

DEPARTMENT OF BUDGET AND FINANCE

4.6 JUDICIAL BRANCH TRAVEL POLICY

(a) Purpose and Scope

- (1) **Purpose.** The purpose of this policy is to outline the eligibility criteria for travel reimbursement and overnight accommodations while on official Judiciary business. Reimbursement specific to judges' travel, except judges of the Orphans' Court, is further regulated by Courts and Judicial Proceedings Article, §1-706.
- (2) **Scope.**
 - (A) This policy applies to the Supreme Court of Maryland, Appellate Court of Maryland, the District Court of Maryland, Offices of the Clerks of the Circuit Courts, the Administrative Office of the Courts, the circuit court judges and magistrates traveling for state-paid travel, and employees of the Judicial Units to the extent required by Rule 16-801, except as stated below.
 - (B) This Policy does not apply to:
 - (i) the Attorney Grievance Commission and the Client Protection Fund but, pursuant to Maryland Rule 16-801(b), those two entities shall use this Policy as a guideline for their own travel policy and practices;
 - (ii) locally funded employees in the Circuit Courts unless otherwise authorized in advance by the State Court Administrator (SCA). (See the [Travel Expense Parameters for City and County-Paid Judicial Branch Employees](#) for additional information);
 - (iii) employees of the Register of Wills; or,
 - (iv) judges of the Orphans' Court, except as provided in Section (C) (8).

(b) Purpose and Scope Definitions

In this Policy, the following terms have the meaning indicated:

- (1) "Administrative Head" means:
 - (A) For the Supreme Court of Maryland, the Clerk of the Court for all employees under the Clerk's supervision;

- (B) For the Appellate Court of Maryland, the Clerk of the Court for all employees under the Clerk’s supervision;
 - (C) For the Circuit Courts, the Clerk of the Court for all employees under the Clerk’s supervision, and the County Administrative Judge for all state employees under their supervision;
 - (D) For the District Court, the Chief Judge of the District Court, the Chief Clerk, or the Administrative Clerk, or Administrative Commissioner for all employees under their supervision;
 - (E) For the Administrative Office of the Courts (AOC), the State Court Administrator or designee;
 - (F) For Judicial units, the head of the unit where the employee works; or,
 - (G) Any person who serves as the authorized designee, by express written designation, of any of the foregoing persons.
- (2) “Alternative Work Schedule” means an authorized alternative work day as part of your regular work week.
 - (3) “Commute Miles” means the normal daily roundtrip distance traveled between an individual’s residence and their principal Office assignment.
 - (4) “Commute Time” means the time it normally takes for an employee to travel roundtrip from the employee’s residence to their primary or assigned Office.
 - (5) “Foreign Per Diem Rate” means the rate at which judges, officials, employees, and other individuals are reimbursed for expenses incurred for meals and Incidental Expenses while in Out-of-Country Travel Status.
 - (6) “Incidental Expenses” – The General Services Administration Per Diem Meal and Incidental Expenses (GSA Rates) and the U.S. Department of State Foreign Per Diem rates (US State Department Rates) both include an allotment for Incidental Expenses while in Out-of-State and Out-of-Country Travel Status, respectively. These are defined as fees and tips given to porters, baggage carriers, or hotel staff.

