

Article – Business Occupations and Professions

Section 10-502

Annotated Code of Maryland

(1989 Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Business Occupations and Professions

10-502.

(a) (1) In this section[, “lawyer”] THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “LAWYER counseling committee” means a group of individuals that:

[(1)] (I) is recognized by the Court of Appeals;

[(2)] (II) is a standing committee of the Maryland State Bar Association OR OF A LOCAL BAR ASSOCIATION;

[(3)] (III) consists of lawyers and other individuals necessary to carry out the functions of the committee; and

[(4)] (IV) evaluates and helps a lawyer in need of treatment and rehabilitation for:

[(i)] 1. substance abuse; or

[(ii)] 2. any other physical, emotional, or mental condition that adversely affects the ability of the lawyer to practice law in accordance with the rules adopted by the Court of Appeals.

(3) “LOCAL BAR ASSOCIATION” MEANS:

(I) IN BALTIMORE CITY, THE BAR ASSOCIATION OF BALTIMORE CITY; OR

(II) IN EACH COUNTY, THE BAR ASSOCIATION WITH THE GREATEST NUMBER OF MEMBERS WHO ARE RESIDENTS OF THE COUNTY AND WHO MAINTAIN THEIR PRINCIPAL OFFICE FOR THE PRACTICE OF LAW IN THAT COUNTY.

(b) (1) This subsection does not apply to a proceeding before the Attorney Grievance Commission or a disciplinary proceeding against a lawyer before a circuit court or the Court of Appeals.

(2) The proceedings, records, and files of a lawyer counseling committee are not admissible into evidence or discoverable in an action that arises out of a matter that the lawyer counseling committee is or has been reviewing.

(c) Notwithstanding any other law, a member of a lawyer counseling committee