

MARYLAND RULES OF PROCEDURE
TITLE 1 - GENERAL PROVISIONS
CHAPTER 100 - APPLICABILITY AND CITATION

AMEND Rule 1-101 by revising the applicability of Title 16, by adding statements of the applicability of Titles 18 and 19, and by making a stylistic change, as follows:

Rule 1-101. APPLICABILITY

. . .

(p) Title 16

Title 16 applies to ~~the courts, judges, and attorneys~~
court administration.

(q) Title 17

Title 17 applies to alternative dispute resolution proceedings in civil actions in the District Court, ~~a~~ the circuit courts, and the Court of Special Appeals, except for actions or orders to enforce a contractual agreement to submit a dispute to alternative dispute resolution. Title 17 also applies to collaborative law processes under the Maryland Uniform Collaborative Law Act.

(r) Title 18

Title 18 applies to judges and judicial appointees.

(s) Title 19

Title 19 applies to attorneys.

(t) Title 20

Rule 1-101

Title 20 applies to electronic filing and case management in the trial and appellate courts of this State as specified in Rule 20-102.

REPORTER'S NOTE

The amendments to Rule 1-101 conform the Rule to the proposed rescission of current Title 16 and adoption of revised Titles 16, 18, and 19. The change to section (q) is stylistic, only.

MARYLAND RULES OF PROCEDURE
TITLE 1 - GENERAL PROVISIONS
CHAPTER 300 - GENERAL PROVISIONS

AMEND Rule 1-312 to revise internal references in the Rule,
as follows:

Rule 1-312. REQUIREMENTS OF SIGNING ATTORNEY

(a) General

In addition to having been admitted to practice law in this State, an attorney signing a pleading or paper in compliance with Rule 1-311 shall comply with one of the following three requirements. The attorney shall:

(1) maintain an office for the practice of law in the United States;

(2) be a regular employee of an agency of government or of a business or other nongovernmental organization or association and be authorized to sign pleadings on behalf of the employer. The attorney shall not sign pleadings and papers on behalf of other clients unless both of the following requirements are met: (A) a substantial portion of the attorney's duties performed for the regular employer in the regular course of employment must constitute the practice of law, and (B) the office address as shown on the pleadings must be located in the United States and a substantial amount of the attorney's time must be spent in that office during ordinary business hours in the traditional work

week; or

(3) have a practice limited exclusively to participation in a legal services or pro bono publico program sponsored or supported by a local Bar Association as defined by Rule ~~16-811.1 (b)~~ 19-601 (b), the Maryland State Bar Association, an affiliated bar foundation, or the Maryland Legal Services Corporation, and the attorney shall include on the pleading or paper the address and telephone number of (A) the legal services or pro bono publico program in which the attorney is practicing, or (B) the attorney's primary residence, which shall be in the United States.

Cross reference: Rule ~~16-811.5 (a) (1)~~ 19-605.

. . .

REPORTER'S NOTE

Internal references in Rule 1-312 are updated to conform to the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE
TITLE 1 - GENERAL PROVISIONS
CHAPTER 300 - GENERAL PROVISIONS

AMEND Rule 1-322 to revise an internal reference in the Rule, as follows:

Rule 1-322. FILING OF PLEADINGS, PAPERS, AND OTHER ITEMS

(a) Generally

The filing of pleadings, papers, and other items with the court shall be made by filing them with the clerk of the court, except that a judge of that court may accept the filing, in which event the judge shall note on the item the date the judge accepted it for filing and forthwith transmit the item to the office of the clerk. On the same day that an item is received in a clerk's office, the clerk shall note on it that date it was received and enter on the docket that date and any date noted on the item by a judge. The item shall be deemed filed on the earlier of (1) the filing date noted by a judge on the item or (2) the date noted by the clerk on the item. No item may be filed directly by electronic transmission, except (1) pursuant to an electronic filing system approved under Rule ~~16-307~~ or ~~16-506~~ 16-203, (2) as permitted by Rule 14-209.1, (3) as provided in section (b) of this Rule, or (4) pursuant to Title 20 of these Rules.

. . .

REPORTER'S NOTE

An internal reference in Rule 1-322 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 1 - GENERAL PROVISIONS
CHAPTER 300 - GENERAL PROVISIONS

AMEND Rule 1-322.1 to revise internal references in the Rule, as follows:

Rule 1-322.1. EXCLUSION OF PERSONAL IDENTIFIER INFORMATION IN COURT FILINGS

(a) Applicability

This Rule applies only to pleadings and other papers filed in an action on or after July 9, 2013 by a person other than a judge or judicial appointee. The Rule does not apply to administrative records, business license records, or notice records, as those terms are defined in ~~16-1001~~ Rule 16-901 (a).

Committee note: Although not subject to this Rule, judges and judicial appointees should be aware of the purpose of the Rule and refrain from including personal identifier information in their filings, unless necessary.

Cross reference: For the definition of "action," see Rule 1-202. For the prohibition against including certain personal information on recordable instruments, see Code, Real Property Article, §3-111. For the prohibition against publicly posting or displaying on an Internet Website certain personal information contained in court records, including notice records, see Code, Courts Article, §1-205.

. . .

(d) Alternatives

If, by reason of the nature of the action, it is necessary to include in a filing personal identifier information described in section (b) of this Rule, the filer may:

. . .

(4) if the full information is required to be in the filing and the filing is a paper filing, file the paper in duplicate, one copy with the information redacted as required by section (b) of this Rule and one copy without redaction, together with instructions to the clerk to shield the unredacted copy in conformance with the Rules in Title 16, Chapter ~~1000~~ 900; or

. . .

REPORTER'S NOTE

Internal references in Rule 1-322.1 are updated to conform to the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE
TITLE 1 - GENERAL PROVISIONS
CHAPTER 300 - GENERAL PROVISIONS

AMEND Rule 1-325 to revise internal references in the Rule,
as follows:

Rule 1-325. WAIVER OF COSTS DUE TO INDIGENCE - GENERALLY

(a) Scope

This Rule applies only to original civil actions in a
circuit court or the District Court.

Committee note: Original civil actions in a circuit court
include actions governed by the Rules in Title 7, Chapter 200,
300, and 400.

(b) Definition

In this Rule, "prepaid costs" means costs that, unless
prepayment is waived pursuant to this Rule, must be paid prior to
the clerk's docketing or accepting for docketing a pleading or
paper or taking other requested action.

Committee note: "Prepaid costs" may include a fee to file an
initial complaint or a motion to reopen a case, a fee for entry
of the appearance of an attorney, and any prepaid compensation,
fee, or expense of a magistrate or examiner. See Rules 1-501, 2-
541, 2-542, 2-603, and 9-208.

(c) No Fee for Filing Request

No filing fee shall be charged for the filing of the
request for waiver of prepaid costs pursuant to section (d) or
(e) of this Rule.

(d) Waiver of Prepaid Costs by Clerk

On written request, the clerk shall waive the prepayment of prepaid costs, without the need for a court order, if:

(1) the party is an individual who is represented (A) by an attorney retained through a pro bono or legal services program on a list of programs serving low income individuals that is submitted by the Maryland Legal Services Corporation to the State Court Administrator and posted on the Judiciary website, provided that an authorized agent of the program provides the clerk with a statement that (i) names the program, attorney, and party; (ii) states that the attorney is associated with the program and the party meets the financial eligibility criteria of the Corporation; and (iii) attests that the payment of filing fees is not subject to Code, Courts Article, §5-1002 (the Prisoner Litigation Act), or (B) by an attorney provided by the Maryland Legal Aid Bureau, Inc. or the Office of the Public Defender, and

(2) except for an attorney employed or appointed by the Office of the Public Defender in a civil action in which that Office is required by statute to represent the party, the attorney certifies that, to the best of the attorney's knowledge, information, and belief, there is good ground to support the claim, application, or request for process and it is not interposed for any improper purpose or delay.

Committee note: The Public Defender represents indigent individuals in a number of civil actions. See Code, Criminal Procedure Article, §16-204 (b).

Cross reference: See Rule 1-311 (b) and Rule ~~3-1~~ 19-303.1 of the Maryland ~~Lawyers'~~ Attorneys' Rules of Professional Conduct.

(e) Waiver of Prepaid Costs by Court

(1) Request for Waiver

An individual unable by reason of poverty to pay a prepaid cost and not subject to a waiver under section (d) of this Rule may file a request for an order waiving the prepayment of the prepaid cost. The request shall be accompanied by (A) the pleading or paper sought to be filed; (B) an affidavit substantially in the form approved by the State Court Administrator, posted on the Judiciary website, and available in the Clerks' offices; and (C) if the individual is represented by an attorney, the attorney's certification that, to the best of the attorney's knowledge, information, and belief, there is good ground to support the claim, application, or request for process and it is not interposed for any improper purpose or delay.