- (7) “In-State Travel” means travel within the state of Maryland, Northern Virginia and the District of Columbia for travel approvals. Northern Virginia and the District of Columbia are considered Out-of-State for Per Diem Rates.
- (8) “Non-Employee Volunteer, Applicant, or Speaker” means a non-employee or other individual who is on approved travel on behalf of the Maryland Judiciary. Non-employees are not required to record Commute Miles.
- (9) “Office” means the normal or assigned place of business of a judge, official, employee or other individual.
- (10) “Official Business” means the authorized duties and responsibilities of an individual’s position.
- (11) “Out-of-Country Travel” means authorized travel outside of the United States.
- (12) “Out-of-State Travel” means authorized travel destinations outside of the state of Maryland but within the United States.
- (13) “Per Diem Meal and Incidental Expense Allowance”, also known as “Per Diem Rate”, means the rate at which judges, officials, employees, and other individuals are reimbursed for expenses incurred for meals and Incidental Expenses while in Out-of-State or Out-of-Country Travel Status.
- (14) “Policy Exceptions” must be approved by the Chief Justice of the Supreme Court of Maryland, the State Court Administrator, or their designee.
- (15) “Pool Vehicle” means a vehicle owned by the Judiciary that is available for regular use for Official Business by employees.
- (16) “Reimbursable Miles” means total miles driven in a day while on Official Business, less Commute Miles.
- (17) “Request for Reimbursement” means the completion and submission of the Judiciary Branch Expense Account Form.

- (18) “Routine Business Travel” means authorized travel for Official Business on a daily basis or periodic basis to a job site other than the individual’s assigned Office.
- (19) “Standard Meal Allowance” means the total amount at which judges, officials, employees, and other individuals are reimbursed for meals incurred while in Travel Status.
- (20) “Time in Travel Status” means from the time a judge, official, employee, or other individual begins Travel Status until the time their Travel Status ends. The Judiciary does not pay for normal Commute Time. For timesheet purposes, normal Commute Time must be deducted when recording Time in Travel Status.
- (21) “Travel Status” means a judge, official, employee, or other individual engaged in traveling on Official Business for the Judiciary. Travel Status begins at the time you start your Official Business travel and ends when you have finished your travel. Travel Status does not include commuting from a place of residence to a principal Office location. Employees are considered to be in Travel Status on the first and last days of overnight travel.
- (22) “Unit” means the State Board of Law Examiners, the Thurgood Marshall State Law Library, the Commission on Judicial Disabilities, and the Supreme Court of Maryland Standing Committee on Rules of Practice and Procedure.

(c) Policy

- (1) **General.** Each judge, official, employee, and any other person subject to this policy is to exercise restraint and prudence when incurring travel-related expenses. Expenses deemed unnecessary to excessive will not be reimbursed. Any exceptions to this policy require the approval of the Chief Justice of the Supreme Court of Maryland, the SCA, or their designee.
- (2) **Travel Plan Administrator.** The Judicial Branch shall designate an individual in the Administrative Office of the Courts as the Judiciary’s Travel Plan Administrator. This individual will be responsible for the administration and enforcement of this policy.
- (3) **Travel Coordinator.** The Judicial Branch shall designate an individual in the Administrative Office of the Courts as the Judiciary’s Travel Coordinator to assist employees with all travel arrangements and conference enrollments, and to serve as the coordinator with outside travel agencies, airlines, vendors, and hotels.

- (4) **Use of Privately-Owned Vehicles – Reimbursable Miles.** Reimbursement is based on actual mileage incurred for approved Official Business travel when using a privately-owned vehicle regardless of when the travel occurs. Attendance at Judiciary-sponsored programs is eligible for travel reimbursement. Attendance at state-sponsored retirement programs held In-State, authorized in accordance with the Maryland Judiciary Policies and Procedures, is eligible for mileage reimbursement. For the ease of administrative procedures, the Judiciary will utilize the Privately-Owned Mileage Reimbursement Rates as indicated on the [Judiciary's Travel & Expense](#) site.
- (A) All daily mileage in excess of Commute Miles to and from work, when the excess miles are for Official Business or Routine Business Travel, is reimbursable with the exception of (E) noted below. If the Official Business or Routine Business Travel mileage does not exceed the total Commute Miles, there is no reimbursement.
- (B) An active judge performing trial court duties in any location other than the judge's office is entitled to mileage reimbursement, excluding Commute Miles. A recalled/senior judge will be reimbursed for mileage driven from home to and from the judge's temporarily assigned location.
- (C) A Non-Employee Volunteer, Applicant, or Speaker who is on approved travel on behalf of the Judiciary may be entitled to mileage reimbursement. They do not need to record Commute Miles. The eligibility for reimbursement of travel expenses must be approved in advance by the SCA or designee. This written approval must be submitted with the Judiciary Branch Expense Account Form.
- (D) All parking charges, ferry, bridge, tunnel and road tolls incurred in connection with travel related to Official Business are reimbursable. No receipts are required for bridge, tunnel or road tolls. Receipts for ferries and parking must be attached to the request for reimbursement, except from parking meters where no receipt is provided.
- (E) Employee mileage reimbursement is not available for travel between Judiciary locations within the Annapolis area.
- (F) The Judiciary will not reimburse the employee for theft, towing, repairs or damage caused by or to the employee's personal vehicle.

