

(A) DEATH SENTENCE CASES.

IF THE DEATH SENTENCE IS IMPOSED AND A DEFENDANT FILES A PETITION UNDER OATH ALLEGING THE FACT OF HIS POVERTY AND HIS INABILITY TO PAY THE COSTS OF PROSECUTING AN APPEAL AND FILES AN ORDER FOR APPEAL IN ACCORDANCE WITH THE MARYLAND RULES, THE SENTENCING COURT SHALL ORDER THE STATE TO PAY THE COSTS. A COPY OF THE ORDER SHALL BE INCLUDED IN THE RECORD TRANSMITTED TO THE COURT OF APPEALS.

(B) OTHER CRIMINAL CASES.

IF A DEFENDANT IN A CRIMINAL CASE HAS A RIGHT TO APPEAL OR APPLY FOR LEAVE TO APPEAL TO THE COURT OF SPECIAL APPEALS AND FILES WITH HIS ORDER OF APPEAL OR APPLICATION FOR LEAVE TO APPEAL A PETITION UNDER OATH ALLEGING THE FACT OF HIS POVERTY AND HIS INABILITY TO PAY THE COSTS, THE SENTENCING OR HEARING COURT BELOW, UPON BEING SATISFIED THAT THE ALLEGATIONS ARE TRUE, SHALL ORDER THE STATE TO PAY THE COSTS. A COPY OF THE ORDER SHALL BE INCLUDED IN THE RECORD TRANSMITTED TO THE COURT OF SPECIAL APPEALS.

(C) CERTIORARI IN CRIMINAL CASES.

IF A DEFENDANT IN A CRIMINAL CASE HAS A RIGHT TO FILE A PETITION FOR A WRIT OF CERTIORARI IN THE COURT OF APPEALS OR COURT OF SPECIAL APPEALS AND FILES A PETITION UNDER OATH ALLEGING THE FACT OF HIS POVERTY AND HIS INABILITY TO PAY THE COSTS OF FILING THE PETITION, THE COURT IN WHICH THE PETITION IS FILED, UPON BEING SATISFIED THAT THE ALLEGATIONS ARE TRUE, SHALL ORDER THE STATE TO PAY THE COSTS OF FILING THE PETITION, AND IF IT IS GRANTED, THE COSTS OF APPEAL.

(D) FILING FEES NOT CHARGED.

IF FOR THE PURPOSES OF AN APPEAL, APPLICATION FOR LEAVE TO APPEAL, OR WRIT OF CERTIORARI, A COURT FINDS A DEFENDANT INDIGENT, THERE SHALL BE NO FILING FEES IN THE COURT OF APPEALS OR THE COURT OF SPECIAL APPEALS.

(E) COUNSEL FEES ALLOWED.

THE COURT OF APPEALS OR THE COURT OF SPECIAL APPEALS MAY ALLOW A COURT APPOINTED COUNSEL A REASONABLE COUNSEL FEE FOR SERVICES RENDERED THE DEFENDANT. THE FEE SHALL BE PAID BY THE STATE.

REVISOR'S NOTE: This section is new language