Cross reference: See Rule 1-311 (b) and Rule ~~3-1~~ 19-303.1 of the Maryland ~~Lawyers'~~ Attorneys' Rules of Professional Conduct.

(2) Review by Court; Factors to be Considered

The court shall review the papers presented and may require the individual to supplement or explain any of the matters set forth in the papers. In determining whether to grant a prepayment waiver, the court shall consider:

(A) whether the individual has a family household income that qualifies under the client income guidelines for the Maryland Legal Services Corporation for the current year, which shall be posted on the Judiciary website; and

(B) any other factor that may be relevant to the

individual's ability to pay the prepaid cost.

(3) Order; Payment of Unwaived Prepaid Costs

If the court finds that the party is unable by reason of poverty to pay the prepaid cost and that the pleading or paper sought to be filed does not appear, on its face, to be frivolous, it shall enter an order waiving prepayment of the prepaid cost. In its order, the court shall state the basis for granting or denying the request for waiver. If the court denies, in whole or in part, a request for the waiver of its prepaid costs, it shall permit the party, within 10 days, to pay the unwaived prepaid cost. If, within that time, the party pays the full amount of the unwaived prepaid costs, the pleading or paper shall be deemed to have been filed on the date the request for waiver was filed. If the unwaived prepaid costs are not paid in full within the time allowed, the pleading or paper shall be deemed to have been withdrawn.

. . .

REPORTER'S NOTE

Internal references in Rule 1-325 are updated to conform to the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE
TITLE 1 - GENERAL PROVISIONS
CHAPTER 300 - GENERAL PROVISIONS

AMEND Rule 1-326 to revise internal references in the Rule,
as follows:

Rule 1-326. PROCEEDINGS REGARDING VICTIMS AND VICTIMS'
REPRESENTATIVES

. . .
Cross reference: See Maryland Declaration of Rights, Article 47;
Rule ~~16-813, Maryland Code of Judicial Conduct, Rule 2.6 (a) 18-~~
~~102.6 (a); and Rule 16-814, Maryland Code of Conduct for Judicial~~
~~Appointees, Rule 2.6 (a) 18-202.6.~~ For definitions of "victim"
and "victim's representative," see Code, Courts Article, §3-8A-01
and Code, Criminal Procedure Article, Title 11.

. . .

REPORTER'S NOTE

Internal references in Rule 1-326 are updated to conform to
the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE
TITLE 1 - GENERAL PROVISIONS
CHAPTER 300 - GENERAL PROVISIONS

AMEND Rule 1-333 to revise an internal reference in the Rule, as follows:

Rule 1-333. COURT INTERPRETERS

. . .

(d) Removal from Proceeding

A court interpreter may be removed from a proceeding by a judge or judicial appointee within the meaning of Rule ~~16-814~~ ~~(a)(1)~~ 18-200.3 (a)(1), who shall then notify the Maryland Administrative Office of the Courts that the action was taken.

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REPORTER'S NOTE

An internal reference in Rule 1-333 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 1 - GENERAL PROVISIONS
CHAPTER 300 - GENERAL PROVISIONS

AMEND Rule 1-351 to revise internal references in the Rule,
as follows:

Rule 1-351. ORDER UPON EX PARTE APPLICATION PROHIBITED -
EXCEPTIONS

No court shall sign any order or grant any relief in an
action upon an ex parte application unless:

(a) an ex parte application is expressly provided for or
necessarily implied by these rules or other law, or

(b) the moving party has certified in writing that all parties
who will be affected have been given notice of the time and place
of presentation of the application to the court or that specified
efforts commensurate with the circumstances have been made to
give notice.

Source: This Rule is new and is consistent with Rule ~~16-812~~
~~(Maryland Lawyers' Rules of Professional Conduct, Rule 3.5)~~ 19-
303.5 and Rule ~~16-813~~ ~~(Maryland Code of Judicial Conduct, Rule~~
~~2.9)~~ 18-102.9.

REPORTER'S NOTE

Internal references in Rule 1-351 are updated to conform to
the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE

TITLE 2 - CIVIL PROCEDURE - CIRCUIT COURT

CHAPTER 100 - COMMENCEMENT OF ACTION AND PROCESS

AMEND Rule 2-111 to revise an internal reference in the Rule, as follows:

Rule 2-111. PROCESS - REQUIREMENTS PRELIMINARY TO SUMMONS

(a) Information Report

Except as otherwise provided by administrative order of the Chief Judge of the Court of Appeals approved by the Court of Appeals, the plaintiff shall file with the complaint an information report substantially in the form available from the clerk pursuant to Rule ~~16-202~~ 16-302 (b). If the plaintiff fails to file a required information report with the complaint, the court may proceed without the plaintiff's information to assign the action to any track within the court's differentiated case management system.

. . .

REPORTER'S NOTE

An internal reference in Rule 2-111 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE

TITLE 2 - CIVIL PROCEDURE - CIRCUIT COURT

CHAPTER 100 - COMMENCEMENT OF ACTION AND PROCESS

AMEND Rule 2-112 to revise an internal reference in the Rule, as follows:

Rule 2-112. PROCESS - ISSUANCE OF SUMMONS

(a) Summons

Upon the filing of the complaint, the clerk shall issue forthwith a summons for each defendant and shall deliver it, together with a copy of each paper filed and a blank copy of the information report form required to be provided by Rule ~~16-202~~ 16-302 (b), to the sheriff or other person designated by the plaintiff. Upon request of the plaintiff, more than one summons shall issue for a defendant.

. . .

REPORTER'S NOTE

An internal reference in Rule 2-112 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE

TITLE 2 - CIVIL PROCEDURE - CIRCUIT COURT

CHAPTER 100 - COMMENCEMENT OF ACTION AND PROCESS

AMEND Rule 2-131 to revise internal references in the Rule,
as follows:

Rule 2-131. APPEARANCE

(a) By an Attorney or in Proper Person

Except as otherwise provided by rule or statute: (1) an individual may enter an appearance by an attorney or in proper person and (2) a person other than an individual may enter an appearance only by an attorney.

(b) Limited Appearance

(1) Notice of Appearance

An attorney, acting pursuant to an agreement with a client for limited representation that complies with Rule ~~1.2~~ 19-301.2 (c) of the Maryland ~~Lawyers'~~ Attorneys' Rules of Professional Conduct, may enter an appearance limited to participation in a discrete matter or judicial proceeding. The notice of appearance (A) shall be accompanied by an Acknowledgment of Scope of Limited Representation substantially in the form specified in subsection (b) (2) of this Rule and signed by the client, and (B) shall specify the scope of the limited appearance, which (i) shall not exceed the scope set forth in the Acknowledgment but (ii) unless otherwise ordered by

the court, shall include the performance of any procedural task required by law to achieve the objective of the appearance.

Committee note: Although the scope of a limited representation is largely a matter of contract between the attorney and the client, if there are procedural requirements necessary to the achievement of the objective agreed upon, a limited appearance, unless otherwise ordered by the court for good cause, must include satisfaction of those requirements, and the Acknowledgment must include that commitment. As examples, (1) if the appearance is limited to filing and pursuing a motion for summary judgment and achievement of that objective requires the filing of affidavits, the attorney is responsible for assuring that the affidavits are prepared, that they are in proper form, and that they are properly filed; (2) if the appearance is limited to obtaining child support for the client, the attorney is responsible for assuring that any financial statements, child support guideline worksheets, and other documents necessary to obtaining the requested order are prepared, are in proper form, and are properly filed.

(2) Acknowledgment of Scope of Limited Representation

The Acknowledgment of Scope of Limited Representation shall be substantially in the following form:

[CAPTION]

ACKNOWLEDGMENT OF SCOPE OF LIMITED REPRESENTATION

Client: _____

Attorney: _____

I have entered into a written agreement with the above-named attorney. I understand that the attorney will represent me for the following limited purposes (check all that apply):

- Arguing the following motion or motions:
_____.
- Attending a pretrial conference.
- Attending a settlement conference.
- Attending the following court-ordered mediation or

other court-ordered alternative dispute resolution proceeding for purposes of advising the client during the proceeding:

_____.

- Acting as my attorney for the following hearing, deposition, or trial:

_____.

- With leave of court, acting as my attorney with regard to the following specific issue or a specific portion of a trial or hearing: _____

_____.

I understand that except for the legal services specified above, I am fully responsible for handling my case, including complying with court Rules and deadlines. I understand further that during the course of the limited representation, the court may discontinue sending court notices to me and may send all court notices only to my limited representation attorney. If the court discontinues sending notice to me, I understand that although my limited representation attorney is responsible for forwarding to me court notices pertaining to matters outside the scope of the limited representation, I remain responsible for keeping informed about my case.

Client

Signature

Date

Cross reference: See Maryland ~~Lawyers'~~ Attorneys' Rules of Professional Conduct, Rule ~~1-2~~ 19-301.2, Comment 8. For striking of an attorney's limited appearance, see Rule 2-132 (a).

