

EXCEPT AS PROVIDED IN THIS SECTION, A CASE TRANSFERRED FROM THE DISTRICT COURT TO A CIRCUIT COURT FOR TRIAL SHALL BE DEEMED TO HAVE ORIGINATED IN THE CIRCUIT COURT AND THE PARTIES ARE ENTITLED TO REMOVAL AS PROVIDED BY RULE OR LAW.

(B) EXCEPTION.

THIS SECTION DOES NOT APPLY TO AN APPEAL FROM A FINAL JUDGMENT OF THE DISTRICT COURT.

REVISOR'S NOTE: This section is new language derived from Art. 75, §45, as amended by Ch. 318, Acts of 1973. This section expressly authorizes removal only as provided in Art. 75, §44. The right of removal is covered in the Constitution (Art. IV, §8) and by Rules 510, 515, 542, and 562.

SEC. 6-405. SUIT BY INFANT.

(A) IN GENERAL.

ANY ACTION, INCLUDING ONE IN THE NAME OF THE STATE, BROUGHT BY A NEXT FRIEND FOR THE BENEFIT OF A MINOR MAY BE SETTLED BY THE NEXT FRIEND.

(B) LIMITATION.

IF THE NEXT FRIEND IS NOT A PARENT OR PERSON IN LOCO PARENTIS OF THE CHILD, THE SETTLEMENT IS NOT EFFECTIVE UNLESS APPROVED BY THE PARENT OR OTHER PERSON RESPONSIBLE FOR THE CHILD.

(C) WHERE NO PARENT OR OTHER PERSON RESPONSIBLE.

IF BOTH PARENTS ARE DEAD, AND THERE IS NO PERSON RESPONSIBLE FOR THE CARE AND CUSTODY OF THE CHILD, THE SETTLEMENT IS NOT EFFECTIVE UNLESS APPROVED BY THE COURT IN WHICH THE SUIT WAS BROUGHT. APPROVAL MAY BE GRANTED ONLY ON THE WRITTEN APPLICATION BY THE NEXT FRIEND, UNDER OATH, STATING THE FACTS OF THE CASE, AND WHY THE SETTLEMENT IS IN THE BEST INTEREST OF THE CHILD.

REVISOR'S NOTE: This section is new language derived from Art. 75, §22, as amended by Ch. 651, Acts of 1973. The section is substantively changed to allow the court in which a suit is brought to approve a settlement, rather than requiring approval of