

Article IV - Judiciary Department

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(A) The parties to any cause may submit the [same] CAUSE to the court for determination without the aid of a jury[, and in all suits or actions at law, issues from the Orphans' Court, or from any court sitting in equity, and in].

(B) IN all cases of presentments or indictments for offenses[, which are or may be] THAT ARE punishable by death, [pending in any of the courts of law in this State, having jurisdiction thereof, upon] ON suggestion in writing under oath of either of the parties to [said] THE proceedings[,] that [such] THE party cannot have a fair and impartial trial in the court in which the [same] PROCEEDINGS may be pending, the [said] court shall order and direct the record of proceedings in [such suit or action, issue,] THE presentment or indictment[,] to be transmitted to some other court having jurisdiction in such case for trial[; but in].

(C) IN all other cases of presentment or indictment, AND IN ALL SUITS OR ACTIONS AT LAW OR ISSUES FROM THE ORPHANS' COURT pending in any of the courts of law in this State [,having] WHICH HAVE jurisdiction [thereof] OVER THE CAUSE OR CASE, in addition to the suggestion in writing of either of the parties to [such presentment or indictment,] THE CAUSE OR CASE that [such] THE party cannot have a fair and impartial trial in the court in which the [same] CAUSE OR CASE may be pending, it shall be necessary for the party making [such] THE suggestion to make it satisfactorily appear to the court that [such] THE suggestion is true, or that there is reasonable ground for the same; and thereupon the [said] court shall order and direct the record of THE proceedings in [such presentment or indictment] THE CAUSE OR CASE to be transmitted to some other court, having jurisdiction [is] IN [such cases] THE CAUSE OR CASE, for trial [;and such]. THE right of removal ALSO shall exist [upon] ON suggestion in [cases when] A CAUSE OR CASE IN WHICH all the judges of [said] THE court may be disqualified under the provisions of this Constitution to sit [in any such case; and said]. THE court to which the record of proceedings in such suit or action, issue, presentment or indictment [may be so] IS transmitted, shall hear and determine [the same] THAT CAUSE OR CASE in THE [like] SAME manner as if [such suit or action, issue, presentment or indictment] IT had been originally instituted [therein; and the] IN THAT COURT. THE General Assembly shall [make such modification of] MODIFY THE existing law as may be necessary to regulate and give force to this provision.

SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly finds that this Act concerns the Judiciary System in this State and is a matter of general State interest.