(c) How Entered

Except as otherwise provided in section (b) of this Rule, an appearance may be entered by filing a pleading or motion, by filing a written request for the entry of an appearance, or, if the court permits, by orally requesting the entry of an appearance in open court.

(d) Effect

The entry of an appearance is not a waiver of the right to assert any defense in accordance with these rules. Special appearances are abolished.

Cross reference: Rules 1-311, 1-312, 1-313; Rules ~~14, 15, and 16~~ 19-214, 19-215, and 19-216 of the Rules Governing Admission to the Bar. See also Rule 1-202 (t) for the definition of "person".

Source: This Rule is in part derived from former Rule 124 and in part new.

REPORTER'S NOTE

Internal references in Rule 2-131 are updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 2 - CIVIL PROCEDURE - CIRCUIT COURT
CHAPTER 500 - TRIAL

AMEND Rule 2-504 to revise an internal reference in the Rule, as follows:

Rule 2-504. SCHEDULING ORDER

. . .

(b) Contents of Scheduling Order

(1) Required

A scheduling order shall contain:

(A) an assignment of the action to an appropriate scheduling category of a differentiated case management system established pursuant to Rule ~~16-202~~ 16-302;

. . .

REPORTER'S NOTE

An internal reference in Rule 2-504 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 2 - CIVIL PROCEDURE - CIRCUIT COURT
CHAPTER 500 - TRIAL

AMEND Rule 2-504.1 to revise internal references in the Rule, as follows:

Rule 2-504.1. SCHEDULING CONFERENCE

(a) When Required

In any of the following circumstances, the court shall issue an order requiring the parties to attend a scheduling conference:

(1) in an action placed or likely to be placed in a scheduling category for which the case management plan adopted pursuant to Rule ~~16-202-b~~ 16-302 (b) requires a scheduling conference;

. . .

(d) Time and Method of Holding Conference

Except (1) upon agreement of the parties, (2) upon a finding of good cause by the court, or (3) in an action assigned to a family division under Rule ~~16-204 (a) (2)~~ 16-307 (a) (2), a scheduling conference shall not be held earlier than 30 days after the date of the order. If the court requires the completion of any discovery pursuant to section (c) of this Rule, it shall afford the parties a reasonable opportunity to complete the discovery. The court may hold a scheduling conference in

chambers, in open court, or by telephone or other electronic means.

. . .

REPORTER'S NOTE

Internal references in Rule 2-504.1 are updated to conform to the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE
TITLE 2 - CIVIL PROCEDURE - CIRCUIT COURT
CHAPTER 500 - TRIAL

AMEND Rule 2-508 to delete section (d), delete the cross reference, add a new cross reference to Rule 16-804, and make stylistic changes, as follows:

Rule 2-508. CONTINUANCE OR POSTPONEMENT

(a) Generally

On motion of any party or on its own initiative, the court may continue or postpone a trial or other proceeding as justice may require.

(b) Discovery not Completed

When an action has been assigned a trial date, the trial shall not be continued or postponed on the ground that discovery has not yet been completed, except for good cause shown.

(c) Absent Witness

A motion for a continuance or postponement on the ground that a necessary witness is absent shall be supported by an affidavit. The affidavit shall state: (1) the intention of the affiant to call the witness at the proceeding, (2) the specific facts to which the witness is expected to testify, (3) the reasons why the matter cannot be determined with justice to the party without the evidence, (4) the facts that show that reasonable diligence has been employed to obtain the attendance

of the witness, and (5) the facts that lead the affiant to conclude that the attendance or testimony of the witness can be obtained within a reasonable time. The court may examine the affiant under oath as to any of the matters stated in the affidavit and as to the information or knowledge relied upon by the affiant in determining those facts to which the witness is expected to testify. If satisfied that a sufficient showing has been made, the court shall continue or postpone the proceeding unless the opposing party elects to stipulate that the absent witness would, if present, testify to the facts stated in the affidavit, in which event the court may deny the motion.

~~(d) Legislative Privilege~~

~~Upon request of an attorney of record who is a member or desk officer of the General Assembly, a proceeding that is scheduled during the period of time commencing five days before the legislative session convenes and ending ten days after its adjournment shall be continued. Upon request of an attorney of record who is a member of the Legislative Policy Committee or one of its committees or subcommittees or a member of a committee or subcommittee of the State legislature functioning during the legislative interim, a proceeding that is scheduled on the day of a meeting of the Committee or subcommittee shall be continued. When a brief or memorandum of law is required to be filed in a proceeding to be continued under the provisions of this section, the proceeding shall be continued for a time sufficient to allow it to be prepared and filed.~~

~~(e)~~ (d) Costs

When granting a continuance or postponement for a reason other than one stated in section (d), the court may assess costs and expenses occasioned by the continuance or postponement.

Cross reference: ~~For the Revised Administrative Order for Continuances for Conflicting Case Assignments or Legislative Duties, see the Maryland Judiciary Website, www.mdcourts.gov. See Rule 16-804 for postponements or continuances for conflicting case assignments or legislative duties.~~

Source: This Rule is derived as follows:

Section (a) is derived from former Rule 527 a 1.

Section (b) is derived from former Rule 526.

Section (c) is derived from former Rule 527 c 1, 2, 3, and 4.

~~Section (d) is derived from former Rule 527 b.~~

Section ~~(e)~~ (d) is derived from former Rule 527 e.

REPORTER'S NOTE

Conforming amendments to Rule 2-508 are proposed to avoid duplication with new Rule 16-804 and add a cross reference to that Rule.

MARYLAND RULES OF PROCEDURE
TITLE 2 - CIVIL PROCEDURE - CIRCUIT COURT
CHAPTER 500 - TRIAL

AMEND Rule 2-512 to revise an internal reference in the Rule, as follows:

Rule 2-512. JURY SELECTION

. . .

(c) Jury List

. . .

(3) Not Part of the Case Record; Exception

Unless the court orders otherwise, copies of jury lists shall be returned to the jury commissioner. Unless marked for identification and offered in evidence pursuant to Rule 2-516, a jury list is not part of the case record.

Cross reference: See Rule ~~16-1009~~ 16-909 concerning motions to seal or limit inspection of a case record.

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REPORTER'S NOTE

An internal reference in Rule 2-512 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 2 - CIVIL PROCEDURE - CIRCUIT COURT
CHAPTER 500 - TRIAL

AMEND Rule 2-516 to revise internal references in the Rule,
as follows:

Rule 2-516. EXHIBITS AND RECORDINGS

(a) Generally

All exhibits marked for identification, whether or not offered in evidence and, if offered, whether or not admitted, shall form part of the record and, unless the court orders otherwise, shall remain in the custody of the clerk. With leave of court, a party may substitute a photograph or copy for any exhibit.

Cross reference: Rule ~~16-306~~ 16-405.

(b) Audio, Audiovisual, or Visual Recordings

. . .

(2) Transcript of Recording

A party who offers or uses a transcript of the recording at a hearing or trial shall ensure that the transcript is made part of the record and provide an additional copy to the court.

Cross reference: For a schedule of retention and disposal of court records, see Rule ~~16-505~~ 16-205.

. . .

REPORTER'S NOTE

Internal references in Rule 2-516 are updated to conform to the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE
TITLE 2 - CIVIL PROCEDURE - CIRCUIT COURT
CHAPTER 600 - JUDGMENT

AMEND Rule 2-601 to revise internal references in the Rule,
as follows:

Rule 2-601. ENTRY OF JUDGMENT

. . .

(b) Applicability - Method of Entry - Availability to the
Public

(1) Applicability

Section (b) of this Rule applies to judgments entered on
and after July 1, 2015.

(2) Entry

The clerk shall enter a judgment by making an entry of it
on the docket of the electronic case management system used by
that court along with such description of the judgment as the
clerk deems appropriate.

(3) Availability to the Public

Unless shielding is required by law or court order, the
docket entry and the date of the entry shall be available to the
public through the case search feature on the Judiciary website
and in accordance with Rules ~~16-1002 and 16-1003~~ 16-902 and 16-
903.

. . .

REPORTER'S NOTE

Internal references in Rule 2-601 are updated to conform to the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE
TITLE 2 - CIVIL PROCEDURE - CIRCUIT COURT
CHAPTER 600 - JUDGMENT

AMEND Rule 2-652 to revise internal references in the Rule,
as follows:

Rule 2-652. ENFORCEMENT OF ATTORNEY'S LIENS

(a) Retaining Lien

Except as otherwise provided by the Maryland ~~Lawyers'~~
Attorneys' Rules of Professional Conduct, an attorney who has a
common-law retaining lien for legal services rendered to a client
may assert the lien by retaining the papers of the client in the
possession of the attorney until the attorney's claim is
satisfied.

