

SEC. 12-403. COURT TO WHICH APPEAL TAKEN.

(A) COUNTIES.

AN APPEAL FROM THE DISTRICT COURT SITTING IN ONE OF THE COUNTIES SHALL BE TAKEN TO THE CIRCUIT COURT OF THE COUNTY IN WHICH JUDGMENT WAS ENTERED. IN MONTGOMERY COUNTY, AN APPEAL FROM THE DISTRICT COURT SITTING AS A JUVENILE COURT SHALL BE TREATED AS AN APPEAL IN A CRIMINAL CASE.

(B) BALTIMORE CITY.

AN APPEAL FROM THE DISTRICT COURT SITTING IN BALTIMORE CITY SHALL BE TAKEN TO THE BALTIMORE CITY COURT IN A CIVIL CASE AND TO THE CRIMINAL COURT OF BALTIMORE IN A CRIMINAL OR CONTEMPT CASE.

REVISOR'S NOTE: This section embodies the first sentence of Art. 26, §156(a). The second sentence of subsection (a) is based on the first sentence of Art. 26, §87. The general right to appeal in juvenile cases in Montgomery County is included in §12-401. The second sentence of Art. 26, §87 is transferred to §12-701(b).

The Criminal Court of Baltimore is given appellate jurisdiction of all contempt cases, whether criminal or civil. This is the present law; Art. 26, §148(c). Art. IV, §39 of the Constitution provides that "the General Assembly may reapportion, change or enlarge the jurisdiction of the several Courts in said City".

SEC. 12-404. COMMITMENT FOR NONPAYMENT OF FINE FOLLOWING APPEAL.

IF A JUDGMENT OF THE DISTRICT COURT IMPOSING A FINE OR PENALTY FOR VIOLATION OF A LAW OR ORDINANCE IS AFFIRMED ON APPEAL, THE APPELLATE COURT MAY COMMIT THE DEFENDANT OR APPELLANT IN CASE OF NONPAYMENT OF THE FINE OR PENALTY, IN ACCORDANCE WITH LAW.

REVISOR'S NOTE: This section presently appears as Art. 5, §39, as re-enacted by Ch. 181, Acts of 1972. The applicable law with respect to commitment following nonpayment of a fine is Art. 38, §4. The only other changes made are in style.