

IN THE COURT OF APPEALS OF MARYLAND  
ADMINISTRATIVE ORDER ON CONTINUING EDUCATION  
OF JUDGES, MAGISTRATES, AND COMMISSIONERS

Whereas, continuing judicial education programs are a priority of the Maryland Judiciary; and

Whereas, it is appropriate to harmonize the delivery of continued educational programs for judges, magistrates, and commissioners within the governance structure of the Judicial Council; and

Whereas, given the judicial education programs offered through the Judicial College of Maryland (“Judicial College”) as well as by other entities within the Maryland Judiciary and elsewhere, it is appropriate to centralize the oversight of such programs to avoid duplication, unnecessary expenses, and undue burdens on judges, magistrates, and commissioners and to assure the quality and consistency of such programs,

Now, therefore, I, Matthew J. Fader, 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 order this 24th day of August 2022, effectively immediately, the following as governing the continuing education of judges, magistrates, and commissioners:

- (a) Judicial College of Maryland. The Judicial College of Maryland will serve as the primary entity through which judicial education will be provided to judges, magistrates, and commissioners.

- (b) Education Committee. The purpose, in part, of the Education Committee of the Judicial Council is to coordinate continuing legal education for the Judiciary, including all judges, magistrates, Orphans' Court judges, commissioners, and Judiciary staff. The Education Committee shall guide, promote, and encourage the education of judges, magistrates, and commissioners. For Judiciary staff, the Education Committee shall ensure ample training opportunities for professional development, communicating their availability, and encouraging participation. The Education Committee shall work with the Judicial College, other Judicial Council committees, departments, and justice partners to effectuate the provisions of all educational services and seek out new technologies and innovative delivery methods to improve the effectiveness of educational services.
- (c) Judicial Education Programs. The Education Committee is responsible for ensuring the coordination, implementation, and evaluation of educational programs offered through the Judicial College for Maryland judges, magistrates, and commissioners in accordance with this Order. The Judicial College shall provide all necessary professional and logistical support and resources to accomplish the same.
- (d) Development of Programs.
- (1) Judges. The Judicial Education Subcommittee, with the assistance of the Education Committee and the Judicial College, shall develop a comprehensive curriculum to be given each calendar year.
  - (2) Magistrates. The Magistrates Education Subcommittee, with the advice and assistance of the Education Committee and the Judicial College, shall develop a comprehensive curriculum to be given each calendar year.
  - (3) Commissioners. The Commissioners Education Subcommittee, with the advice and assistance of the Education Committee and the Judicial College shall develop a comprehensive curriculum to be given each calendar year.

(e) Specialized Education Programs. The Education Committee shall report the development of course offerings, educational programs, and academic offerings of the specialized education programs listed in this section and offered through the Judicial College.

(1) Newly Appointed or Elected Judge Orientation Program.

(A) The Judicial Education Subcommittee shall provide, through the Judicial College, an annual residential judicial orientation program. The program shall focus on judicial ethics, professionalism, and best practices in presiding over judicial proceedings, as well as significant aspects of civil and criminal law and procedure applicable in trial courts, including domestic violence.

(B) Unless excused by the Chief Judge of the Court of Appeals, each District Court or circuit court judge, newly appointed or elected, shall attend, and be in residence at, the orientation program next occurring after the judge's appointment or election. Attendance is encouraged, by optional, for newly appointed appellate judges.

(C) All newly appointed or elected judges shall complete required online courses within 30 days of having been sworn.

(2) New Orphans' Court Judge Orientation Program. Once every four years, in keeping with the Orphans' Court election cycle, there shall be an orientation program for new Orphans' Court judges. The Judicial Education Subcommittee, in consultation with the Conference of Orphans' Court Judges, shall approve the curriculum, instructional dates, and instructors of the Program. The Program may include courses developed and taught by the

Conference of Orphans' Court Judges that meets the Education Committee's Standards.

(3) Family Law Education Program.

(A) Once a year, the Judicial Education Subcommittee shall present through the Judicial College, a comprehensive program on family law, including practice and procedure in the trial of family law cases, referred to as "Family Law University." The curriculum and format shall be determined by the Dean and coordinators of the Family Law University with the advice of the Judicial Education Subcommittee.