Cross reference: Maryland ~~Lawyers'~~ Attorneys' Rules of
Professional Conduct ~~1.8, 1.15, and 1.16~~ 19-301.8, 19-301.15, and
19-301.16.

. . .

REPORTER'S NOTE

Internal references in Rule 2-652 are updated to conform to
the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE

TITLE 3 - CIVIL PROCEDURE - DISTRICT COURT

CHAPTER 100 - COMMENCEMENT OF ACTION AND PROCESS

AMEND Rule 3-131 to revise internal references in the Rule,
as follows:

Rule 3-131. APPEARANCE

(a) By an Attorney or in Proper Person

Except as otherwise provided by rule or statute: (1) an individual may enter an appearance by an attorney or in proper person and (2) a person other than an individual may enter an appearance only by an attorney.

(b) Limited Appearance

(1) Notice of Appearance

An attorney, acting pursuant to an agreement with a client for limited representation that complies with Rule ~~1.2~~ 19-301.2 (c) of the Maryland ~~Lawyers'~~ Attorneys' Rules of Professional Conduct, may enter an appearance limited to participation in a discrete matter or judicial proceeding. The notice of appearance (A) shall be accompanied by an Acknowledgment of Scope of Limited Representation substantially in the form specified in subsection (b) (2) of this Rule and signed by the client, and (B) shall specify the scope of the limited appearance, which (i) shall not exceed the scope set forth in the Acknowledgment but (ii) unless otherwise ordered by

the court, shall include the performance of any procedural task required by law to achieve the objective of the appearance.

(2) Acknowledgment of Scope of Limited Representation

The Acknowledgment of Scope of Limited Representation shall be substantially in the following form:

[CAPTION]

ACKNOWLEDGMENT OF SCOPE OF LIMITED REPRESENTATION

Client: _____

Attorney: _____

I have entered into a written agreement with the above-named attorney. I understand that the attorney will represent me for the following limited purposes (check all that apply):

Arguing the following motion or motions:
_____.

Attending a pretrial conference.

Attending a settlement conference.

Attending the following court-ordered mediation for purposes of advising the client during the proceeding:

_____.

Acting as my attorney for the following hearing or trial:

_____.

With leave of court, acting as my attorney with regard

to the following specific issue or a specific portion
of a trial or hearing: _____

_____.

I understand that except for the legal services specified above, I am fully responsible for handling my case, including complying with court Rules and deadlines. I understand further that during the course of the limited representation, the court may discontinue sending court notices to me and may send all court notices only to my limited representation attorney. If the court discontinues sending notices to me, I understand that although my limited representation attorney is responsible for forwarding to me court notices pertaining to matters outside the scope of the limited representation, I remain responsible for keeping informed about my case.

Client

Signature

Date

Cross reference: See Maryland ~~Lawyers'~~ Attorneys' Rules of Professional Conduct, Rule ~~1-2~~ 19-301.2, Comment 8. For striking of an attorney's limited appearance, see Rule 3-132 (a).

(c) How Entered

Except as otherwise provided in section (b) of this Rule, an appearance may be entered by filing a pleading, motion, or

notice of intention to defend, by filing a written request for the entry of an appearance, or, if the court permits, by orally requesting the entry of an appearance in open court.

(d) Effect

The entry of an appearance is not a waiver of the right to assert any defense in accordance with these rules. Special appearances are abolished.

Cross reference: Rules 1-311, 1-312, 1-313; Rules ~~14 and 15~~ 19-214 and 19-215 of the Rules Governing Admission to the Bar. See also Rule 1-202 (t) for the definition of "person", and Code, Business Occupations and Professions Article, §10-206 (b) (1), (2), and (4) for certain exceptions applicable in the District Court.

Source: This Rule is in part derived from former Rule 124 and in part new.

REPORTER'S NOTE

Internal references in Rule 3-131 are updated to conform to the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE

TITLE 3 - CIVIL PROCEDURE - DISTRICT COURT

CHAPTER 500 - TRIAL

AMEND Rule 3-508 to delete section (c), add a cross reference to Rule 16-804, and make stylistic changes, as follows:

Rule 3-508. CONTINUANCE OR POSTPONEMENT

(a) Generally

On motion of any party or on its own initiative, the court may continue or postpone a trial or other proceeding as justice may require.

(b) Discovery not Completed

When an action has been assigned a trial date, the trial shall not be continued or postponed on the ground that discovery has not yet been completed, except for good cause shown.

~~(c) Legislative Privilege~~

~~Upon request of an attorney of record who is a member or desk officer of the General Assembly, a proceeding that is scheduled during the period of time commencing five days before the legislative session convenes and ending ten days after its adjournment shall be continued. Upon request of an attorney of record who is a member of the Legislative Policy Committee or one of its committees or subcommittees or a member of a committee or subcommittee of the State legislature functioning during the legislative interim, a proceeding that is scheduled on the day of~~

~~a meeting of the Committee or subcommittee shall be continued. When a brief or memorandum of law is required to be filed in a proceeding to be continued under the provisions of this section, the proceeding shall be continued for a time sufficient to allow it to be prepared and filed.~~

~~(d)~~ (c) Costs

When granting a continuance or postponement for a reason other than one stated in section (c), the court may assess costs and expenses occasioned by the continuance or postponement.

Cross reference: See Rule 16-804 for continuances or postponements for conflicting case assignments or legislative duties.

Source: This Rule is derived as follows:

Section (a) is derived from former M.D.R. 527.

Section (b) is derived from former M.D.R. 526.

~~Section (c) is derived from former Rule 527 b.~~

Section ~~(d)~~ (c) is derived from former Rule 527 e.

REPORTER'S NOTE

Conforming amendments to Rule 3-508 are proposed to avoid duplication with new Rule 16-804 and add a cross reference to that Rule.

MARYLAND RULES OF PROCEDURE
TITLE 3 - CIVIL PROCEDURE - DISTRICT COURT
CHAPTER 600 - JUDGMENT

AMEND Rule 3-601 to revise internal references in the Rule,
as follows:

Rule 3-601. ENTRY OF JUDGMENT

. . .

(b) Applicability - Method of Entry - Availability to the
Public

(1) Applicability

Section (b) of this Rule applies to judgments entered on
and after July 1, 2015.

(2) Entry

The clerk shall enter a judgment by making an entry on
the docket of the electronic case management system used by that
court along with such description of the judgment as the clerk
deems appropriate.

(3) Availability to the Public

Unless shielding is required by law or court order, the
docket entry and the date of the entry shall be available to the
public through the case search feature on the Judiciary's website
and in accordance with Rules ~~16-1002 and 16-1003~~ 16-902 and 16-
903.

. . .

REPORTER'S NOTE

Internal references in Rule 3-601 are updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 4 - CRIMINAL CAUSES
CHAPTER 200 - PRETRIAL PROCEDURES

AMEND Rule 4-214 to revise an internal reference in the Rule, as follows:

Rule 4-214. DEFENSE COUNSEL

. . .

(c) Inquiry into Joint Representation

. . .

(2) Court's Responsibilities in Cases of Joint Representation

If a joint representation occurs, the court, on the record, promptly and personally shall (A) advise each defendant of the right to effective assistance of counsel, including separate representation and (B) advise counsel to consider carefully any potential areas of impermissible conflict of interest arising from the joint representation. Unless there is good cause to believe that no impermissible conflict of interest is likely to arise, the court shall take appropriate measures to protect each defendant's right to counsel.

Cross reference: See Rule ~~1.7~~ 19-301.7 of the Maryland ~~Lawyers'~~ Attorneys' Rules of Professional Conduct.

. . .

REPORTER'S NOTE

An internal reference in Rule 4-214 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 4 - CRIMINAL CAUSES
CHAPTER 200 - PRETRIAL PROCEDURES

AMEND Rule 4-216 to revise internal references in the Rule,
as follows:

Rule 4-216. PRETRIAL RELEASE - AUTHORITY OF JUDICIAL OFFICER;
PROCEDURE

. . .

(b) Communications with Judicial Officer

Except as permitted by Rule ~~2-9~~ 18-202.9 (a) (1) and (2) of the Maryland Code of Conduct for Judicial Appointees or Rule ~~2-9~~ 18-102.9 (a) (1) and (2) of the Maryland Code of Judicial Conduct, all communications with a judicial officer regarding any matter required to be considered by the judicial officer under this Rule shall be (1) in writing, with a copy provided, if feasible, but at least shown or communicated by the judicial officer to each party who participates in the proceeding before the judicial officer, and made part of the record, or (2) made openly at the proceeding before the judicial officer. Each party who participates in the proceeding shall be given an opportunity to respond to the communication.

Cross reference: See also Rule ~~3-5~~ 19-303.5 (a) of the Maryland ~~Lawyers'~~ Attorneys' Rules of Professional Conduct.

. . .

