sec. 7-108. Effect of action in civil cases.**

2 Any action taken or passed in any civil case by the circuit court for Prince George's County
3 in relation to any judgment rendered by it, if taken or passed within forty days after the entry of
4 such judgment, or upon a motion or application made to it within said forty days, shall have the
5 same effect and force as it would have had under the practice heretofore existing in said court if
6 taken or passed during the term, or upon a motion or application made during the term at which
7 said judgment was entered, and no more; but any such action taken or order passed after the
8 expiration of forty days from the entry of any judgment (unless upon a motion or application
9 made within that time), shall have the same effect and force as it would have had under such
10 previous practice, if taken or passed after the expiration of said term, and no more; and the said
11 courts shall respectively have, for a period of forty days after the doing of any act or thing in any
12 cause before them, the same revisory power and control over such act or thing which, under the
13 practice heretofore existing, they would have had over the same during the term at which it was
14 done, and no more; and after forty days from the doing of any such act or thing, the said courts
15 shall have the same revisory power and control thereover, which, under such previous practice
16 they would have had after the expiration of the term at which said act or thing was done, and no
17 more, provided, however, that executions may issue upon all judgments except judgments of
18 condemnation in attachment suits at any time after judgment is entered, provided that no sale
19 thereunder shall be had within the forty (40) days provided for above.]

20 **[Subdivision 4. Court Library.]**

21 **[Sec. 7-109. Payment of fines.**

22 In Prince George's County, notwithstanding the provision of any other law, one-half of the
23 fines imposed by and recognizances forfeited to the circuit court for Prince George's County,
24 Maryland, or the several justices of the peace at large for said county, designated as judges of the
25 people's court for Prince George's County, other than fines imposed and recognizances forfeited
26 with relation to the "Motor Vehicles Laws" the laws respecting "Wild Fowl-Birds and Game"
27 and "Fish and Fisheries," and unless directed to be paid otherwise by the law imposing them and
28 excepting fines for the violation of ordinances of any incorporated municipality of Prince
29 George's County, but including, however, fines and forfeitures for offenses at common law,
30 shall, within thirty days from the date of collection thereof, be paid to the county commissioners
31 for Prince George's County to become part of the general fund. The county commissioners for

1 Prince George's County shall expend annually such sum as they determine to be necessary for
 2 augmentation of said library in the procurement of additional books, publications, material or
 3 fixtures for use therein, as may be directed by the judges of said court from time to time; and in
 4 addition to the amount hereinabove provided for augmentation of such library a sum annually in
 5 accordance with salary scales for comparable employment as established by the Prince George's
 6 County Personnel Board for the payment of a salary or other compensation to a court librarian, to
 7 be appointed by the judges of said court from time to time.]

8 **[Subdivision 5. Court Stenographers.]**

9 **[Sec. 7-110. Court Reporters.**

10 (a) The Judges of the Seventh Judicial Circuit of Maryland shall appoint one or more
 11 official court reporters for the circuit courts of Calvert, Charles, Prince George's, and St. Mary's
 12 Counties, respectively. These reporters each shall be expert stenographers or otherwise
 13 competent to record court proceedings. Each shall hold office during the pleasure of the judges
 14 of said respective courts. The court reporters or stenographers in Prince George's County shall
 15 be paid a per diem or annual salary to be fixed by the county governing body after consultation
 16 with the County Administrative Judge; and the court stenographers for Calvert and St. Mary's
 17 Counties shall be paid a per diem or annual salary to be fixed by the County Commissioners after
 18 consultation with the County Administrative Judge. Each such court stenographer or reporter
 19 shall be paid such expenses as may be approved by the court payable by the County Treasurer or
 20 similar officer of the county in the circuit court of which such services shall have been rendered,
 21 as a part of the court's expenses, upon the presentation of a certificate of the clerk or any of the
 22 judges of said courts showing attendance and services of said reporter. However, in Calvert and
 23 St. Mary's Counties the court reporter or stenographer may be paid mileage at the rate of ten
 24 cents per mile for all necessary travel between his home and the place of executing his duties as
 25 such.

26 (b) Said reporters shall attend and take full stenographic notes of, or otherwise record, all
 27 oral testimony and judicial opinions in all proceedings in said courts at such times and in such
 28 cases as the respective courts may direct. Said reporters shall make and furnish to any party,
 29 upon request, a typewritten transcript of any part of said notes, upon payment by such party of
 30 the expenses incident to such transcript at a rate to be fixed by the court.

31 (c) The court may, in any case pending in any said courts, direct such reporters to

1 transcribe the notes taken with respect to such case, and the cost thereof at the rates aforesaid
2 shall be taxed as a part of the cost in such case, or if the court shall so direct, be paid as part of
3 the court expenses.]

4 **[Sec. 7-111. Robert G. MacCartee.**

5 (a) Robert G. MacCartee is hereby authorized to retire from his position as court reporter
6 in the counties of the Seventh Judicial Circuit of Maryland upon reaching the age of seventy
7 years, and the judges of the Seventh Judicial Circuit of Maryland are hereby authorized and
8 empowered by appropriate order to provide for the retirement of Robert G. MacCartee from his
9 position as court reporter in said circuit at any time after June 1, 1957.

10 (b) In the event of such retirement, he shall be paid from the date thereof retirement
11 compensation at the rate of \$2,400.00 per year, said compensation to be payable one-half by the
12 county commissioners of Calvert, Charles, and St. Mary's Counties, respectively.]

13 **[Sec. 7-112. Employment, compensation, duties.**

14 (a) The judges of the Seventh Judicial Circuit of Maryland are hereby authorized and
15 empowered to employ competent full-time court reporters for the circuit court of Prince George's
16 County, each reporter to be an expert stenographer or otherwise competent to record court
17 proceedings, who shall hold office during the pleasure of the said judges. Each reporter shall be
18 paid such a salary as the board of county commissioners of Prince George's County may from
19 time to time prescribe after consultation with the court. Such compensation shall be payable by
20 the county commissioners of Prince George's County, as other court expenses are paid. Each
21 reporter shall attend and take full stenographic notes of, or otherwise record, all oral testimony
22 and judicial opinions in such proceedings as the court may from time to time direct. Each
23 reporter shall make and furnish to any party, upon request, a transcript of any part of said notes,
24 upon the payment by such party of the expenses of such transcript at a rate to be approved by the
25 court.