(B) Each judge and magistrate who will be assigned to hear family law cases shall register for and attend the next Family Law University presented after the judge's appointment or election or the magistrate's appointment or assignment to hear family law cases. Judges and magistrates who have attended Family Law University and who continue to hear family law cases shall attend Family Law University again within five years. Any judge who is assigned to hear family law cases more than three years after first attending Family Law University shall register for and attend the next offered Family Law University. Judges and magistrates who have attended Family Law University twice may attend additional sessions every three to five years.

(4) Ad hoc/Specialty Programs. The Education Subcommittees may develop and offer, through the Judicial College, programs specific to specialty dockets

and other areas of interest as deemed appropriate and necessary. Such programs would be added to the course catalog as developed.

(f) Faculty.

- (1) The Assistant State Court Administrator of the Judicial College and/or the Chair of the Judicial Education Subcommittee may recruit, approve, and assign one or more instructors for each course. To the extent possible, instructors should be selected from among active and retired Maryland judges, but members of the federal judiciary, law school faculty, attorneys, or other individuals having specialized knowledge and experience in the subject matter of a course may be recruited as instructors or co-instructors. The Judicial College may not offer or pay compensation, other than normal in-State travel expenses, to instructors unless approved in advance by the Chief Judge of the Court of Appeals.
- (2) When a sitting judge, magistrate, or commissioner has provisionally accepted an instructional assignment, they shall promptly seek the approval for administrative leave from the applicable administrative judge. Unless the administrative judge finds that the leave will delay the timely execution of the judge's, magistrate's, or commissioner's duties, the administrative judge shall approve the administrative leave required to present the course and no more than one day's administrative leave to develop the course.
- (3) A judge, magistrate, or commissioner may satisfy part or all of the applicable annual judicial education requirement by serving as faculty, with a one-for-one credit toward the requirement for each hour engaged in the actual teaching of a course offered by the Judicial College.

(4) Faculty will be expected to utilize a structured outline for course development as provided by the Judicial College. Staff of the Judicial College will provide support and assistance to the instructors in setting course objectives, the selection and use of instructional techniques and materials, research, preparatory services, and the evaluation of the presentation.

(g) Judges' Education Programs Offered by Other Entities within the Maryland Judiciary. Any entity of the Maryland Judiciary, other than the Judicial College, that proposes to offer an educational program for Maryland judges, magistrates, or commissioners, shall promptly notify the Assistant State Court Administrator of the Judicial College about the proposed program. Any such program must be approved by the Chief Judge of the Court of Appeals.

(1) Generally. The judicial entities offering education programs must comply with the requirements set forth in this Order regarding notice to and review of proposed educational programs for judges, magistrates, or commissioners by the Education Committee and in consultation with other committees as appropriate.

(2) Problem-Solving Courts. The Administrative Office of the Courts' Office of Problem-Solving Courts, which supports specialty courts and dockets, produces and hosts numerous training programs and conferences. A judge proposing to preside over a specialty court or a magistrate proposing to hear such a docket should complete, prior to such assignment or as soon as offered thereafter, those courses that provide an introduction and orientation to that specialty court or docket, judicial roles training, and any other relevant courses.

(3) Juvenile Courts. The Administrative Office of the Courts' Foster Care Improvement Program produces and hosts an annual, multi-day conference, the Child Abuse, Neglect, and Delinquency Options ("CANDO") Judicial Conference, designed for juvenile court judges and magistrates. A judge who is appointed to preside over a juvenile court or a magistrate who is appointed to hear a juvenile docket must attend the CANDO Judicial Conference given closest in time to the beginning of that service, and thereafter, attend at least once every three years while continuing that service.

(h) Annual Judicial Education Requirement for Judges, Magistrates, and Commissioners.

(1) Requirement.