REPORTER'S NOTE

Internal references in Rule 4-216 are updated to conform to the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE
TITLE 4 - CRIMINAL CAUSES
CHAPTER 200 - PRETRIAL PROCEDURES

AMEND Rule 4-217 to revise internal references in the Rule,
as follows:

Rule 4-217. BAIL BONDS

. . .

(b) Definitions

As used in this Rule, the following words have the
following meanings:

. . .

(3) Bail Bond Commissioner

"Bail bond commissioner" means any person appointed to
administer rules adopted pursuant to Maryland Rule ~~16-817~~ 16-805.

. . .

(d) Qualification of Surety

. . .

(3) Bail Bondsman

No bail bond executed by a bail bondsman may be accepted
unless the bondsman's name appears on the most recent list
maintained by the Chief Clerk of the District Court, the bail
bond is within the limit specified in the bondsman's general
power of attorney as shown on the list or in a special power of
attorney filed with the bond, and the bail bond is accompanied by

an affidavit reciting that the bail bondsman:

(A) is duly licensed in the jurisdiction in which the charges are pending, if that jurisdiction licenses bail bondsmen;

(B) is authorized to engage the surety insurer as surety on the bail bond pursuant to a valid general or special power of attorney; and

(C) holds a valid license as an insurance broker or agent in this State, and that the surety insurer is authorized by the Insurance Commissioner of Maryland to write bail bonds in this State.

Cross reference: Code, Criminal Procedure Article, §5-203 and Rule ~~16-817~~ 16-805 (Appointment of Bail Bond Commissioner - Licensing and Regulation of ~~Bail Bondsmen~~ Persons Authorized to Write Bonds).

(i) Forfeiture of Bond

. . .

(5) Enforcement of Forfeiture

If an order of forfeiture has not been stricken or satisfied within 90 days after the defendant's failure to appear, or within 180 days if the time has been extended, the clerk shall forthwith:

(A) enter the order of forfeiture as a judgment in favor of the governmental entity that is entitled by statute to receive the forfeiture and against the defendant and surety, if any, for the amount of the penalty sum of the bail bond, with interest from the date of forfeiture and costs including any costs of recording, less any amount that may have been deposited as

collateral security; and

(B) cause the judgment to be recorded and indexed among the civil judgment records of the circuit court of the county; and

(C) prepare, attest, and deliver or forward to any bail bond commissioner appointed pursuant to Rule ~~16-817~~ 16-805, to the State's Attorney, to the Chief Clerk of the District Court, and to the surety, if any, a true copy of the docket entries in the cause, showing the entry and recording of the judgment against the defendant and surety, if any.

Enforcement of the judgment shall be by the State's Attorney in accordance with those provisions of the rules relating to the enforcement of judgments.

. . .

REPORTER'S NOTE

Internal references in Rule 4-217 are updated to conform to the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE
TITLE 4 - CRIMINAL CAUSES
CHAPTER 200 - PRETRIAL PROCEDURES

AMEND Rule 4-263 to revise an internal reference in the Rule, as follows:

Rule 4-263. DISCOVERY IN CIRCUIT COURT

. . .

(d) Disclosure by the State's Attorney

Without the necessity of a request, the State's Attorney shall provide to the defense:

. . .

(3) State's Witnesses

As to each State's witness the State's Attorney intends to call to prove the State's case in chief or to rebut alibi testimony: (A) the name of the witness; (B) except as provided under Code, Criminal Procedure Article, §11-205 or Rule ~~16-1009~~ 16-910 (b), the address and, if known to the State's Attorney, the telephone number of the witness; and (C) all written statements of the witness that relate to the offense charged;

. . .

REPORTER'S NOTE

An internal reference in Rule 4-263 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 4 - CRIMINAL CAUSES
CHAPTER 300 - TRIAL AND SENTENCING

AMEND Rule 4-312 to revise internal references in the Rule,
as follows:

Rule 4-312. JURY SELECTION

. . .

(c) Jury List

. . .

(3) Not Part of the Case Record; Exception

Unless the court orders otherwise, copies of jury lists shall be returned to the jury commissioner. Unless marked for identification and offered in evidence pursuant to Rule 4-322, a jury list is not part of the case record.

Cross reference: See Rule ~~16-1004~~ 16-904 (b) (2) (B) concerning disclosure of juror information by a custodian of court records.

(d) Nondisclosure of Names and City or Town of Residence

. . .

(2) Order

Upon the finding required by subsection (d)(1) of this Rule, the court may order that:

(A) the name and, except for prospective jurors residing in Baltimore City, the city or town of residence of prospective jurors not be disclosed in voir dire; and

(B) the name and, except for jurors residing in Baltimore

City, the city or town of residence of impaneled jurors not be disclosed (i) until the jury is discharged following completion of the trial, (ii) for a limited period of time following completion of the trial, or (iii) at any time.

Committee note: Nondisclosure of the city or town in which a juror resides is in recognition of the fact that some counties have incorporated cities or towns, the disclosure of which, when coupled with other information on the jury list, may easily lead to discovery of the juror's actual residence. The exception for Baltimore City is to take account of the fact that Baltimore City is both an incorporated city and the equivalent of a county, and because persons are not eligible to serve as jurors in the Circuit Court for Baltimore City unless they reside in that city, their residence there is necessarily assumed.

Cross reference: See Rule ~~16-1004~~ 16-904 (b) (2) (B).

. . .

REPORTER'S NOTE

Internal references in Rule 4-312 are updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 4 - CRIMINAL CAUSES
CHAPTER 300 - TRIAL AND SENTENCING

AMEND Rule 4-322 to revise internal references in the Rule,
as follows:

Rule 4-322. EXHIBITS, COMPUTER-GENERATED EVIDENCE, AND
RECORDINGS

(a) Generally

All exhibits marked for identification, whether or not offered in evidence and, if offered, whether or not admitted, shall form part of the record and, unless the court orders otherwise, shall remain in the custody of the clerk. With leave of court, a party may substitute a photograph or copy for any exhibit.

Cross reference: Rule ~~16-306~~ 16-405.

. . .

(c) Audio, Audiovisual, or Visual Recordings

. . .

(2) Transcript of Recording

A party who offers or uses a transcript of the recording at a hearing or trial shall ensure that the transcript is made part of the record and provide an additional copy to the court.

Cross reference: For a schedule of retention and disposal of court records, see Rule ~~16-505~~ 16-205.

REPORTER'S NOTE

Internal references in Rule 4-322 are updated to conform to the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE
TITLE 4 - CRIMINAL CAUSES
CHAPTER 300 - TRIAL AND SENTENCING

AMEND Rule 4-327 to revise an internal reference in the Rule, as follows:

Rule 4-327. VERDICT - JURY

. . .

(e) Poll of Jury

On request of a party or on the court's own initiative, the jury shall be polled after it has returned a verdict and before it is discharged. If the sworn jurors do not unanimously concur in the verdict, the court may direct the jury to retire for further deliberation, or may discharge the jury if satisfied that a unanimous verdict cannot be reached.

Cross reference: See Rule ~~16-813, Maryland Code of Judicial Conduct, Rule 2.8~~ 18-102.8, regarding praise or criticism of a jury's verdict.

. . .

REPORTER'S NOTE

An internal reference in Rule 4-327 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE

TITLE 5 - EVIDENCE

CHAPTER 400 - RELEVANCY AND ITS LIMITS

AMEND Rule 5-410 to revise an internal reference in the Rule, as follows:

Rule 5-410. INADMISSIBILITY OF PLEAS, PLEA DISCUSSIONS, AND RELATED STATEMENTS

. . .

(c) Definition

For purposes of this Rule, a guilty plea that is the subject of an appeal from the District Court to the circuit court is not considered withdrawn or vacated.

Cross reference: Rule ~~16-773~~ 19-737 (g).

. . .

REPORTER'S NOTE

An internal reference in Rule 5-410 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE

TITLE 5 - EVIDENCE

CHAPTER 600 - WITNESSES

AMEND Rule 5-605 to revise an internal reference in the Rule, as follows:

Rule 5-605. COMPETENCY OF JUDGE AS WITNESS

The judge presiding at the trial may not testify in that trial as a witness. No objection need be made in order to preserve the point.

Cross reference: See Rule ~~16-813, Maryland Code of Judicial Conduct, Rule 2.11~~ 18-102.11 (a) (1) and (a) (2) (D).

Source: This Rule is derived from F.R.Ev. 605.

REPORTER'S NOTE

An internal reference in Rule 5-605 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 6 - SETTLEMENT OF DECEDENTS' ESTATES
CHAPTER 100 - GENERAL PROVISIONS

AMEND Rule 6-108 to revise an internal reference in the Rule, as follows:

Rule 6-108. REGISTER OF WILLS - ACCEPTANCE OF PAPERS

. . .

