

My Laws, My Courts, My Maryland:
WHAT IS THE LAW?

In modern society, there are rules for everything. Rules made by the government are called laws. Laws are necessary to make sure people can live peacefully with each other and to provide a way to resolve disagreements in an orderly way. This video will help you understand what the law is in Maryland, where it comes from, and where you can find it.

There are state laws, federal laws and local laws. Some areas of law are governed exclusively by the state, some are exclusively governed by the federal government and some areas are governed by both. There may also be county or city laws. State law covers things like divorce, child custody, real estate, landlord-tenant matters, wills and estates, and some contract disputes between private parties. Federal law covers things like interstate commerce, patent and copyright matters, stocks and bankruptcy. There are state and federal laws governing criminal behavior, labor and employment issues and consumer matters.

There are many different sources of law. Statutes are laws made by the legislature. Regulations are rules made by state agencies like the Motor Vehicle Administration. Case law is made by courts interpreting statutes and regulations. Laws must not violate the Maryland Constitution or the United States Constitution.

Statutes are organized by subject in the Maryland Code. Each subject is arranged in its own Article. Articles include topics like: Labor and Employment, Criminal Law and Family Law. There are about three dozen Articles in the Maryland Code. Each Article is broken into smaller topics, called "Titles." The Family Law Article, for example, has Titles on Marriage, Children, Domestic Violence and others.

The Maryland Code is easy to find. There are printed versions, from publishers Lexis, sometimes called "Michies" and West which can be found in any public law library. It is also available for a fee on databases called Westlaw and Lexis. You may access these databases at a public law library. There is also a reliable free set on the internet. You can access the county and municipal codes through the Maryland State Law Library's website at mdcourts.gov/lawlib and click on "Gateway to Maryland Laws."

Regulations are usually much more specific than statutes. For example, a statute might say that all electricians must have a license. A regulation would detail how the licensing process works, what the application would look like, who reviews and approves it, and how someone can get help if his or her application is denied.

Maryland regulations are printed in a publication called COMAR, which stands for *Code of Maryland Regulations*. COMAR can be found in print at a law library or on the internet. There is a full copy of COMAR on the Division of State Documents' website.

Judges make case law by applying the law to different factual situations. Judges often report their decisions in papers called “opinions.” Most written opinions from the Court of Appeals and Court of Special Appeals are binding on lower courts.

Published opinions are organized in law books called “reporters.” You can find reporters in a public law library. Some opinions can also be found on the Maryland Judiciary’s website at mdcourts.gov and on Google Scholar. You can also search for case law on fee based databases like Lexis and Westlaw.

Finally, it’s a good idea to check to see if any county or municipal laws apply to your situation. You can access Maryland county and municipal codes through the Maryland State Law Library’s website.

To review, Maryland law is made up of statutes, regulations and case law. These materials can be found for free in a law library or on the internet. If you are looking for Maryland law, make sure you are not looking at law from other states or countries. You should always check to make sure the law you find is current before you rely on it. For more information about cite checking, talk to a law librarian or an attorney.

You can research the law at a law library. Maryland has a number of law libraries that are open to the public. To find a law library near you, visit the Maryland State Law Library’s directory. You may also contact a law librarian by phone, email or by visiting in person.

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