

IN THE SUPREME COURT OF MARYLAND
ADMINISTRATIVE ORDER ON PAYMENTS TO
CHARACTER COMMITTEES TO DEFRAY EXPENSES

Whereas, Maryland Rule 19-103 provides that the Supreme Court of Maryland “shall appoint a Character Committee for each of the seven Appellate Judicial Circuits of the State” and further provides that “[f]or each character questionnaire referred to a Character Committee, the [State Board of Law Examiners (“SBLE”)] shall remit to the Committee a sum to defray some of the expense of the investigation”; and

Whereas, SBLE receives bar applications, including the required Character Questionnaire and, upon confirming the eligibility of each applicant, SBLE accepts the bar application for filing and conducts its initial processing functions; and

Whereas, since 2019, as part of its initial processing functions, SBLE’s administrative staff has performed the work of collecting the required reference letters and certification forms for each applicant; and

Whereas, prior to adoption of the Uniform Bar Examination in Maryland in 2019, the Character Committee Members performed the reference-collection function which, in some cases, caused the Committee Members to incur postage, stationery, or copying expenses which are no longer incurred by Character Committee Members but rather by SBLE; and

Whereas, up to and including part of 2022, in keeping with Maryland Rule 19-103, it was SBLE’s practice to send a \$45 payment to each Character Committee for every Character Questionnaire that such Character Committee was processing; and

Whereas, in 2022, the Chief Justice of the Supreme Court of Maryland (then the Chief Judge of the Court of Appeals) directed that SBLE cease making such \$45 payments to the Character Committees due to the fact that the majority of the expenses incurred in connection with the processing of Character Questionnaires were now being incurred by SBLE and not the Character Committees; and

Whereas, at approximately the same time that the Chief Justice directed SBLE to cease making the \$45 payments to the Character Committees, SBLE directed the Character Committees to maintain all undisbursed sums received as a result of such \$45 payments, pending further direction from the Supreme Court or SBLE; and

Whereas, issues relating to the above-described payments to the Character Committees were studied by a specially formed Work Group, which transmitted its findings and recommendations to the Chief Justice; and

Whereas, the findings and recommendations of the Work Group have been considered by the Chief Justice and the other Justices of the Supreme Court, who subsequently conferred and determined that those funds that were previously distributed as \$45 payments to the Character Committees but not yet disbursed should be returned; and

Whereas, the Supreme Court recognizes that the Character Committees have in the past and may in the future incur actual expenses related to the conduct of character investigations and hearings; and

Whereas, the Supreme Court will ask the Standing Committee on Rules of Practice and Procedure to propose amendments to Rule 19-103 to allow SBLE to reimburse the actual expenses incurred by the Character Committee in conducting the investigation, including a reasonable sum for administrative support.

Now, therefore, it is this 22nd day of March 2023, effective immediately, ordered that:

1. Each Character Committee Chair shall, with all due haste, return all undistributed funds that the Chair's Character Committee previously received through SBLE's payment of \$45 in connection with the processing of Character Committee Questionnaires;
2. Such undistributed funds shall be returned by way of checks made payable to the "State of Maryland, Treasurer" and any accounts that have been used by the Character Committees to maintain such funds shall then be closed;
3. The checks made payable to the "State of Maryland, Treasurer" described in the preceding paragraph, as well as any uncashed state checks and bank checks that a Character Committee received in connection with the \$45 per-questionnaire payments, should be sent/returned to:

Tammy Sitar
Director, Department of Budget and Finance
Administrative Office of the Courts
187 Harry S. Truman Parkway
Annapolis, MD 21401

4. Until such time as the Supreme Court of Maryland amends Maryland Rule 19-103 as contemplated above, to the extent possible, each Character

Committee shall obtain invoices from third parties who have provided goods or services to the Character Committee, and each Character Committee shall submit all such invoices to SBLE for payment, provided that the Chair of the Character Committee believes the invoiced amount(s) is reasonable; and upon receipt of such invoices, SBLE shall issue payments directly to the third parties for all reasonable invoiced amounts; and

5. Until such time as the Supreme Court of Maryland amends Maryland Rule 19-103 as contemplated above, to the extent an individual or entity affiliated with a Character Committee or member of a Character Committee has paid a third party for goods or services that the third party has provided to a Character Committee, SBLE shall reimburse such individual or entity for all reasonable sums they have paid to such third parties; provided, however, that any individual or entity that wishes to be reimbursed for such a payment to a third party must provide SBLE with an invoice reflecting the name of the person(s) who provided goods and services to the Character Committee, the goods and services provided, the amount(s) that the requesting individual or entity paid to the named person(s) for such goods and services, and any other information reasonably requested by SBLE.

/s/ Matthew J. Fader

Matthew J. Fader

Chief Justice

Supreme Court of Maryland

Filed: March 22, 2023

/s/ Gregory Hilton

Gregory Hilton

Clerk

Supreme Court of Maryland

Pursuant to the Maryland Uniform Electronic Legal Materials Act (§§ 10-1601 et seq. of the State Government Article) this document is authentic.



Gregory Hilton, Clerk