26 (b) The court may, in any case pending in said court, direct the reporter to transcribe the
27 notes taken with respect to such case and to provide that the cost thereof at the rates aforesaid
28 shall be taxed as part of the cost in such case, or, if the court shall so direct, be paid as a part of
29 the court expenses.

30 (c) Provided that nothing contained in Sections 7-111 and 7-112 will impair the authority
31 of the circuit court for Prince George's County to employ a court reporter on a per diem pursuant

1 to the provisions of Chapter 297 of the Acts of the General Assembly of 1951, now codified as
 2 Section 12-10 of the Code of Public Local Laws of Prince George's County, as the same may be
 3 now or hereafter amended when the need therefor shall become apparent.]

4 **Subdivision 6. Secretaries.**

5 **[Sec. 7-113. Circuit court judges.**

6 (a) Any judge of the Seventh Judicial Circuit resident in Prince George's County is hereby
 7 authorized to appoint a competent secretary who shall have had some previous experience in
 8 secretarial work, involving duties that demonstrate the ability to make rapid and accurate
 9 transcripts, and to exercise independent judgement. Said secretary shall hold his or her position
 10 at the pleasure of the judge by whom he is appointed and shall receive compensation therefor in
 11 the following manner:

12 (b) The salary for any such secretary shall be paid by the county commissioners of Prince
 13 George's County in accordance with the salary scale for comparable employment established by
 14 the Prince George's County Personnel Board. Such compensation shall be levied annually by the
 15 county commissioners of said county, shall be paid as are the salaries of other county employees,
 16 and charged to the expenses of the circuit court of Prince George's County.

17 (c) Nothing herein contained shall prevent two or more judges from employing the same
 18 secretary.]

19 **[Subdivision 7. Court Officers.]**

20 **[Sec. 7-115. Court Officers.**

21 (a) Appointment; compensation. In Prince George's County the court officers appointed
 22 pursuant to Article 4, Section 9 of the Constitution of Maryland, shall be law clerks, bailiffs,
 23 court criers, and doorkeepers. The law clerks shall receive an annual compensation as the
 24 County Commissioners of Prince George's County may from time to time prescribe after
 25 consultation with the court. The bailiffs, court criers and doorkeepers shall receive such
 26 compensation as the County Commissioners of Prince George's County may from time to time
 27 prescribe after consultation with the court. Said compensation shall be paid by the County
 28 Commissioners of Prince George's County, which shall be provided for in the annual levy and
 29 paid as other expenses and salaries are paid for the conduct of the business of said circuit court.

30 (b) Pensions. Any person who as of June 1, 1959, has been employed for fifty years or
 31 more in the Prince George's County Court House shall receive during the remainder of his

1 natural life a pension in the amount of \$100 per month to be charged as an expense of the office
2 of the clerk of the court of Prince George's County.]

3 **[Sec. 7-116. Messenger.**

4 The messenger of the circuit court and orphans' court for said county, shall receive an
5 annual salary of Fifty Dollars (\$50.00).]

6 **[Subdivision 8. Clerk of the Circuit Court.]**

7 **[Sec. 7-117. Allowance for fuel.**

8 The clerk of the circuit court shall be entitled to an annual allowance from the county
9 commissioners sufficient to supply his office with fuel.]

10 **[Sec. 7-118. Saturday hours.**

11 It shall be lawful to close the office of the clerk of the circuit court of Prince George's
12 County in the Court House at the hour of noon, midday, on Saturday of each week; provided that
13 any judge of the circuit court of said county may order and direct at any time the said office to be
14 kept open, and in such event, the said clerk or his deputies shall remain for such time as said
15 judge may deem necessary to the convenience of the court.]

16 **[Sec. 7-119. Clerk's duties.**

17 It shall be the duty of said clerk to enter in general indices all conveyances, judgments, and
18 equity suits recorded, rendered, and docketed, for which service he shall be allowed the same
19 compensation as is now allowed for similar services, to be paid for by the grantee in the
20 conveyance, and parties to the suit, respectively, as other costs are now paid.]

21 **[Sec. 7-120. Clerk of Circuit Court; list of conveyances.**

22 On or before the first Monday in January of each year, the clerk of the circuit court for
23 Prince George's County shall deliver to the county commissioners of said county a chronological
24 and alphabetized list of every transfer or conveyance of real property whether by deed or decree
25 of the court recorded by him up to that date within the year next preceding, which list shall state
26 the date of execution and of the recording of each transfer, the consideration named therein, the
27 name of each grantor, the name of each grantee, the location, name and acreage of the tract or
28 premises, if mentioned, and the nature of such transfer whether absolute or as a mortgage or
29 security, and the liber and page of the record thereof; for such list he shall be entitled to have and
30 be paid compensation at the rate of ten cents for each transfer so listed as now provided by law
31 for payment of other fees and charges against said security in his behalf.]

1 **[Sec. 7-121. Extracts of deed; to 1879.**

2 The clerk of the circuit court for Prince George's County is hereby directed to make out and
 3 send to the commissioner of the land office, extracts of the deeds now recorded in the office of
 4 the said clerk, which have been omitted by the former clerks, in the manner now provided for by
 5 law, beginning at the end of the term of William H. Jarboe, as clerk of said court, in the year
 6 eighteen hundred and seventy-nine (1879), and proceeding backwards over the period of the
 7 omissions hereinbefore made, and that for such work he shall receive such compensation as the
 8 law now allows for similar work, to wit, ten cents (\$.10) for each folio of one hundred words
 9 necessarily used therein; provided, the said compensation to said clerk shall not exceed in the
 10 aggregate Five Hundred Dollars (\$500.00) in any one year.]

11 **[Sec. 7-122. Extracts of Deed; from 1877.**

12 The clerk of the circuit court for Prince George's County is hereby directed to make out and
 13 send to the commissioner of the land office extracts of the deeds now recorded in the office of
 14 the said clerk which have been omitted by the former clerk, as hereinbefore set forth, in the
 15 manner now provided for by law, beginning on the first day of September, eighteen hundred and
 16 seventy-seven (1877), and proceeding forward over the period of omission hereinbefore made;
 17 and that for such work he shall receive a compensation, to wit, ten cents (\$.10) for each folio of
 18 one hundred words necessarily used therein; provided, the said compensation to said clerk shall
 19 not exceed in the aggregate Five Hundred Dollars (\$500.00) in any one year, nor shall the total
 20 cost of work exceed \$1,500.]