(c) Photocopies; Facsimile Copies

A photocopy or facsimile copy of a pleading or paper except a will or codicil, once filed with the court, shall be treated as an original for court purposes. The attorney or party filing the copy shall retain the original from which the filed copy was made for production to the court or register upon the request of the court, register, or any party. No filing of a pleading or paper may be made by transmitting it directly to the court or register by electronic transmission, except pursuant to an electronic system approved under Rule ~~16-307~~ 16-203.

. . .

REPORTER'S NOTE

An internal reference in Rule 6-108 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE

TITLE 7 - APPELLATE AND OTHER JUDICIAL REVIEW IN CIRCUIT COURT
CHAPTER 100 - APPEALS FROM THE DISTRICT COURT
TO THE CIRCUIT COURT

AMEND Rule 7-113 to revise an internal reference in the Rule, as follows:

Rule 7-113. APPEALS HEARD ON THE RECORD

. . .

(b) Filing of Transcript

(1) Unless a copy of the transcript is already on file, the appellant, within 10 days after the date the first notice of appeal is filed, shall order in writing from the clerk of the District Court a transcript containing:

(A) a transcription of (i) all the testimony or (ii) that part of the testimony that the parties agree, by written stipulation filed with the clerk of the District Court, is necessary for the appeal; and

(B) a transcription of any other proceeding relevant to the appeal that was recorded pursuant to Rule ~~16-504~~ 16-502.

. . .

REPORTER'S NOTE

An internal reference in Rule 7-113 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 8 - APPELLATE REVIEW IN THE COURT OF APPEALS
AND COURT OF SPECIAL APPEALS
CHAPTER 400 - PRELIMINARY PROCEDURES

AMEND Rule 8-402 to revise an internal reference in the Rule, as follows:

Rule 8-402. APPEARANCE OF COUNSEL

. . .

(c) In Certification Cases

In a proceeding pursuant to Rule 8-305, the appearance of an attorney entered in the certifying court shall continue in the Court of Appeals if the attorney has been admitted to practice law in this State. An attorney newly appearing in the case may enter an appearance by filing a written request in the Court of Appeals at any time after the certification order is filed.

Cross reference: For special admission of an out-of-state attorney, see ~~Bar Admission Rule 14~~ 19-214.

. . .

REPORTER'S NOTE

An internal reference in Rule 8-402 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 8 - APPELLATE REVIEW IN THE COURT OF APPEALS
AND COURT OF SPECIAL APPEALS
CHAPTER 400 - PRELIMINARY PROCEDURES

AMEND Rule 8-411 to revise an internal reference in the Rule, as follows:

Rule 8-411. TRANSCRIPT

(a) Ordering of Transcript

Unless a copy of the transcript is already on file, the appellant shall order in writing from the court reporter a transcript containing:

(1) a transcription of (A) all the testimony or (B) that part of the testimony that the parties agree, by written stipulation filed with the clerk of the lower court, is necessary for the appeal or (C) that part of the testimony ordered by the Court pursuant to Rule 8-206 (c) or directed by the lower court in an order;

(2) a transcription of any proceeding relevant to the appeal that was recorded pursuant to Rule ~~16-404 e.~~ 16-502 (b); and

(3) if relevant to the appeal and in the absence of a written stipulation by all parties to the contents of the recording, a transcription of any audio or audiovisual recording or portion thereof offered or used at a hearing or trial.

. . .

REPORTER'S NOTE

An internal reference in Rule 8-411 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 8 - APPELLATE REVIEW IN THE COURT OF APPEALS
AND COURT OF SPECIAL APPEALS
CHAPTER 400 - PRELIMINARY PROCEDURES

AMEND Rule 8-415 to revise an internal reference in the Rule, as follows:

Rule 8-415. PROCEDURES APPLICABLE WHEN LOWER COURT RECORD IS MADE BY VIDEOTAPE RECORDING

(a) Scope

This Rule applies to an appeal from a judgment in any proceeding recorded by means of videotape recording pursuant to Rule ~~16-405~~ 16-504.

. . .

REPORTER'S NOTE

An internal reference in Rule 8-415 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 9 - FAMILY LAW ACTIONS
CHAPTER 200 - DIVORCE, ANNULMENT, ALIMONY, CHILD SUPPORT,
AND CHILD CUSTODY

AMEND Rule 9-203 to revise an internal reference in the
Rule, as follows:

Rule 9-203. FINANCIAL STATEMENTS

. . .

Cross reference: See Rule ~~16-1002~~ 16-902 (c) and Rule ~~16-1009~~
16-909.

REPORTER'S NOTE

An internal reference in Rule 9-203 is updated to conform to
the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 9 - FAMILY LAW ACTIONS
CHAPTER 200 - DIVORCE, ANNULMENT, ALIMONY, CHILD SUPPORT,
AND CHILD CUSTODY

AMEND Rule 9-204 to revise an internal reference in the Rule, as follows:

Rule 9-204. EDUCATIONAL SEMINAR

. . .

(b) Order to Attend Seminar

(1) Subject to subsection (b)(2) of this Rule and as allowed or required by the county's case management plan required by Rule ~~16-202 b.~~ 16-302 (b), the court may order the parties to attend an educational seminar within the time set forth in the plan. The content of the seminar shall be as prescribed in section (c) of this Rule. If a party who has been ordered to attend a seminar fails to do so, the court may not use its contempt powers to compel attendance or to punish the party for failure to attend, but may consider the failure as a factor in determining custody and visitation.

. . .

REPORTER'S NOTE

An internal reference in Rule 9-204 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE

TITLE 9 - FAMILY LAW ACTIONS

CHAPTER 200 - DIVORCE, ANNULMENT, ALIMONY, CHILD SUPPORT,
AND CHILD CUSTODY

AMEND Rule 9-205 to revise internal references in the Rule,
as follows:

Rule 9-205. MEDIATION OF CHILD CUSTODY AND VISITATION DISPUTES

. . .

(b) Duty of Court

. . .

(3) If the court concludes that mediation is appropriate and likely to be beneficial to the parties or the child and that a qualified mediator is available, it shall enter an order requiring the parties to mediate the custody or visitation dispute. The order may stay some or all further proceedings in the action pending the mediation on terms and conditions set forth in the order.

Cross reference: With respect to subsection (b) (2) of this Rule, see Rule 1-341 and Rules ~~3.1 and 3.3~~ 19-303.1 and 19-303.3 of the Maryland ~~Lawyers'~~ Attorneys' Rules of Professional Conduct.

. . .

REPORTER'S NOTE

Internal references in Rule 9-205 are updated to conform to the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE
TITLE 9 - FAMILY LAW ACTIONS
CHAPTER 200 - DIVORCE, ANNULMENT, ALIMONY, CHILD SUPPORT,
AND CHILD CUSTODY

AMEND Rule 9-205.2 to revise internal references in the Rule, as follows:

Rule 9-205.2. PARENTING COORDINATION

. . .

(i) Confidential Information

(1) Access to Case Records

Except as otherwise provided in this subsection, the parenting coordinator shall have access to all case records in the action. If a document or any information contained in a case record is not open to public inspection under the Rules in Title 16, Chapter ~~1000~~ 900, the court shall determine whether the parenting coordinator may have access to it and shall specify any conditions to that access.

Cross reference: See Rule ~~16-1001~~ 16-901 for the definition of "case record."

. . .

REPORTER'S NOTE

Internal references in Rule 9-205.2 are updated to conform to the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE
TITLE 9 - FAMILY LAW ACTIONS
CHAPTER 200 - DIVORCE, ANNULMENT, ALIMONY, CHILD SUPPORT,
AND CHILD CUSTODY

AMEND Rule 9-208 to revise an internal reference in the Rule, as follows:

Rule 9-208. REFERRAL OF MATTERS TO MAGISTRATES

(a) Referral

(1) As of Course

If a court has a full-time or part-time standing magistrate for domestic relations matters and a hearing has been requested or is required by law, the following matters arising under this Chapter shall be referred to the magistrate as of course unless the court directs otherwise in a specific case:

. . .

(K) such other matters arising under this Chapter and set forth in the court's case management plan filed pursuant to Rule ~~16-202~~ 16-302 (b).

. . .

REPORTER'S NOTE

An internal reference in Rule 9-208 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE

TITLE 10 - GUARDIANS AND OTHER FIDUCIARIES

CHAPTER 100 - GENERAL PROVISIONS

AMEND Rule 10-106 to revise an internal reference in the Rule, as follows:

Rule 10-106. APPOINTMENT OF ATTORNEY OR INVESTIGATOR

(a) Appointment of Attorney by the Court

(1) Minor Persons

Upon the filing of a petition for guardianship of the person or property of a minor who is not represented by an attorney, the court may appoint an attorney for the minor. The fee of an appointed attorney shall be fixed by the court and shall be paid out of the fiduciary estate or as the court shall direct.

