

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

AMEND Rule 20-201 to modify certain provisions in section (h) pertaining to the filing of proposed orders, to add a Committee note following section (h), and to add to section (i) certain provisions concerning requests for the waiver of prepayment of fees and the docketing of submissions in MDEC, as follows:

Rule 20-201. REQUIREMENTS FOR ELECTRONIC FILING

. . .

(h) Proposed Orders

A proposed order to be signed by a judge or judicial appointee shall be ~~in an editable text form specified by the State Court Administrator~~ (1) in an electronic text format specified by the State Court Administrator and (2) filed as a separate document identified as relating to the motion or other request for court action to which the order pertains.

Committee note: As originally adopted, section (h) of this Rule required that a proposed order be submitted in "an editable text form." Because at the time of initial implementation, the MDEC system could only accept pdf documents, amendments to section (h) were made in 2015 to give the State Court Administrator the flexibility to specify the electronic format of the proposed order. The filer should consult the MDEC policies and procedures posted on the Judiciary website for any changes to the required format.

(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 - Civil Action

(A) A filer in a civil action 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 or Rule 1-325.1, as applicable.

(B) The request shall be accompanied by (i) the documents required by Rule 1-325 or Rule 1-325.1, as applicable, (ii) the submission for which a waiver of the prepaid fee is requested, and (iii) if applicable, 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) or the applicable provision of Rule 1-325.1, the clerk also shall docket the attached submission. If prepayment is not waived by the clerk, the clerk and the court shall proceed in accordance with Rule 1-325 (e) or Rule 1-325.1 (c), as

applicable.

~~(E) If the judge waives prepayment in full, the clerk shall docket the submission.~~

~~(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.~~

(3) Waiver - Criminal Action

A fee waiver in a criminal action is governed by Rule 7-103 (c) (2), 8-201 (b) (2), or 8-303 (a) (2), as applicable.

Source: This Rule is new.