(A) Judges and Magistrates. Unless excused by the Chief Judge of the Court of Appeals for good cause or otherwise permitted by this Order:

(i) Each sitting judge of the Court of Appeals, the Court of Special Appeals, a circuit court, the District Court, or an Orphans' Court, and each recalled judge approved to sit on one or more of those courts, and magistrates shall register for and attend, each calendar year, one or more courses with an aggregate scheduled length of 12 hours through 2023 and 15 hours thereafter. Additional attendance at course offerings may be required as directed by the Chief Judge of the Court of Appeals; and

(ii) All 12 hours through 2023 and 12 of the 15 hours beginning in 2024 may be satisfied by courses covering any relevant topic that otherwise meet the criteria specified in this Order. A

maximum of 6 of those 12 hours may be satisfied by attending live judicial education webinars or instructor-led-distance-learning (“ILD”) courses.

(iii) The additional 3 hours beginning in 2024 must be satisfied by courses on diversity and inclusion topics. The Judicial College shall develop a variety of course offerings to satisfy that requirement, including in-person courses, live judicial education webinars, and ILDL courses; and

(iv) A judge or magistrate may satisfy the annual education requirement by attendance at courses offered through the Judicial College, by attendance at approved specialized education programs offered by an entity of the Maryland Judiciary, by attendance at a previously approved non-Judiciary education program, or by serving as faculty for the Judicial College courses.

(v) A judge or magistrate may also satisfy up to 6 hours of their annual requirement by serving as a subject matter expert in reviewing and updating a bench book maintained by the Judicial College.

(B) Online Courses Required to be Completed by Judges and Magistrates. The Judicial College shall from time to time develop online courses covering subject matter deemed essential by the Chief Judge of the Court of Appeals for judges and magistrates. Upon release of such a course, all judges and magistrates shall complete the course within 90 days or, where a magistrate is newly appointed or where a judge is newly appointed or elected after release of such a course, within 30



days of that magistrate's appointment and of that judge's having been sworn, whichever is earlier. These online course requirements are in addition to the hours required as described in section (h)(1)(a). The Chief Judge of the Court of Appeals may authorize an alternate schedule for completion of such courses by recalled judges.

(C) Commissioners. Unless excused by the Chief Judge of the District Court for good cause or otherwise permitted by this Order:

- (i) Each new commissioner shall register for and attend the next-scheduled New Commissioner Orientation and Training program; and
- (ii) Each commissioner shall register for and attend the annual Commissioner Education Conference; and
- (iii) Additional attendance at course offerings may be required as directed by the Chief Judge of the District Court.

(2) Additional Courses. If a judge, magistrate, or commissioner wishes to exceed the annual judicial education requirement, either as a participant or faculty, they must obtain the approval of the applicable administrative judge. If the administrative judge finds that such participation would benefit the judge, magistrate, or commissioner in carrying out official duties and would not delay their timely execution, the administrative judge may grant a reasonable amount of additional administrative leave. Administrative leave for educational purposes may not exceed an additional 5 days annually without the permission of the Chief Judge of the Court of Appeals. Administrative leave for out-of-state educational opportunities must be approved first by the

administrative judge or the Chief Judge of the Court of Special Appeals, then if applicable, by the Chief Judge of the District Court, and finally by the Chief Judge of the Court of Appeals. Requests for approval of out-of-state educational programs shall identify the source(s) and amount of funding that will cover the cost of tuition, lodging, incidental expenses.

(3) External Courses. A judicial education course external to the Maryland Judiciary cannot be used to meet the annual judicial education requirement without prior written approval by the Chair of the Education Committee, after the submission of a request supported by written documentation of the course.

(4) Attendance and Completion Records.

(A) To ensure that judges, magistrates, and commissioners meet their annual judicial education requirement, all registration and attendance records shall be maintained by the Judicial College.

(B) If a judge or magistrate attends a judicial education course external to the Maryland Judiciary, the judge or magistrate shall provide the course agenda and certification of successful completion to the Judicial College to ensure the previously approved credit is counted toward the annual judicial education requirement.

(i) The Administrative Order on Continuing Education of Judges, Magistrates, and Commissioners filed on June 6, 2016, is hereby rescinded effective immediately.

/s/ Matthew J. Fader  
Matthew J. Fader  
Chief Judge  
Court of Appeals of Maryland

Filed: August 24, 2022

/s/ Suzanne C. Johnson  
Suzanne C. Johnson  
Clerk  
Court of Appeals of Maryland

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(§§ 10-1601 et seq. of the State Government Article) this document is authentic.



2022-08-24 15:54-04:00

Suzanne C. Johnson, Clerk

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