21 **[Sec. 7-123. Index of marriage records.**

22 The clerk of the circuit court for Prince George's County shall transcribe and make a
 23 general index of all marriage records in said office, beginning May 31st, 1777, and ending
 24 July 1st, 1886, both inclusive, in suitable books for that purpose.]

25 **[Sec. 7-124. Clerk of the Circuit Court; compensation.**

26 When said work is fully completed the said clerk of the circuit court shall submit the same
 27 for examination and inspection to one or more of the judges of the circuit court for the Seventh
 28 Judicial Circuit, and if he or they shall find that said work has been properly done, he or they
 29 shall give to the said clerk of the circuit court a certificate to that effect, and upon presentation of
 30 his account for said work, together with the certificate of the judge or judges aforesaid to the
 31 county commissioners of Prince George's County, they shall at their next levy-laying term

1 thereafter levy an amount in their discretion sufficient to pay said account, nor shall the total cost
2 of work exceed the sum of Three Hundred Dollars (\$300.00).]

3 **[Sec. 7-125. Numbering court records.**

4 The clerk of the circuit court for Prince George's County shall designate each volume of the
5 land and chancery records of his office, begun and made from and after April 7, 1900, by
6 successive numbers, beginning with number one; and thenceforth all references on official
7 papers to the contents of any of the records so numbered shall be by the said number of the
8 volume.]

9 **[Subdivision 9. Plats.]**

10 **[Sec. 7-126. Plats of subdivision.**

11 Whenever the owner or owners of lands in Prince George's County shall subdivide their
12 lands for town villa sites, streets, lanes or alleys, and shall desire for purposes of description and
13 identification a plat of said subdivision to be recorded among the land records of said county, or
14 whenever any street, avenue, public road, lane or alley shall be acquired by condemnation or
15 otherwise by the county commissioners of said county, the clerk of the circuit court for Prince
16 George's County is hereby directed to receive and record same as hereinafter directed, but said
17 clerk shall not receive for record, nor allow to be recorded in his office any such plat, until
18 requirements of the succeeding Sections of this Subtitle shall have been complied with.]

19 **[Sec. 7-127. Preparation of plats; approval.**

20 The plat shall be legible, drawn accurately and to scale, and shall be submitted for
21 recordation using black ink on transparent mylar or linen, or other black-line process on
22 transparent mylar or linen comparable to original quality that will conform to archival standards.
23 Diazo, ozalid, or other similar dry print reproduction shall not be acceptable for recordation.
24 Such plats shall be of the uniform size of eighteen inches by twenty-four inches, and shall
25 conform to the requirements for "Final Plats" specified in Subtitle 24 of this Code; provided that
26 whenever an approved system of water supply or sewerage or both, serving the public, is not
27 directly available to any lots in a subdivision, under this law a plat of such a subdivision cannot
28 be so recorded until the size of the lots thereon has been approved for the local board of health of
29 said county by its duly authorized agent, and said board is authorized to withhold its approval
30 unless the size of each of the proposed lots is such that the public welfare and well-being is
31 protected, having regard to soil drainage, water pollution and other matters affecting the public

1 interest.]

2 **[Sec. 7-128. Petition for filing.**

3 Before said plat shall be received of record, the party desiring to record same shall file in
 4 the circuit court for Prince George's County a petition setting forth under oath the tract or tracts
 5 of which said subdivision is made up, together with reference to the deed or deeds conveying
 6 same to him, that the land included in said plat or owned by said party applying for same does
 7 not conflict with the established lines of any other subdivision entered on record, and that the
 8 name given same to the best of his knowledge is not synonymous and does not conflict with the
 9 name of any other subdivision heretofore filed; and upon filing of such application, the clerk
 10 shall cause a notice to be published in one of the newspapers published in Prince George's
 11 County, setting forth that application has been made for the recording of a plat of said
 12 subdivision giving the name, the election district in which same is located, requiring cause to be
 13 shown within five days from the date of giving such notice why such plat should not be
 14 recorded.]

15 **[Sec. 7-129. Number of plats; fees.**

16 The maker of said plat or plats, when the same shall be presented for record shall furnish
 17 the clerk of the circuit court for said county, three copies of such plat or plats, one of which shall
 18 be, by said clerk, placed in and attached to the book hereinafter provided for; another shall by
 19 said clerk be filed in his office for the purpose of providing copies for replacement, without
 20 additional charge for recording, and another shall, by said clerk, be attached to and made a part
 21 of the substance record now by law required to be kept, and the said clerk shall transmit the
 22 same, with the said substance record, to the commissioner of the land office as now by law
 23 directed; and the said clerk shall receive for each plat or section of a plat so filed with him the
 24 sum of Two Dollars (\$2.00); the maker of said plat or plats at the same time shall furnish to the
 25 county surveyor of said county a copy of such plat or plats, which shall be by said county
 26 surveyor placed in and attached to the plat book in this Subtitle required by him to be kept, and
 27 the county surveyor shall receive a fee of One Dollar for each plat so filed with him. Provided,
 28 however, that nothing in this Section shall be construed as repealing, changing or modifying any
 29 provisions regarding plats, as contained in Appendix 1 of this Code.]

30 **[Sec. 7-130. Plat books.**

31 The clerk of the said circuit court and the county surveyor of said county shall provide, and

1 the county commissioners of said county shall pay for suitable books to be designated Plat Book
2 No., etc., in which such plats shall be affixed.]

3 **[Sec. 7-131. Effect of plats.**

4 Such plats when filed for record as in this Subtitle provided, shall constitute a part of the
5 land records of said county, and shall have the same force and effect as is now given the properly
6 recorded deeds.]

7 **[Sec. 7-133. Recordation of copies.**

8 Whenever the owner of any lands of which a plat has been heretofore made and placed in
9 the land record books of said county shall cause to be made an exact copy of said plat, except as
10 to necessary change of scale and the addition of such matter as may be necessary to make the
11 same conform to the requirements of the preceding Sections, and shall comply with the
12 requirements of the preceding Sections as applied to plats of new subdivisions, the same may be
13 admitted to record and filed as other plats, and the said clerks shall endorse upon the record book
14 at the folio where said original has been filed, a certificate that the plat heretofore filed in said
15 record book has been copied and made to conform to the provisions of this subheading, and has
16 been filed and recorded under the provisions of this subheading, which certificate shall give the
17 liber and folio where said new plat may be found; provided, that before said new plat shall be
18 entitled to record, as hereinbefore provided, there shall be endorsed upon same, in addition to
19 other certificate of the county surveyor of Prince George's County, that the same is an exact copy
20 of said original plat, except as to those changes made necessary by the provisions of this
21 subheading, provided, however, that any maker of a plat of a farm heretofore recorded or to be
22 recorded under this law, shall not be compelled to comply with Section 7-127, in respect to the
23 size of said plat.]

