

MARYLAND RULES OF PROCEDURE
TITLE 20 - ELECTRONIC FILING AND CASE MANAGEMENT
CHAPTER 200 - FILING AND SERVICE

AMEND Rule 20-201 (i)(2), as follows:

Rule 20-201. REQUIREMENTS FOR ELECTRONIC FILING

. . .

(i) Fee

(1) Generally

A submission shall be accompanied, in a manner allowed by the published policies and procedures adopted by the State Court Administrator, by any fee required to be paid in connection with the filing.

(2) Waiver

(A) A filer who (i) desires to file electronically a submission that requires a prepaid fee, (ii) has not previously obtained and had docketed a waiver of prepayment of the fee, and (iii) seeks a waiver of such prepayment, shall file a request for a waiver pursuant to Rule 1-325.

(B) The request shall be accompanied by (i) the documents required by Rule 1-325, (ii) the submission for which a waiver of the prepaid fee is requested, and (iii) a proposed order granting the request.

(C) No fee shall be charged for the filing of the waiver request.

(D) ~~The clerk shall docket the request for waiver but not the submission requiring a prepaid fee and shall transmit the request, with the accompanying documents, to a judge. If the clerk waives prepayment of the prepaid fee pursuant to Rule 1-325 (d), the clerk shall also docket the attached submission. If prepayment is not waived pursuant to Rule 1-325 (d), the clerk shall not docket the submission but shall transmit the request, the submission, and any accompanying documents to a judge for consideration of the request under Rule 1-325 (e). The judge shall act on the request promptly.~~

(E) (i) If the judge waives prepayment in full, the clerk shall docket the submission, which shall be deemed to have been filed on the date that the request for waiver was filed.

(ii) If the judge denies the request in whole or in part, the judge, in the order, shall specify a time, not exceeding 30 days, for payment of the fee, subject to extension, on request of the party, for one additional period not exceeding 30 days. The clerk shall promptly notify the filer of the order but shall not docket the submission unless the fee is paid within the time allowed.

(iii) If the fee is paid within that time, the submission shall be docketed and deemed to have been filed on the date [the fee or non-waived part of the fee is paid] [the order specifying the time for payment was entered] [the request for waiver was docketed]. If the fee is not paid within that time, the

submission shall be deemed to have been withdrawn, and the case shall be closed.

~~(F) If the judge denies the waiver in whole or in part, the clerk shall notify the filer but shall not docket the submission until the fee or non-waived part of the fee, is paid.~~

Source: This Rule is new.

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AMEND Rule 20-202, as follows:

Rule 20-202. EFFECTIVE DATE OF FILING

The MDEC system shall record the date and time an electronically filed submission is received by the MDEC system. Subject to Rules 20-201(i) and 20-203, the date recorded shall be the effective date of filing and shall serve as the docket date of the submission filed.

Source: This Rule is new.