

206th Report Rules Order Erratum

ADD the following amendments to Rule 3-371 as an attachment to the Rules Order:

MARYLAND RULES OF PROCEDURE
TITLE 3 - CIVIL PROCEDURE - DISTRICT COURT
CHAPTER 700 - SPECIAL PROCEEDINGS

AMEND Rule 3-731 to require the filing of a motion before modifying, rescinding, or extending a peace order, to provide for an automatic extension under certain circumstances, and to make stylistic changes, as follows:

Rule 3-731. PEACE ORDERS

(a) Generally

Proceedings for a peace order are governed by Code, Courts Article, Title 3, Subtitle 15.

(b) Form of Petition

A petition for relief under ~~that~~ the statute shall be in substantially the following form:

. . .

(c) Modification; Rescission; Extension

Upon the filing of a motion, a judge may modify, rescind, or extend a peace order. Modification, rescission, and extension of peace orders are governed by Code, Courts and Judicial Proceedings Article, § 3-1506 (a). If a motion to extend a final peace order is filed before the original expiration date of the peace order, and the hearing is not held by that date, the peace order shall be automatically extended

until the hearing is held. The motion shall be presented to a judge forthwith.

Committee note: Although Code, Courts and Judicial Proceedings Article, § 3-1506 (a) automatically extends a peace order under certain circumstances, judges are encouraged to issue an order even when the automatic extension is applicable.

Source: This Rule is new.