24 **[Sec. 7-134. Reference in subsequent conveyances.**

25 After such new plat shall have been recorded, and said certificate endorsed upon the land
26 records book, as hereinbefore provided, all deeds, mortgages and other instruments of writing
27 conveying any interest in any land, referring for a part of the description of the same, to a plat
28 mentioned as being among the land records of said county, shall be taken and deemed to refer to
29 the place at which the said new plats shall by the said clerk's certificate be stated to be recorded.]

30 **[Sec. 7-135. Plats of recorded subdivisions.**

31 Every deed of any lot or lots or parts of a lot or lots of any recorded subdivisions must be

1 accompanied by a plat or sketch of such lot or lots, or parts of a lot or lots so changed whenever
2 the lines of such recorded subdivisions are changed in any particular, and the clerk of the court
3 shall, upon receipt of such plat or sketch, deliver the same to the supervisor of assessments.]

4 **[Sec. 7-136. Tracts of five acres or less.**

5 Whenever any person, firm or corporation actually subdivides or develops or promotes any
6 tract of land in Prince George's County into lots of five acres or less, such person, firm or
7 corporation shall file a plat of the same with the clerk of the circuit court in the manner now
8 provided by law. Unrecorded plats of three or more deeds of record or contracts of sale for lots
9 as described herein shall be prima facie evidence that the tract or parcel of land is a subdivision
10 and within the provisions of Sections 7-135 to 7-138.]

11 **[Sec. 7-137. Penalty.**

12 Any person, firm or corporation failing to comply with the terms of Section 7-136 shall be
13 guilty of a misdemeanor, and upon conviction shall be fined not less than Ten Dollars (\$10.00)
14 or more than Fifty Dollars (\$50.00); provided, however, that in cases where it is impossible to
15 comply with Sections 12-35 to 12-38 this penalty shall not apply.]

16 **[Sec. 7-138. Additional plat.**

17 Any application for the recording of any plat must be accompanied by an additional plat to
18 those already required, the said additional plat to be filed by the clerk of court with the
19 supervisor of assessments.]

20 **[Sec. 7-139. Copies of old plats.**

21 The clerk of the circuit court of said county is hereby authorized and directed to have
22 "copies" made, without any change of scale, or size, or dimensions, of all old and indistinct,
23 damaged or mutilated plats of subdivisions of towns or villa sites heretofore recorded among the
24 land records of said county, prior to the operation of Chapter 619 of the Acts of the General
25 Assembly of 1908.]

26 **[Sec. 7-140. Plats; bids for work.**

27 The said copies of plats shall be made under the supervision and direction of the said clerk
28 of court, by a competent surveyor or engineer to be selected by the clerk, as the lowest
29 responsible bidder for the work of making said copies, after competitive bidding therefor;
30 provided the said clerk shall have the right to reject any and all bids. In addition to such other
31 notice as he may give, the said clerk is directed to invite bids for said work by advertisement in

1 at least two successive issues of a newspaper of said county.]

2 **[Sec. 7-141. Copies of plats; how made.**

3 (a) The said copies of plats shall be made or drawn by said surveyor or engineer on
4 substantial tracing linen or parchment, and shall be, by him fastened, attached and recorded,
5 under supervision of said clerk, in a substantial book to be furnished by said clerk and to be
6 known and designated as Plat Book "A," which book shall be kept in the clerk's office of said
7 county, as other plat books and land records are now kept. The said clerk shall endorse upon the
8 record book at the folio where said original has been filed, a certificate that the plat heretofore
9 filed in said record book has been copied and recorded under the provisions of Sections 7-139 to
10 7-143, which certificate shall give the liber and folio where said new plat may be found;
11 provided that before said new plat or copy shall be entitled to record, as hereinbefore provided,
12 there shall be endorsed upon same in addition to the other certificate required by Sections 7-139
13 to 7-143, the certificate of the said surveyor or engineer, who made the copy, that the same is an
14 exact copy of said original plat.

15 (b) The said clerk shall provide in the front of said Plat Book "A" or other books and
16 appropriate index of the plats therein recorded and the pages or folios of the respective plats
17 therein recorded.]

18 **[Sec. 7-142. Plats; reference in subsequent conveyances.**

19 After such new plat or copy shall have been made and recorded, and said certificates
20 endorsed upon the land record books, as hereinbefore provided all deeds, mortgages and other
21 instruments or writing conveying any interest in any land, referring for a part of the description
22 of the same, to a plat mentioned as being among the land records of said county, shall be taken
23 and deemed to refer to the place at which the said new plats or copies shall, by the said clerk's
24 certificate be stated to be recorded.]

25 **[Sec. 7-143. Plats; cost of books paid from fees.**

26 Should more than one book be necessary for said copies, the said clerk shall furnish the
27 same and shall designate them by the next letters of the alphabet and the costs of said plat book
28 or books and tracing linen or parchment and other necessary materials requisite in making said
29 copies, and the amount payable to the surveyor or engineer to whom said work shall be awarded
30 shall be paid by the said clerk of court out of surplus fees and proceeds from receipts of monies
31 in the clerk's office of said county, when and as the same may be sufficient and available.]

1 **[Sec. 7-144. Copies of old plats.**

2 The clerk of the circuit court of said county is hereby authorized and directed to have
3 "copies" made, without any change of scale, or size, or dimension, of all plats of subdivisions of
4 towns or villa sites and plats of every kind heretofore recorded among the land records of said
5 county in Plat Books B.D.S. No. 1, and R.N.R. No. 2, which are present records of said county.]

6 **[Sec. 7-145. Plats; cost.**

7 The said copies of plats shall be made under the supervision and direction of the said clerk
8 of court by a competent surveyor or engineer to be selected by the said clerk at price and
9 compensation to be first approved by the comptroller of the treasury.]

