

DELEGATE ADKINS: Yes. I am making it possible for the convenience of the Assembly to have some control over the manner in which judges are selected. If you make it by rule or by law, then you have trouble. It might as well be left "rule" if you make it "by rule or by law."

THE CHAIRMAN: Does any delegate desire to speak in opposition?

*(There was no response.)*

Does any other delegate desire to speak in support?

Delegate Scanlan.

DELEGATE SCANLAN: I favor Delegate Adkins' amendment. I recall a series of controversies raised in Montgomery and Prince George's counties when the Bar Association lawyers in Montgomery, and to some extent Prince George's tried to prevent lawyers who are members of the Maryland court who had their major office in the District of Columbia from practicing in Maryland Courts without engaging other counsel. They won the battle with the trial court. Fortunately the representatives of our people persuaded their colleagues not to put in a statutory restriction. They attempted to do it by rule. It was declared unconstitutional.

Subsequently it was compromised. It points out the dangers and the possibility that the court will be less likely to yield to the brandishments of the local bar than would the representatives of the people, and I urge that you adopt this amendment.

THE CHAIRMAN: Is there any other discussion? Does any other delegate desire to speak in opposition?

*(There was no response.)*

THE CHAIRMAN: Are you ready for the question?

*(Call for the question.)*

The question arises on the adoption of Amendment No. 36 to Committee Recommendation JB-1.

A vote Aye is a vote in favor of Amendment No. 36. A vote No is a vote against. Cast your vote.

Have all delegates voted? Does any delegate desire to change his vote?

*(There was no response.)*

The Clerk will record the vote.

There being 106 votes in the affirmative and 21 in the negative, the motion carries. The amendment is adopted.

Are there any further amendments to section 5.17? The Chair hears none.

Are there any amendments to section 5.18?

The Chair hears none.

Delegate Johnson, I assume you still want to offer your amendment G to section 5.19?

DELEGATE JOHNSON: That will be consistent with the Committee's action.

THE CHAIRMAN: You have your amendment DF, which is precisely the same as amendment G. May your name be added as sponsor to the other amendment?

DELEGATE MITCHELL: That is correct.

THE CHAIRMAN: Is that satisfactory to you, Delegate Johnson?

DELEGATE JOHNSON: We are happy to have all the help we can get, Mr. Chairman.

THE CHAIRMAN: The Clerk will distribute amendment G. This will be Amendment No. 37.

Delegate Fornos.

DELEGATE FORNOS: A parliamentary inquiry, Mr. Chairman.

THE CHAIRMAN: State the inquiry.

DELEGATE FORNOS: Has not the Committee, by elimination of initial members of the trial court and Court of Appeals nominating commission done away with this, in effect?

THE CHAIRMAN: I assume so, but I assume Delegate Mudd will acquiesce in the amendment, and it should go in the record.

On Amendment No. 37 please add the name of Delegate Mitchell as one of the sponsors.

The Clerk will read the amendment.

READING CLERK: Amendment No. 37, to accompany Minority Report JB-1 to Committee Recommendation JB-1, by Delegates Johnson, Harkness, Hickman, Kahl, Murphy, Siewierski, Kush, and Mitchell: On page 6 strike out all of lines 1 through 8 comprising all of section 5.19, Judicial Member of Nominating Commissions.