- (5) **Travel-Related Expense Reimbursement.** Reimbursement is authorized only for necessary travel and related expenses. Reimbursement requests are to be submitted no more than 90 days after the first date the subject travel occurred, or expense was incurred. Any exceptions to this must be approved by the SCA or designee and attached in writing to the request. All reimbursement requests must be fully and accurately recorded and submitted on the Judicial Branch Expense Account Form, which can be found on the Judiciary’s website on its [Travel & Expense](#) page or provided by a Judiciary-sponsored department.

A judge, official, employee, or any other person authorized to travel on Official Business Travel for the Judiciary is expected to exercise the same care when incurring expenses as would a prudent person traveling for personal reasons. Travelers shall request reservations as far in advance as possible and shall utilize the lowest logical air/rail fares available.

(A) Air Travel

- (i) Air travel arrangements must be made through the Judiciary approved travel agencies.
- (ii) Travelers must use the lowest logical air fare available without regard to a specific carrier preference.
- (iii) Travelers are entitled to two (2) checked bags (with or without a fee).
- (iv) Coach travel status is standard.
- (v) Any travel upgrades are at the traveler’s expense. Premium seating charges or other options are not reimbursable.
- (vi) Travelers are entitled to utilize the airline’s “early check-in” fee services (not to exceed \$30.00 each way).

(B) Ground Transportation

- (i) Taxis, vans or rideshares (such as Uber or Lyft) are all appropriate transportation methods to and from airports, railroad or bus terminals and are reimbursable. Tips for these transportation services are reimbursable up to 15%. Receipts (including any associated tips) must be attached to the request for reimbursement.
- (ii) Rental cars may be used only when other means of ground transportation are not available, more costly, or impractical. Use of a rental car must be

pre-approved by the Chief Justice of the Supreme Court of Maryland, the SCA, or, for employees of the District Court, the Chief Judge of the District Court or designee. This approval must be in writing and must be attached to the request for reimbursement, along with the receipts.

(C) Meals

- (i) Anyone in Travel Status for more than 12 hours, but not in overnight travel status, and who meets the requirements for meal reimbursement as outlined below, is eligible for 75% of the daily Per Diem Rate for In-State, or the Out-of-State or Out-of-Country Per Diem, less meals provided.
- (ii) The Judiciary will utilize the Standard Meal Allowance on the Judiciary [Travel & Expense](#) site for In-State Travel, [GSA Rates](#) for the Per Diem Meal and Incidental Expense Allowance for Out-of-State Travel, and the [US State Department Rates](#) for Foreign Per Diem Rates for Out-of-County Travel. Those rates can be accessed through the Judiciary’s website on its Travel & Expense site. Receipts are not required for meal reimbursements and should not be submitted with the request for reimbursement. The cost of meals will be reimbursed, up to the established rates.
- (iii) If a judge, official, employee, or other payee is in Travel Status, meals are reimbursable at the applicable rates and as outlined below.

Overnight travel: For overnight travel, you are considered in Travel Status on the days you travel to and from your destination.

