

1 However, even in procedural law, there are borderline
2 situations, questions of a political nature or of State
3 policy which make action by elected representatives
4 desirable.

5 The present Constitution permits the Legislature
6 to modify the rules. Frequent changes, particularly by
7 implication, will tend to disrupt the Maryland Rules and
8 to again spread procedural law throughout the hundred-odd
9 Articles of the Maryland Code of Statutes, thus creating
10 confusion and increasing the burden on lawyers and judges.
11 The Rules Committee has worked with the Legislative Council,
12 the Department of Legislative Reference and various leaders
13 of the House and Senate to minimize interference with the
14 Rules. But it is difficult to control individual drafts-
15 men of legislation and to avoid the inclusion of procedural
16 provisions in statutes. Many times this is inadvertent
17 rather than deliberate.

18 To make the action of the Court with respect
19 to procedural final and subject only to its own review
20 and modification of the Maryland Rules would effectually
21 solve the problem. Certainly the Court, as advised by the