

RECEIVE THEM.]]

SUBTITLE 3. SHERIFFS.

SEC. 2-301. SERVICE OF WRITS.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN §2-302, THE SHERIFF SHALL SERVE ALL PAPERS DIRECTED TO HIM ACCORDING TO THEIR INSTRUCTIONS, WITHIN THE TIME SET BY THE COURT.

(B) SERVICE OUTSIDE COUNTY.

(1) A SHERIFF MAY SERVE PAPERS IN A COUNTY OTHER THAN THE COUNTY OF WHICH HE IS SHERIFF[[.]] ;OR

[[(C) MANNER OF SERVICE.]]

(2) THE CLERK MAY SEND A PAPER TO THE SHERIFF OF ANOTHER COUNTY FOR SERVICE BY HIM. AFTER SERVING THE PAPER THE SHERIFF SHALL FILE A RETURN WITH THE COURT FROM WHICH IT WAS ISSUED.

REVISOR'S NOTE: This section is new language which synthesizes Art. 87, §§ 5 and 16, and restates Rule 104(a) in part, by authorizing a sheriff to personally serve papers outside of his home county.

Subsection (a) is derived from §5; subsection (b) is derived from §16. The provisions of subsection (b) are placed in the alternative to avoid any implication that either a sheriff or clerk could refuse to act properly with respect to process. Under subsection (a), when a paper is delivered to a sheriff he must execute its command.

For provisions relating to the powers of constables when serving writs see §§ 2-605 and 2-606 of this title.

For rules governing service by an elisor see Md. Rule 117 and Md. District Rule 117. These rules give elisors the same process serving powers as sheriffs. Sec. 2-606 gives similar authority to constables who have completed an approved police training