(2) Disabled Persons

Upon the filing of a petition for guardianship of the person or property of a disabled person who is not represented by an attorney, the court shall promptly appoint an attorney for the disabled person and may require the deposit of an appropriate sum into the court registry or the appointed attorney's escrow account within 30 days after the order of appointment has been entered, subject to further order of the court. If the person is indigent, the State shall pay a reasonable attorney's fee. The court may not require the deposit of an appropriate sum into the

court registry or the appointed attorney's escrow account under this section if payment for the services of the court-appointed attorney for the alleged disabled person is the responsibility of (A) a government agency paying benefits to the disabled person, (B) a local department of Social Services, or (C) an agency eligible to serve as the guardian of the disabled person under Code, Estates and Trusts Article, §13-707.

Cross reference: Code, Estates and Trusts Article, §§13-211 (b) and 13-705 (d). See also Rule ~~1-14~~ 19-301.14 of the Maryland ~~Lawyers'~~ Attorneys' Rules of Professional Conduct with respect to the attorney's role and obligations.

. . .

REPORTER'S NOTE

An internal reference in Rule 10-106 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE

TITLE 11 - JUVENILE CAUSES

AMEND Rule 11-106 to revise internal references in the Rule, as follows:

Rule 11-106. RIGHT TO COUNSEL

a. In all Proceedings - Appearance of Out-of-State Attorney

The respondent is entitled to be represented in all proceedings under this Title by counsel retained by him, his parent, or appointed pursuant to the provisions of subsection b 2 and 3 of this Rule. An out-of-state attorney may enter his appearance and participate in a cause only after having been admitted in accordance with Rule ~~14~~ 19-214 of the Rules Governing Admission to the Bar of Maryland (Special Admission of Out-of-State Attorneys). Once so admitted, his appearance and participation is limited by the restrictions of that Rule.

Cross reference: See Rule ~~14~~ 19-214 of the Rules Governing Admission to the Bar of Maryland.

b. Waiver of Representation - Indigent Cases - Non-Indigent Cases

. . .

3. Child in Need of Assistance Cases

A party in a child in need of assistance proceeding is entitled to the assistance of counsel as provided in Section 3-821 of the Courts Article.

Cross reference: See Appendix: The Maryland ~~Lawyers'~~ Attorneys' Rules of Professional Conduct, Rule ~~1.14~~ 19-301.14 (Client with Diminished Capacity) and Appendix: Guidelines of Advocacy for Attorneys Representing Children in CINA and Related TPR and Adoption Cases.

. . .

REPORTER'S NOTE

Internal references in Rule 11-106 are updated to conform to the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE
TITLE 15 - OTHER SPECIAL PROCEEDINGS
CHAPTER 200 - CONTEMPT

AMEND Rule 15-207 to revise an internal reference in the Rule, as follows:

Rule 15-207. CONSTRUCTIVE CONTEMPT; FURTHER PROCEEDINGS

. . .

(e) Constructive Civil Contempt - Support Enforcement Action

(1) Applicability

This section applies to proceedings for constructive civil contempt based on an alleged failure to pay spousal or child support, including an award of emergency family maintenance under Code, Family Law Article, Title 4, Subtitle 5.

Committee note: Sanctions for attorneys found to be in contempt for failure to pay child support may include referral to Bar Counsel pursuant to Rule ~~16-731~~ 19-711. See Code, Family Law Article, §10-119.3.

. . .

REPORTER'S NOTE

An internal reference in Rule 15-207 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE

TITLE 15 - OTHER SPECIAL PROCEEDINGS

CHAPTER 1100 - CATASTROPHIC HEALTH EMERGENCY

AMEND Rule 15-1103 to revise an internal reference in the Rule, as follows:

Rule 15-1103. INITIATION OF PROCEEDING TO CONTENT ISOLATION OR QUARANTINE

(a) Petition for Relief

An individual or group of individuals required to go to or remain in a place of isolation or quarantine by a directive of the Secretary issued pursuant to Code, Health-General Article, §18-906 or Code, Public Safety Article, §14-3A-05, may contest the isolation or quarantine by filing a petition for relief in the circuit court for the county in which the isolation or quarantine is occurring or, if that court is not available, in any other circuit court.

Committee note: Motions to seal or limit inspection of a case record are governed by Rule ~~16-1009~~ 16-909. The right of a party to proceed anonymously is discussed in *Doe v. Shady Grove Hosp.*, 89 Md. App. 351, 360-66 (1991).

. . .

REPORTER'S NOTE

An internal reference in Rule 15-1103 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 17 - ALTERNATIVE DISPUTE RESOLUTION
CHAPTER 200 - PROCEEDINGS IN CIRCUIT COURT

AMEND Rule 17-205 to revise an internal reference in the Rule, as follows:

Rule 17-205. QUALIFICATIONS OF COURT-DESIGNATED MEDIATORS

(a) Basic Qualifications

A mediator designated by the court shall:

. . .

(8) comply with procedures and requirements prescribed in the court's case management plan filed under Rule ~~16-202 b.~~ 16-302 (b) relating to diligence, quality assurance, and a willingness to accept, upon request by the court, a reasonable number of referrals at a reduced-fee or pro bono.

. . .

REPORTER'S NOTE

An internal reference in Rule 17-205 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE

TITLE 17 - ALTERNATIVE DISPUTE RESOLUTION

CHAPTER 200 - PROCEEDINGS IN CIRCUIT COURT

AMEND Rule 17-206 to revise internal references in the Rule, as follows:

Rule 17-206. QUALIFICATIONS OF COURT-DESIGNATED ADR PRACTITIONERS OTHER THAN MEDIATORS

(a) Generally

Except as provided in section (b) of this Rule, an ADR practitioner designated by the court to conduct ADR other than mediation shall, unless the parties agree otherwise:

(1) abide by any applicable standards adopted by the Court of Appeals;

(2) submit to periodic monitoring of court-ordered ADR proceedings by a qualified person designated by the county administrative judge;

(3) comply with procedures and requirements prescribed in the court's case management plan filed under Rule ~~16-202 b.~~ 16-302 (b) relating to diligence, quality assurance, and a willingness, upon request by the court, to accept a reasonable number of referrals at a reduced-fee or pro bono;

(4) either (A) be a member in good standing of the Maryland bar and have at least five years experience as (i) a judge, (ii) a practitioner in the active practice of law, (iii) a full-time

teacher of law at a law school accredited by the American Bar Association, or (iv) a Federal or Maryland administrative law judge, or (B) have equivalent or specialized knowledge and experience in dealing with the issues in dispute; and

(5) have completed any training program required by the court.

(b) Judges and Magistrates

An active or retired judge or a magistrate of the court may chair a non-fee-for-service settlement conference.

Cross reference: ~~Rule 16-813, Maryland Code of Judicial Conduct, Canon 4F 18-103.9 and Rule 16-814, Maryland Code of Conduct for Judicial Appointees, Canon 4F 18-203.9.~~

Source: This Rule is derived from former Rule 17-105 (2012).

REPORTER'S NOTE

Internal references in Rule 17-206 are updated to conform to the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE

TITLE 17 - ALTERNATIVE DISPUTE RESOLUTION

CHAPTER 200 - PROCEEDINGS IN CIRCUIT COURT

AMEND Rule 17-207 to revise an internal reference in the Rule, as follows:

Rule 17-207. PROCEDURE FOR APPROVAL

. . .

(b) Business and Technology and Health Care Malpractice Programs

(1) Scope

This section applies to individuals who seek eligibility for designation by a court to conduct ADR pursuant to Rule 17-201 in an action assigned to the Business and Technology Case Management Program or pursuant to Rule 17-203 in an action assigned to the Health Care Malpractice Claims ADR Program.

(2) Application

An individual seeking designation to conduct ADR shall file an application with the Administrative Office of the Courts, which shall transmit the application to the committee of program judges appointed pursuant to Rule ~~16-108 b. 4~~ 16-702. The application shall be substantially in the form approved by the State Court Administrator and shall be available from the clerk of each circuit court.

. . .

REPORTER'S NOTE

An internal reference in Rule 17-207 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE
TITLE 17 - ALTERNATIVE DISPUTE RESOLUTION
CHAPTER 500 - COLLABORATIVE LAW PROCESS

AMEND Rule 17-506 to revise an internal reference in the Rule, as follows:

Rule 17-506. SCOPE OF REPRESENTATION

(a) Definitions

In this Rule, "firm" and "screened" have the meanings stated in Rule ~~1.0~~ 19-301.0 of the Maryland ~~lawyers'~~ Attorneys' Rules of Professional Conduct.

. . .

REPORTER'S NOTE

An internal reference in Rule 17-506 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE

TITLE 20 - ELECTRONIC FILING AND CASE MANAGEMENT

CHAPTER 100 - GENERAL PROVISIONS

AMEND Rule 20-101 to revise internal references in the Rule,
as follows:

Rule 20-101. DEFINITIONS

In this Title the following definitions apply except as
expressly otherwise provided or as necessary implication
requires:

. . .