10 **[Sec. 7-146. Plats; how made.**

11 The said copies of plats shall be made or drawn by said surveyor or engineer on substantial
12 tracing linen or parchment, and shall be, by him, fastened, attached and recorded, under the
13 supervision of said clerk, in a substantial book to be furnished by said clerk and to be known and
14 designated as Plat Book "B," which book shall be kept in the clerk's office of said county, as
15 other plat books and land records are now kept. The said clerk shall endorse upon the record
16 book at the folio where said original has been filed, a certificate that the plat heretofore filed in
17 said record book has been copied and recorded under the provisions of Sections 7-144 to 7-148,
18 which certificate shall give the liber and folio where said new plat may be found; provided that
19 before said new plat or copy shall be entitled to record, as hereinabove provided, there shall be
20 endorsed upon same in addition to the other certificate required by Sections 7-144 to 7-148, the
21 certificate of the said surveyor or engineer, who made the copy, that the same is an exact copy of
22 said original plat. The said clerk shall provide in the front of said Plat Book "B" or other books
23 an appropriate index of the plats therein recorded and the pages or folios of the respective plats
24 therein recorded.]

25 **[Sec. 7-147. Plats; reference in subsequent conveyances.**

26 After such new plat or copy shall have been made and recorded, and said certificates
27 endorsed upon the land record books, as hereinbefore provided, all deeds, mortgages and other
28 instruments of writing conveying any interest in any land, referring for a part of the description
29 of the same, to a plat mentioned as being among the land records of said county, shall be taken
30 and deemed to refer to the place at which the said new plats or copies shall, by the said clerk's
31 certificate be stated to be recorded.]

1 **[Sec. 7-148. Plats; cost of books paid from fees.**

2 Should more than one book be necessary for said copies, the said clerk shall furnish the
3 same and shall designate them by the next letters of the alphabet and the cost of said plat book or
4 books and tracing linen or parchment and other necessary materials requisite in making said
5 copies, and the amount payable to the surveyor or engineer to whom said work shall be awarded
6 shall be paid by the said clerk of court out of surplus fees and proceeds from receipts of monies
7 in the clerk's office of said county, when and as the same may be sufficient and available.]

8 **[Sec. 7-149. All surveys and plats to be filed.**

9 (a) A copy of every survey and plat of any land, lot or subdivision of land in Prince
10 George's County shall be filed with the county surveyor of Prince George's County. It shall be
11 the duty of the county surveyor to keep and preserve said surveys and plats, with proper indexes
12 thereof, so that they may be readily available for examination by the public generally. Such
13 surveys, plats and indexes shall be the property of the county and be permanent records of the
14 county. The county commissioners shall provide adequate space in the Court House for such
15 records, together with proper books, binders and filing cases for the preservation of said records.

16 (b) Any surveyor, person, firm or corporation failing to comply with the provisions of this
17 Section shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less
18 than \$10 nor more than \$50 for each such violation.]

19 **[Subdivision 10. Indexes.]**

20 **[Sec. 7-150. Equity docket; cases before 1910.**

21 The clerk of the circuit court for Prince George's County be and he is hereby directed to
22 make or cause to be made a general index of all causes appearing upon the equity docket of said
23 county, beginning with the earliest causes of said docket; said general index to be made upon the
24 same plan and in similar books as now used in said clerk's office for general indexes of the land
25 records, in which index he shall place the name of every party to each cause; and where the suit
26 is for the sale of lands of any person deceased, or otherwise, the name of said owner shall also
27 appear in its proper place in said general index; said clerk shall enter, in connection with the
28 name of each person, the number or year of the docket and the number of the case in which such
29 person was or is a party, or in which property was or is involved, and where the papers in any
30 cause have been recorded the book and page of such record.]

1 **[Sec. 7-151. Equity docket; cases after 1910.**

2 The clerk aforesaid after April 5, 1910, when and as each cause is brought, shall enter in
3 said general index the names of all parties to said cause, and where the object of the suit is the
4 sale of lands, the name of the owner or claimant of said land, and when and as the papers in any
5 cause are recorded the book and page of such record, for which he shall be entitled to charge and
6 receive such fees as are now charged for indexing in the general indexes of the land records,
7 which fees shall be taxed as and become part of the costs of such cause to be recovered as other
8 costs in such cases are or may be paid.]

9 **[Sec. 7-152. Judgments of justices of the peace.**

10 The said clerk is hereby directed to make or cause to be made a general index of all
11 judgments rendered by justices of the peace of Prince George's County, which are now recorded
12 or may be hereafter recorded as now provided by law, in the records of the circuit court for said
13 county; said general indexes to be made upon the same plan and in similar books as are now used
14 in the clerk's office for general indexes of the land records, in which indexes shall be entered the
15 names of the parties to said judgments, the date of the recovery of said judgment, and otherwise
16 as now provided by law or custom in the said clerk's office in which said index also shall be
17 entered whether said judgments have been settled and satisfied, and hereafter the said clerk shall
18 so enter said judgments as when settled and satisfied.]

19 **[Sec. 7-153. Indexing judgments after 1910.**

20 The clerk aforesaid, after April 5, 1910, when and as each judgment is recorded as
21 heretofore provided shall enter said judgments in said general indexes as herein provided, for
22 which he shall be entitled to charge and receive such fees as are now charged for indexing in the
23 general indexes of the land records, which fees shall be taxed as and become part of the costs on
24 said judgment.]

25 **[Sec. 7-154. Types of dockets and indexes.**

26 The clerk aforesaid shall provide and maintain a docket and general index thereto of all
27 proceedings affecting titles to land by way of condemnation or writs of inquisition, and by way
28 of sales of land under writs of execution; a separate docket and index thereto of all attachments
29 issued out of the circuit court or issued by the justices of the peace of said county, and recorded
30 as provided by law in the office of the clerk of said county; and likewise to record in substantial
31 books all proceedings of his office, whether at law or in chancery, affecting titles to land and

1 property to be recorded, as now provided or hereafter directed by law.]