First day in Travel Status	75% of Per Diem Rate, less meals provided
Full day(s) in Travel Status	100% of Per Diem Rate, less meals provided
Last day in Travel Status	75% of Per Diem Rate, less meals provided

The applicable Per Diem Rate is allowed as set forth above. If the registration fee for a conference, convention, seminar or training session provides for the cost of meals, such meals are not reimbursable. Meals provided as part of a Judiciary-sponsored event or training are not reimbursable. Meals, such as breakfast, that are provided as part of the cost of lodgings are not reimbursable. Meals that are not reimbursable should be deducted from the applicable Per Diem Rate. Eligibility for the Per Diem Rate is based upon Time in Travel Status. Employees are considered to be in Travel Status on the first and last days of overnight travel.

- (iv) A copy of the agenda (if published) must be provided with the reimbursement request for any conference, seminar, or training which is not presented by the Judiciary, and for which meal reimbursement is requested.
- (v) Reimbursement will not be made for alcoholic beverages.
- (vi) Invoices will not be paid for food served during normal staff meetings. A meeting must be for a specific (non-routine) business need to be considered eligible for reimbursement and must be within the per diem allowances. These situations must be approved by your Administrative Head for reasonableness and business purpose prior to scheduling or arranging for food. Reimbursement requests are subject to final approval by the SCA, or designee.
- (vii) The Chief Justice of the Supreme Court of Maryland, the SCA, or their designee, may give special consideration for reimbursements above the established guidelines.

(D) Overnight Lodging

- (i) All overnight lodging requests should be arranged through the AOC Travel Coordinator, unless otherwise approved by the Chief Justice of the Supreme Court of Maryland, the SCA, or their designee, in writing, which must be attached to the request for reimbursement.
- (ii) Lodging requests should be communicated to the AOC Travel Coordinator as soon as the need has been determined.
- (iii) All lodging costs must be kept within GSA lodging rates unless pre-approved in writing by the Chief Justice of the Supreme Court of Maryland, the SCA, or their designee.
- (iv) The AOC Travel Coordinator shall determine the hotel(s) offering the most advantageous accommodations and which meet the objectives for the event. Employees must utilize this lodging unless an exception is authorized by the Chief Justice of the Supreme Court of Maryland, the SCA, or their designee.
- (v) The use of Airbnb for lodging is prohibited.

(vi) A claim for reimbursement shall include only expenses incurred by individuals employed by the Judiciary, or for non-employees on Official Business for the Judiciary. The latter must be approved in advance by the SCA, or designee, in writing, which must be attached to the request for reimbursement.

(vii) Reimbursement for overnight lodging is available only when the judge, official, employee, or other individual is more than 50 miles from their Office or assigned place of business, unless otherwise approved by the Chief Justice of the Supreme Court of Maryland, the SCA, or their designee, in writing, which must be attached to the request for reimbursement.

(E) Miscellaneous Expenses – Miscellaneous business expenses, such as those incurred for telephone and internet usage while in Travel Status, are reimbursable. Receipts are required for all miscellaneous expenses and must be attached to the request for reimbursement.

(F) Tips and Gratuities – Tips for porter fees up to \$1 per bag are reimbursable. If traveling In-State, no receipts are required for tips for baggage assistance. If traveling Out-of-State or Out-of-Country, the GSA Rates and the US State Department Rates include Incidental Expenses; and, therefore, tips for porters cannot be claimed in addition. (See definition of Incidental Expenses). Tips for taxis, vans, shuttles, and rideshares (such as Uber or Lyft) are reimbursable up to 15%. Receipts for taxis, vans, shuttles, and rideshares, etc. should include the tip. Tips for housekeeping services are NOT reimbursable. All applicable Per Diem Rates and Standard Meal Allowances cover tips for meals. Tips for meals will not be separately reimbursed.

(G) Parking – Parking charges are reimbursable. Receipts must be submitted with the request for reimbursement, except from parking meters when no receipt is provided.

(6) **Out-of-State or Out-of-Country Travel.**

(A) Northern Virginia and the District of Columbia are considered In-State for travel approvals. However, Northern Virginia and the District of Columbia are considered Out-of-State for Per Diem Rates.