(n) Judicial Appointee

"Judicial appointee" means a judicial appointee, as defined
in Rule ~~16-814~~ 18-200.3.

. . .

(s) Restricted Information

"Restricted information" means information (1) prohibited
by Rule or other law from being included in a court record, (2)
required by Rule or other law to be redacted from a court record,
(3) placed under seal by a court order, or (4) otherwise required
to be excluded from the court record by court order.

Cross reference: See Rule 1-322.1 (Exclusion of Personal
Identifier Information in Court Filings) and the Rules in Title
16, Chapter ~~1000~~ 900 (Access to Court Records).

. . .

REPORTER'S NOTE

Internal references in Rule 20-101 are updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE

TITLE 20 - ELECTRONIC FILING AND CASE MANAGEMENT

CHAPTER 100 - GENERAL PROVISIONS

AMEND Rule 20-109 to revise internal references in the Rule, as follows:

Rule 20-109. ACCESS TO ELECTRONIC COURT RECORDS

(a) Generally

Except as otherwise provided in this Rule, access to court records in an affected action is governed by the Rules in Title 16, Chapter ~~1000~~ 900.

. . .

(e) Public Access

(1) Names of Litigants and Docket Entries

Members of the public shall have free access, including remote access, to unshielded information made available pursuant to Rule ~~16-1008 (a) (4)~~ 16-909 (c).

(2) Unshielded Documents

Subject to any protective order issued by the court, members of the public shall have free access to unshielded case records and unshielded parts of case records from computer terminals that the court makes available for that purpose. Each clerk's office shall provide a reasonable number of terminals for use by the public. The terminals shall not permit the user to download, alter, or forward the information, but the user is

Rule 20-109

entitled to a copy of or printout of a case record in accordance with Rules ~~16-1002 (d) (4)~~ 16-902 (d) (4) and ~~16-1003~~ 16-903.

Source: This Rule is new.

REPORTER'S NOTE

Internal references in Rule 20-109 are updated to conform to the appropriate revised Rules.

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

AMEND Rule 20-203 to revise an internal reference in the Rule, as follows:

Rule 20-203. REVIEW BY CLERK; STRIKING OF SUBMISSION;
DELINQUENCY NOTICE; CORRECTION; ENFORCEMENT

. . .

(b) Docketing

(1) Generally

The clerk shall promptly correct errors of non-compliance that apply to the form and language of the proposed docket entry for the submission. The docket entry as described by the filer and corrected by the clerk shall become the official docket entry for the submission.

(2) Submission Signed by Judge or Judicial Appointee

The clerk shall enter on the docket each judgment, order, or other submission signed by a judge or judicial appointee.

(3) Submission Generated by Clerk

The clerk shall enter each writ, notice, or other submission generated by the clerk into the MDEC system for docketing in the manner required by Rule ~~16-305~~ 16-404.

. . .

REPORTER'S NOTE

An internal reference in Rule 20-203 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE

TITLE 20 - ELECTRONIC FILING AND CASE MANAGEMENT

CHAPTER 400 - APPELLATE REVIEW

AMEND Rule 20-405 to revise internal references in the Rule,
as follows:

Rule 20-405. OTHER SUBMISSIONS

. . .

(c) Paper Copies Required from Persons who File Electronically

An attorney or other registered user who files any of the following submissions electronically also shall file eight copies of the submission in paper form:

(1) a petition for certiorari to the Court of Appeals or a response to the petition;

(2) a petition to the Court of Appeals for a writ of mandamus, a writ of prohibition, or other extraordinary relief or a response to the petition;

(3) a motion for reconsideration filed pursuant to Rule 8-605 or a response to the motion;

(4) in an attorney grievance matter, (A) exceptions filed in the Court of Appeals pursuant to Rule ~~16-758~~ 19-728 or a response to the exceptions, (B) recommendations concerning the appropriate disposition of a matter under Rule ~~16-759~~ 19-729 (c) or a response to the recommendations, (C) a petition filed in the Court of Appeals under Rule ~~16-771, 16-773, 16-774 (b), or 16-781~~

19-737, 19-738, 19-739 (b), or 19-752 or a response to the petition, (D) an application filed in the Court of Appeals pursuant to Rule ~~16-775~~ 19-735 (a) or a response to the application;

(5) in a matter reaching the Court of Appeals from the Commission on Judicial Disabilities, (A) exceptions filed in the Court of Appeals to the findings, conclusions, and recommendation of the Commission pursuant to Rule ~~16-809~~ 18-409 or a response to the exceptions, or (B) an agreement to discipline by consent filed in the Court of Appeals pursuant to Rule ~~16-808~~ 18-408 (1); or

(6) any other petition filed in the Court of Appeals invoking the original jurisdiction of that Court or a response to the petition.

. . .

REPORTER'S NOTE

Internal references in Rule 20-405 are updated to conform to the appropriate revised Rules.

MARYLAND RULES OF PROCEDURE

TITLE 20 - ELECTRONIC FILING AND CASE MANAGEMENT

CHAPTER 500 - MISCELLANEOUS RULES

AMEND Rule 20-502 to revise an internal reference in the Rule, as follows:

Rule 20-502. REMOVAL TO AND REMAND FROM THE UNITED STATES DISTRICT COURT

. . .

(b) Contents of Plan

The plan shall provide for:

- (1) the manner and method of transmitting electronic records;
- (2) the format of the electronic records being transmitted;
- (3) the preservation of all applicable limitations on public access to the transmitted electronic records provided for by the Rules in Title 16, Chapter ~~1000~~ 900 and Title 20 of these Rules until such time or times provided for in the plan or applicable federal rules;
- (4) the procedures for the expungement of records when ordered by a court in accordance with applicable expungement laws; and
- (5) any other matters relevant to the transmission of electronic court records between the Maryland State Court and the U.S. District Court.

. . .

REPORTER'S NOTE

An internal reference in Rule 20-502 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE

TITLE 20 - ELECTRONIC FILING AND CASE MANAGEMENT

CHAPTER 500 - MISCELLANEOUS RULES

AMEND Rule 20-503 to revise an internal reference in the Rule, as follows:

Rule 20-503. ARCHIVAL OF RECORDS

. . .

(b) Contents of plan

The plan shall provide for:

(1) the entire lifecycle of the electronic record, including creation, use, destruction, and transfer to the Maryland State Archives;

(2) the Courts' records retention and disposition schedules to define the retention period of non-permanent records and the transfer of permanent electronic records to the Maryland State Archives;

(3) when electronic records may be transmitted to the Maryland State Archives;

(4) the categories or types of records to be transmitted or not to be transmitted;

(5) the format and manner of transmission and the format in which the records will be retained by the Maryland State Archives;

(6) the preservation of all limitations on public access to

the transmitted electronic records provided for by the Rules in Title 16, Chapter ~~1000~~ 900 and Title 20 of these Rules until such time or times provided for in the plan;

(7) a method by which MDEC can retrieve and modify records transmitted to the Maryland State Archives;

(8) procedures for the expungement of records transmitted to the Maryland State Archives when ordered by a court in accordance with applicable expungement laws;

(9) procedures to ensure that the electronic records are exported for transfer to the Maryland State Archives in non-proprietary (open-source) formats that constitute a complete and accurate representation of the record as defined by the Court; and

(10) any other matters relevant to the transmission and archiving of court records, including the tracking, verification, and authentication of transfers.

. . .

REPORTER'S NOTE

An internal reference in Rule 20-503 is updated to conform to the appropriate revised Rule.

MARYLAND RULES OF PROCEDURE

TITLE 20 - ELECTRONIC FILING AND CASE MANAGEMENT

CHAPTER 500 - MISCELLANEOUS RULES

AMEND Rule 20-504 to revise an internal reference in the Rule, as follows:

Rule 20-504. AGREEMENTS WITH VENDORS

. . .

(b) Agreement with Administrative Office of the Courts

As a condition of having the access to MDEC necessary for a person to become a vendor, the person must enter into a written agreement with the Administrative Office of the Courts that, in addition to any other provisions, (1) requires the vendor to abide by all Maryland Rules and other applicable law that limit or preclude access to information contained in case records, whether or not that information is also stored in the vendor's database, (2) permits the vendor to share information contained in a case record only with a party or attorney of record in that case who is a customer of the vendor, (3) provides that any material violation of that agreement may result in the immediate cessation of remote electronic access to case records by the vendor, and (4) requires the vendor to include notice of the agreement with the Administrative Office of the Courts in all agreements between the vendor and its customers.

Cross reference: See Maryland Rules 20-109 and ~~16-1001 through 16-1011~~ 16-901 through 16-912.

Source: This Rule is new.

REPORTER'S NOTE

An internal reference in Rule 20-504 is updated to conform to the appropriate revised Rule.