

SECTION 2. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Sections 5A through 5D are hereby added to Article 5 of the Annotated Code of Maryland (1968 Replacement Volume and 1972 Supplement), title "Appeals," subtitle "Appeals to Court of Appeals and Court of Special Appeals," to follow immediately after Section 5 of said Article, to be under the new subheading "Allocation of Jurisdiction Between Appellate Courts" and to read as follows:

ALLOCATION OF JURISDICTION BETWEEN APPELLATE COURTS

5A.DEFINITIONS.

(A) IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:

(B) "APPELLATE JURISDICTION" MEANS THE JURISDICTION EXERCISED BY THE COURT OF APPEALS OR THE COURT OF SPECIAL APPEALS, WHETHER PURSUANT TO NOTICE OF APPEAL, APPLICATION FOR LEAVE TO APPEAL, PETITION FOR CERTIORARI, OR OTHERWISE.

(C) "CIRCUIT COURT" MEANS THE CIRCUIT COURT FOR A COUNTY, THE SUPERIOR COURT OF BALTIMORE CITY, COURT OF COMMON PLEAS, BALTIMORE CITY COURT, CIRCUIT COURT OF BALTIMORE CITY, CIRCUIT COURT NO. 2 OF BALTIMORE CITY, AND CRIMINAL COURT OF BALTIMORE, OR ANY OF THEM.

5B.PURPOSE OF SUBTITLE.

THE PURPOSE OF THIS SUBTITLE IS TO ALLOCATE APPELLATE JURISDICTION BETWEEN THE COURT OF APPEALS AND THE COURT OF SPECIAL APPEALS. EXCEPT AS EXPRESSLY PROVIDED IN THIS SUBTITLE, NOTHING IN THIS SUBTITLE CREATES OR ABROGATES A RIGHT TO APPEAL OR OTHERWISE INVOKES APPELLATE JURISDICTION GRANTED BY THE LAWS OF THIS STATE.

5C.APPELLATE JURISDICTION PRIOR TO JANUARY 1, 1975.

(A) UNTIL JANUARY 1, 1975, THE COURT OF APPEALS

(1) HAS EXCLUSIVE APPELLATE JURISDICTION TO REVIEW ANY MATTER NOT WITHIN THE EXCLUSIVE INITIAL JURISDICTION OF THE COURT OF SPECIAL APPEALS, IF PROVISION FOR APPELLATE REVIEW IS MADE BY LAW;

(2) HAS EXCLUSIVE INITIAL APPELLATE JURISDICTION WITH RESPECT TO A QUESTION CERTIFIED TO IT UNDER THE UNIFORM CERTIFICATION OF QUESTIONS OF LAW ACT; AND

(3) MAY REVIEW BY WRIT OF CERTIORARI, EITHER ON ITS OWN MOTION OR UPON PETITION OF A PARTY, ANY CASE PENDING IN THE COURT OF SPECIAL APPEALS, EITHER BEFORE OR AFTER DECISION BY THAT COURT. THE COURT OF APPEALS MAY BY RULE PROVIDE FOR THE NUMBER OF ITS JUDGES WHO MUST CONCUR TO GRANT THE WRIT OF CERTIORARI IN ANY CASE, BUT THAT NUMBER MAY NOT EXCEED THREE. REASONS FOR THE DENIAL OF A WRIT OF CERTIORARI SHALL BE IN WRITING.