(B) Out-of-State and Out-of-Country Travel requires written approval before travel arrangements are made. No reimbursement is authorized for Out-of-State, or

Out-of-Country Travel performed without the required prior written approval. The approval must be attached to the request for reimbursement. The Chief Justice of the Supreme Court of Maryland is exempt from this requirement.

- (C) Only the Chief Justice of the Supreme Court of Maryland can provide the required approval for state-paid travel for all judges, magistrates, and for the SCA .
- (D) The Judiciary will utilize the GSA Rates for per diem for Out-of-State Travel. This information can be accessed through the Judiciary’s website on its [Travel & Expense](#) site.
- (E) The Judiciary will utilize the US State Department Rates for per diem for Out-of-Country Travel. This information can be accessed through the Judiciary’s website on its [Travel & Expense](#) site.
- (F) Judges & Magistrates– The [Request for Out-of-State Travel for Judges & Magistrates](#) form should be submitted to the Chief Justice of the Supreme Court of Maryland if the travel will be paid with state funds. Circuit court judges and magistrates should first submit the form to their administrative judge for first-level approval. Judges of the District Court should first submit the form to the Chief Judge of the District Court for first-level approval. The request for approval may be submitted by email. Judges and magistrates should provide an estimate of the travel costs associated with their request.
- (G) Employees other than judges, magistrates, and the SCA – All other employees should submit a request for Out-of-State or Out-of-Country Travel to the SCA or to the Chief Judge of the District Court or designee for District Court employees. The request for approval may be submitted by email. Employees should provide an estimate of the travel costs and time associated with their request.
- (H) Employees who request to use their private vehicles in lieu of airfare for Out-of-State Travel will be reimbursed for mileage at no more than the cost of the most reasonable airfare found at the time their travel was approved, which should be supported by price documentation. Travel time will not be reimbursed for more than the travel time associated with the most reasonable airfare found at the time the travel was approved. Requests to travel by private vehicle must be pre-approved in writing by the Administrative Head.
- (I) Business class travel may be utilized only with prior authorization by the Chief Justice of the Supreme Court of Maryland.

- (7) **Use of Judiciary-Owned Vehicles.**
- (A) **Authorization** – If Judiciary-owned Fleet Vehicles are available for travel, these vehicles should be used. Information and guidelines regarding the assignment of Judiciary vehicles are contained in the Judiciary’s Fleet Vehicle Policies and Procedures Manual.
 - (B) **Reporting on Mileage** – All Commute Miles and official mileage in a Judiciary-owned Fleet vehicle are to be recorded on the appropriate vehicle log provided by the Judiciary Fleet Administration, unless other arrangements are approved by the Chief Justice of the Supreme Court of Maryland, the SCA, or their designee.
 - (C) **Reimbursement** – A judge, official, employee, or other payee using a Judiciary-owned vehicle for which gas was provided is not entitled to reimbursement for mileage.
- (8) **Orphans’ Court - Orientation and Educational Programs.** A judge of the Orphans’ Court may apply for reimbursement for travel directly related to attendance at a meeting as a member of the Conference of Orphans’ Court Judges, attendance at a mandatory orientation program, or attendance at a continuing education course offered by the Judicial College.
- (9) **Travel Time.** A judge, official, employee or other individual should record travel time in accordance with Judiciary policies. Estimates of travel-time hours should be included in the request for approval to travel. Excessive travel time or costs should be avoided.
- (10) **Costs for Cancelled Travel.** A judge, official, employee or other individual may be responsible for the costs incurred for travel cancellations that are caused by the individual, including conference fees, air fare, and lodging. Individuals should notify the Travel Coordinator as soon as the need to cancel is known so efforts can be made to recoup the costs. The requirement to reimburse the Judiciary for cancelled travel costs shall be determined by the Chief Justice of the Supreme Court of Maryland, the SCA, or their designee.