2 **[Sec. 7-155. Fees.**

3 The aforesaid clerk is authorized and directed to provide and maintain dockets and general
4 indexes thereto of all proceedings filed in his office by the treasurer of Prince George's County,
5 and to provide and maintain a special docket and index thereto, to be designated and known as
6 the tax sale book, in which shall appear under proper index the name of each and every person in
7 whose name property has or may hereafter be sold for a default in the payment of taxes, which
8 sales have or may hereafter be reported to the circuit court as provided by law, which docket
9 shall be provided with space to enter the time of redemption of the said property so sold and
10 reported, and space for such other entries as shall afford complete and accurate information
11 relative to the legal status of all property sold as aforesaid for a default in the payment of taxes or
12 the redemption thereof; and the treasurer of said county is hereby authorized and directed to
13 report to the said clerk of the circuit court the redemption of all property sold for taxes, for which
14 report the said treasurer shall be authorized to charge a fee twenty-five cents for each redemption
15 as reported, which fee shall be charged as a part of the penalty and costs as to the said sale for
16 taxes, to be paid by the person redeeming said property, and all such fees so collected shall be
17 credited to the redemption fund now or hereafter provided by law relative to the duty of the said
18 treasurer.]

19 **[Sec. 7-156. Levy for cost.**

20 When and as the dockets and indexes as therein provided are completed the county
21 commissioners of Prince George's County be, and they are hereby authorized and directed to
22 levy for said purpose an amount sufficient to pay what is a fair and reasonable charge for the
23 work aforesaid, as well as for the cost and proper expense for the books, furniture, and fixtures
24 requisite to preserve and keep the said records in good order and shape; provided, that the cost of
25 the work herein authorized and directed shall first be met out of the current fees of the office of
26 the said clerk over and above the amount necessary to pay the salaries of said office and
27 expenses of said clerk as fixed by law.]

28 **[Sec. 7-157. Files for papers and records.**

29 The clerk of the circuit court for Prince George's County, Maryland, is hereby authorized
30 and empowered to provide metallic files for the better protection of the law and equity court
31 papers and records of the circuit court for Prince George's County, Maryland, according to the

1 most approved system now in vogue.]

2 **[Subdivision 11. Clerk to Grand Jury.]**

3 **[Sec. 7-158. Appointment; qualifications; compensation; duties.**

4 Upon the organization of each grand jury the judge or judges of the circuit court for Prince
5 George's County may and they are hereby authorized and empowered to appoint a clerk who
6 shall be a competent stenographer, at a compensation to be determined from time to time by the
7 judge or judges of the circuit court for Prince George's County making said appointment, to be
8 paid by the county commissioners for Prince George's County, which said clerk shall have
9 authority to take and transcribe the testimony given before any grand jury in said Prince George's
10 County, and all of said testimony so taken and transcribed shall be for the exclusive use and
11 benefit of the grand jury and the state's attorney of said county, unless otherwise ordered by the
12 court.]

13 **[Sec. 7-159. Oath of Office.**

14 Any clerk appointed under the provisions of Section 7-158 shall, before he enters upon the
15 duties of his office, take and subscribe before the clerk of the circuit court for Prince George's
16 County an oath that he will keep secret all matters and things occurring before such grand jury.]

17 **[Sec. 7-160. Record of testimony.**

18 It shall be lawful for any stenographer duly appointed and qualified as herein provided to
19 attend and be present at the session of every grand jury impanelled in said county, and it shall be
20 his duty to record the testimony introduced before such grand jury, and to furnish to the grand
21 jury and the state's attorney of said county a full copy of all such testimony as such grand jury or
22 state's attorney shall require, and he shall not permit any other person to take a copy of the same,
23 nor any portion thereof, nor to read the same, nor any portion thereof, nor shall he disclose the
24 character of any of the contents of the same to any person or persons other than the grand jury, or
25 state's attorney for said county, except upon the written order of the court duly made after
26 hearing the state's attorney; all of the said original minutes shall be kept in the custody of said
27 state's attorney, and neither the same nor a copy of the same shall be taken from the office said
28 state's attorney, excepting for the use of the grand jury for said county, or for production in court,
29 without an order of the court first had and obtained as above provided.]

30 **[Sec. 7-161. Violation of secrecy.**

31 Any stenographer appointed as aforesaid, who shall violate the provisions of Sections

1 7-158, 7-159, and 7-160 with regard to secrecy shall be deemed guilty of a misdemeanor, and on
 2 conviction thereof, shall be fined not exceeding One Thousand Dollars (\$1,000.00), or
 3 imprisoned in jail not exceeding one year or both fined and imprisoned in the discretion of the
 4 court.]

5 **[Subdivision 12. Probation and Parole.]**

6 **[Sec. 7-162. Appointment of officers; qualifications, duties, compensation.**

7 (a) The county commissioners of Prince George's County shall, in the month of July, 1959,
 8 and every two years thereafter, appoint one or more probation and parole officers to serve within
 9 the geographical limits of Prince George's County, under the direction of the state department of
 10 parole and probation, for parole and probation purposes of the several courts and trial magistrates
 11 of the county authorized to grant suspension of sentence. Before entering upon their duties, the
 12 parole and probation officers shall take oath before the clerk of the circuit court of the county
 13 that they will diligently, or without partiality or prejudice, discharge the duties of office and such
 14 officers shall receive as compensation from the board of county commissioners the same annual
 15 remuneration as applies, in like classification of employment, within the state merit system. The
 16 board of county commissioners are also authorized and empowered to pay operating expenses of
 17 such officers in such amounts as may be proved by the board from time to time.

18 (b) Such parole officer shall meet the requirements and qualifications of the probation
 19 officer of the department of parole and probation, and before any person shall be appointed
 20 probation officer as aforesaid he must be certified to the board of county commissioners by the
 21 said department of parole and probation as meeting its requirements and qualifications as a
 22 probation officer, and the said department of parole and probation shall be required to make
 23 examinations of persons considered for appointment as probation officer when requested by the
 24 board of county commissioners and make report upon their qualifications. The said department
 25 of parole shall have supervision of the work of the probation officers appointed as aforesaid.
 26 The county commissioners shall appoint such number of clerical employees as may be needed.]

27 **DIVISION 2. DOMESTIC RELATIONS CAUSES.**

28 **[Sec. 7-164. Hearings.**

29 The circuit court of Prince George's County may designate the place or places for holding
 30 hearings by the master or masters for domestic relations causes, and such place or places may be
 31 changed from time to time, as the court may order, and may be in such locations within Prince

1 George's County as the court may prescribe, either in the Court House at the county seat or at
 2 any other place in said county. The county commissioners of Prince George's County are hereby
 3 authorized and empowered to provide suitable facilities for the hearing of cases, administrative
 4 functions and other matters relating to the disposition of domestic relations actions by the circuit
 5 court or a judge thereof or the master or masters of said court or such other personnel as may be
 6 appointed by said court for functions in connection with such domestic relations actions.]

