

*record by the parties shall be in accordance with the procedure set forth in (c) of this section.*

*(e) (1) Within the appropriate time for appeal, the appellant shall serve upon the appellee and file with the clerk of the trial court a designation of record and a statement of proceedings and evidence to be contained in the record on appeal. Within three days after the appellant has filed the designation of the record, any other party to the appeal may serve and file a designation of additional portions of the record, proceedings, and evidence to be included.*

*(2) Instead of serving designations as above provided, the parties may, by written stipulation filed with the clerk of the trial court, designate the parts of the record, proceedings, and evidence to be included in the record on appeal.*

*(3) All parties shall have the opportunity to assist in the preparation of a statement of proceedings and evidence. Whenever disagreement arises between the parties as to what actually occurred at the trial, it is the district court judge's function to confer with the parties and settle the dispute.*

*(4) Nothing in this subsection is to be construed to prevent the Court of Appeals from prescribing rules to supplement this subsection or to prescribe any other rules not inconsistent with it.*

**(D) NOTHING IN THIS SECTION IS TO BE CONSTRUED TO PREVENT THE COURT OF APPEALS FROM PRESCRIBING RULES TO SUPPLEMENT THIS SECTION OR TO PRESCRIBE ANY OTHER RULES NOT INCONSISTENT WITH IT.**

#### *157. Repeal of Inconsistent and Prior Laws.*

*Except to the extent required pursuant to the provisions of subsection (b), Section 41-I of Article IV of the Constitution, all provisions of the Annotated Code of Maryland, 1957 Edition, as amended, and those provisions of the public local laws applicable to the various counties or the City of Baltimore which are inconsistent with the provisions of any section of this Act, are hereby repealed.*

#### *158. Severability.*

*If any word, phrase, clause, sentence, or any part or parts of this Act shall be held unconstitutional by any court of competent jurisdiction such unconstitutionality shall not affect the validity of the remaining parts of this Act or of any other section thereof.*

**SEC. 2. And be it further enacted, That this Act shall take effect on ~~January 1, 1971~~, THE FIRST MONDAY IN JULY, 1971, EXCEPT THOSE PROVISIONS PERTAINING TO THE OFFICES OF CHIEF JUDGE AND CHIEF CLERK OF THE DISTRICT COURT WHICH PROVISIONS SHALL TAKE EFFECT ON MAY 1, 1971, provided that the amendments to Articles IV, XV and XVII of the Constitution of 1867 establishing the authority for the District Court have been approved and adopted by the voters of the State.**

Approved May 5, 1970