7 **[Sec. 7-165. Staff; compensation.**

8 (a) The circuit court of Prince George's County is authorized and empowered to designate,
 9 appoint and employ qualified persons for performance of duties, in connection with domestic
 10 relations actions, in the office of the clerk of said court under the jurisdiction of said court for
 11 administration, research, treatment, psychological, psychiatric, investigative, supervisory,
 12 conciliatory, stenographic, clerical and other similar service for said court in relation to domestic
 13 relations actions. Such personnel as may be appointed by the court shall perform such duties as
 14 may be prescribed by the judges of the circuit court of Prince George's County, shall serve in the
 15 office of the clerk of the circuit court or as may be otherwise prescribed by the circuit court, and
 16 shall be entitled to receive such salary and expenses in connection therewith as is allowable for
 17 comparable employment by Prince George's County for County employees in accordance with
 18 the pay scale in effect from time to time for County employees of Prince George's County.

19 (b) Persons so employed shall be credited with the years of service rendered in the office
 20 of the clerk of the circuit court of Prince George's County for purposes of determining
 21 compensation rates, including longevity steps, the basic accumulation of annual leave and sick
 22 leave, and the rates for annual leave and sick leave, and shall receive an annual salary provided
 23 by the County Executive of Prince George's County in such amount as he may from time to time
 24 prescribe after consultation with the court. The clerk of the circuit court for Prince George's
 25 County shall reimburse the said County Executive and County Council for salary so paid from
 26 the costs collected pursuant to Section 7-166 of the Subtitle.]

27 **[Sec. 7-166. Rules; costs.**

28 The circuit court for Prince George's County is authorized and empowered to prescribe such
 29 rules as may be necessary, including the setting of costs to be paid in advance to the clerk of the
 30 circuit court for such actions as may be heard by the master or masters of domestic relations
 31 causes.]

1 **[Sec. 7-167. Appropriations.**

2 The county commissioners for Prince George's County shall make all levies and
3 appropriations necessary to provide for the payment of the salaries, fees, expenses and costs
4 properly incurred under or by the provisions of this Subtitle, when approved by order of the
5 court, to the extent funds for this purpose are not otherwise provided by law.]

6 **DIVISION 3. JURORS.**

7 **[Sec. 7-169. Levy for pay; certificate.**

8 A certificate signed by the clerk of the circuit court and stating the days the juror to whom
9 such certificate is issued has attended and the sum due him therefor, shall be sufficient authority
10 to the county treasurer to pay the amount therein specified out of any moneys remaining in his
11 hands appropriated for such purposes by warrant of the county commissioner.]

12 **DIVISION 4. JUVENILE CAUSES.**

13 **[Sec. 7-171. Hearings.**

14 The circuit court for Prince George's County may designate the place or places for holding
15 hearings by the judges of said Court, or the master for juvenile causes appointed by said court,
16 and such place or places may be changed, from time to time, as the court may order, and may be
17 in such locations within Prince George's County as the court may prescribe, either in the
18 Courthouse at the County Seat or at any other place in said county. The county commissioners
19 of Prince George's County are hereby authorized and empowered to provide suitable facilities for
20 the hearing of cases, administrative functions and other matters relating to the disposition of
21 juvenile causes by the circuit court or a judge thereof or the master of said court or such other
22 personnel as may be appointed by said court for functions in connection with such juvenile
23 causes.]

24 **[Sec. 7-172. Probation and parole staff; compensation.**

25 The circuit court of Prince George's County is authorized and empowered to designate,
26 appoint and employ qualified persons for performance of duties, in connection with juvenile
27 causes, in the office of the clerk of said court or for probation and parole assignment under the
28 jurisdiction of said court and for administration, research, treatment, psychological, investigative
29 and clerical service for said court in relation to juvenile causes. Such personnel as may be
30 appointed by the court shall perform such duties as may be prescribed by the judges of the circuit
31 court of Prince George's County, shall serve in the office of the clerk of the circuit court or as

1 may be otherwise prescribed by the circuit court, and shall be entitled to receive such salary and
2 expenses in connection therewith as is allowable for comparable employment by the State of
3 Maryland for state employees in accordance with the pay scale in effect from time to time, for
4 state employees of the State of Maryland, the same to be paid as part of the expense of the office
5 of the clerk of said circuit court, as is provided by law respecting salaries paid to personnel in the
6 office of said clerk, or as may be otherwise prescribed and directed by the circuit court or to be
7 paid by the county commissioners of Prince George's County as the circuit court for said county
8 may prescribe and direct. The probation and parole officers now serving in Prince George's
9 County, under the direction of the state department of parole and probation, for probation and
10 parole purposes, shall continue in office and shall be assigned such duties in connection with the
11 functions of the circuit court, or the master or masters for juvenile causes, as the court may direct
12 and shall receive compensation from the board of county commissioners in such sums as the
13 county commissioners shall direct, not less than the compensation now provided for them by the
14 board of county commissioners; and, said employees shall retain and continue to have all rights
15 and privileges now available to them under any merit system or retirement provisions provided
16 by the state or county. The supervisor of the department of parole and probation for Prince
17 George's County and the senior parole officer of Prince George's County shall each receive
18 additional compensation of \$2,000.00 per annum for services in connection with juvenile causes,
19 the sum to be paid as is hereinabove provided for other employees designated, employed or
20 appointed by the circuit court of Prince George's County for performance of duties, in connection
21 with juvenile causes.]

22 **[Sec. 7-173. Rules.**

23 The circuit court for Prince George's County is authorized and empowered to prescribe such
24 rules as may be necessary in connection with proceedings before the master for juvenile causes.]

25 **[Sec. 7-174. Advisory committee.**

26 The circuit court for Prince George's County is empowered and authorized to establish a
27 juvenile court advisory committee to be composed of such number of persons as the court may
28 direct, who shall serve without pay, the duties of which committee shall be prescribed by the
29 judges of such circuit court and whose terms shall be such as shall be directed by said court.]

30 **[Sec. 7-175. Appropriations.**

31 The county commissioners for Prince George's County shall make all levies and

1 appropriations necessary to provide for the payment of the salaries, fees, expenses and costs
 2 properly incurred under or by the provisions of this Subtitle and for the care and support of a
 3 juvenile, when approved by order of the court, to the extent funds for this purpose are not
 4 otherwise provided by law.]

5 **[Sec. 7-176. Jurisdiction.**

6 The circuit court for Prince George's County shall have jurisdiction in juvenile causes as is
 7 now provided by law with respect thereto in Sections 51 to 71, inclusive, of Article 26 of the
 8 Code of Public General Laws of Maryland (1957 Edition), as amended.]

9 **[DIVISION 5. ORPHANS' COURT.]**

10 **[Sec. 7-177. Meetings.**

11 The orphans' court of Prince George's County shall meet on the third Tuesday in February,
 12 April, June, August, October, and December in each year or more often if need be, according to
 13 their own adjournment; and process issued from said court, unless the court shall otherwise
 14 order, shall be returnable to said terms.]

15 **[Sec. 7-178. Compensation.**

16 (a) The judges of the orphans' court of Prince George's County shall each receive a per
 17 diem salary of Fifteen Dollars (\$15.00) to be paid by the county commissioners of said county in
 18 quarterly payments on the first Tuesday in the months of October, January, April, and July in
 19 each year; and the county commissioners of said county at the time for their annual levy shall
 20 levy upon the assessable property of the said county a sum sufficient to pay the salaries of the
 21 judges of the orphans' court as above provided.]

22 **[Sec. 7-179. Sessions.**

23 Said judges of said orphans' court shall hold sessions of said court on the first, second and
 24 fourth Tuesdays of each month, except when such days are legal holidays, and on such other
 25 days as the business of the court may require their presence.]

26 **[Sec. 7-180. Messenger.**

27 The messenger of the orphans' court for said county shall receive Five Dollars (\$5.00) per
 28 diem for each day of his attendance at the sessions of said court.]

29 **[Sec. 7-181. Register of wills.**

30 The register of wills in said county shall be entitled to an annual allowance from the county
 31 commissioners sufficient to supply his office with fuel.]

DIVISION 6. STATE'S ATTORNEY.**[Sec. 7-182. Duties.**

The official duties of said state's attorney shall include his attendance and services before the justices of the peace and trial magistrates of said county when in his judgment the public interests require his participation, as the representative of the State of Maryland, in proceedings before said justices and magistrates. The state's attorney and the deputy state's attorney, or either of them, shall present cases to the grand jury of Prince George's County; and perform such other acts and duties in relation to said grand jury as are necessary and proper.]

[Sec. 7-183. Enforcement of criminal laws.

(a) Prosecution on information. All the offenses committed within the limits of Prince George's County, except treason, misprision of treason, arson, burglary, larceny, manslaughter, mayhem, murder, rape, robbery, sodomy, and all other felonies may be prosecuted, upon order of the circuit court for Prince George's County on information, on behalf of the state, filed by the state's attorney for said county in said county.

(b) Witnesses. The clerk of said court shall upon order of the state's attorney for said county, issue summons for witnesses to appear at the time and place to be designated in said order, and the said court shall have the same power as provided by Section 9-201, Courts and Judicial Proceedings Article, Annotated Code of Maryland, to secure and compel the attendance and testimony of said witnesses, and all witnesses so summoned and appearing and taking the oath hereinafter provided shall receive the same compensation allowed to witnesses summoned and attending before the grand inquest for said county.

(c) Investigations; dismissals. The state's attorney shall investigate with all reasonable dispatch and thoroughness all cases which may be referred to him under this Section and in all cases which, in his judgment, should not proceed to trial shall promptly file in said court an order dismissing any such case referred to him as aforesaid, with a statement in writing of his reasons therefor, and shall return to said court all papers and documents relating to said case in his possession, and such dismissal of a case so referred to him shall be a final and conclusive termination of the same; but the court may, for sufficient reason shown in a reasonable time, strike out the said order and dismissal of a case made by the state's attorney and refer said case to the grand jury.

(d) Pleading and practice. The same pleading and practice and all provisions of law now

1 applicable to indictments and governing the trial issues thereon shall be applicable, so far as
2 practicable, to information filed under this Section by the state's attorney.

3 (e) Oath to witnesses. The clerk of said court shall administer to every witness, prior to
4 his or her appearing before the state's attorney, the following oath, viz: "The evidence which you
5 shall give before the state's attorney for Prince George's County in the matter pending before him
6 shall be the truth, the whole truth and nothing but the truth, so help you God." And all willful
7 and corrupt false swearing by any witness in any material point of inquiry before said state's
8 attorney in any case referred to him under this Section shall be deemed perjury, and any person
9 convicted of such willful and corrupt false swearing shall suffer the penalty now provided by law
10 to be imposed upon persons convicted of the crime of perjury.

11 (f) Effect of law. The provisions of this Section shall apply to all common law and
12 statutory misdemeanors committed within the limits of Prince George's County which may by
13 any law of this state now in force, or which may hereafter be enacted, be prosecuted by
14 presentment or indictment in the circuit court for said county, and the said court shall have the
15 power to impose the same fines and penalties upon conviction, upon information under this
16 Section as are now provided by law, or may hereafter be provided by law, to be imposed upon
17 conviction for such offenses upon presentment or indictment.]

18 **[DIVISION 7. WITNESSES.]**

19 **[Sec. 7-185. Residing outside county.**

20 Whenever the state's attorney or other person, lawfully representing the state in any civil or
21 criminal proceeding in the circuit court for said county, shall deem it necessary to have the
22 testimony of any person, residing in the District of Columbia, or elsewhere out of reach of the
23 process of said court, and such person shall voluntarily attend any term of said court for the
24 purpose of testifying for the state in such proceeding it shall be lawful for the judge of said court
25 to allow said witnesses so attending such sum as may be reasonable compensation for the loss
26 which they may sustain by such attendance, not exceeding ten dollars per diem; and certificates
27 for the allowance so made shall be issued by the clerk of said county and levied by the county
28 commissioners as in the case of all other allowances to witnesses.]

29 SECTION 3. BE IT FURTHER ENACTED that the Legislative Officer is authorized to
30 reorder and renumber the sections of Subtitle 7 Court System in conjunction with the publication
31 of the 2001 Supplement to the 1999 Edition of the Prince George's County Code.

SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 31st day of July, 2001.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Ronald V. Russell
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Wayne K. Curry
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.